

ETHICAL PRACTICES BOARD

First Floor South, Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603

**THIS ADVISORY OPINION IS PUBLIC DATA
pursuant to Release of Information signed by requester**

**Issued to: Ted Seifert
People For Norman Volunteer Committee
570 Frenn Avenue
Red Wing, MN 55066**

RE: Spending increase for candidate running for office for first time

ADVISORY OPINION # 251

SUMMARY

Candidate is entitled to 10% increase in spending limit even though candidate's previous principal campaign committee engaged in limited activity related to an office whose territory includes more than one-third of the population of the new office.

FACTS

As a representative of the People For Norman Volunteer Committee, the principal campaign committee for Senate candidate Merl Norman, you request an advisory opinion from the Ethical Practices Board based on the following facts:

- 1. Mr. Norman is a candidate for the state Senate in 1996.**
- 2. The candidate previously had a principal campaign committee registered with the Ethical Practices Board when he was a candidate for the House of Representatives.**
- 3. The previous committee (referred to herein as "the House committee") was registered on March 28, 1994. The House district for which the committee was registered includes more than one-third of the population of the Senate district for which Mr. Norman is now a candidate.**
- 4. The House committee reported accepting 5 contributions totaling \$220 between April 8, 1994, and June 2, 1994 and making 3 campaign expenditures between**

March 17, 1994 and May, 1994, totaling \$220. The committee reported no other activity.

5. The House committee filed its annual report on January 5, 1995. On that report, the treasurer indicated that the committee had terminated, effective June 2, 1994.

ISSUE

Is the candidate entitled to a 10% increase in his campaign expenditure limit, as provided in Minn. Stat. § 10A.25, subd. 2(c), even though his House of Representatives committee engaged in the activities described in the facts in a district which includes more than one-third of the population of the office now sought?

OPINION

Yes, the Candidate is entitled to the 10% spending limit increase provided in Minn. Stat. § 10A.25, subd. 2(c).

The spending increase is provided for candidates who are "running for that office for the first time" and who have not "run previously" for the for an office whose territory includes more than one-third of the population of the new office.

Mr. Norman is running for the office of Senator for the first time. The activities of the candidate's House of Representatives principal campaign committee, as described in the facts, were so limited as to not constitute a previous run for office as that concept is used in Minn. Stat. § 10A.25, subd. 2(c).

Issued: 11-14-96



Carolyn D. Rodriguez, Chair
Ethical Practices Board

CITED STATUTES

10A.25 LIMITS ON CAMPAIGN EXPENDITURES.

Subd. 2.

(c) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who is running for that office for the first time and who has not run previously for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office.