

State of Minnesota

**Campaign Finance & Public Disclosure Board**

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

THIS ADVISORY OPINION IS PUBLIC DATA PURSUANT TO A  
CONSENT FOR RELEASE OF INFORMATION SIGNED BY THE REQUESTER

Issued to: **Minnesota Democratic-Farmer-Labor Party**  
**Alan W. Weinblatt, Attorney**  
**1616 Pioneer Building**  
**336 North Robert Street**  
**St. Paul, MN 55101**

**RE: Special Source Contribution Limit**

**ADVISORY OPINION 303**

**SUMMARY**

The limit on contributions from lobbyists, political committees, political funds, and large givers is based on the campaign expenditure limit for the office sought by the candidate before any adjustments resulting from an individual candidate's status.

**FACTS**

As the representative of the Minnesota Democratic-Farmer-Labor Party ("the DFL") and a number of DFL candidates, you ask the Campaign Finance and Public Disclosure Board ("the Board") for an advisory opinion interpreting Minn. Stat. § 10A.27, subd. 11, by posing a question which is restated in the Issue below.

**ISSUE**

Is the Minn. Stat. § 10A.25, subd. 11, limit on contributions from lobbyists, political committees or political funds, and large givers increased for a candidate who is entitled to an increase in the candidate's campaign expenditure limit based on first time candidacy or a closely contested primary.

**OPINION**

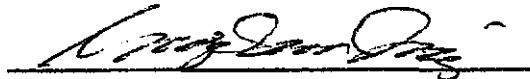
No. The limit on contributions from lobbyists, political committees, political funds, and large givers established in Minn. Stat. § 10A.27, subd. 11, is based on the campaign expenditure limit applicable to the office, not an adjusted limit resulting from the status of the candidate with respect to the particular election.

Minn. Stat. § 10A.27, subd. 11, states that subject limit is based on the expenditure limit for the office sought by the candidate, not on the expenditure limit for a particular candidate running in a particular election for that that office.

Had the legislature intended the limit to be based on the particular candidate's expenditure limit, it easily could have written the statute to do so. An example of such a case is found in Minn. Stat. § 10A.31, subd. 7, in which a cap on public subsidy payments is established, based "on the expenditure limit for the candidate".

Issued: \_\_\_\_\_

8-28-98



Carolyn Rodriguez, Chair

Campaign Finance and Public Disclosure Board

## CITED STATUTES

### 10A.27 ADDITIONAL LIMITATIONS.

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Subd. 11. **Contributions from certain types of contributors.** A candidate shall not permit the candidate's principal campaign committee to accept a contribution from a political committee other than a political party unit as defined in section 10A.275, a political fund, a lobbyist, or a large giver, if the contribution will cause the aggregate contributions from those types of contributors to exceed an amount equal to 20 percent of the expenditure limits for the office sought by the candidate. For purposes of this subdivision, "large giver" means an individual, other than the candidate, who contributes an amount that is more than \$100 and more than one-half the amount an individual may contribute.

### 10A.31 DESIGNATION OF INCOME TAX PAYMENTS.

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Subd. 7. Within two weeks after certification by the state canvassing board of the results of the general election, the board shall distribute the available funds in the general account, as certified by the commissioner of revenue on November 1 and according to allocations set forth in subdivision 5, in equal amounts to all candidates for each statewide office who received at least five percent of the votes cast in the general election for that office, and to all candidates for legislative office who received at least ten percent of the votes cast in the general election for the specific office for which they were candidates, provided that the public subsidy under this subdivision may not be paid in an amount that would cause the sum of the public subsidy paid from the party account plus the public subsidy paid from the general account and the public subsidy paid to match independent expenditures to exceed 50 percent of the expenditure limit for the candidate.