STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

PROBABLE CAUSE DETERMINATION

IN THE MATTER OF THE COMPLAINT OF LUKE MIELKE REGARDING THE WE LOVE MINNEAPOLIS PAC

On July 7, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Luke Mielke regarding the We Love Minneapolis PAC, Board registration number 41379. The We Love Minneapolis PAC is an independent expenditure political committee.[1]

The complaint alleged that the We Love Minneapolis PAC failed to file underlying source disclosure statements regarding certain contributions disclosed within its June 2025 report of receipts and expenditures, which was due and was filed on June 16, 2025. The complaint referred to a $35,000 contribution received May 16, 2025, from the Minneapolis Downtown Council, and to contributions of $22,585 and $50,000, received April 14 and May 8, 2025, from the Minnesota Multi Housing Association.

On July 17, 2025, the Board's chair determined that the complaint stated a prima facie violation of Minnesota Statutes section 10A.27, subdivisions 15-16. On August 15, 2025, counsel for the We Love Minneapolis PAC, David Zoll, provided a written response. Mr. Zoll stated that the "We Love Minneapolis PAC acknowledges that it was required to file underlying source disclosure statements regarding the contributions it received from the Minneapolis Downtown Council and the Minnesota Multi Housing Association and inadvertently failed to do so." On August 21, 2025, the We Love Minneapolis PAC filed underlying source disclosure statements with the Board regarding the contributions it received from the Minneapolis Downtown Council and the Minnesota Multi Housing Association in April and May of 2025. The disclosure statement signed by Cecil Smith on behalf of the Minnesota Multi Housing Association was dated July 25, 2025. The disclosure statement signed by Adam Duininck on behalf of the Minneapolis Downtown Council was dated August 20, 2025.

The Board considered this matter at its meeting on September 17, 2025. Mr. Zoll appeared before the Board on behalf of the We Love Minneapolis PAC.

Analysis

When the Board chair makes a finding that a complaint raises a prima facie violation, the full Board then must determine whether probable cause exists to believe an alleged violation that warrants an investigation has occurred. Minn. Stat. § 10A.022, subd. 3 (d). A probable cause determination is not a complete examination of the evidence on both sides of the issue. Rather, it is a determination of whether there are sufficient facts and reasonable inferences to be drawn therefrom to believe that a violation of law has occurred. Minn. R. 4525.0210, subp. 3a.

[1] cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/41379/

If the Board finds that probable cause exists, the Board is required to determine whether the alleged violation warrants a formal investigation, considering the type and magnitude of the alleged violation, the knowledge of the respondents, any benefit to be gained from a formal investigation, the availability of Board resources, and whether the violation has been remedied. Minn. R. 4525.0210, subp. 5. If the Board finds that probable cause exists but does not order a formal investigation, the Board is required to either dismiss the complaint or order a staff review. Minn. R. 4525.0210, subp. 6.

Minnesota Statutes section 10A.27, subdivisions 13-16, generally require an entity that files campaign finance reports with the Board to obtain a disclosure statement from a contributor that is an association not registered with the Board, and to file that statement with the Board when it files a campaign finance report disclosing the contribution for the first time. The purpose of the disclosure statement requirements are to ensure, under certain circumstances, public disclosure of the underlying sources of funding used by associations not registered with the Board when making a contribution to an entity that is registered with the Board. Minnesota Statutes section 10A.27, subdivision 13, provides that a treasurer "must not accept a contribution" that necessitates a disclosure statement "unless the contribution is accompanied by a" disclosure statement. With limited exceptions, most entities that file campaign finance reports with the Board are required to obtain a disclosure statement for any contribution in excess of $200 from an association not registered with the Board.

However, Minnesota Statutes section 10A.27, subdivisions 15-16, provide that an independent expenditure or ballot question political committee or fund is required to obtain and file a disclosure statement only if the contributor has contributed more than $5,000 in aggregate to independent expenditure or ballot question political committees or funds during the calendar year. Also, the information required to be disclosed is different depending on whether the recipient is an independent expenditure or ballot question political committee or fund, or a different type of entity that files campaign finance reports with the Board.

An association not registered with the Board that makes a contribution to an independent expenditure or ballot question political committee or fund that necessitates a disclosure statement under Minnesota Statutes section 10A.27, subdivision 15, must provide the disclosure statement to the recipient no later than the day before the recipient must file a campaign finance report with the Board disclosing the contribution for the first time.

The Minneapolis Downtown Council and the Minnesota Multi Housing Association each made contributions in excess of $5,000 to the We Love Minneapolis PAC during the period from April 1 through May 31, 2025. Those contributions were disclosed for the first time within the We Love Minneapolis PAC's June 2025 report, which was due and was filed on June 16, 2025. Therefore, those contributors were required to provide underlying source disclosure statements to the We Love Minneapolis PAC no later than June 15, 2025. The We Love Minneapolis PAC has acknowledged that it was required to file disclosure statements for the contributions it received from the Minneapolis Downtown Council and the Minnesota Multi Housing Association.

Therefore, the Board concludes that there is probable cause to believe that the We Love Minneapolis PAC failed to obtain and file underlying source disclosure statements within the time specified by Minnesota Statutes section 10A.27, subdivisions 15-16.

Minnesota Statutes section 10A.27, subdivision 17, paragraph (a), provides that when a disclosure statement required by Minnesota Statutes section 10A.27, subdivision 15, is not provided to the recipient of the contribution within the time specified by statute, the contributor is subject to a late filing fee of $100 per day, not to exceed $1,000. Minnesota Statutes section 10A.27, subdivision 17, paragraph (b), provides that when a disclosure statement required by Minnesota Statutes section 10A.27, subdivision 15, is not filed with the Board within the time specified by statute, the recipient is subject to a late filing fee of $100 per day, not to exceed $1,000. When a disclosure statement is not provided to the recipient of the contribution within the time specified by statute and the recipient fails to either obtain and file the disclosure statement with the Board within the time specified by statute or return the contribution, both the contributor and the recipient are subject to a late filing fee. The imposition of late filing fees for disclosure statements is independent of the Board's authority to conduct investigations, and will be handled separately from the complaint.

In determining whether an investigation is warranted, and if so, what type of investigation is warranted, the Board must consider a variety of factors, including whether the violation has been remedied. Minn. R. 4525.0210, subps. 5-6. The disclosure statements required by Minnesota Statutes section 10A.27, subdivision 15, have been filed with the Board. There is no apparent information or benefit to be gained from conducting an investigation regarding this matter. Therefore, the Board concludes that an investigation is not warranted.

Order:

1. Although probable cause exists to believe that the We Love Minneapolis PAC failed to obtain and file underlying source disclosure statements within the time specified by Minnesota Statutes section 10A.27, subdivisions 15-16, an investigation is not warranted.

2. The complaint is dismissed without prejudice.

Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: 9/17/25