

# Appointments and Confirmations

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The Campaign Finance and Public Disclosure Board was established in 1974 (at the time, it was called the “state ethics commission”). The appointment and confirmation process for board members has remained largely the same since that time. This document provides a general background on the Campaign Finance and Public Disclosure Board.

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## What does the Campaign Finance and Public Disclosure Board do?

The board is currently responsible for administering the following programs and activities:

- Campaign finance regulation and reporting in campaigns for state offices
- Public subsidy program for state candidate campaigns
- Registration and oversight of lobbyists and lobbying activities
- Gift ban, conflict of interest, and economic interest reporting for public officials

Though the board is frequently represented by its staff in the legislative process, the board itself is responsible for making final decisions related to administering and enforcing these laws.

## What are the qualifications for membership on the board?

State law provides several qualifications for the board’s overall makeup:

- Two members must be former legislators of different parties
- Two must be persons who have not been public officials as defined by law, held any political party office other than precinct delegate, or been elected to a partisan office in the three years before the appointment
- Two must support different political parties
- No board member may be a lobbyist while serving on the board
- Overall, no more than three members may support the same political party

Board members (and all board employees) are subject to the same restrictions in law on political activities that apply to other state employees.

In addition, a member or board employee may not be a candidate for (or holder of ) an elected public office for which party designation is required, or a candidate for or office holder of an

office at the national, state, congressional district, legislative district, county, or precinct level in a political party.

## How are members of the board selected? Are they compensated?

The board consists of six members, appointed by the governor. Appointments must be confirmed by the advice and consent of three-fifths of the total membership in the Senate, and three-fifths of the total membership in the House, acting separately. Appointees are typically selected through the state's open appointments process. Officers are selected by the board itself, from among its own members.

Board member terms are four years. A board member may continue in the position for a short time until a successor is appointed. At the discretion of the board, members may be compensated up to \$55 per day, plus certain expenses, for board activities.

## What is the House's role in confirmation of Board members?

Campaign Finance and Public Disclosure Board members are one of only two positions in state government that require the advice and consent of both the Senate and the House (both bodies also advise and consent on the appointment of the MNsure board of directors).

- **Committee hearing.** In the House, appointments are traditionally heard in the committee with jurisdiction over elections policy. During the confirmation hearing, committee members often ask the appointee questions about his or her background and qualifications.

If the committee believes the appointee is qualified, it votes—by majority vote—to recommend to the House that the appointment be confirmed. The procedural motion traditionally used is:

*"... moves that the appointment of [name] to the Campaign Finance and Public Disclosure Board be recommended to be confirmed."*

Alternatively, the committee could make no recommendation, or it could recommend that the appointee not be confirmed. Regardless of the committee's action, a committee report is prepared and delivered to the chief clerk for action by the full House at a later date.

- **House floor session.** A vote is taken on final confirmation during a House floor session. House members may vote "yes" or "no" on confirmation. A three-fifths vote of the total House membership is required to confirm the appointment. The House

may only consider the appointee submitted by the governor; it may not nominate a different person instead.

The procedural motion traditionally used on the House floor for confirmation is:

*“... moves that the House, having advised, do now consent to and confirm the appointment of [name], effective [date], for a term expiring [date].”*

**Deadline for confirmation.** Appointments must be confirmed by the full House within 45 legislative days after the appointment, or by adjournment sine die of the legislature. If both the House and Senate do not confirm the appointment within this time, the appointment terminates. An appointment also terminates if either body votes to not confirm the appointment.



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