

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

ORDER OF DISMISSAL

IN THE MATTER OF THE COMPLAINT OF CHANTAL OECHSLE REGARDING THEIS (TAMA) FOR SENATE

On September 14, 2022, the Campaign Finance and Public Disclosure Board received a complaint submitted by Chantal Oechsle regarding the Theis (Tama) for Senate committee (Theis committee). Theis (Tama) for Senate is the principal campaign committee of Representative Tama Theis, a candidate for Senate District 14.

The complaint alleges that the Theis committee has been running radio advertisements without providing a transcript of the advertisements on the campaign's website, in violation of Minnesota Statutes section 10A.38.

Minnesota Statutes section 10A.38 states that “[a] campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate's website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so.” This requirement applies only to candidates who have signed a public subsidy agreement with the Board. Board records show that Representative Theis filed a signed public subsidy agreement with the Board for her Senate committee on July 19, 2022, for the 2021-2022 election segment.

On September 29, 2022, the Board's chair determined that the complaint stated a prima facie violation of the transcript requirement. On October 20, 2022, the Board received a response letter from Representative Theis. In her response, Representative Theis stated that the radio advertisements began airing on July 12, 2022. Representative Theis acknowledged that the committee initially forgot to post the transcripts on the committee's website, but said that the committee updated the website with the transcripts on the same day that she became aware of the error. The letter also provided the URL where the transcripts can be found. By separate response the committee clarified that the transcripts were added to the website on September 30, 2022.

At the Board Meeting held November 14, 2022, the Board found that probable cause exists to believe that the Theis committee ran radio advertisements without posting a transcript to its website in violation of Minnesota Statutes section 10A.38. The Board found that a formal investigation was not warranted and ordered the executive director to initiate a staff review.

Staff presented further information to the Board at its meeting on December 15, 2022, specifically the historical practice of the Board to dismiss complaints of a similar nature due to the failure of Minnesota Statutes section 10A.38 to include a penalty for a violation. The Board considered this matter at its meeting on December 15, 2022.

Order

The investigation of this matter is dismissed and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.



Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: 12/15/22