

**From:** [Christine Berger](#)  
**To:** [Pope, Jodi \(CFB\)](#)  
**Cc:** [Chris Galler](#)  
**Subject:** Question on Draft Rules  
**Date:** Tuesday, March 14, 2017 11:30:15 AM  
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Hello Jodi,

A question on the draft rules -

In Subpart 7, paragraph A of the draft rules, it states that a *coordinated* expenditure is:

A. An expenditure made during an election segment by a spender for which that the **candidate has engaged in fundraising during that same election segment. 1.** Fundraising includes: a. Soliciting, collecting, or **directing funds** for or to the spender; b. Providing names of potential donors to the spender; and c. Appearing as a speaker at a fundraising event for the spender.

We have a scenario we would like to submit as a question:

Example: A member of the Minnesota House of Representatives is involved in a professional trade association (or Union) for their career outside of elected office. The Representative pays their membership dues to the trade association for their professional membership. During the election segment, the Association does an Independent Expenditure for that House member from the collective membership dues dollars. **Is payment of dues considered 'fundraising' and then is the expenditure no longer independent even if the elected official is not involved at all in any association/union election-based decision making?** We ask this question also because paragraph E2 in Subpart 7 states it is a coordinated expenditure if the expenditure is made by a spender that is established, **financed**, directed... by the a) candidate...Furthermore, the definition of spender includes "An Association" in Subp. 3B.

Thus, **Is payment of dues considered 'fundraising' and then is the expenditure no longer independent even if the elected official is not involved at all in any association/union decision making?**

Thank you,  
C

**Christine Berger**  
Vice President, Political Affairs



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