

## Introduction to Minnesota Campaign Finance Law and Procedure

The presenter, Daniel N. Rosen, is a Minneapolis lawyer in practice for 28 years. He was appointed to the Minnesota Campaign Finance and Public Disclosure Board in 2014 by Governor Dayton and served two terms on the board, through 2021. He chaired the Board from 2016 to 2018. Since leaving the board he has represented candidates in connection with campaign finance matters.

Course outline:

### I. Introduction

This CLE will address campaign finance in Minnesota state races (as opposed to federal races, which are governed by federal law). Federal campaign finance statutes are not applicable to state races. Accordingly, the finances of campaigns in state races are governed entirely by state statutes and the U.S. Constitution.

### II. Statutory and Constitutional Framework

#### a. Key Minnesota Statutes

##### i. Minn.Stat. Chapter 10A

1. Created Minnesota Campaign Finance and Public Disclosure Board
2. Establishes the Board's powers and processes
3. Establishes specific rules on campaign committees, their fundraising and their spending
4. Establishes procedure for addressing violations

##### ii. Minn.Stat. Chapter 211B

1. Establishes "fair" campaign rules, some of which relate to campaign finance and some do not
2. Contains certain important, but highly specific rules

#### b. Key U.S. Constitutional provisions and caselaw

##### i. Amendment I

##### ii. *Buckley v. Valeo*, 424 U.S. 1 (1976)

##### iii. *Citizens United v. F.E.C.*, 588 U.S. 310 (2010)

### III. Structure and Procedure

#### a. Candidates and committees

#### b. Raising money by candidates and committees

#### c. Spending money by candidates and committees

#### d. Violations

##### i. Complaints

##### ii. Investigations

##### iii. Procedure

#### e. Avoiding common mistakes that generate complaints or investigations