



January 19, 2016

Jeff Sigurdson
Executive Director
Minnesota Campaign Finance and Public Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155-1603

Dear Mr. Sigurdson:

On behalf of the Board of Directors of League of Women Voters Minnesota and its Democracy Task Force, I am writing in support of the recent suggestions for rule changes presented to you by George Beck, a former Board member of your organization and member of LWV Minnesota. Mr. Beck has done yeoman's work investigating possibilities from other states. Though we support all of Mr. Beck's recommendations, we choose to highlight what we consider to be the most important below. Based on confusion at the Federal level, Minnesota candidates and voters deserve a clearer picture. Since the Supreme Court has made it clear that only expenditures that are truly independent of a candidate are non-corruptive, rules must preserve that independence. The League's goals would be to increase transparency and decrease what is obviously coordination, though the actions may not meet the present definition. The board must clarify what is meant by "implied consent".

The Legislature needs to act regarding transparency. We believe public financing is the only true solution, but that also needs legislative action. Your board has the requisite power to put into rule clarifications that will help control "less than" independent expenditures.

An effective rule should ensure that candidate contribution limits are not circumvented by requiring the following (many of these suggestions come from California and Maine legislation; the citations were provided by George Beck):

1. A candidate may not participate in fundraising for an independent committee that supports him or her, including appearing as a speaker at an independent committee event. See Board Advisory Opinion 437, 2 Cal. Code Regs. §18225.7 (d) (5).
2. An independent expenditure may not be based upon information that the candidate or his or her committee provided to the independent committee either directly or indirectly. 2 Cal. Code Regs. §18225.7 (d)(1), Maine Reg. 94-270 Ch 1 (9) (A) and (B) (2), Conn. Regs. Ch 155 §9-601c (b) (3)and (7) .

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3. The candidate and the independent committee may not use the same consultants or vendors. 2 Cal. Code Regs. §18225.7 (d)(3).

4. An independent committee may not be established, run, or staffed by an individual who is related to the candidate or who previously held a position with the candidate's campaign or worked in an advisory capacity to the campaign committee. 2 Cal. Code Regs. §18225.7 (d)(6), Maine Reg. 94-270 Ch. 1 (9) (B) (1), Conn. Regs. Ch. 155 §9-601c (b) (4).

5. Anyone who has worked for a candidate's organization must be employed somewhere other than that organization for at least 24 months before becoming involved in an independent group supporting the candidate. The assumption is that more time away means a lessening of critical knowledge.

6. Some rule needs to be enacted that treats an election cycle as a whole – rather than allowing a pre-election period where those who have not yet declared candidacy feel free to raise money with impunity (i.e. Jeb Bush on the federal level, which we don't want to see creep into Minnesota elections).

We believe this is a nonpartisan issue and that all those involved with financing campaigns will benefit from greater clarity and transparency. Knowing the rule will be applied equally to all, over time Minnesotans will gain a greater understanding of who finances campaigns, and at what levels. The League of Women Voters Minnesota supports these efforts to protect and defend the open democratic process.

Thank you for your consideration,

A handwritten signature in black ink that reads "Terry Kalil". The signature is written in a cursive, flowing style.

Terry Kalil
President