

State of Minnesota
Campaign Finance & Public Disclosure Board
First Floor South, Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603

THE FOLLOWING PUBLICATION DOES NOT IDENTIFY
THE REQUESTER OF THE ADVISORY OPINION, WHICH IS NONPUBLIC DATA
under Minn. Stat. § 10A.02, subd. 12(b)

RE: Campaign expenditure limit increase for first time candidate

ADVISORY OPINION 281

SUMMARY

The campaign expenditure limit increase applicable to first time candidates applies in both election years and non-election years.

FACTS

As the representative of a candidate, you ask the Campaign Finance and Public Disclosure Board (Board) for an advisory opinion based on the following facts:

1. The candidate you represent is running for the subject office for the first time.
2. The candidate 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.

You ask whether the 10% increase in the campaign expenditure limit, applicable to first time candidates applies only in an election year or in both an election year and other years.

ISSUE

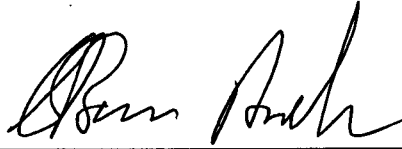
Is the 10% increase in the campaign expenditure limit provided in Minn. Stat. § 10A.25, subd. 2(c), applicable in each year of an election cycle or only in the election year?

OPINION

For candidates who meet the qualifications of Minn. Stat. § 10A.25, subd 2(c), the 10% campaign expenditure limit increase provided therein applies to the campaign expenditure limit in each year of the election cycle.

Issued: _____

11/21/97



G. Barry Anderson, Chair
Campaign Finance and Public Disclosure Board

CITED STATUTES

10A.25 LIMITS ON CAMPAIGN EXPENDITURES.

Subd. 2. (a) In a year in which an election is held for an office sought by a candidate, no expenditures shall be made by the principal campaign committee of that candidate, nor any approved expenditures made on behalf of that candidate which expenditures and approved expenditures result in an aggregate amount in excess of the following:

- (1) for governor and lieutenant governor, running together, \$1,626,691;
- (2) for attorney general, \$271,116;
- (3) for secretary of state, state treasurer, and state auditor, separately, \$135,559;
- (4) for state senator, \$40,669;
- (5) for state representative, \$20,335.

(b) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(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.

Subd. 6. In any year before an election year for the office held or sought, the aggregate amount of expenditures by and approved expenditures on behalf of a candidate for or holder of that office shall not exceed 20 percent of the expenditure limit set forth in subdivision 2.