

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF SALINA AMEY REGARDING TAKEACTION MINNESOTA

On January 13, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Salina Amey regarding TakeAction Minnesota. The complaint identifies the entity being complained about as “TakeAction MN All Four Units” and does not appear to specify the four units in question. TakeAction Minnesota is the supporting association of an independent expenditure political fund named the TakeAction Political Fund, Board registration number 30636.¹ There is also a general purpose political committee named the Take Action PAC, Board registration number 70026.² TakeAction Minnesota is a 501(c)(4) nonprofit corporation³ and is a principal represented by lobbyists registered with the Board⁴.

The complaint alleges a violation of Minnesota Statutes section 211B.07, which generally provides that a person may not use undue influence “against an individual to compel the individual to vote for or against a candidate or ballot question.” The complaint alleges a violation of Minnesota Statutes section 211B.08, which generally provides that “[a] religious, charitable, or educational organization may not request a candidate or committee to contribute to the organization. . . .” That statute was determined to be unconstitutional in 2005.⁵

The complaint alleges a violation of Minnesota Statutes section 211B.15, which generally prohibits corporations, including limited liability companies and nonprofit corporations, from making a contribution “to a political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office,” unless the recipient is an independent expenditure or ballot question political committee or fund. The complaint also alleges that TakeAction Minnesota should be registered with the Board as a political party.

The complaint contains over 1,200 pages and is comprised largely of screenshots of websites, social media posts, news articles, and financial data from ProPublica.org, OpenSecrets.org, InfluenceWatch.org, and other websites. The complaint includes a wide variety of information regarding attempts to influence elections and public policy, both by TakeAction Minnesota and by other organizations. However, the complaint does not clearly explain the basis for the allegation that TakeAction Minnesota violated the prohibition on corporate contributions.

¹ cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30636/

² cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/70026/

³ See Order of Dismissal in the Matter of the Complaint of Matthew Sullivan regarding TakeAction Minnesota, the TakeAction Political Fund, and the Take Action PAC (Apr. 26, 2023).

⁴ cfb.mn.gov/reports-and-data/viewers/lobbying/lobbying-organizations/5349/

⁵ *Minnesota Citizens Concerned for Life, Inc. v. Kelley*, 427 F.3d 1106 (8th Cir. 2005).

The complaint alleges and includes evidence that TakeAction Minnesota participated in a coalition group, Housing Equity Now Saint Paul (HENS), also known as the Keep St. Paul Home Campaign. Pages 789 and 790 of the complaint include screenshots of a HENS Facebook post advertising a meal, called the Keep St. Paul Home Special, at the restaurant El Burrito Mercado.⁶ The post states that from October 15 through November 1, 2021, “50% of sales will be donated to Housing Equity Now St. Paul.” The complaint does not appear to allege or contain evidence that corporate contributions were accepted by the Take Action PAC or by any other entity under the Board’s jurisdiction that is prohibited from accepting corporate contributions.

Pages 65 and 66 of the complaint include information from the website of The Peoples Canvass Cooperative, which according to the complaint was formerly known as Knock Knock LLC.⁷ Page 66 of the complaint also includes information from a document published by People’s Action titled How to Defeat Trump and Heal America.⁸ The document indicates that People’s Action worked with TakeAction Minnesota via Knock Knock LLC on “Deep Canvassing and Political Persuasion in the 2020 Presidential Election.” The document does not refer to attempts to influence elections other than the presidential election. Pages 270 and 271 of the complaint include screenshots of the website of the Federal Election Commission (FEC), which indicate that there is a super PAC associated with TakeAction Minnesota named the TakeAction MN Federal Fund.⁹

The remainder of the complaint does not appear to contain evidence that TakeAction Minnesota violated the prohibition on corporate contributions, nor does it contain text explaining how TakeAction Minnesota or any other entity may have violated that prohibition.

Determination

Minnesota Statutes section 10A.022, subdivision 3, authorizes the Board to investigate alleged or potential violations of Minnesota Statutes Chapter 10A in addition to Minnesota Statutes sections 211B.04, 211B.12, and 211B.15. The Board does not have investigative authority with respect to alleged violations of Minnesota Statutes sections 211B.07 or 211B.08.

Minnesota Statutes section 10A.01, subdivision 11, defines the term contribution, in relevant part, to mean “money, a negotiable instrument, or a donation in kind that is given to a political committee, political fund, principal campaign committee, local candidate, or party unit.” Minnesota Statutes section 10A.01, subdivision 13, defines the term donation in kind to mean “anything of value that is given, other than money or negotiable instruments. An approved expenditure is a donation in kind.”

⁶ [facebook.com/housingequitynowstp/posts/pfbid0wnXaKZjTbAagEq9XYvVxeE472oCDsjRCnRYkhJBKmXJARor827xyJ8Z9E71k8CaPI](https://www.facebook.com/housingequitynowstp/posts/pfbid0wnXaKZjTbAagEq9XYvVxeE472oCDsjRCnRYkhJBKmXJARor827xyJ8Z9E71k8CaPI)

⁷ [peoplescanvass.org/our-services](https://www.peoplescanvass.org/our-services)

⁸ [peoplesaction.org/wp-content/uploads/PA-ReportDeepCanvassingResults09.14-FINAL.pdf](https://www.peoplesaction.org/wp-content/uploads/PA-ReportDeepCanvassingResults09.14-FINAL.pdf)

⁹ [fec.gov/data/committee/C00738815/](https://www.fec.gov/data/committee/C00738815/)

Minnesota Statutes section 211B.15, subdivision 1, defines the term corporation to mean “(1) a corporation organized for profit that does business in this state; (2) a nonprofit corporation that carries out activities in this state; or (3) a limited liability company formed under chapter 322C, or under similar laws of another state, that does business in this state.” Minnesota Statutes section 211B.15, subdivision 2, provides that:

(a) A corporation may not make a contribution or offer or agree to make a contribution directly or indirectly, of any money, property, free service of its officers, employees, or members, or thing of monetary value to a political party, organization, committee, or individual to promote or defeat the candidacy of an individual for nomination, election, or appointment to a political office.

(b) A political party, organization, committee, or individual may not accept a contribution or an offer or agreement to make a contribution that a corporation is prohibited from making under paragraph (a).

(c) For the purpose of this subdivision, "contribution" includes an expenditure to promote or defeat the election or nomination of a candidate to a political office that is made with the authorization or expressed or implied consent of, or in cooperation or in concert with, or at the request or suggestion of, a candidate or committee established to support or oppose a candidate but does not include an independent expenditure authorized by subdivision 3.

The TakeAction Political Fund is an independent expenditure political fund and thereby may accept contributions from corporations, including from its supporting association, TakeAction Minnesota.¹⁰ The complaint does not include evidence that the Take Action PAC accepted contributions from corporations. The complaint also does not clearly allege that any particular corporation, such as TakeAction Minnesota, El Burrito Mercado, or Knock Knock LLC, made a prohibited corporate contribution to any entity registered with the Board.

HENS does not appear to have registered with the Board as a political committee or as the supporting association of a political fund. The complaint does not clearly allege that HENS was a political committee or political fund, as those terms are defined within Minnesota Statutes Chapter 10A. Moreover, the complaint does not appear to include evidence that HENS was a political committee or political fund within the meaning of Chapter 10A when it attempted to influence voting in 2021. Minnesota Statutes section 10A.01, subdivisions 27 and 28, define the terms political committee and political fund to include associations seeking “to promote or defeat a ballot question.” However, prior to January 1, 2022, the term ballot question was defined by Minnesota Statutes section 10A.01, subdivision 7 to be limited to “a question or proposition that is placed on the ballot and that may be voted on by all voters of the state.”¹¹

¹⁰ See [Minn. Stat. § 211B.15, subds. 2-4](#).

¹¹ See [2021 Minn. Laws ch. 31, art. 4, § 2](#). The definition was expanded, effective January 1, 2022, to include certain local questions voted on by voters within Hennepin County. [2024 Minn. Laws ch. 112, art. 4, § 1](#). The definition was expanded again, effective January 1, 2025, to eliminate the Hennepin County limitation and include a question “that may be voted on by . . . all voters of a county, city, school district, township, or special district.”

The complaint includes evidence that HENS sought to promote or defeat a question that was on the ballot of St. Paul voters in 2021. That question was not a ballot question within the meaning of Chapter 10A because it could not be voted on by all Minnesota voters. As a result, unless HENS was a political committee or political fund within the meaning of Chapter 10A for some other reason in 2021, any alleged violation of Minnesota Statutes section 211B.15 by HENS in 2021 is beyond the investigative authority of the Board.¹² The chair therefore concludes that the complaint does not state a prima facie violation of Minnesota Statutes section 211B.15.

The complaint also alleges that TakeAction Minnesota should be registered with the Board as a political party. Minnesota Statutes section 10A.14, subdivision 1, generally requires that a political party unit be registered with the Board within 14 days after raising or spending more than \$750. Minnesota Statutes section 10A.01, subdivisions 23 and 25, define the terms major political party and minor political party by reference to Minnesota Statutes Chapter 200. Minnesota Statutes section 200.02, subdivisions 7 and 23, define those terms and include numerous requirements that an organization must satisfy in order to qualify as a major or minor political party in Minnesota, including filing a biennial certification with the Secretary of State attesting to the organization satisfying each requirement. An organization that does not wish to be defined as a political party may avoid being defined as such by declining to seek recognition as a political party by the secretary of state. The evidence included within the complaint does not indicate that TakeAction Minnesota has taken the steps necessary to qualify as a minor or major political party in Minnesota, nor that it has attempted to do so. The chair therefore concludes that the complaint does not state a prima facie violation of Minnesota Statutes section 10A.14, subdivision 1.

The chair concludes that the complaint does not state a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board’s jurisdiction. Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by the Board chair and not by any vote of the entire Board. The complaint is dismissed without prejudice.



Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: January 24, 2024

¹² A violation of [Minnesota Statutes section 211B.15](#) by HENS could have been alleged within a complaint filed with the Office of Administrative Hearings under [Minnesota Statutes section 211B.32, subdivision 1, paragraph \(a\)](#). However, [Minnesota Statutes section 211B.15, subdivision 4](#), provides that “[a] corporation may make contributions or expenditures to promote or defeat a ballot question,” in 2021 the term “ballot question” as used within Chapter 211B was broader than as used within Chapter 10A, and [Minnesota Statutes section 211B.32, subdivision 2](#) provides that such a “complaint must be filed with the office within one year after the occurrence of the act or failure to act that is the subject of the complaint” unless “the act or failure to act involves fraud, concealment, or misrepresentation that could not be discovered during that one-year period. . . .”