

State of Minnesota
Campaign Finance & Public Disclosure Board
Suite 190, Centennial Building. 658 Cedar Street. St. Paul, MN 55155-1603

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

**RE: Judicial Districts May Not Organize and Register as a Political Party Unit
Under Chapter 10A**

ADVISORY OPINION 344

SUMMARY

To qualify for registration as a party unit with the Campaign Finance and Public Disclosure Board the party unit must be organized within one of the geographic or political districts provided in Chapter 10A. However, a political party is free to organize a party unit on any basis that the party recognizes.

FACTS

As an attorney representing a political committee registered with the Campaign Finance and Public Disclosure Board (the Board), you ask for an advisory opinion based on the following facts:

1. The political committee wishes to modify its registration so as to be registered as a political party unit. Political party units are eligible to issue Political Contribution Refund (PCR) receipts to Minnesota residents that contribute funds to the party unit.
2. The political committee is organized to represent a Minnesota Judicial District.
3. A major political party recognizes the committee.
4. The committee is willing to sub-organize and register by county in order to be recognized as party units by the Board.

ISSUE ONE

May the committee register with the Board as a political party unit?

OPINION

No. In order to register with the Board as a political party unit an organization must meet the definition provided for political party units provided in Minn. Stat. §10A.01, subd. 30:

Political party unit or party unit. "Political party unit" or "party unit" means the state committee or the party organization within a house of the legislature, congressional district, county, legislative district, municipality, or precinct.

The statute specifically itemizes the political organizations around which a political party unit can organize and register with the Board.

The Board notes that Minn. Stat. §10A.01, subd. 30, does not prohibit a political party from recognizing party units, or organizing itself in any manner that the party views as appropriate. For example nothing in the statute prohibits a party from organizing by gender, race, age, or as in this case, by judicial district. What the statute does regulate is which party units may issue PCR receipts to contributors. Given that the PCR receipt program is used to refund private individuals with public funds it is not unreasonable that the state regulate the party units that may issue the receipts.

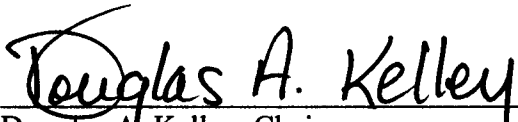
ISSUE TWO

If the committee sub-organizes by county, may the county subunits register as political party units with the Board?

OPINION

No. Minn. Stat. §10A.01, subd. 30, recognizes a county as a valid district within which a party unit may organize and register with the Board, for example the Carver County Party Unit. The statute does not permit counties to be used as building blocks in creating additional districts for purposes of registering a political party unit with the Board.

Issued October 23, 2002


Douglas A. Kelley, Chair
Campaign Finance and Public Disclosure Board

Cited Statutes

10A.01 DEFINITIONS.

Subd. 30. Political party unit or party unit. "Political party unit" or "party unit" means the state committee or the party organization within a house of the legislature, congressional district, county, legislative district, municipality, or precinct.