

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

**FINDINGS REGARDING TIM FAUST AND  
THE TIM FAUST FOR MN HOUSE COMMITTEE**

**Procedural Background**

On October 14, 2004, Mark Nisley filed a complaint with the Campaign Finance and Public Disclosure Board (“the Board”) against the Tim Faust for MN House Committee (“the Committee”) alleging that the Committee violated Minnesota Statutes, Chapter 10A.

In his complaint, Mr. Nisley provided a copy of a newspaper advertisement run in the *Hinkley News* by the Pine County DFL in June 2004. Mr. Nisley stated that the newspaper advertisement was “clearly an effort to defeat” Representative Judy Soderstrom, and thus should be disclosed by the Committee as an in-kind contribution from the Pine County DFL. Ms. Nisley stated that the Committee may have violated Minn. Stat. §10A. 20, subd. 3 (b) by not reporting any in-kind contributions from the Pine County DFL on the Committee’s Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004.

By letter dated October 28, 2004, the Board notified Mr. Faust of the complaint and afforded him an opportunity to respond. On November 12, 2004, Mr. Faust provided a response and stated “I do not believe this complaint is justified because I did not have any input into the ads that were run...I had no input, nor control over these ads in any way.”

The Board considered this matter in executive session at its meetings on October 15, 2004, and November 17, 2004. The Board’s based on the complaint, the document provided in support of the complaint, Mr. Faust’s response, and Board records.

**Based on the record before it, the Board issues the following:**

**EVIDENTIARY FINDINGS**

1. There is no evidence that the advertisement that ran in the *Hinkley News* was an in-kind contribution to the Tim Faust for MN House Committee.
2. There is no evidence that the Tim Faust of MN House Committee was required to disclose the cost of the advertisement that ran in the *Hinkley News* on its Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004.

**Based on the above Statement of the Evidence, the Board makes the following:**

**FINDINGS CONCERNING PROBABLE CAUSE**

There is no probable cause to believe that the Tim Faust for MN House Committee violated Minn. Stat. §10A.20, subd. 3 (b), by not reporting an in-kind contribution from the Pine County DFL for the cost of this advertisement on its Report of Receipts and Expenditures for the period covering January 1, 2004, through August 23, 2004.

**Based on the above Findings, the Board issues the following:**

**ORDER**

1. The allegation that Mr. Faust and the Tim Faust for MN House Committee violated Minn. Stat. §10A.20, subd. 3 (b), is dismissed in its entirety.
2. The Board's investigation of this matter is hereby made a part of the public records of the Board pursuant to Minn. Stat. §10A.02, subd. 11. Board staff is directed to forward copies of these Findings to Mr. Nisley and Mr. Faust.

Dated: November 17, 2004

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Wil Flugel, Chair  
Campaign Finance and Public Disclosure Board