



COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE AND PUBLIC DISCLOSURE ACT

14 OCT 16 AM 10:53
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

All information on this form is private and confidential until a finding is issued by the Board.

Information about complaint filer

Name of complaint filer Brian Wojtalewicz	
Address 2095 110th St. SW	
City, state, zip Appleton, MN 56208	Daytime telephone no. 320-760-8416

Identify person/entity you are complaining about

Name of person/entity being complained about Tim Miller, Republican House Candidate for Dist. 17A & Tim Miller	Citizens for
Address PO Box 244	
City, state, zip Prinsburg, MN 56281	
Title of respondent (if applicable)	
Board/Department/Agency/District # (if legislator) Legislative Dist. 17A	

Brian Wojtalewicz
Signature of person filing complaint

Oct. 13, 2014
Date

Send completed form to: Campaign Finance & Public Disclosure Board
Suite 190, Centennial Building
658 Cedar Street
St. Paul, MN 55155

If you have questions call: 651/296-1721; 800/657-3889; or
for TTY/TDD communication contact us through the Minn. Relay Service at 800/627-3529
Board staff may also be reached by e-mail at: cf.board@state.mn.us.

This document is available in alternative formats to individuals with disabilities by calling 651/296-5148; 800/657-3889; or through the Minnesota Relay Service at 800/627-3529.

Give the statute cite of the portion of Chapter 10A, or Minn. Rules you believe has been violated.

You will find the complete text of Minn. Stat. §10A and Minn. Rules Chapters 4501 - 4525 on the Board's website at www.cfboard.state.mn.us .

Nature of complaint

Explain in detail why you believe the respondent has violated Chapter 10A, the Campaign Finance and Public Disclosure Act. Attach an extra sheet of paper if necessary. Attach any documents, materials, minutes, resolutions or other evidence to support your allegations.

See attached 3 page description.

Minn. Stat. 10A.02, subd 11 - Violations; enforcement.

The board shall investigate any alleged violation filed in writing with the board. For an alleged violation of sections 10A.25 (expenditure limits) or 10A.27 (additional limits) the board shall either enter into a conciliation agreement or make a public finding of whether or not there is probable cause, within 60 days of the filing of the complaint. For alleged violations of all other sections, the board shall within 30 days after the filing of the complaint make a public finding of whether or not there is probable cause to believe a violation has occurred.

The deadline for action may be extended by a majority vote of the board. Within a reasonable time after beginning an investigation of an individual or association, the board shall notify that individual or association of the fact of the investigation. The board shall make no finding without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations.

Any hearing or action of the board concerning a complaint or investigation shall be confidential until the board makes a public finding concerning probable cause or enters into a conciliation agreement.

Except as provided in section 10A.28, after the board makes a public finding of probable cause the board shall report that finding to the appropriate law enforcement authorities.

Minn. Stat. § 10A.38(c) requires that:

“A campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate’s Web site 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.”

<https://www.revisor.mn.gov/statutes/?id=10A.38>

The Campaign Finance Board provides additional written guidance which states, “A transcript of any radio campaign advertisement must be available on the candidate’s web site” (Captioning Requirements for Candidates Who Sign a Public Subsidy Agreement, Minnesota Campaign Finance Board, accessed October 2014, available at: http://www.cfboard.state.mn.us/issues/Closed_Captioning.pdf)

Tim Miller is subject to this transcript requirement due to his status as a recipient of public subsidies, according to the report posted by the Minnesota Campaign Finance Board on August 26, 2014 and available at: http://www.cfboard.state.mn.us/publicsubsidy/2014_Primary_Public_Subsidy_Payments.pdf

Tim Miller is the Republican candidate for the Minnesota House of Representatives in District 17A and has produced and paid for broadcast of 6 of radio ads as of October 3, 2014. See the attached printout of the ads, which began running on October 3, 2014, on a number of radio stations.

Based on a good faith effort, I determined that Citizens for Tim Miller operates and updates website at <http://www.standwithtim.com/>. (last accessed October 13, 2014).

The failure to post a transcript of all of his radio advertisements on the campaign website constitutes a violation of Minnesota Statutes 2014, § 10A.38(c) by Citizens for Tim Miller.

Brian Wojtalewicz
October 13, 2014

Miller3.m4a

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. I want to be a voice...for families like mine. My dad bravely fought in North Korea for our country and it's appalling how our troops and veterans are being treated. Andrew Falk voted no to ending income tax on veteran pensions. By doing this Andrew voted to tax the very men and women who have served and sacrificed. They fought for our country and now we need to fight for them. I'm Tim Miller and I ask for your vote on November 4th.

Tim Miller 90 million building

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. Andrew Falk voted to build a lavish, \$90 million legislative building in St. Paul. That's \$90 million dollars of tax payers' hard earned money. Designs include soaring glass windows, a reflecting pool, and a gymnasium. We don't need to spend \$90 million dollars on a politician's playground. We don't need this kind of waste and we don't need Andrew Falk. I'm Tim Miller and I ask for your vote on November 4th. *Prepared and paid for by citizens for Tim Miller.*

Tim Miller Minneapolis students over local students

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. Last year Andrew Falk voted to fund Minneapolis students 34% more than local students. That's money that should have improved your child's for your grandchild's education. But instead, that money went to Minneapolis. That makes me question whether Andrew Falk represents our district or Minneapolis and St. Paul special interests. I'm Tim Miller and I'll fight for our schools. I ask for your vote on November 4th.

Tim Miller Minneapolis students over local students (2)

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. Last year Andrew Falk voted to fund Minneapolis students 34% more than local students. That's money that should have improved our district's education. But instead, that money went to Minneapolis. Who, exactly, does Andrew Falk Represent? I'm Tim Miller and I'll fight for our schools. I ask for your vote on November 4th.

Tim Miller abortion

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. Andrew Falk voted to use taxpayer money to fund abortions. I have talked to so many people that are shocked to find out that their money is currently being used to pay for abortions. It's absolutely appalling that lives of babies are being taken and people of conscience are forced to pay for it. I'm for the betterment of human life at all stages. I'm Tim Miller and I ask for your vote on November 4th. Prepared and paid for by citizens for Tim Miller.

Tim Miller same sex marriage revised

Hi. I'm Tim Miller and I'm running for the Minnesota House because our Representative does not represent us. Andrew Falk voted yes to legalizing same sex marriage. His vote was a slap in the face to over 65% of his constituents. There is no question Andrew Falk ignored the people of his district and voted against our wishes. Andrew Falk is not for us. I'm Tim Miller and I ask for your vote on November 4th. Prepared and paid for by citizens for Tim Miller.