

**ETHICAL PRACTICES BOARD**

First Floor So. , Centennial Building, 658 Cedar st. . St. Paul, MN 55155

Issued to:

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607- 14th St., N.W.

Washington, DC 20005-2011

RE : Campaign Finance Disclosure

**ADVISORY OPINION #129**

**SUMMARY**

129. The Democratic Congressional Campaign Committee is not included in the exemption to the campaign finance disclosure law for the purposes of Minn. Stat. S 10A.22, subd. 7 (1992).

**FACTS**

You are counsel to the Democratic Congressional Campaign Committee (DCCC) and you state that you are requesting clarification of the reporting requirements under Minnesota Statutes Chapter 10A as applied to the DCCC. You further state that pursuant to Federal Election Commission regulations, the DCCC is a national political party committee affiliated with the Democratic National Committee. 11 C.F.R. S 110.2 (c) (2). You point out that 11 C.F.R. S 110.2 states: For purposes of this section "political committees established and maintained by a national political party" means -- i) the national committee~ ii) the House campaign committee; and iii) the Senate campaign committee. You state that like the Democratic National Committee, the DCCC may receive contributions up to \$15,000 from a multi-candidate committee and \$20,000 from any individual. You further state that under the Federal Election Campaign Act, 11 C.F.R. § 110.7, the Democratic National Committee may delegate to the DCCC its authority to make coordinated party expenditures on behalf of House candidates in a general election. You state that under federal law a state party committee may delegate its Section 441a(d) authority to the DCCC. You further state that the DCCC is thus a recognized agent of the Democratic National Committee and the state parties and cite Democratic Senatorial Campaign Committee v. Federal Election Commission, 454 U.S. 27 (1981). You state that the foregoing are only two of the many provisions that demonstrate that, for purposes of federal law, the DCCC is treated as a national party committee.

You state that the DCCC, as a national party committee, also supports state Democratic Party committees. You further state that in 1992 the DCCC made contributions to the State DFL and related party entities. You further state that the DCCC registered with the Ethical Practices Board in August, 1992, well in advance of its first contribution in Minnesota. You state that at the time of registration with the Board the DCCC had no specific plans to contribute funds in Minnesota. You further state that ultimately the DCCC

made contributions only to state DFL party groups, not to state candidates in Minnesota. You state that Minn. Stat. S 10A.22, subd. 7, exempts a national political party from certain disclosure requirements when the national party transfers money to its affiliate in Minnesota. You further state that the application of the exemption cited in Section 10A.22, subd. 7, to the DCCC appears to be consistent with the DCCC's status as a political party under federal law and with the activity the DCCC conducted in Minnesota in 1992.

You ask the Board to answer the following question:

Does the reporting waiver for a national political party pursuant to Minn. Stat. § 10A.22, subd. 7, exempt the Democratic Congressional Campaign Committee from the reporting requirements under Minn. Stat.. Ch. 10A?

**OPINION**

No. The exemption from certain disclosure provisions of Minn. Stat. § 10A.22, subd. 7, applies only when a national political party transfers money to its affiliate in the state of Minnesota. The Board concludes that the Democratic Congressional Campaign Committee (DCCC) is not a national political party within the meaning of the statutory exemption.

The DCCC registered with the Board in 1992 and made contributions to certain political committees in Minnesota in 1992. Therefore, the DCCC must file with the Board periodic reports of receipts and expenditures Board that meet the disclosure requirements of Minn. Stat. s 10A.20 (1992).

The Board notes that if the DCCC were to terminate its registration with the Board, certain provisions of section 10A.22, subd. 7, for statements in lieu of registration with the Board would apply to the DCCC in the future should the DCCC make contributions of more than \$100 to no more than three political committees or political funds in Minnesota in a calendar year.

Issued: 4/21/1993  
Bruce Willis, Chair