

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

**PRIMA FACIE  
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF BRIAN WOJTALEWICZ REGARDING TIM MILLER, CITIZENS FOR TIM MILLER, SOUTHERN MINN BEET SUGAR COOPERATIVE PAC, AND RENVILLE COUNTY RPM

On October 10, 2016, the Campaign Finance and Public Disclosure Board received a complaint submitted by Brian Wojtalewicz regarding Tim Miller, Citizens for Tim Miller Committee, Southern Minn Beet Sugar Cooperative PAC (SMBSC), and Renville County RPM. The Citizens for Tim Miller Committee is the principal campaign committee of Tim Miller for the seat in the House of Representatives for district 17A.

The complaint alleges the following violations:

1. A \$5,000 contribution from the SMBSC to the Renville County RPM was used in part for a \$4,500 earmarked contribution to the Citizens for Tim Miller Committee, in violation of Minnesota Statutes section 10A.16. The complaint is based on the financial status of the Renville County RPM prior to receiving the contribution from the SMBSC, and on the timing and sequence of the subsequent contribution to the Citizens for Tim Miller Committee; and
2. Because the \$4,500 contribution from the Renville County RPM to Citizens for Tim Miller was actually from the SMBSC, the Citizens for Tim Miller Committee received, and SMBSC made, a contribution that exceeded the 2015-2016 election segment limit, in violation of Minnesota Statutes section 10A.27, Subd. 1(a)(5).

**Determination:**

Having reviewed the submissions, the chair makes the determination that the complaint states a prima facie allegation of a violation of the aforementioned provisions regarding earmarking and contribution limits.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (1), this prima facie determination is made by a single Board member and not by any vote of the entire Board. This prima facie determination does not mean that the Board has commenced, or will commence, an investigation or has made any determination of a violation by any of the individuals or entities named in the complaint.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (2), within 45 days of the date of this determination the Board will make findings and conclusions as to whether probable cause exists to believe the violations alleged in the complaint warrant a formal investigation. The complainant and the respondents named in this prima facie determination will be given an opportunity to be heard by the Board prior to any decision on probable cause.

Until the Board makes a public finding or enters into a conciliation agreement, this matter is subject to the confidentiality requirements of Minnesota Statutes section 10A.022, subdivision 5.

/s/ Daniel Rosen  
Daniel N. Rosen, Chair  
Campaign Finance and Public Disclosure Board

Date: October 13, 2016