

Archdiocese mailing 400,000 marriage DVDs not considered lobbying

ST. PAUL, Minn. - Minnesota's Campaign Finance and Public Disclosure Board has dismissed a complaint stemming from a DVD on marriage mailed to 400,000 Catholics in the state by the Archdiocese of St. Paul and Minneapolis in September 2010.

The complainant, Minneapolis attorney Kurt M. Anderson, had argued that the mailing constituted a lobbying effort by the archdiocese and therefore triggered certain registration and reporting requirements under Minnesota campaign law.

"There is a sufficient basis on which to reasonably conclude that the archdiocese's communications were for a purpose other than to influence legislative action," the board said in its 12-page decision, announced Dec. 8. "As a result, there is no probable cause to conclude that the archdiocese became a 'principal' as a result of the subject communications."

The board also found "no probable cause" that the archdiocese should have been required to register a political fund or register as a lobbyist because of its actions.

Anderson had contended that the DVD campaign - which took place about six weeks before voters were to elect members of the Minnesota Legislature - was a lobbying effort aimed at persuading legislators to place a constitutional amendment defining marriage on the state ballot.

In the DVD, Archbishop John C. Nienstedt of St. Paul and Minneapolis said, "I have called on the Legislature to allow voters to consider a constitutional amendment to preserve marriage as the union between one man and one woman.

"The archdiocese believes that the time has come for voters to be presented directly with an amendment to the state constitution to preserve our historic understanding of marriage," he added.

But in its ruling, the campaign finance board said it was a “reasonable interpretation” that the archdiocese’s purpose “was to remind Catholics of the importance the archdiocese places on the need for a constitutional amendment so that voters would consider the archdiocese’s position on the issue of the legal definition of marriage when they decided for whom to vote.”

“When viewing the archdiocese’s communications as a whole, the board concludes that they are subject to a reasonable interpretation other than to influence legislative action,” it added.