

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

**PRIMA FACIE  
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF KARLA NELSON REGARDING NSPMOEA AND EDUCATION MINNESOTA PAC

On October 29, 2025, the Campaign Finance and Public Disclosure Board received a complaint submitted by Karla Nelson regarding NSPMOEA, Board registration number 30782, and Education Minnesota PAC, Board registration number 30558. Education Minnesota PAC is a political fund and its supporting association is Education Minnesota.<sup>1</sup> NSPMOEA is a political fund with a supporting association of the same name, which according to the complaint is an abbreviation of the name North St. Paul-Maplewood-Oakdale Education Association.<sup>2</sup>

The complaint alleges the following facts:

1. Between October 19 and October 24, 2025, I received three political mailers via U.S. Mail that promoted candidates supported by the North St. Paul-Maplewood-Oakdale Education Association (NSPMOEA).
2. All three mailers included the disclaimer 'Paid for by NSPMOEA'. None identified Education Minn as the payer.
3. According to campaign finance reports on the Minnesota Campaign Finance and Public Disclosure Board website, NSPMOEA reported a single in-kind contribution from Education Minn (Committee ID 30588) dated October 23, 2025.<sup>3</sup>
4. However, two of the three mailers were received before that date:
5. • First mailer received October 19 (documented by an email sent to a member of your staff, Melissa on October 20).<sup>4</sup>
6. • Second mailer received October 22, confirmed by a Facebook post dated October 22.<sup>5</sup>
7. Given normal printing and mailing timelines, it is not feasible that Education Minn could have produced and mailed the pieces after October 21 for delivery on October 22. The expenditure therefore likely occurred before the October 20 pre-general reporting deadline, making the October 23 date inaccurate.
8. Further, the reported fair-market value of the in-kind contribution appears understated given the cost of printing and mailing three district-wide pieces.

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<sup>1</sup> [cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30558/](https://cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30558/)

<sup>2</sup> [cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30782/](https://cfb.mn.gov/reports-and-data/viewers/campaign-finance/political-committee-fund/30782/)

<sup>3</sup> Education Minnesota PAC's Board registration number is 30558. NSPMOEA has reported receiving three in-kind contributions from Education Minnesota PAC of \$2,504.51 each, one of which is dated October 20, 2025.

<sup>4</sup> Board records confirm that on October 20, 2025, the complainant sent an email to Board staff with a photograph depicting a portion of the mailer she allegedly received on October 19.

<sup>5</sup> [facebook.com/KarlaForKids/posts/pfbid02Qus49BgFPoobNzASFo1zgd9GN6yiKpDvnBcTuBQrJAVvw96etjn2EJS8v9ij8F44l](https://facebook.com/KarlaForKids/posts/pfbid02Qus49BgFPoobNzASFo1zgd9GN6yiKpDvnBcTuBQrJAVvw96etjn2EJS8v9ij8F44l)

The complaint alleges violations of Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. The complaint asserts that “This law requires that the disclaimer on campaign materials identify the true payer of the communication. If Education Minn financed the mailers but the materials said ‘Paid for by NSPMOEA,’ the disclaimer was false or misleading, violating § 211B.04.” The complaint includes photographs of three mailers, each supporting Sam Rosemark, a North St. Paul-Maplewood-Oakdale (ISD 622) School Board candidate. Each mailer includes the text “Vote for Rosemark on or before Nov. 4!” Each mailer includes the following disclaimer:

This is an independent expenditure prepared and paid for by the North St. Paul-Maplewood-Oakdale Education Association, 2576 7th Ave. East, North St. Paul, MN 55109. It is not coordinated with or approved by any candidate, nor is any candidate responsible for it.

The complaint alleges violations of Minnesota Statutes section 10A.20, subdivisions 3-4, which establish the information that must be included within periodic campaign finance reports filed with the Board and the time period covered by those reports. The complaint alleges violations of Minnesota Statutes section 10A.20, subdivision 5, which under certain circumstances requires the filing of a large contribution notice disclosing a contribution received shortly before an election. However, the complaint does not identify a large contribution notice that was required to be, and was not, filed with the Board. The complaint also alleges violations of Minnesota Statutes section 10A.025, subdivision 2, paragraphs (a)-(b), which require that reports and statements filed with the Board be signed and certified as true, and prohibit filing a report with the Board knowing that it is false or incomplete. Despite citing Minnesota Statutes section 10A.025, subdivision 3, which pertains to record keeping, the complaint appears to only reference the requirements imposed by subdivision 2, paragraphs (a) and (b).

The complaint includes a screenshot of a portion of a large contribution notice filed by NSPMOEA’s treasurer, Katie Semmerling, on October 28, 2025. Board records include two large contribution notices filed that day, collectively stating that NSPMOEA received two in-kind contributions of \$2,504.51 each from Education Minnesota PAC on October 23, 2025, described as “Postage, Printing, Design, and tax for mailer”.<sup>6</sup> The complaint states that the in-kind contributions appear “to relate to expenditures made before October 20, contrary to §§ 10A.025 and 10A.20.” The complaint asserts that “If Education Minn’s spending occurred before October 20 but was reported after, it was not included in the correct reporting period, contrary to § 10A.20.” The complaint asserts that “Both the giver and the recipient of an in-kind contribution must report its fair-market value and the date it was received. All transactions through October 20 must appear on the pre-general report” that was due on October 27, 2025. The complaint states that “Listing an in-kind contribution as October 23 when expenditures occurred before October 20 could constitute a false or incomplete report.” The complaint also asserts

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<sup>6</sup> Late filing fees for large contribution notices accrue at a rate of \$50 per business day. The imposition of late filing fees is independent of the Board’s authority to conduct investigations. Unless the Board determines that large contribution notices were not required because the contributions were received prior to October 21, the late fees will be handled separately from the complaint.

that “The monetary value of the mailings appears lower than reasonable printing and postage costs, also contravening § 10A.025.”

The complaint notes that Education Minnesota PAC has not yet filed a campaign finance report with the Board disclosing activity that occurred in 2025. NSPMOEA’s 2025 pre-general report of receipts and expenditures, which covers the period from January 1 through October 20, 2025, includes a single in-kind contribution of \$2,504.51 from Education Minnesota PAC dated October 20, 2025, described as “Printing, Postage, and Tax for Mailer”, and a corresponding in-kind independent expenditure supporting Mr. Rosemark. Including its 2025 pre-general report and two large contribution notices, NSPMOEA has reported receiving three in-kind contributions from Education Minnesota PAC of \$2,504.51 each, with one dated October 20, and two dated October 23, 2025.

## **Determination**

### Disclaimers

Minnesota Statutes section 211B.04 generally requires the inclusion of a disclaimer on campaign material, including independent expenditures, stating who prepared and paid for the material. “The required form of the disclaimer on a written independent expenditure is: ‘This is an independent expenditure prepared and paid for by ..... (name of entity participating in the expenditure), ..... (address). It is not coordinated with or approved by any candidate nor is any candidate responsible for it.’” Minn. Stat. § 211B.04, subd. 2 (a). “A person who participates in the preparation or dissemination of campaign material . . . that does not prominently include the name and address of the person or committee causing the material to be prepared or disseminated in a disclaimer . . . is guilty of a misdemeanor.” Minn. Stat. § 211B.04, subd. 1 (a). A political fund that “makes independent expenditures on behalf of a candidate or local candidate must publicly disclose that the expenditure is an independent expenditure” by including a disclaimer “in substantially the form provided in section 211B.04, subdivision 2.” Minn. Stat. § 10A.17, subd. 4.

When a political fund or other entity registered with the Board receives an in-kind contribution and makes a corresponding in-kind independent expenditure, the disclaimer must identify the

recipient of the in-kind contribution as the entity that participated in the expenditure. The disclaimer is not required to also identify the entity that made the in-kind contribution.<sup>7</sup>

The complaint does not allege or provide evidence that Education Minnesota PAC participated in the preparation or dissemination of mailers that were not provided to NSPMOEA as an in-kind contribution. Therefore, the complaint does not state a prima facie violation by Education Minnesota PAC of Minnesota Statutes sections 211B.04 or 10A.17, subdivision 4.

### Reporting and false certification

A donation in kind, more commonly known as an in-kind contribution, “means anything of value that is given, other than money or negotiable instruments.” Minn. Stat. § 10A.01, subd. 13. A political fund is required report contributions received, contributions made, and independent expenditures made, within its campaign finance reports. Minn. Stat. § 10A.20, subd. 3. An in-kind contribution “must be disclosed at its fair market value” and “is considered consumed in the reporting period in which it is received.” Minn. Stat. § 10A.20, subd. 3 (c). An expenditure is made when there is a purchase of goods or services or when an obligation to pay for goods or services is incurred. Minn. Stat. § 10A.01, subd. 9.

Minnesota Statutes section 10A.20, subdivision 2a, provides that a political fund must begin filing periodic campaign finance reports during a non-general election year after it:

- (1) spends in aggregate more than \$200 to influence the nomination or election of local candidates;
- (2) spends in aggregate more than \$200 to make independent expenditures on behalf of local candidates; or
- (3) spends in aggregate more than \$200 to promote or defeat ballot questions defined in section 10A.01, subdivision 7, clause (2), (3), or (4).

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<sup>7</sup> [Findings, Order, and Memorandum in the Matter of the Investigation of Expenditures Made by the Minnesota DFL Senate Caucus Party Unit \(Dec. 17, 2013\)](#) (concluding that a party unit that received in-kind contributions from another party unit and made corresponding in-kind independent expenditures was required to identify itself within the disclaimers, but not the party unit that made the in-kind contributions). *See also*, [Findings, Conclusions, and Order in the Matter of People PAC \(MN\), The People PAC, and 15 Principal Campaign Committees \(Nov. 6, 2019\)](#) (noting that principal campaign committees that received in-kind contributions consisting of video production services, then used the videos in their campaign materials, listed themselves as the entities that prepared and paid for the videos within their disclaimers, not the entity that made the in-kind contribution); [Findings, Conclusions, and Order in the Matter of the Faith in Minnesota Fund \(Nov. 6, 2019\)](#) (discussing disclaimers on in-kind independent expenditures that were the result of in-kind contributions received by an independent expenditure political fund from its supporting association); [Findings, Conclusions, and Order in the Matter of the Complaint of John Persell regarding the Eichorn \(Justin\) for MN Senate Campaign Committee \(Nov. 14, 2022\)](#) (discussing the disclaimer required on billboards that were in-kind expenditures for a candidate that were the result of approved expenditures, a form of in-kind contribution, made by an individual); [Probable Cause Determination in the Matter of the Complaint of Kenneth Toole regarding the DougKernHouse6B committee \(Sept. 7, 2022\)](#) (discussing the disclaimer required on a candidate’s website that was funded, in part, by an in-kind contribution made by an individual).

Aside from independent expenditures, spending by political funds to influence the nomination or election of local candidates is required to be tracked by local candidate only to the extent that it involves an approved expenditure made on behalf of a local candidate or some other type of contribution made to a local candidate. Minn. Stat. § 10A.20, subd. 3 (h), (k)-(l). A political fund making a contribution to another political fund does not trigger the requirement to file periodic campaign finance reports during a non-general election year. A political fund that makes independent expenditures totaling more than \$200, including in-kind independent expenditures, for or against local candidates prior to the end of the reporting period covered by the pre-general report, is required to file one or more periodic campaign finance reports during a non-general election year.

Minnesota Statutes section 10A.20, subdivision 4, provides that with the exception of the year-end report, each “report must cover the period from January 1 of the reporting year to seven days before the filing date.” The filing date for the 2025 pre-general report was October 27, 2025.

Minnesota Statutes section 10A.20, subdivision 5, required a political fund that reached the \$200 spending threshold stated in subdivision 2a to file a large contribution notice disclosing contributions or loans totaling more than \$1,000 from any one source, received during the period from October 21 through November 3, 2025. The complaint does not identify a large contribution notice that was required to be, and was not, filed with the Board. To the extent that the complaint alleges a violation of the large contribution notice requirement based on the amounts stated in the large contribution notices filed by NSPMOEA, that allegation is based on speculation unsupported by evidence, as is explained more fully below. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.20, subdivision 5.

The complaint does not allege or provide evidence that Education Minnesota PAC made expenditures in excess of the \$200 threshold provided in Minnesota Statutes section 10A.20, subdivision 2a. Therefore, to the extent that the complaint alleges that Education Minnesota PAC was required to file the 2025 pre-general report or any other periodic campaign finance report covering activity that occurred in 2025, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.20.

The complaint alleges and provides evidence that the complainant received separate independent expenditure mailers on October 19 and 22, 2025, while NSPMOEA reported that it received in-kind contributions consisting of the printing costs and postage for those mailers on October 20 and 23, 2025. The date attributed to the in-kind contribution consisting of the cost of the second mailer may have resulted in its omission from NSPMOEA’s 2025 pre-general report. Therefore, the complaint states a prima facie violation of Minnesota Statutes section 10A.20, subdivisions 3-4, with respect to NSPMOEA.

The complaint asserts that the “value of the mailings appears lower than reasonable printing and postage costs” and that “the reported fair-market value of the in-kind contribution appears

understated given the cost of printing and mailing three district-wide pieces.” The perception that the value of the mailings was understated may be due to a misunderstanding regarding the number of in-kind contributions reportedly received by NSPMOEA. Contrary to the facts alleged in the complaint, Board records show that NSPMOEA has reported receiving three in-kind contributions of \$2,504.51 each from Education Minnesota PAC, rather than one. Regardless, the complaint does not include evidence to support the contention that the value of the mailings was reported inaccurately. For example, the complaint does not include evidence regarding the quantity of mailers that were printed and mailed or the rates charged by vendors for comparable mailers. The complaint does not state a prima facie violation of Minnesota Statutes section 10A.20 or 10A.025, subdivision 2, with respect to the cost of the mailers because the allegation is based on speculation unsupported by evidence.

### False certification

Minnesota Statutes section 10A.025, subdivision 2, paragraphs (a)-(b), provide that:

- (a) A report or statement required to be filed under this chapter must be signed and certified as true by the individual required to file the report. The signature may be an electronic signature consisting of a password assigned by the board.
- (b) An individual shall not sign and certify to be true a report or statement knowing it contains false information or knowing it omits required information.

The complaint does not allege that Education Minnesota PAC’s treasurer has filed any reports with the Board covering activity that occurred in 2025. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2, paragraphs (a)-(b), with respect to Education Minnesota PAC’s treasurer.

The complaint does not allege or provide evidence that NSPMOEA’s treasurer, Ms. Semmerling, failed to sign and certify a report or statement filed with the Board.<sup>8</sup> Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2, paragraph (a), with respect to Ms. Semmerling.

The complaint appears to allege that Ms. Semmerling filed NSPMOEA’s 2025 pre-general report, and at least one of two large contributions notices, knowing that the dates listed for the in-kind contributions received from Education Minnesota PAC were inaccurate. The complaint provides some evidence to support that, consisting of the dates that the complainant allegedly received two of NSPMOEA’s mailers. If the complainant received those mailers prior to the dates listed for the corresponding in-kind contributions, other individuals likely received them at the same time, thereby providing a basis for Ms. Semmerling to know that the dates listed within the 2025 pre-general report and at least one large contribution notice were inaccurate.

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<sup>8</sup> Periodic campaign finance reports filed using the Board’s electronic reporting system, Campaign Finance Reporter Online, including those of NSPMOEA, must be electronically signed and certified as true prior to being filed.

Therefore, the complaint states a prima facie violation of Minnesota Statutes section 10A.025, subdivision 2, paragraph (b), with respect to Ms. Semmerling.

Record keeping

The complaint does not allege facts that would constitute a violation of the record keeping requirements. Therefore, the complaint does not state a prima facie violation of Minnesota Statutes section 10A.025, subdivision 3.

Conclusion

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, paragraph (d), the Board will make findings and conclusions as to whether probable cause exists to believe that a violation of Minnesota Statutes sections 10A.20, subdivisions 3-4, or 10A.025, subdivision 2, paragraph (b), has occurred and warrants 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.

  
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Faris Rashid, Chair  
Campaign Finance and Public Disclosure Board

Date: November 11, 2025