

Resolution and Statement of Guidance

Whereas,

Chapter 10A, known as the Campaign Finance and Public Disclosure Act, provides for a comprehensive system of disclosure of money used to influence state elections in Minnesota, and

Whereas,

The Board believes that in enacting Chapter 10A, the legislature intended to create a disclosure system that provided such disclosure of the use of money for political purposes as was constitutionally permitted, and

Whereas,

Advisory Opinion 257 resulted in potentially less disclosure than was required under Chapter 10A, and

Whereas,

In 2010 the legislature supplemented the disclosure system specified in Chapter 10A by adding disclosure provisions more uniquely suited to associations that do not raise or spend money to influence the nomination or election of candidates,

Now, therefore, it is hereby resolved,

1. Advisory Opinion 257 is revoked.
2. Advisory Opinions 343, which relied on Advisory Opinion 257 in part for its conclusions, is also revoked.
3. Advisory Opinion 369 includes a reference to Advisory Opinions 257 and 343 in the section under the heading "Opinion One". That reference is revoked. However, Advisory Opinion 369 is not revoked as it did not rely on Advisory Opinion 257 or 343 for its conclusions.
4. The Executive Director is directed to take such steps as are statutorily required to notify the requesters of the opinions of the revocations.
5. The Board hereby adopts the following Statement of Guidance which sets forth its policy regarding underlying source disclosure by associations not registered with the Board when they make contributions or transfers to registered ballot question political committees or funds.