

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF GREG LADEN REGARDING THE PERRY NOUIS FOR MINNESOTA COMMITTEE

On September 15, 2020, the Campaign Finance and Public Disclosure Board received a complaint submitted by Greg Laden regarding the Perry Nouis for Minnesota committee. Perry Nouis for Minnesota is the principal campaign committee of Perry Nouis, a candidate for Minnesota House District 44A.

The complaint alleges that the Nouis committee has signs and a website that indicate that Mr. Nouis is the incumbent representative for the district rather than a candidate for that office. Although the complaint describes the signs and the website, it does not include any pictures or screen shots of the material. The complaint argues that the signs and the website violate the provisions in Minnesota Statutes section 211B.03 regarding the use of the term “re-elect” by nonincumbents. In addition, Minnesota Statutes section 211B.06 prohibits the dissemination of false campaign material.

Determination

Minnesota Statutes section 10A.022, subdivision 3, gives the Board jurisdiction to investigate violations of the disclaimer, use of campaign funds, and corporate contribution provisions in Minnesota Statutes sections 211B.04, 211B.12, and 211B.15. The Board does not have jurisdiction to investigate violations of the provisions in Minnesota Statutes sections 211B.03 or 211B.06 governing the use of the term “re-elect” or the dissemination of false campaign material.

The complaint here alleges that the Nouis committee’s signs and website violate Minnesota Statutes sections 211B.03 and 211B.06 by indicating that Mr. Nouis is the incumbent representative rather than a candidate for that office. The Board, however, has no jurisdiction to investigate violations of Minnesota Statutes sections 211B.03 or 211B.06. The chair therefore concludes that the complaint does not state a prima facie violation of any provision under the Board’s jurisdiction. For this reason, the complaint is dismissed without prejudice.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (c), this prima facie determination is made by a single Board member and not by any vote of the entire Board.

/s/ Gary Haugen
Gary Haugen, Chair
Campaign Finance and Public Disclosure Board

Date: September 16, 2020