

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF RICK WEIBLE REGARDING THE JENNINGS (ADAM) FOR STATE SENATE COMMITTEE

On February 14, 2020, the Campaign Finance and Public Disclosure Board received a complaint submitted by Rick Weible regarding the Jennings (Adam) for State Senate committee. Jennings (Adam) for State Senate is the principal campaign committee of Adam Jennings, a candidate for Minnesota Senate District 33. The complaint also references the Adam Jennings for Congress committee, which is the candidate committee registered with the Federal Election Commission for Adam Jennings, a 2018 candidate for U.S. House of Representatives Minnesota District 3.

The complaint states that the 2019 year-end report of receipts and expenditures for the Jennings (Adam) for State Senate committee shows the committee purchased a list of donor contacts from the Adam Jennings for Congress committee on June 18, 2019, for \$400. The complaint states that the filings with the FEC during that time period do not show any \$400 payments from the Jennings (Adam) for State Senate committee. The complaint further states that the Adam Jennings for Congress committee's FEC filings show a receipt from the Jennings (Adam) for State Senate committee in the amount of \$4,840 on August 30, 2019, for the purchase of campaign assets: website, brand, contents, photos, and contact list. The 2019 year-end report for the Jennings (Adam) for State Senate committee does not show an expenditure paid to the Adam Jennings for Congress committee in the amount of \$4,840. The complaint also provided screenshots of the Jennings (Adam) for State Senate website and the Adam Jennings for Congress website, which show similar photos of the candidate and others on both websites. Although the complaint alleges violations of Minnesota Statutes section 10A.179, it is clear from the body of the complaint and the attachments that the complaint is alleging a reporting violation of Minnesota Statutes section 10A.20.

Determination

Minnesota Statutes section 10A.20 requires principal campaign committees to file reports of receipts and expenditures. Pursuant to Minnesota Statutes section 10A.20, subdivision 3, those reports must contain itemized and summary information on contributions received and expenditures made during the reporting period. The reporting period for the 2019 year-end report was January 1, 2019, through December 31, 2019.

The complaint provides evidence that the Jennings (Adam) for State Senate committee made a payment in the amount of \$4,840 to the Adam Jennings for Congress committee on August 30, 2019. The Jennings (Adam) for State Senate committee's 2019 year-end report of receipts and expenditures only includes an expenditure for donor contacts in the amount of \$400 paid to the Adam Jennings for Congress committee, but not the remainder of the amount shown on the Adam

Jennings for Congress committee's FEC report. Because the Jennings (Adam) for State Senate committee's 2019 year-end report does not include any campaign expenditures that would account for the purchase of the website, brand, contents, and photos from the Adam Jennings for Congress committee, the chair concludes that the complaint states a prima facie violation of Minnesota Statutes section 10A.20.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, 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, 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 of Minnesota Statutes section 10A.20 alleged in the complaint warrant a formal investigation. The complainant and the respondent 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/ Robert Moilanen
Robert Moilanen, Chair
Campaign Finance and Public Disclosure Board

Date: February 21, 2020