STATE OF MINNESOTA  
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

COMPLAINT  
of  
Doug Baker  
P.O. Box 193  
Lanesboro, MN 55949

In Re Ken Tschumper and the Ken Tschumper for Minnesota House Committee’s Failure to Disclose Campaign Expenditure

Introduction

This complaint presents a violation of Minn. Stat. §10A.20 by Ken Tschumper, the DFL candidate for the Minnesota House of Representatives in district 28B, and the Ken Tschumper for Minnesota House committee (collectively referred to as Respondents). On July 2, 2012, Respondents purchased a block of advertising time from radio station KFIL in the amount of $283.50. This campaign expenditure was not reported in Respondents’ campaign finance report for the time period ending July 30, 2012. The Campaign Finance and Public Disclosure Board should find a violation of Minn. Stat. §10A.20 and provide appropriate relief and penalties as prescribed by law.

Facts

On or about July 2, 2012, radio station KFIL in Preston, Minnesota sold a block of advertising time to “Ken Tschumper for the Minnesota House.” See, Exhibit A and B. These ads were campaign ads run for the purpose of influencing voters to support the candidacy of Ken Tschumper. The radio advertising ran on KFIL radio from July 11, 2012 until July 31, 2012. See, Id. The radio advertising was purchased with a personal check from Ken Tschumper in the amount of $283.50. See, Exhibit C.

On or about July 30, 2012, Respondents filed a campaign finance report and the expenditure of $283.50 for the advertising on KFIL radio was not disclosed.

Argument

Minn. Stat. §10A.20(g) requires that campaign finance reports must:

disclose the name and address of each individual or association to whom aggregate expenditures, including approved expenditures, have been made by or on behalf of the reporting entity within the year in excess of $100, together with the amount, date, and purpose of each expenditure and the name and address of, and office sought by, each candidate on whose behalf the expenditure was made .... .

In the instant case, Respondents did not disclose the expenditure of $283.50 that was paid to radio station KFIL on or about July 2, 2012. As such, Respondents violated Minnesota Statutes 10A.20.
Conclusion

The above stated facts demonstrate that Respondents Ken Tschumper, and the Ken Tschumper for the Minnesota House committee, violated the campaign reporting requirements of Minnesota Statutes 10A. As such Complainant respectfully requests that the Campaign Finance and Public Disclosure Board affirm this Complaint and impose applicable statutory penalties against Respondents.

Respectfully submitted,

Dated: September 10, 2012

JACOBSON BUFFALO MAGNUSON
ANDERSON AND HOGEN, P.C.

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St. Paul, MN 55108
Telephone: (651) 644-4710
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ATTORNEY FOR COMPLAINANT
RADIO BROADCAST ORDER

Client: Keutschmenper For The House
Agency: Keutschmenper
Address: 1640, 1640

Date: Jul 24, 2012  T.O. No. 403119
Date of First Broadcast: Jul 14, 2012
Date of Last Broadcast: Jul 31, 2012
Total Ann. and/or Prgrms.: 21X 15Y
Frequency Rate: 8.50
Frequency Rate: 7.00
Total Cost: 178.10 105.00
Phone: Fax: 8.50

Account Executive: [Signature]
ACCEPTED BY CLIENT: [Signature]

Schedule

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<tr>
<th>TIME</th>
<th>SEC.</th>
<th>MON</th>
<th>TUES</th>
<th>WED</th>
<th>THURS</th>
<th>FRI</th>
<th>SAT</th>
<th>SUN</th>
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<td>6:40</td>
<td>30</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>M-Sat</td>
<td></td>
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</table>

Regular: Co-op

Billing Cycle: Calendar Month

Promotion: Value, Thursday 6:30 Jan 26

NOTES:

2 cut. HW may try Rufus in concert for Thu Jan 26

Show: First 24 hrs 8345. Ken 2nd 12 hrs 6x8 345 8345 6x8 346 8346 8346

Sales Manager
Business Manager

Omnis Media requests a client signature on every contract where advertising time is purchased. This is also required for all special event advertising. Bills are due and payable within 30 days of receiving invoice. Political, Restaurant, Bar, One Time Promotions and new businesses must pay with cash in advance. It is also Cumulus' policy to have on file a Credit Application for all customers. If you wish to pay your invoices with Credit Card there will be an additional fee. It is also understood that any spots missed during flight can be made good during dates and flight times ordered by customer.

Exhibit A
AGREEMENT FORM FOR
POLITICAL CANDIDATE ADVERTISEMENTS

(check applicable box)

☐ FEDERAL CANDIDATE ☑ STATE/LOCAL CANDIDATE

To Avail Themselves of the Lowest Unit Charge During a Political Window, Federal Candidates Must Sign the Certification on Page 3

Station and Location:  
KFIR FM Radio Preston  
Date: July 2, 2012

1. Ken Tschumper  
being/on behalf of: SELF, a legally qualified candidate of the DEMOCRATIC political party for the office of: MN House of Representatives Dist 28A  
in the Governor election to be held on: November 6, 2012

do hereby request station time as follows:

<table>
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<th>Broadcast Length</th>
<th>Time of Day, Rotation or Package</th>
<th>Days</th>
<th>Class</th>
<th>Times per Week</th>
<th>Number of Weeks</th>
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<td>6A10P</td>
<td>July 11-31 M-Sat</td>
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Total Charges: 283.50

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Exhibit B
For programming that, in whole or in part, "communicates a message relating to any political matter of national importance," list the matters below:

I represent that the payment for the above described broadcast time has been furnished by

[Signature]

and you are authorized to announce the time as paid for by such person or entity.
I represent that this person or entity is either a legally qualified candidate or an authorized committee/organization of the legally qualified candidate.

The name of the treasurer of the candidate's authorized committee is:

[Signature]

This station has disclosed to me its political advertising policies, including: applicable classes and rates; and discount, promotional and other sales practices (not applicable to federal candidates).

THIS STATION DOES NOT DISCRIMINATE OR PERMIT DISCRIMINATION ON THE BASIS OF RACE OR ETHNICITY IN THE PLACEMENT OF ADVERTISING.

To Be Signed By Candidate or Authorized Committee

Date

Signature

To Be Signed By Station Representative

Accepted

Accepted in Part

Rejected

Signature

Printed Name

Title

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Exhibit C