



Minnesota Legislature:
Senate Bills

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House
Companion
No.

DUPLICATE

S. F. NO. 1497

A bill for an act relating to the taxation of iron ore;
amending Minnesota Statutes 1974, Section 273.16; appropri-
ating money.

B. D. No. B3269

COMPARISON ACTION

Date _____ moved that

_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____

Upon motion of _____

_____ F. No. _____ was substituted

for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____

Laid on Table _____

Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to

S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. _____

SENATE ACTION

Introduced by Senators _____

APR 14 1975

and Referred to the

★ Read FIRST TIME _____

Committee on Taxes TAXES AND TAX LAWS
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

★ Read FIRST TIME _____
Committee on _____

Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference
committee action.

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S. F. No. _____

Printed Page No.

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Messrs. Perpich, A. J.; Perpich, G. and Arnold introduced--

S. F. No. 1497: Referred to the Committee on TAXES AND TAX LAWS

1 A bill for an act
2 relating to the taxation of iron ore; amending
3 Minnesota Statutes 1974, Section 273.16;
4 appropriating money.
5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
6 Section 1. Minnesota Statutes 1974, Section 273.16, is
7 amended to read:
8 273.16 [DETERMINATION OF CLASSIFICATION.] The
9 classification of iron-bearing formations under the
10 provisions of sections 273.14 to 273.16 shall be determined
11 in the manner hereinafter set forth. Any person engaged in
12 the business of mining, whose tonnage recovery of iron ore
13 concentrates for a taxable year in producing concentrates
14 from the iron-bearing material entering the beneficiating
15 plant has been less than 50 percent, may file a petition
16 with the commissioner of revenue requesting classification
17 of such deposit under the provisions of sections 273.14 to
18 273.16. The taxpayer shall furnish such available data and
19 information concerning the operation of such deposit as the
20 commissioner of revenue may require, ~~and who shall upon~~
21 ~~receipt thereof, submit such petition and data to the~~
22 ~~University of Minnesota mines experiment station .~~ The

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1 ~~mines experiment station~~ commissioner of revenue shall
2 consider the deposit referred to in the petition as a
3 unified commercial operation; and, based on all engineering
4 data and information furnished, ~~shall file a written report~~
5 ~~thereon with the commissioner of revenue, who~~ after hearing
6 duly had, shall approve or disapprove such report. If a
7 classification is made covering such deposit and property,
8 the commissioner of revenue shall give appropriate notice
9 thereof to the taxing districts affected thereby. If the
10 commissioner of revenue disapprove such classification, his
11 findings and order thereon may be reviewed by a writ of
12 certiorari issued out of the supreme court on petition of
13 the party aggrieved presented to the court within 30 days
14 after the date of the order. Such classifications shall
15 also be subject to further review by the ~~mines experiment~~
16 ~~station, from time to time, upon request of the~~ commissioner
17 of revenue or upon further petition by the taxpayer.
18 Valuations determined hereunder shall be subject to the
19 provisions of sections 270.19 to 270.26.

20 Sec. 2. All records, personal property and equipment
21 of the ore estimate division of the university of Minnesota
22 shall be turned over to the commissioner of revenue by
23 December 31, 1975. Any records in the possession of the
24 university of Minnesota mines experiment station relating to
25 the classification of ore as required in sections 273.14 to
26 273.16 shall be turned over to the commissioner of revenue
27 by July 1, 1975.

28 Sec. 3. There is appropriated to the commissioner of
29 revenue the additional sum of \$5,000 for each of the fiscal
30 years of 1976 and 1977 for ore estimation. Any funds
31 appropriated to the commissioner of revenue for ore
32 estimation shall not be used to contract with the university

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- 1 of Minnesota for performing the function of ore estimating.
2 Sec. 4. This act shall be effective the day following
3 final enactment.

House
Companion
No.

DUPLICATE

S. F. NO. 1498

A bill for an act relating to ethics in government; conduct of certain public officers and candidates; establishing a county ethics commission for candidates for elected public office and elected public officers in counties and certain cities and prescribing its powers and duties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 5 and 6, and by adding a subdivision; etc.; repealing Minnesota Statutes 1974, Sections 211.06; 211.16; 211.17; etc.

B. D. No. B2961

SENATE ACTION

Introduced by Senators

S. Keefe
Stassen

Read FIRST TIME

APR 14 1975

Committee on

TRANSPORTATION AND GENERAL LEGISLATION
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

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Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
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(SENATE ACTION)

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Taken from Table _____

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S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME _____ and Referred to the
Committee on _____
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

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Printed Page No.

S. F. No.

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Messrs. Keefe, S.; Stassen and Olson, A. G. introduced--

S. F. No. 1498: Referred to the Committee on TRANSPORTATION AND GENERAL LEGISLATION

A bill for an act

relating to ethics in government; conduct of certain public officers and candidates; establishing a county ethics commission for candidates for elected public office and elected public officers in counties and certain cities and prescribing its powers and duties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 5 and 6, and by adding a subdivision; 10A.02; 10A.09; 10A.17, Subdivisions 2 and 3; 10A.20, Subdivisions 3, 5, 8, 9 and 10; and 10A.33; repealing Minnesota Statutes 1974, Sections 211.06; 211.16; 211.17; 211.19; 211.20; 211.21; 211.22; 211.25; and 211.32.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

Subd. 5. "Candidate" means an individual who seeks nomination for election or election to any statewide-office or legislative office or elected public office in any county or any city whose population exceeds 10,000, other than a federal office for which candidates are required to report under federal laws. The term candidate shall also include supreme court and district court judges of the state. An individual shall be deemed to seek nomination for election or election if he has taken the action necessary under the law of the state of Minnesota to qualify himself for

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1 nomination for election or election to an office, has
2 received contributions or made expenditures in excess of
3 \$100, or has given his consent, implicit or explicit, for
4 any other person to receive contributions or make
5 expenditures in excess of \$100 with a view to bringing about
6 his nomination for election or election to an office.

7 Sec. 2. Minnesota Statutes 1974, Section 10A.01,
8 Subdivision 6, is amended to read:

9 Subd. 6. "Commission" means:

10 (a) the state ethics commission for statewide and
11 legislative candidates and candidates for justice of the
12 supreme court and judge of district court and for public
13 officials and lobbyists;

14 (b) the county ethics commission for candidates for
15 elected public office in any county or any city whose
16 population exceeds 10,000 and for local public officials .

17 Sec. 3. Minnesota Statutes 1974, Section 10A.01, is
18 amended by adding a subdivision to read:

19 Subd. 11a. "Local public official" means any person
20 holding elective public office in any county or any city
21 whose population exceeds 10,000.

22 Sec. 4. Minnesota Statutes 1974, Section 10A.02, is
23 amended to read:

24 10A.02 [ETHICS COMMISSION.] Subdivision 1. There is
25 hereby created a state ethics commission composed of six
26 members. The members shall be appointed by the governor
27 with the advice and consent of three-fifths of both the
28 senate and the house of representatives acting separately.
29 Failure by either house to confirm the appointment of a
30 commission member within 45 legislative days after his
31 appointment shall be deemed to be a refusal to advise and
32 consent and his appointment shall terminate immediately

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1 after 45 legislative days or non-confirmation, whichever is
2 earlier. One member shall be a former state legislator from
3 a political party different from that of the governor; one
4 member shall be a former state legislator from the same
5 political party as the governor; two members shall be
6 persons who have not been public officials, held office in a
7 political party other than precinct delegate, or been
8 elected to public office for which party designation is
9 required by statute in the three years prior to the time of
10 their appointment; and the other two members shall not
11 support the same political party. No more than three of the
12 members of the commission shall support the same political
13 party.

14 Subd. 2. The appointments shall be for a term of four
15 years. One of the original six appointees shall serve for a
16 one-year term, two shall serve a two-year term, one shall
17 serve a three-year term, and two shall serve a four-year
18 term, as determined by lot. All appointments to terms
19 subsequent to the original term, except one made to fill a
20 vacancy, shall be for terms of four years. Any appointment
21 to fill a vacancy in an original or subsequent term shall be
22 made only for the unexpired term of a member who is being
23 replaced and shall be made within 60 days of the date on
24 which a vacancy occurs and shall retain the same stated
25 qualifications as the member being replaced.

26 Subd. 3. The concurring vote of four members of the
27 state ethics commission shall be required to decide any
28 matter before the state ethics commission.

29 Subd. 4. The state ethics commission shall hold an
30 organizational meeting within 45 days after April 13, 1974
31 at which time the members of the state ethics commission
32 shall elect from among their members a chairman, a

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1 vice-chairman and a secretary. The secretary shall keep a
2 record of all proceedings and actions by the state ethics
3 commission. Meetings of the state ethics commission shall
4 be at the call of the chairman or at the call of any four
5 members of the state ethics commission acting together.

6 Subd. 5. The state ethics commission shall appoint an
7 executive director who shall be in the unclassified service.
8 The state ethics commission may also employ and prescribe
9 the duties of other permanent or temporary employees in the
10 unclassified service as may be necessary to administer
11 sections 10A.01 to 10A.34, subject to appropriation. The
12 executive director and all other employees shall serve at
13 the pleasure of the commission. All administrative services
14 such as supplies, office space and furnishings, payroll
15 preparation and accounting services shall be provided to the
16 state ethics commission by the secretary of state. Expenses
17 of the state ethics commission shall be approved by the
18 chairman or such other member as the rules of the commission
19 may provide and the expenses shall then be paid in the same
20 manner as other state expenses are paid.

21 Subd. 6. Members of the state ethics commission shall
22 receive \$35 for each day spent in the performance of their
23 duties, and necessary and ordinary expenses in the same
24 manner and amount as state employees.

25 Subd. 7. In any county or any city whose population
26 exceeds 10,000, the county ethics commission shall be the
27 county auditor or a commission established and so designated
28 by the county board of commissioners. A county ethics
29 commission established by the county board of commissioners
30 shall be composed of not less than four nor more than eight
31 persons. No more than half of the members of a county
32 ethics commission shall support the same political party.

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1 Subd. ~~7~~ 8. All members and employees of the state
2 ethics commission or any county ethics commission shall be
3 subject to any provisions of law regulating political
4 activity by state employees. In addition, no member or
5 employee of the state ethics commission, or any county
6 ethics commission, except the county auditor when the county
7 auditor is the ethics commission as provided in subdivision
8 7, shall be a candidate for, or holder of, (a) a national,
9 state, congressional district, legislative district, county
10 or precinct office in a political party, or (b) an elected
11 ~~public office for which party designation is required by~~
12 statute in the state, any county, or any city whose
13 population exceeds 10,000.

14 Subd. ~~8~~ 9. The commission shall: (a) Report at the
15 close of each fiscal year to the legislature, the governor
16 and the public, in the case of the state ethics commission,
17 or to the county board and the public, in the case of a
18 county ethics commission, concerning the action it has
19 taken, the names, salaries, and duties of all individuals in
20 its employ and the money it has disbursed. The commission
21 shall include and identify in its report any other reports
22 it has made during the fiscal year. It may indicate
23 apparent abuses and offer legislative recommendations;

24 (b) Prescribe forms for statements and reports required
25 to be filed under sections 10A.01 to 10A.34 and make the
26 forms available to persons required to file them;

27 (c) Make available to the persons required to file the
28 reports and statements a manual setting forth the
29 recommended uniform methods of bookkeeping and reporting;

30 (d) Develop a filing, coding and cross-indexing system
31 consistent with the purposes of sections 10A.01 to 10A.34;

32 (e) Make the reports and statements filed with it

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1 available for public inspection and copying by the end of
2 the second day following the day on which they were
3 received. Any person may copy a report or statement by hand
4 or by duplicating machine and the commission shall provide
5 duplicating services at cost for this purpose. No
6 information copied from reports and statements shall be sold
7 or utilized by any person for any commercial purpose;

8 (f) Preserve reports and statements for a period of six
9 years from the date of receipt;

10 (g) Compile and maintain a current list and summary of
11 all statements or parts of statements pertaining to each
12 candidate; and

13 (h) Prepare and publish reports as it may deem
14 appropriate.

15 Subd. ~~9~~ 10. The commission or the executive
16 director of the commission or his staff shall inspect all
17 material filed with the commission as promptly as is
18 necessary to comply with the provisions of sections 10A.01
19 to 10A.34. The executive director shall immediately notify
20 the person required to file a document with the commission
21 if a written complaint is filed with the commission by any
22 registered voter alleging, or it otherwise appears, that a
23 document filed with the commission is inaccurate or does not
24 comply with the provisions of sections 10A.01 to 10A.34 or
25 that a person has failed to file a document required by
26 sections 10A.01 to 10A.34.

27 Subd. ~~10~~ 11. The commission may make audits and
28 investigations with respect to statements and reports which
29 are filed or which should have been filed under the
30 provisions of sections 10A.01 to 10A.34. In all matters
31 relating to its official duties, the commission shall have
32 the power to issue subpoenas and cause them to be served.

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1 If a person does not comply with a subpoena, the commission
2 may apply to the district court of ~~Ramsey county~~ the county
3 in which it is located for issuance of an order compelling
4 obedience to the subpoena. A person failing to obey the
5 order is punishable by the court as for contempt.

6 Subd. ~~11~~ 12. Any hearing or action of the
7 commission concerning any complaint or investigation shall
8 be confidential and all information obtained by the
9 commission shall be privileged until the commission makes a
10 finding that the commission believes there is or is not
11 probable cause to conclude that a violation of Laws 1974,
12 Chapter 470 or other campaign laws has occurred. Any
13 person, including any member or employee of the commission,
14 violating the confidentiality provisions of this subdivision
15 shall be guilty of a gross misdemeanor. After determination
16 of its findings the commission shall report any finding of
17 probable cause to the appropriate law enforcement
18 authorities.

19 Subd. ~~12~~ 13. The state ethics commission may issue
20 and publish advisory opinions on the requirements of
21 sections 10A.01 to 10A.34 based upon real or hypothetical
22 situations. An application for an advisory opinion may be
23 made only by those who wish to use the opinion to guide
24 their own conduct. The state ethics commission shall issue
25 written opinions on all such questions submitted to it
26 within 30 days after receipt of written application, unless
27 a majority of the state ethics commission agrees to extend
28 the time limit.

29 Subd. ~~13~~ 14. The provisions of chapter 15, shall
30 apply to the state ethics commission including the power to
31 prescribe rules and regulations to carry out the purposes of
32 sections 10A.01 to 10A.34. The rules of the state ethics

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1 commission concerning disclosure of campaign financing and
2 economic interests shall be applied by all county ethics
3 commissions.

4 Sec. 5. Minnesota Statutes 1974, Section 10A.09, is
5 amended to read:

6 10A.09 [STATEMENTS OF ECONOMIC INTEREST.] Subdivision
7 1. Except for a candidate for elective office in the
8 judicial branch, an individual shall file a statement of
9 economic interest with the commission;

10 (a) Within 60 days of accepting employment as a public
11 official; or

12 (b) Within 14 days after filing an affidavit of
13 candidacy or petition to appear on the ballot for an
14 elective public office including any statewide or
15 legislative office or office in any county or city whose
16 population exceeds 10,000 ; or

17 (c) In the case of a public official requiring the
18 advice and consent of the senate, prior to the submission of
19 his name to the senate, and in any event, within 60 days
20 after he undertakes the duties of his office.

21 Subd. 2. The secretary of state or the appropriate
22 county auditor upon receiving an affidavit of candidacy or
23 petition to appear on the ballot from an individual required
24 by this section to file a statement of economic interest,
25 and any official who nominates or employs a public official
26 required by this section to file a statement of economic
27 interest, shall notify the appropriate commission of the
28 name of the individual required to file a statement and the
29 date of the affidavit, petition or nomination.

30 Subd. 3. The commission shall notify the secretary of
31 state or the appropriate county auditor and, when necessary
32 in the case of appointive office, the presiding officer of

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1 the house that will approve or disapprove the nomination, of
2 the name of the individual who has filed a statement of
3 economic interest with the commission and the date on which
4 the statement was filed.

5 Subd. 4. The commission shall notify by registered
6 mail any candidate for elective office who fails within 14
7 days after filing for office to submit a statement of
8 economic interest required by this section. A candidate who
9 knowingly fails to submit a statement of economic interest
10 within seven days after receiving notice from the commission
11 is guilty of a misdemeanor.

12 Subd. 5. A statement of economic interest required by
13 this section shall be on a form prescribed by the state
14 ethics commission. The individual filing shall provide the
15 following information:

16 (a) His name, address, occupation and principal place
17 of business;

18 (b) The name of each business with which he is
19 associated and the nature of that association; and

20 (c) A listing of all real property within the state,
21 excluding homestead property, in which he has a fee simple
22 interest, a contract for deed or an option to buy, whether
23 direct or indirect, and which interest is valued in excess
24 of \$2,500. The filing shall indicate the municipality, if
25 any, and the county wherein the property is located.

26 Subd. 6. Each individual who is required to file a
27 statement of economic interest shall file a supplementary
28 statement on April 15 of each year.

29 Subd. 7. All elected public officials in any county or
30 city whose population exceeds 10,000, in office on ~~April 13,~~
31 ~~1974~~ the effective date of this act, shall file with the
32 commission a statement of economic interest within ~~60~~ 90

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1 days after the date ~~the commission issues statement of~~
2 ~~economic interest forms~~ of final enactment .

3 Subd. 8. Any public official, except ~~a member of the~~
4 ~~legislature or a constitutional officer~~ an elected public
5 official in the state, any county or any city whose
6 population exceeds 10,000 , who is required to file a
7 statement of economic interest and fails to do so by the
8 prescribed deadline shall be suspended without pay by the
9 commission in the manner prescribed in the contested case
10 procedures in chapter 15.

11 Sec. 6. Minnesota Statutes 1974, Section 10A.17,
12 Subdivision 2, is amended to read:

13 Subd. 2. In elections for statewide and legislative
14 office, no person or persons acting in concert other than
15 the candidate and the treasurer of the candidate's principal
16 campaign committee may make expenditures of more than \$20
17 with the authorization or consent, express or implied, of a
18 candidate or his agent, or under the control, direct or
19 indirect, of a candidate or his agent on behalf of a
20 candidate without receiving from the treasurer of that
21 candidate's principal campaign committee (i) prior written
22 authorization and (ii) certification that the expenditures
23 will not exceed the limits on expenditures as set forth in
24 sections 10A.25 and 10A.27. All such expenditures shall be
25 counted against the spending limitations of the candidate,

26 Sec. 7. Minnesota Statutes 1974, Section 10A.17,
27 Subdivision 3, is amended to read:

28 Subd. 3. The treasurer or deputy treasurer of a
29 political committee may make an authorization for petty cash
30 in any reporting period of not more than \$100 per week for
31 statewide elections and \$20 per week in legislative , county
32 or city elections to be used for miscellaneous expenditures.

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1 Sec. 8. Minnesota Statutes 1974, Section 10A.20,
2 Subdivision 3, is amended to read:

3 Subd. 3. Each report under this section shall
4 disclose:

5 (a) The amount of liquid assets on hand at the
6 beginning of the reporting period;

7 (b) The name, address and employer, or, if
8 self-employed, occupation of each person, political
9 committee or political fund who has made one or more
10 contributions to or for the political committee or political
11 fund including the purchase of tickets for dinners,
12 luncheons, rallies, and similar fund raising events within
13 the year in an aggregate amount or value in excess of \$50
14 for city, county and legislative candidates and in excess of
15 \$100 for statewide candidates, together with the amount and
16 date of the contributions, and the aggregate amount of
17 contributions within the year of each contributor so
18 disclosed. The lists of contributors shall be in
19 alphabetical order;

20 (c) The total sum of individual contributions made to
21 or for the political committee or political fund during the
22 reporting period and not reported under clause (b);

23 (d) The name and address of each political committee,
24 political fund or candidate from which the reporting
25 committee or fund received, or to which that committee made,
26 any transfer of funds, together with the amounts and dates
27 of all transfers. The lists shall be in alphabetical order;

28 (e) Each loan to or from any person within the year in
29 an aggregate amount or value in excess of \$100, together
30 with the full names and mailing address, occupations and the
31 principal places of business, if any, of the lender or
32 endorsers, if any, and the date and amount of the loans;

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1 (f) Each receipt in excess of \$100 not otherwise listed
2 under clauses (b) to (e);

3 (g) The total sum of all receipts by or for the
4 political committee or political fund during the reporting
5 period;

6 (h) The name, address, occupation and the principal
7 place of business, if any, of each person to whom
8 expenditures have been made by the political committee or
9 political fund or on its behalf within the year in an
10 aggregate amount in excess of \$100, the amount, date and
11 purpose of each expenditure and the name and address of, and
12 office sought by, each candidate on whose behalf the
13 expenditure was made;

14 (i) The sum of individual expenditures which is not
15 otherwise reported under clause (h);

16 (j) The name, address, occupation and the principal
17 place of business, if any, of each person to whom an
18 expenditure for personal services, salaries, and
19 reimbursable expenses in excess of \$100 has been made, and
20 which is not otherwise reported, including the amount, date
21 and purpose of the expenditure;

22 (k) The sum of individual expenditures for personal
23 services, salaries and reimbursable expense which is not
24 otherwise reported under (j);

25 (l) The total expenditures made by the political
26 committee or political fund during the reporting period;

27 (m) The amount and nature of debts and obligations owed
28 by or to the political committee or political fund, and a
29 continuous reporting of their debts and obligations after
30 the election until the debts and obligations are
31 extinguished;

32 (n) The amount and nature of any contract, promise or

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1 agreement, in writing, whether or not legally enforceable,
2 to make a contribution or expenditure;

3 (o) The name of each person, committee or political
4 fund, which has been authorized by the treasurer to make
5 expenditures on behalf of the candidate and the nature and
6 amount of each authorized expenditure.

7 Sec. 9. Minnesota Statutes 1974, Section 10A.20,
8 Subdivision 5, is amended to read:

9 Subd. 5. In any statewide election any contribution or
10 contributions from a person or association totaling \$2,000
11 or more, or in any city, county or legislative election any
12 contribution of \$200 or more, received after the period
13 covered in the last report prior to an election and prior to
14 the election shall be reported to the commission by telegram
15 within 48 hours after its receipt and in the next required
16 report.

17 Sec. 10. Minnesota Statutes 1974, Section 10A.20,
18 Subdivision 8, is amended to read:

19 Subd. 8. The state ethics commission shall exempt any
20 association or any of its members or contributors from the
21 provisions of this section if disclosure would expose any or
22 all of them to economic reprisals, loss of employment or
23 threat of physical coercion.

24 An association may seek an exemption for all of its
25 members or contributors only if it proves by clear and
26 convincing evidence that a substantial number of its members
27 or contributors would suffer a restrictive effect on their
28 freedom of association if members were required to seek
29 exemptions individually.

30 Sec. 11. Minnesota Statutes 1974, Section 10A.20,
31 Subdivision 9, is amended to read:

32 Subd. 9. The state ethics commission shall exempt any

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1 individual from the provisions of this section who, by
2 written request, demonstrates by clear and convincing
3 evidence that disclosure would expose him to economic
4 reprisals, loss of employment or threat of physical
5 coercion.

6 The state ethics commission shall issue a written order
7 to exempt the individual.

8 Sec. 12. Minnesota Statutes 1974, Section 10A.20,
9 Subdivision 10, is amended to read:

10 Subd. 10. A political committee or a political fund or
11 any of its members or contributors shall have standing to
12 seek an exemption. All applications by associations for
13 exemption shall be treated as contested cases within the
14 meaning of chapter 15. The state ethics commission by rule
15 shall establish a procedure so that any individual seeking
16 an exemption may proceed anonymously if he would be exposed
17 to the reprisals listed in subdivision 9 were he to reveal
18 his identity for the purposes of the hearing.

19 Sec. 13. Minnesota Statutes 1974, Section 10A.33, is
20 amended to read:

21 10A.33 [APPLICATION.] The provisions of sections 10A.30
22 to 10A.32 shall apply only in statewide and legislative
23 general elections and primary elections preceding statewide
24 and legislative general elections and shall not ~~include~~
25 apply in special elections, special primary elections,
26 conventions and caucuses of a political party or elections
27 for city or county offices .

28 Sec. 14. [REPEAL.] Minnesota Statutes 1974, Sections
29 211.06; 211.16; 211.17; 211.19; 211.20; 211.21; 211.22;
30 211.25; and 211.32, are repealed.

House
Companion
No.

DUPLICATE

S. F. No. 1499

A bill for an act relating to the conduct of public officials and campaigns for public office; redefining certain terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2 and 11; 10A.02, Subdivisions 1, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; etc.; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

B. D. No. B3059

SENATE ACTION

Introduced by Senators

S. Keefe

Bro North

★ Read FIRST TIME APR 14 1975 and Referred to the
Committee on TRANSPORTATION AND GENERAL LEGISLATION
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME _____ and Referred to the
Committee on _____
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

1499

S. F.

No.

Printed Page No.

1499

Messrs. Keefe, S.; Brown and North introduced--

S. F. No. 1499: Referred to the Committee on ~~TRANSPORTATION~~ AND GENERAL LEGISLATION

A bill for an act

relating to the conduct of public officials and campaigns for public office; redefining certain terms; providing for the filing of certain reports and statements; providing penalties; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2 and 11; 10A.02, Subdivisions 1, 8 and 11; 10A.04, Subdivision 4; 10A.07, Subdivision 1; 10A.09, Subdivision 5; 10A.14, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 1, 2, and 3, and by adding a subdivision; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.23; 10A.25, Subdivisions 3 and 6; 10A.27, Subdivision 3; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. "Administrative action" means an action-~~of a~~
~~non-ministerial nature~~ by any official, board, commission or agency of the executive branch to make rules, regulations or general policy. "Administrative action" does not include the application or administration of those rules, regulations or policies in specific instances, except in cases of rate setting, power plant siting and others specified by the commission.

Sec. 2. Minnesota Statutes 1974, Section 10A.01,

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1 Subdivision 11, is amended to read:

2 Subd. 11. "Lobbyist" means any:

3 (a) Individual who is engaged for pay or other
4 consideration or is authorized by another person to spend
5 money for the purpose of attempting to influence legislative
6 or administrative action by communicating with public
7 officials;

8 (b) Officially designated ~~representative~~
9 representative of any person ~~or association~~ which has as a
10 major purpose the influencing of legislative or
11 administrative action who attempt to influence an action by
12 communicating with public officials; or

13 (c) Individual who spends more than \$250, not including
14 traveling expenses and membership dues, in any year for the
15 purpose of attempting to influence legislative or
16 administrative action by communicating with public
17 officials;

18 "Lobbyist" does not include any :

19 (a) ~~A~~ Public official or employee of the state or any
20 of its political subdivisions or public bodies acting in his
21 official capacity;

22 (b) ~~Parties~~ Party and ~~their representatives~~ his
23 representative appearing in a proceeding before a state
24 board, commission or agency of the executive branch unless
25 the board, commission or agency is ~~acting in a~~
26 ~~non-ministerial capacity~~ taking administrative action ;

27 (c) ~~Individuals~~ Individual in the course of selling
28 goods or services to be paid for by public funds; ~~or~~

29 (d) News media or their employees or agents ~~but only~~
30 ~~while~~ acting in the ordinary course of business of
31 publishing or broadcasting news items, editorials or other
32 comments or paid advertisements which directly or indirectly

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1 urge official action 1

2 (e) Paid expert ~~witnesses~~ witness whose testimony is
3 requested by the body before which ~~they are~~ he is appearing
4 or one of the parties to a proceeding, but only while acting
5 in the ordinary course of preparing or delivering testimony
6 1 or

7 (f) Individual representing himself or communicating
8 solely with the elected representatives from the district in
9 which he resides and spending less than \$250, not including
10 travel expenses and membership dues, to influence
11 legislative or administrative action by communicating with
12 public officials .

13 Sec. 3. Minnesota Statutes 1974, Section 10A.02,

14 Subdivision 1, is amended to read:

15 10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There
16 is hereby created a state ethics commission composed of six
17 members. The members shall be appointed by the governor
18 with the advice and consent of three-fifths of both the
19 senate and the house of representatives acting separately.
20 Failure by either house to confirm the appointment of a
21 commission member within 45 legislative days after his
22 appointment shall be deemed to be a refusal to advise and
23 consent and his appointment shall terminate immediately
24 after 45 legislative days or non-confirmation, whichever is
25 earlier. One member shall be a former state legislator from
26 a major political party different from that of the governor;
27 one member shall be a former state legislator from the same
28 political party as the governor; two members shall be
29 persons who have not been public officials, held office in a
30 political party other than precinct delegate, or been
31 elected to public office for which party designation is
32 required by statute in the three years prior to the time of

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1 their appointment; and the other two members shall not
2 support the same political party. No more than three of the
3 members of the commission shall support the same political
4 party.

5 Sec. 4. Minnesota Statutes 1974, Section 10A.02,
6 Subdivision 8, is amended to read:

7 Subd. 8. The commission shall: (a) Report at the close
8 of each fiscal year to the legislature, the governor and the
9 public concerning the action it has taken, the names,
10 salaries, and duties of all individuals in its employ and
11 the money it has disbursed. The commission shall include
12 and identify in its report any other reports it has made
13 during the fiscal year. It may indicate apparent abuses and
14 offer legislative recommendations;

15 (b) Prescribe forms for statements and reports required
16 to be filed under sections 10A.01 to 10A.34 and make the
17 forms available to persons required to file them;

18 (c) Make available to the persons required to file the
19 reports and statements a manual setting forth the
20 recommended uniform methods of bookkeeping and reporting;

21 (d) Develop a filing, coding and cross-indexing system
22 consistent with the purposes of sections 10A.01 to 10A.34;

23 (e) Make the reports and statements filed with it
24 available for public inspection and copying by the end of
25 the second day following the day on which they were
26 received. Any person may copy a report or statement by hand
27 or by duplicating machine and the commission shall provide
28 duplicating services at cost for this purpose. No

29 information copied from reports and statements shall be sold
30 or utilized by any person for any commercial purpose;

31 (f) Preserve reports and statements for a period of ~~atw~~
32 five years from the date of receipt;

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1 (g) Compile and maintain a current list and summary of
2 all statements or parts of statements pertaining to each
3 candidate; and

4 (h) Prepare and publish reports as it may deem
5 appropriate.

6 Sec. 5. Minnesota Statutes 1974, Section 10A.02,
7 Subdivision 11, is amended to read:

8 Subd. 11. Any hearing or action of the commission
9 concerning any complaint or investigation shall be
10 confidential and all information obtained by the commission
11 shall be privileged until the commission makes a finding
12 that the commission believes there is or is not probable
13 cause to conclude that a violation of Laws 1974, Chapter 470
14 ~~or other campaign laws~~ has occurred. Any person, including
15 any member or employee of the commission, violating the
16 confidentiality provisions of this subdivision shall be
17 guilty of a gross misdemeanor. The commission shall make a
18 finding within 30 days of receipt of a written complaint
19 unless a majority of the commission agrees to extend the
20 time limit. After determination of its findings the
21 commission shall report any finding of probable cause to the
22 appropriate law enforcement authorities.

23 Sec. 6. Minnesota Statutes 1974, Section 10A.04,
24 Subdivision 4, is amended to read:

25 Subd. 4. The report shall include ~~all~~ such
26 information required as the commission may require from
27 the registration form and the following information for the
28 reporting period:

29 (a) The lobbyist's total disbursements on lobbying and
30 a breakdown of those disbursements into categories specified
31 by the commission, including but not limited to the cost of
32 publication and distribution of each publication used in

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1 lobbying; other printing; media, including the cost of
2 production; postage; travel; fees, including allowances;
3 entertainment; telephone and telegraph; and other expenses;

4 (b) Each honorarium, gift ~~or~~ , loan, item or benefit
5 excluding contributions to a candidate, equal in value to
6 \$20 or more, given or paid and the amount and nature of each
7 honorarium, gift, loan, item or benefit to any public
8 official by the lobbyist or any employer or any employee of
9 the lobbyist. The list shall include the name and address
10 of each public official to whom the honorarium, gift, loan,
11 item or benefit was given or paid and the date it was given
12 or paid; and

13 (c) Each original source of funds in excess of \$500 in
14 any year used for the purpose of lobbying. The list shall
15 include the name, address and employer, or, if self
16 employed, the occupation and principal place of business, of
17 each payer of funds in excess of \$500.

18 Sec. 7. Minnesota Statutes 1974, Section 10A.07,
19 Subdivision 1, is amended to read:

20 10A.07 [CONFLICTS OF INTEREST.] Subdivision 1. Any
21 public official who in the discharge of his official duties
22 would be required to take an action or make a decision which
23 would substantially affect his financial interests or those
24 of a business with which he is associated other than solely
25 as an employee , unless the effect on him is no greater than
26 on other members of his business classification, profession
27 or occupation, shall take the following actions:

28 (a) He shall prepare a written statement describing the
29 matter requiring action or decision and the nature of his
30 potential conflict of interest;

31 (b) He shall deliver copies of the statement to the
32 commission and to his immediate superior, if any;

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1 (c) If he is a legislator, he shall deliver a copy of
2 the statement to the presiding officer of the house in which
3 he serves; and

4 (d) If a potential conflict of interest presents itself
5 and there is insufficient time to comply with the provisions
6 of clauses (a) to (c), the public official shall verbally
7 inform his superior or the official body, or committee
8 thereof, in which he serves of the potential conflict. He
9 shall file a written statement with the commission within
10 one week after the potential conflict presents itself.

11 Sec. 8. Minnesota Statutes 1974, Section 10A.09,
12 Subdivision 5, is amended to read:

13 Subd. 5. A statement of economic interest required by
14 this section shall be on a form prescribed by the
15 commission. The individual filing shall provide the
16 following information:

17 (a) His name, address, occupation and principal place
18 of business;

19 (b) The name of each business with which he is
20 associated and the nature of that association; and

21 (c) A listing of all real property within the state,
22 excluding homestead property, in which he has a fee simple
23 interest, a contract for deed or an option to buy, whether
24 direct or indirect, and which interest is valued in excess
25 of \$2,500. The filing shall indicate the street address and
26 the municipality, ~~if any~~ or the section, township, range
27 and approximate acreage, and the county wherein the
28 property is located.

29 Sec. 9. Minnesota Statutes 1974, Section 10A.14,
30 Subdivision 2, is amended to read:

31 Subd. 2. The statement of organization shall include:

32 (a) The name and address of the political committee or

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1 political fund;

2 (b) The names and addresses of the supporting
3 associations of a political fund;

4 ~~(c) The geographic area in which it will operate and~~
5 ~~the purpose of the political committee or political fund;~~

6 ~~(d) The name, address and position of the custodian of~~
7 ~~books and accounts;~~

8 ~~(e) (c) The name and address of the chairman, the~~
9 ~~treasurer, and any other principal officers including deputy~~
10 ~~treasurers, if any ;~~

11 ~~(f) The name, address, office sought, and party~~
12 ~~affiliation, if any, of each candidate whom the committee or~~
13 ~~political fund is supporting, or, if the committee or~~
14 ~~political fund is supporting the entire ticket of any party,~~
15 ~~the name of the party;~~

16 ~~(g) A statement as to whether the committee or~~
17 ~~political fund is a continuing one;~~

18 ~~(h) (d) A listing of all depositories or safety~~
19 ~~deposit boxes used; and~~

20 ~~(i) (e) A statement as to whether the committee is a~~
21 ~~principal campaign committee.~~

22 Sec. 10. Minnesota Statutes 1974, Section 10A.19,
23 Subdivision 1, is amended to read:

24 10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1.
25 Every candidate shall designate and cause to be formed a
26 single principal campaign committee prior to filing an
27 affidavit of candidacy or petition to appear on the ballot .

28 Sec. 11. Minnesota Statutes 1974, Section 10A.20,
29 Subdivision 1, is amended to read:

30 10A.20 [CAMPAIGN REPORTS.] Subdivision 1. ~~Every~~ The
31 treasurer of every principal campaign committee shall file
32 the reports required by this section in the year in which

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1 the candidate being supported stands for election. The
2 treasurer of ~~a~~ every political committee ~~or~~ and political
3 fund shall file the reports required by this section in any
4 year it receives contributions or makes expenditures in
5 excess of \$100.

6 Sec. 12. Minnesota Statutes 1974, Section 10A.20,
7 Subdivision 2, is amended to read:

8 Subd. 2. The reports shall be filed with the
9 commission by the following dates:

10 (a) In years in which any candidate being supported
11 does not stand for election:

12 (1) January 7; and

13 (2) July 7;

14 (b) In years in which any candidate being supported
15 does stand for election:

16 (1) January 7;

17 (2) July 7;

18 (3) ~~Five~~ Ten days before any primary election in which
19 the candidate stands for election;

20 (4) ~~Five~~ Ten days before any general election in which
21 the candidate stands for election; ~~and~~

22 ~~(5) 30 days after the last election in which a~~
23 ~~candidate stands for election;~~

24 (c) In special or special primary elections in which a
25 candidate stands for election:

26 (1) 30 days before the election; ~~and~~

27 (2) ~~Five~~ Ten days before the election.

28 If a scheduled filing date falls on a Saturday, Sunday
29 or legal holiday, the filing date shall be the next regular
30 business day.

31 Sec. 13. Minnesota Statutes 1974, Section 10A.20,
32 Subdivision 3, is amended to read:

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1 Subd. 3. Each report under this section shall
2 disclose:

3 (a) The amount of liquid assets on hand at the
4 beginning of the reporting period;

5 (b) The name, address and employer, or, if
6 self-employed, occupation of each person, political
7 committee or political fund who has made one or more
8 contributions to or for the political committee or political
9 fund including the purchase of tickets for dinners,
10 luncheons, rallies, and similar fund raising events within
11 the year in an aggregate amount or value in excess of \$50
12 for legislative candidates and in excess of \$100 for
13 statewide candidates, together with the amount and date of
14 the contributions, and the aggregate amount of contributions
15 within the year of each contributor so disclosed. The lists
16 of contributors shall be in alphabetical order;

17 (c) The total sum of individual contributions made to
18 or for the political committee or political fund during the
19 reporting period and not reported under clause (b);

20 ~~(d) The name and address of each political committee,~~
21 ~~political fund or candidate from which the reporting~~
22 ~~committee or fund received, or to which that committee made,~~
23 ~~any transfer of funds, together with the amounts and dates~~
24 ~~of all transfers. The lists shall be in alphabetical order;~~

25 ~~(e)~~ (d) Each loan to or from any person within the
26 year in an aggregate amount or value in excess of \$100,
27 together with the full names and mailing address,
28 occupations and the principal places of business, if any, of
29 the lender or endorsers, if any, and the date and amount of
30 the loans;

31 ~~(f)~~ (e) Each receipt in excess of \$100 not otherwise
32 listed under clauses (b) to ~~(e)~~ (d);

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1 ~~(f)~~ (f) The total sum of all receipts by or for the
2 political committee or political fund during the reporting
3 period;

4 ~~(g)~~ (g) The name and address ~~and the~~
5 ~~principal place of business, if any,~~ of each person to whom
6 expenditures have been made by the political committee or
7 political fund or on its behalf within the year in an
8 aggregate amount in excess of \$100, the amount, date and
9 purpose of each expenditure and the name and address of, and
10 office sought by, each candidate on whose behalf the
11 expenditure was made;

12 ~~(h)~~ (h) The sum of individual expenditures which is
13 not otherwise reported under clause ~~(h)~~ (g) ;

14 ~~(i)~~ ~~The name, address, occupation and the principal~~
15 ~~place of business, if any, of each person to whom an~~
16 ~~expenditure for personal services, salaries, and~~
17 ~~reimbursable expenses in excess of \$100 has been made, and~~
18 ~~which is not otherwise reported, including the amount, date~~
19 ~~and purpose of the expenditure;~~

20 ~~(k)~~ ~~The sum of individual expenditures for personal~~
21 ~~services, salaries and reimbursable expense which is not~~
22 ~~otherwise reported under (j);~~

23 ~~(i)~~ (i) The total expenditures made by the political
24 committee or political fund during the reporting period;

25 ~~(j)~~ (j) The amount and nature of ~~debts and obligations~~
26 any debt or obligation owed by or to the political committee
27 or political fund, and ~~a continuous reporting of their debts~~
28 ~~and obligations after the election until the debts and~~
29 ~~obligations are extinguished;~~

30 ~~(n)~~ ~~The amount and nature of~~ any contract, promise or
31 agreement, in writing, whether or not legally enforceable,
32 to make a contribution or expenditure; and

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1 ~~to~~ (K) For principal campaign committees only: The
2 name of each person, committee or political fund, which has
3 been authorized by the treasurer to make expenditures on
4 behalf of the candidate and the nature and amount of each
5 authorized expenditure.

6 Sec. 14. Minnesota Statutes 1974, Section 10A.20, is
7 amended by adding a subdivision to read:

8 Subd. 12. The commission shall notify any person who
9 fails to file a statement required by this section. A
10 person who knowingly fails to file the statement within
11 seven days after receiving notice from the commission is
12 guilty of a gross misdemeanor.

13 Sec. 15. Minnesota Statutes 1974, Section 10A.21,
14 Subdivision 1, is amended to read:

15 10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. An
16 identical copy of all reports or statements that must be
17 filed with the commission by the principal campaign
18 committee of legislative candidates shall also be filed on
19 the same day with the county auditor of each county in which
20 the legislative district lies.

21 Sec. 16. Minnesota Statutes 1974, Section 10A.22,
22 Subdivision 5, is amended to read:

23 Subd. 5. A political committee or political fund
24 making an expenditure, other than a transfer of funds, for
25 or on behalf of more than one candidate for state or
26 legislative office shall allocate the expenditure among the
27 candidates on a reasonable cost basis and report this
28 allocation for each candidate. The treasurer shall retain
29 for audit any documents supporting the allocation. An
30 expenditure for a sample ballot containing a list of
31 candidates in an election may be allocated to any candidate
32 appearing in that list provided that the expenditure is

1 authorized by the treasurer of the principal campaign
2 committee of the candidate to whom that expenditure is
3 allocated. 1499

4 Sec. 17. Minnesota Statutes 1974, Section 10A.23, is
5 amended to read:

6 10A.23 [CHANGES AND CORRECTIONS.] Any material changes
7 in information previously submitted and any corrections to a
8 report or statement shall be reported in writing to the
9 commission within ten days following the date of the event
10 prompting the change or the date upon which the person
11 filing became aware of the inaccuracy. The change or
12 correction shall identify the form and the paragraph
13 containing the information to be changed or corrected. Any
14 person who wilfully fails to report a material change or
15 correction is guilty of a gross misdemeanor.

16 Sec. 18. Minnesota Statutes 1974, Section 10A.25,
17 Subdivision 3, is amended to read:

18 Subd. 3. Notwithstanding subdivision 2, clause (a), a
19 candidate for the endorsement for the office of lieutenant
20 governor at the convention of a political party may spend
21 \$30,000 or five percent of the amount in subdivision 2,
22 clause (a) ~~prior to the time of~~ to seek endorsement.
23 This money shall be in addition to the money which may be
24 expended pursuant to subdivision 2, clause (a).

25 Sec. 19. Minnesota Statutes 1974, Section 10A.25,
26 Subdivision 6, is amended to read:

27 Subd. 6. In a year in which ~~a candidate does not stand~~
28 ~~for election~~ an election does not occur for an office held
29 or sought, no expenditures shall be made and no obligations
30 to make expenditures shall be incurred by a candidate or
31 officeholder or by a political committee, political fund or
32 individual which makes expenditures with the authorization,

1 express or implied, and under the control, direct or 1499
2 indirect, of the candidate or officeholder or his agents
3 which shall result in the aggregate expenditure on behalf of
4 the candidate or officeholder in that year of an amount in
5 excess of 20 percent of the amount of the aggregate
6 expenditure permitted by subdivision 2. Expenditures
7 permitted by this subdivision shall be in addition to
8 expenditures permitted by subdivision 2.

9 Sec. 20. Minnesota Statutes 1974, Section 10A.27,
10 Subdivision 3, is amended to read:

11 Subd. 3. Expenditures by a political party on behalf
12 of candidates of that party generally, without referring to
13 any of them specifically in any advertisement published or
14 posted, on any broadcast, or in any telephone conversation,
15 if that conversation mentions three or more ~~candidates~~
16 persons appearing on the ballot, shall not be subject to
17 the limitations of section 10A.25, subdivision 2.

18 Sec. 21. Minnesota Statutes 1974, Sections 10A.01,
19 Subdivision 14; 10A.14, Subdivision 3; and 10A.22,
20 Subdivisions 2 and 8, are repealed.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1499

A bill for an act relating to the conduct of public officials and campaigns for public office; defining "lobbying"; redefining "lobbyist" and certain other terms; etc.; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, 7, 10 and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; etc.; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision 4; 10A.22, Subdivisions 2 and 8.

B. D. No. B3059

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators S Keefe Brown
North
Read FIRST TIME APR 14 1975 and Referred to the
Committee on TRANSPORTATION AND GENERAL LEGISLATION
Committee Recommendation and Adoption of Report

To Pass as Amended MAR 4 1976

★ Read SECOND TIME MAR 4 1976
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME _____ and Referred to the
Committee on _____
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

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Printed Page No.

S. F.

No.

Introduced by Keefe, S.; Brown and North.
Read First Time Apr. 14, 1975, and Referred to
the Committee on Transportation and General Legislation.
Committee Recommendation. To Pass as Amended.
Committee Report Adopted Mar. 4, 1976.
Read Second Time Mar. 4, 1976.

- 1 A bill for an act
- 2 relating to the conduct of public officials and
- 3 campaigns for public office; defining "lobbying";
- 4 redefining "lobbyist" and certain other terms;
- 5 providing for the filing of certain reports and
- 6 statements; providing penalties; amending
- 7 Minnesota Statutes 1974, Sections 10A.01,
- 8 Subdivisions 2, 5, 7, 10 and 11, and by adding a
- 9 subdivision; 10A.02, Subdivisions 1, 5, 8 and 11;
- 10 10A.04, Subdivision 4; 10A.07, Subdivision 1;
- 11 10A.09, Subdivision 5; 10A.11, Subdivision 6;
- 12 10A.14, Subdivision 2; 10A.19, Subdivision 1;
- 13 10A.20, Subdivisions 1, 2, and 3, and by adding a
- 14 subdivision; 10A.21, Subdivision 1; 10A.22,
- 15 Subdivision 5; 10A.23; 10A.25, Subdivisions 3, 6
- 16 and 7; 10A.27, Subdivision 3; repealing Minnesota
- 17 Statutes 1974, Sections 10A.01, Subdivision 14;
- 18 10A.14, Subdivision 3; 10A.20, Subdivision 4;
- 19 10A.22, Subdivisions 2 and 8.
- 20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 21 Section 1. Minnesota Statutes 1974, Section 10A.01,
- 22 Subdivision 2, is amended to read:
- 23 Subd. 2. "Administrative action" means an action ~~of a~~
- 24 ~~non-ministerial nature~~ by any official, board, commission or
- 25 agency of the executive branch to make rules, regulations or
- 26 general policy. "Administrative action" does not include
- 27 the application or administration of those rules,
- 28 regulations or policies in specific instances, except in
- 29 cases of rate setting, power plant siting and others
- 30 specified by the commission .

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1 Sec. 2. Minnesota Statutes 1974, Section 10A.01,
2 Subdivision 5, is amended to read:
3 Subd. 5. "Candidate" means an individual who seeks
4 nomination for election or election to any statewide office
5 or legislative office, other than a federal office for which
6 candidates are required to report under federal laws. The
7 term candidate shall also include an individual who seeks
8 nomination for election or election to supreme court and
9 district court-judges judgeships of the state. An
10 individual shall be deemed to seek nomination for election
11 or election if he has taken the action necessary under the
12 law of the state of Minnesota to qualify himself for
13 nomination for election or election to an office, has
14 received contributions or made expenditures in excess of
15 \$100, or has given his consent, implicit or explicit, for
16 any other person to receive contributions or make
17 expenditures in excess of \$100 with a view to bringing about
18 his nomination for election or election to an office.

19 Sec. 3. Minnesota Statutes 1974, Section 10A.01,
20 Subdivision 7, is amended to read:

21 Subd. 7. "Contribution" means:

22 (a) A gift, subscription, loan, advance, the providing
23 of supplies, materials or equipment, or deposit of money or
24 anything else of value made to influence the nomination for
25 election or election of a candidate to office except a loan
26 of money by a national or state bank made in accordance with
27 applicable banking laws and regulations and in the ordinary
28 course of business, which shall be considered a loan by each
29 endorser or guarantor in that proportion of the unpaid
30 balance thereof that each endorser or guarantor bears to the
31 total number of endorsers or guarantors ;

32 (b) A transfer of funds between political committees or

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1 political funds; or

2 (c) The payment of compensation for the personal
3 services of another person which are rendered to a
4 candidate, political committee or political fund to
5 influence the nomination for election or election of a
6 candidate to office by any person other than that candidate,
7 political committee or political fund.

8 "Contribution" does not include services provided
9 without compensation by individuals volunteering their time
10 on behalf of a candidate, political committee or political
11 fund, or coverage by news media, but only while acting in
12 the ordinary course of business of publishing or
13 broadcasting news items, editorials or other comments.

14 Sec. 4, Minnesota Statutes 1974, Section 10A.01,
15 Subdivision 10, is amended to read:

16 Subd. 10. "Expenditure" means:

17 (a) A purchase, payment, distribution, loan, advance,
18 deposit or gift of money or anything of value, made for the
19 purpose of influencing the nomination for election or
20 election of any candidate to office except a loan of money
21 by a national or state bank made in accordance with
22 applicable banking laws and regulations and in the ordinary
23 course of business ; or

24 (b) A transfer of funds between political committees or
25 political funds.

26 "Expenditure" does not include: (a) Services provided
27 without compensation by individuals volunteering their time
28 on behalf of a candidate, political committee, or political
29 fund; or (b) expenses incurred by a member of the
30 legislature or a person holding constitutional office in the
31 executive branch, in performing services for constituents.
32 The commission shall have the power to determine whether the

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1 expense was incurred primarily for the purpose of providing
2 a constituent service or is an expenditure within the
3 meaning of this subdivision.

4 Sec. 5. Minnesota Statutes 1974, Section 10A.01,
5 Subdivision 11, is amended to read:

6 Subd. 11. "Lobbying" means any attempt to influence
7 legislative or administrative action by communicating with
8 public officials or by urging others to communicate with
9 public officials.

10 "Lobbyist" ~~means~~ includes any:

11 (a) ~~individual~~ Person, including any public official
12 except a member of the legislature, who ~~is engaged~~ engages
13 in lobbying (i) in the course of his regular employment, or
14 (ii) for pay or other consideration, or (iii) when such
15 person is authorized by another person to spend money for
16 the purpose of attempting to influence legislative or
17 administrative action by communicating with public officials
18 for lobbying purposes;

19 (b) ~~Officially designated representatives of any person~~
20 ~~or association which has as a major purpose the influencing~~
21 ~~of legislative or administrative action who attempt to~~
22 ~~influence an action by communicating with public officials;~~
23 or

24 (c) ~~(b) individual~~ Person who engages in lobbying
25 and spends more than \$250 in any year for lobbying purposes
26 , not including traveling expenses and membership dues, ~~or~~
27 in any year for the purpose of attempting to influence
28 legislative or administrative action by communicating with
29 public officials;

30 "Lobbyist" does not include:

31 (d) ~~A public official or employee of the state or any~~
32 ~~of its political subdivisions or public bodies acting in his~~

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1 ~~official capacity;~~

2 ~~(a)~~ (a) Parties and their representatives appearing in
3 a proceeding before a state board, commission or agency of
4 the executive branch unless the board, commission or agency
5 ~~is acting in a non-ministerial capacity~~ taking
6 administrative action ;

7 ~~(b)~~ (b) Individuals in the course of selling goods or
8 services to be paid for by public funds; ~~or~~

9 ~~(c)~~ (c) News media or their employees or agents, but
10 only while acting in the ordinary course of business of
11 publishing or broadcasting news items, editorials or other
12 comments or paid advertisements which directly or indirectly
13 urge official action; ;

14 ~~(d)~~ (d) Paid expert witnesses whose testimony is
15 requested by the body before which they are appearing or one
16 of the parties to a proceeding, but only while acting in the
17 ordinary course of preparing or delivering testimony; or

18 (e) Any person who engages in lobbying and spends less
19 than \$250 for lobbying purposes in any year, and whose total
20 costs in connection with lobbying in any year are less than
21 \$500, including compensation and reimbursed expenses
22 received by such person .

23 Sec. 6. Minnesota Statutes 1974, Section 10A.01, is
24 amended by adding a subdivision to read:

25 Subd. 19. "Officeholder" means an individual who holds
26 any elected statewide office or elected legislative office,
27 other than a federal office for which candidates are
28 required to report under federal laws, or is a supreme court
29 or district court judge of the state.

30 Sec. 7. Minnesota Statutes 1974, Section 10A.02,
31 Subdivision 1, is amended to read:

32 10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There

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1 is hereby created a state ethics commission composed of six
2 members. The members shall be appointed by the governor
3 with the advice and consent of three-fifths of both the
4 senate and the house of representatives acting separately.
5 Failure by either house to confirm the appointment of a
6 commission member within 45 legislative days after his
7 appointment shall be deemed to be a refusal to advise and
8 consent and his appointment shall terminate immediately
9 after 45 legislative days or non-confirmation, whichever is
10 earlier. One member shall be a former state legislator from
11 a major political party different from that of the governor;
12 one member shall be a former state legislator from the same
13 political party as the governor; two members shall be
14 persons who have not been public officials, held office in a
15 political party other than precinct delegate, or been
16 elected to public office for which party designation is
17 required by statute in the three years prior to the time of
18 their appointment; and the other two members shall not
19 support the same political party. No more than three of the
20 members of the commission shall support the same political
21 party.

22 Sec. 8. Minnesota Statutes 1974, Section 10A.02,
23 Subdivision 5, is amended to read:

24 Subd. 5. The commission shall appoint an executive
25 director who shall be in the unclassified service. The
26 commission may also employ and prescribe the duties of other
27 permanent or temporary employees in the unclassified service
28 as may be necessary to administer sections 10A.01 to 10A.34,
29 subject to appropriation. The executive director and all
30 other employees shall serve at the pleasure of the
31 commission. ~~All administrative services such as supplies,~~
32 ~~office space and furnishings, payroll preparation and~~

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~~1 accounting services shall be provided to the commission by~~
~~2 the secretary of state.~~ Expenses of the commission shall be
3 approved by the chairman or such other member as the rules
4 of the commission may provide and the expenses shall then be
5 paid in the same manner as other state expenses are paid.

6 Sec. 9. Minnesota Statutes 1974, Section 10A.02,
7 Subdivision 8, is amended to read:

8 Subd. 8. The commission shall: (a) Report at the close
9 of each fiscal year to the legislature, the governor and the
10 public concerning the action it has taken, the names,
11 salaries, and duties of all individuals in its employ and
12 the money it has disbursed. The commission shall include
13 and identify in its report any other reports it has made
14 during the fiscal year. It may indicate apparent abuses and
15 offer legislative recommendations;

16 (b) Prescribe forms for statements and reports required
17 to be filed under sections 10A.01 to 10A.34 and make the
18 forms available to persons required to file them;

19 (c) Make available to the persons required to file the
20 reports and statements a manual setting forth the
21 recommended uniform methods of bookkeeping and reporting;

22 (d) Develop a filing, coding and cross-indexing system
23 consistent with the purposes of sections 10A.01 to 10A.34;

24 (e) Make the reports and statements filed with it
25 available for public inspection and copying by the end of
26 the second day following the day on which they were
27 received. Any person may copy a report or statement by hand
28 or by duplicating machine and the commission shall provide
29 duplicating services at cost for this purpose. No
30 information copied from reports and statements shall be sold
31 or utilized by any person for any commercial purpose;

32 (f) Notwithstanding the provisions of section 138.163,

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1 preserve reports and statements for a period of ~~five~~ five
2 years from the date of receipt;

3 (g) Compile and maintain a current list and summary of
4 all statements or parts of statements pertaining to each
5 candidate; and

6 (h) Prepare and publish reports as it may deem
7 appropriate.

8 Sec. 10. Minnesota Statutes 1974, Section 10A.02,
9 Subdivision 11, is amended to read:

10 Subd. 11. Any hearing or action of the commission
11 concerning any complaint or investigation shall be
12 confidential and all information obtained by the commission
13 shall be privileged until the commission makes a finding
14 that the commission believes there is or is not probable
15 cause to conclude that a violation of Laws 1974, Chapter 470
16 or other campaign laws has occurred. Any person, including
17 any member or employee of the commission, violating the
18 confidentiality provisions of this subdivision shall be
19 guilty of a gross misdemeanor. ~~After determination of its~~
20 ~~findings~~ The commission shall make a finding within 30 days
21 of receipt of a written complaint unless a majority of the
22 members agrees to extending the time limit, and shall report
23 any finding of probable cause to the appropriate law
24 enforcement authorities.

25 Sec. 11. Minnesota Statutes 1974, Section 10A.04,
26 Subdivision 4, is amended to read:

27 Subd. 4. The report shall include all information
28 required on the registration form and the following
29 information for the reporting period:

30 (a) The lobbyist's total disbursements on lobbying and
31 a breakdown of those disbursements into categories specified
32 by the commission, including but not limited to the cost of

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1 publication and distribution of each publication used in
2 lobbying; other printing; media, including the cost of
3 production; postage; travel; fees, including allowances;
4 entertainment; telephone and telegraph; and other expenses;

5 (b) Each honorarium, gift-~~or~~ , loan, item or benefit
6 excluding contributions to a candidate, equal in value to
7 \$20 or more, given or paid and the amount and nature of each
8 honorarium, gift, loan, item or benefit to any public
9 official by the lobbyist or any employer or any employee of
10 the lobbyist. The list shall include the name and address
11 of each public official to whom the honorarium, gift, loan,
12 item or benefit was given or paid and the date it was given
13 or paid; and

14 (c) Each original source of funds in excess of \$500 in
15 any year used for the purpose of lobbying. The list shall
16 include the name, address and employer, or, if self
17 employed, the occupation and principal place of business, of
18 each payer of funds in excess of \$500.

19 Sec. 12. Minnesota Statutes 1974, Section 10A.07,
20 Subdivision 1, is amended to read:

21 10A.07 [CONFLICTS OF INTEREST.] Subdivision 1. Any
22 public official who in the discharge of his official duties
23 would be required to take an action or make a decision which
24 would substantially affect his financial interests or those
25 of a business with which he is associated other than solely
26 as an employee , unless the effect on him is no greater than
27 on other members of his business classification, profession
28 or occupation, shall take the following actions:

29 (a)-~~He shall~~ Prepare a written statement describing the
30 matter requiring action or decision and the nature of his
31 potential conflict of interest;

32 (b)-~~He shall~~ Deliver copies of the statement to the

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1 commission and to his immediate superior, if any;

2 (c) If he is a legislator, ~~he shall~~ deliver a copy of
3 the statement to the presiding officer of the house in which
4 he serves; and

5 (d) If a potential conflict of interest presents itself
6 and there is insufficient time to comply with the provisions
7 of clauses (a) to (c), the public official shall verbally
8 inform his superior or the official body, or committee
9 thereof, in which he serves of the potential conflict. He
10 shall file a written statement with the commission within
11 one week after the potential conflict presents itself.

12 Sec. 13. Minnesota Statutes 1974, Section 10A.09,
13 Subdivision 5, is amended to read:

14 Subd. 5. A statement of economic interest required by
15 this section shall be on a form prescribed by the
16 commission. The individual filing shall provide the
17 following information:

18 (a) His name, address, occupation and principal place
19 of business;

20 (b) The name of each business with which he is
21 associated and the nature of that association; and

22 (c) A listing of all real property within the state,
23 excluding homestead property, in which he has a fee simple
24 interest, a contract for deed or an option to buy, whether
25 direct or indirect, and which interest is valued in excess
26 of \$2,500. The filing shall indicate the ~~municipality, if~~
27 any street address and the city or town, or if there is no
28 street address, the section, township and range, and the
29 county wherein the property is located.

30 Sec. 14. Minnesota Statutes 1974, Section 10A.11,
31 Subdivision 6, is amended to read:

32 Subd. 6. Except for transfers of funds between

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1 political committees and transfers from the state election
2 campaign fund, a political committee shall be financed
3 solely through voluntary ~~contributions~~ contributions by natural
4 persons or political funds,

5 Sec. 15. Minnesota Statutes 1974, Section 10A.14,

6 Subdivision 2, is amended to read:

7 Subd. 2. The statement of organization shall include:

8 (a) The name and address of the political committee or
9 political fund;

10 (b) The names and addresses of the supporting
11 associations of a political fund;

12 (c) The geographic area in which it will operate and
13 the purpose of the political committee or political fund;

14 (d) The name ~~and address and position~~ of the
15 custodian of books and accounts if other than the treasurer

16 ;

17 (e) The name and address of the chairman, the
18 treasurer, and any ~~other principal officers including~~ deputy
19 treasurers, ~~if any~~ ;

20 ~~(f) The name, address, office sought, and party~~
21 ~~affiliation, if any, of each candidate when the committee or~~
22 ~~political fund is supporting, or, if the committee or~~
23 ~~political fund is supporting the entire ticket of any party,~~
24 ~~the name of the party;~~

25 ~~(g) A statement as to whether the committee or~~
26 ~~political fund is a continuing one;~~

27 ~~(h)~~ (f) A listing of all depositories or safety
28 deposit boxes used; and

29 ~~(i)~~ (g) A statement as to whether the committee is a
30 principal campaign committee.

31 Sec. 16. Minnesota Statutes 1974, Section 10A.19,

32 Subdivision 1, is amended to read:

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1 10A.19 [PRINCIPAL CAMPAIGN COMMITTEE,] Subdivision 1.
2 Every candidate shall designate and cause to be formed a
3 single principal campaign committee no later than 14 days
4 after filing an affidavit of candidacy or petition to appear
5 on the ballot .

6 Sec. 17. Minnesota Statutes 1974, Section 10A.20,
7 Subdivision 1, is amended to read:

8 10A.20 [CAMPAIGN REPORTS,] Subdivision 1. The
9 treasurer of every principal campaign committee shall file
10 the reports required by this section in the year in which
11 the candidate being supported stands for election. -Every-
12 The treasurer of-a every political committee-or and
13 political fund shall file the reports required by this
14 section in any year it receives contributions or makes
15 expenditures in excess of \$100.

16 Sec. 18. Minnesota Statutes 1974, Section 10A.20,
17 Subdivision 2, is amended to read:

18 Subd. 2. The reports shall be filed with the
19 commission ~~by the following dates-~~

20 ~~(a) in years in which any candidate being supported~~
21 ~~does not stand for election;~~

22 ~~(1) January 7; and~~

23 ~~(2) July 7;~~

24 ~~(b) in years in which any candidate being supported~~
25 ~~does stand for election;~~

26 ~~(1) January 7;~~

27 ~~(2) July 7;~~

28 ~~(3) Five days before any primary election in which the~~
29 ~~candidate stands for election;~~

30 ~~(4) Five days before any general election in which the~~
31 ~~candidate stands for election; and~~

32 ~~(5) 30 days after the last election in which a~~

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1 ~~candidate stands for election;~~
2 ~~(c) in special or special primary elections in which a~~
3 ~~candidate stands for election;~~
4 ~~(1) 30 days before the election; and~~
5 ~~(2) five days before the election, on January 31 of~~
6 every year and, in years in which the candidate being
7 supported stands for election, ten days before any primary
8 or special primary election and ten days before any general
9 or special election and 30 days after the last election in
10 which the candidate's name appears on the ballot. The
11 January 31 report shall cover the time from the last day of
12 the period covered by the last report through December 31 of
13 the previous calendar year. All other reports shall cover
14 the time from the last day of the period covered by the last
15 report to five days prior to the filing date.

16 If a scheduled filing date falls on a Saturday, Sunday
17 or legal holiday, the filing date shall be the next regular
18 business day.

19 Sec. 19. Minnesota Statutes 1974, Section 10A.20,
20 Subdivision 3, is amended to read:

21 Subd. 3. Each report under this section shall
22 disclose:

23 (a) The amount of liquid assets on hand at the
24 beginning of the reporting period;

25 (b) The name, address and employer, or, if
26 self-employed, occupation of each person, political
27 committee or political fund who has made one or more
28 contributions to or for the political committee or political
29 fund including the purchase of tickets for dinners,
30 luncheons, rallies, and similar fund raising events within
31 the year in an aggregate amount or value in excess of \$50
32 for legislative candidates and in excess of \$100 for

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1 statewide candidates, together with the amount and date of
2 the contributions, and the aggregate amount of contributions
3 within the year of each contributor so disclosed. The lists
4 of contributors shall be in alphabetical order;

5 (c) The total sum of individual contributions made to
6 or for the political committee or political fund during the
7 reporting period and not reported under clause (b);

8 ~~(d) The name and address of each political committee,~~
9 ~~political fund or candidate from which the reporting~~
10 ~~committee or fund received, or to which that committee made,~~
11 ~~any transfer of funds, together with the amounts and dates~~
12 ~~of all transfers. The lists shall be in alphabetical order;~~

13 ~~(e)~~ (d) Each loan to or from any person within the
14 year in an aggregate amount or value in excess of \$100,
15 together with the full names and mailing address,
16 occupations and the principal places of business, if any, of
17 the lender or endorsers, if any, and the date and amount of
18 the loans;

19 ~~(f)~~ (e) Each receipt in excess of \$100 not otherwise
20 listed under clauses (b) to ~~(e)~~ (d) ;

21 ~~(g)~~ (f) The total sum of all receipts by or for the
22 political committee or political fund during the reporting
23 period;

24 ~~(h)~~ (g) The name ~~and address, occupation and the~~
25 ~~principal place of business, if any,~~ of each person to whom
26 expenditures have been made by the political committee or
27 political fund or on its behalf within the year in an
28 aggregate amount in excess of \$100, the amount, date and
29 purpose of each expenditure and the name and address of, and
30 office sought by, each candidate on whose behalf the
31 expenditure was made;

32 ~~(i)~~ (h) The sum of individual expenditures which is

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1 not otherwise reported under clause ~~(h)~~ (g) ;

2 ~~(j) The name, address, occupation and the principal~~
 3 ~~piece of business, if any, of each person to whom an~~
 4 ~~expenditure for personal services, salaries, and~~
 5 ~~reimbursable expenses in excess of \$100 has been made, and~~
 6 ~~which is not otherwise reported, including the amount, date~~
 7 ~~and purpose of the expenditure;~~

8 ~~(k) The sum of individual expenditures for personal~~
 9 ~~services, salaries and reimbursable expense which is not~~
 10 ~~otherwise reported under (j);~~

11 ~~(i)~~ (i) The total expenditures made by the political
 12 committee or political fund during the reporting period;

13 ~~(j)~~ (j) The amount and nature of ~~debts and obligations~~
 14 any debt or obligation owed by or to the political committee
 15 or political fund, and a continuous reporting of their debts
 16 and obligations after the election until the debts and
 17 obligations are extinguished;

18 ~~(k)~~ (k) The amount and nature of any contract, promise
 19 or agreement, in writing, whether or not legally
 20 enforceable, to make a contribution or expenditure; and

21 ~~(l)~~ (l) For principal campaign committees only: The
 22 name of each person, committee or political fund, which has
 23 been authorized by the treasurer to make expenditures on
 24 behalf of the candidate and the nature and amount of each
 25 authorized expenditure.

26 Sec. 20. Minnesota Statutes 1974, Section 10A.20, is
 27 amended by adding a subdivision to read:

28 Subd. 12. The ethical practices board shall notify any
 29 person who fails to file a statement required by this
 30 section. A person who knowingly fails to file the statement
 31 within seven days after receiving notice from the commission
 32 is guilty of a misdemeanor.

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1 Sec. 21. Minnesota Statutes 1974, Section 10A.21,
2 Subdivision 1, is amended to read:

3 10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. An
4 identical copy of all reports or statements that must be
5 filed with the commission by the principal campaign
6 committee of legislative candidates shall also be filed on
7 the same day with the county auditor of each county in which
8 the legislative district lies.

9 Sec. 22. Minnesota Statutes 1974, Section 10A.22,
10 Subdivision 5, is amended to read:

11 Subd. 5. A political committee or political fund
12 making an expenditure, other than a transfer of funds, for
13 or on behalf of more than one candidate for state or
14 legislative office shall allocate the expenditure among the
15 candidates on a reasonable cost basis and report this
16 allocation for each candidate. The treasurer shall retain
17 for audit any documents supporting the allocation.

18 Provided that expenditures by a state or local
19 committee of a political party to pay the cost of
20 preparation, display or distribution of a sample ballot,
21 printed slate card or other printed list of three or more
22 candidates for public office for which election is held
23 shall be deemed expenditures of the candidate or committee
24 incurring them and shall not be allocated. Provided further
25 that expenditures by any candidate or committee to pay the
26 cost of preparing for display or displaying any list of
27 candidates on broadcasting stations or billboards or in
28 newspapers, magazines or other public advertising media
29 shall be allocated among the candidates named on the list.

30 Sec. 23. Minnesota Statutes 1974, Section 10A.23, is
31 amended to read:

32 10A.23 [CHANGES AND CORRECTIONS.] Any material changes

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1 in information previously submitted and any corrections to a
2 report or statement shall be reported in writing to the
3 commission within ten days following the date of the event
4 prompting the change or the date upon which the person
5 filing became aware of the inaccuracy. The change or
6 correction shall identify the form and the paragraph
7 containing the information to be changed or corrected. Any
8 person who wilfully fails to report a material change or
9 correction is guilty of a gross misdemeanor.

10 Sec. 24. Minnesota Statutes 1974, Section 10A.25,
11 Subdivision 3, is amended to read:

12 Subd. 3. Notwithstanding subdivision 2, clause (a), a
13 candidate for the endorsement for the office of lieutenant
14 governor at the convention of a political party may spend
15 \$30,000 or five percent of the amount in subdivision 2,
16 clause (a) ~~prior to the time of~~ to seek endorsement.
17 This money shall be in addition to the money which may be
18 expended pursuant to subdivision 2, clause (a).

19 Sec. 25. Minnesota Statutes 1974, Section 10A.25,
20 Subdivision 6, is amended to read:

21 Subd. 6. In a year in which ~~a candidate does not stand~~
22 ~~for election~~ an election does not occur for an office held
23 or sought, no expenditures shall be made and no obligations
24 to make expenditures shall be incurred by a candidate or
25 officeholder or by a political committee, political fund or
26 individual which makes expenditures with the authorization,
27 express or implied, and under the control, direct or
28 indirect, of the candidate or officeholder or his agents
29 which shall result in the aggregate expenditure on behalf of
30 the candidate or officeholder in that year of an amount in
31 excess of 20 percent of the amount of the aggregate
32 expenditure permitted by subdivision 2. Expenditures

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1 permitted by this subdivision shall be in addition to
2 expenditures permitted by subdivision 2.

3 Sec. 26. Minnesota Statutes 1974, Section 10A.25,
4 Subdivision 7, is amended to read:

5 Subd. 7. On or before January 15 of each year, the
6 ~~commissioner of health~~ state demographer shall certify to
7 the commission the estimated population of the state of
8 Minnesota for the last ~~calendar~~ year ending before the date
9 of certification. In determining the per capita amounts for
10 each office in section 10A.25, subdivision 2, the commission
11 shall use:

12 (a) In the case of the elections for governor and
13 lieutenant governor, attorney general, secretary of state,
14 state treasurer and state auditor, the total estimated
15 population of the state;

16 (b) In the case of the elections for state senator,
17 $1/67$ of the total estimated population of the state;

18 (c) In the case of elections for state representative,
19 $1/134$ of the total estimated population of the state.

20 Sec. 27. Minnesota Statutes 1974, Section 10A.27,
21 Subdivision 3, is amended to read:

22 Subd. 3. Expenditures by a political party on behalf
23 of candidates of that party generally, without referring to
24 any of them specifically in any advertisement published or
25 posted, on any broadcast, or in any telephone conversation,
26 if that conversation mentions three or more ~~candidates~~
27 persons appearing on the ballot, shall not be subject to
28 the limitations of section 10A.25, subdivision 2.

29 Sec. 28. Minnesota Statutes 1974, Sections 10A.01,
30 Subdivision 14; 10A.14, Subdivision 3; 10A.20, Subdivision
31 4; and 10A.22, Subdivisions 2 and 8, are repealed.

32 Sec. 29. This act is effective July 1, 1976.

House
Companion
No.

DUPLICATE
SECOND ENGROSSMENT
S. F. NO. 1499

A bill for an act relating to the conduct of public officials and campaigns for public office; redefining "lobbyist" and certain other terms; etc.; amending Minnesota Statutes 1974, Sections 10A.01, Subdivisions 2, 5, and 11, and by adding a subdivision; 10A.02, Subdivisions 1, 5, 8 and 11; 10A.04, Subdivision 4, and by adding a subdivision; etc.; repealing Minnesota Statutes 1974, Sections 10A.01, Subdivision 14; 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and 8.

B. D. No. B3059

SENATE ACTION

Introduced by Senators

S/Keefe

Brath

Read FIRST TIME APR 14 1975 and Referred to the

Committee on TRANSPORTATION AND GENERAL LEGISLATION

Committee Recommendation and Adoption of Report

To Pass as Amended MAR 4 1976

★ Read SECOND TIME MAR 4 1976
Committee of the Whole

Order suspended Special Order MAR 12 1976

★ Read THIRD TIME MAR 12 1976
Passed by the Senate MAR 12 1976

Transmitted to the House MAR 12 1976

Patricia E. Johnson
Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date MAR 15 1976

Write moved that
S. F. No. 1499 and H. F. No. 1548
be referred for comparison.

Date MAR 16 1976

Upon motion of *Write*
S. F. No. 1499 was substituted
for H. F. No. 1548 which
was indefinitely postponed.

(SENATE ACTION)

Received from House MAR 19 1976
Laid on Table MAR 19 1976
Taken from Table MAR 20 1976

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. 1548

★ Read FIRST TIME MAR 15 1976 and Referred to the
Committee on _____ for Comparison with H. F. No. 1548
now on *Technical Amendment* MAR 15 1976
Committee Recommendation and Adoption of Report
R/S Substituted for H. F. No. 1548 MAR 16 1976

★ Read SECOND TIME MAR 16 1976
Committee of the Whole

★ *3/10 amended and* Read THIRD TIME MAR 18 1976
as amended Passed by the House MAR 18 1976
Returned to the Senate MAR 18 1976
Edward A. Bardick
Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other
action.

CONFERENCE COMMITTEE ACTION
☐ Refer to back of cover for conference
committee action.

SENATE
Date MAR 22 1976

The Senate refused to concur in House amendments to
S. F. No. 1499 and requested
a Conference Committee of 3 members
on the part of the Senate as a Conference Committee to
confer with a like committee on the part of the House.

SENATE CONFEREES

Keefe, S

Brown

Stumpf

Patrick E. Flaherty
Secretary of the Senate

Date APR 2 1976

The Senate adopted the recommendation and report of
the Conference Committee on S. F. No. 1499
and repassed said bill in accordance with the report of
the Committee so adopted.

Patrick E. Flaherty
Secretary of the Senate

HOUSE
Date MAR 23 1976

The House has acceded to the request of the Senate
for the appointment of a Conference Committee on

S. F. No. 1499 consisting of
3 members to confer with a like Com-
mittee of the Senate.

HOUSE CONFEREES

Vento

Ostheff

Knickerbocker

Edward A. Surdick
Chief Clerk, House of Representatives

Date APR 2 1976

The House adopted the recommendation and report of
the Conference Committee on S. F. No. 1499
and repassed said bill in accordance with the report of
the Committee so adopted.

Edward A. Surdick
Chief Clerk, House of Representatives

OTHER ACTION

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1 A bill for an act

2 relating to the conduct of public officials and
3 campaigns for public office; redefining "lobbyist"
4 and certain other terms; providing for the filing
5 of certain reports and statements; providing for
6 distribution of moneys in the state elections
7 campaign fund; providing penalties; amending
8 Minnesota Statutes 1974, Sections 10A.01,
9 Subdivisions 2, 5, and 11, and by adding a
10 subdivision; 10A.02, Subdivisions 1, 5, 8 and 11;
11 10A.04, Subdivision 4, and by adding a
12 subdivision; 10A.09, Subdivision 5; 10A.14,
13 Subdivision 2; 10A.19, Subdivision 1; 10A.20,
14 Subdivisions 1, 2, and 3, and by adding
15 subdivisions; 10A.21, Subdivision 1; 10A.23;
16 10A.25, Subdivisions 3, 6 and 7; 10A.27,
17 Subdivision 3; 10A.30, Subdivision 2; 10A.31,
18 Subdivisions 3, 5, 6, and 7, and by adding
19 subdivisions; and 10A.32; repealing Minnesota
20 Statutes 1974, Sections 10A.01, Subdivision 14;
21 10A.14, Subdivision 3; 10A.22, Subdivisions 2 and
22 8.

23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

24 Section 1. Minnesota Statutes 1974, Section 10A.01,

25 Subdivision 2, is amended to read:

26 Subd. 2. "Administrative action" means an action ~~of a~~
27 ~~non-ministerial nature~~ by any official, board, commission or
28 agency of the executive branch to make rules.

29 "Administrative action" does not include the application or
30 administration of those rules, except in cases of rate
31 setting, power plant siting and others specified by the

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1 commission .

2 Sec. 2. Minnesota Statutes 1974, Section 10A.01,

3 Subdivision 5, is amended to read:

4 Subd. 5. "Candidate" means an individual who seeks
5 nomination for election or election to any statewide office
6 or legislative office, other than a federal office for which
7 candidates are required to report under federal laws. The
8 term candidate shall also include an individual who seeks
9 nomination for election or election to supreme court and
10 district court-judges judgeships of the state. An
11 individual shall be deemed to seek nomination for election
12 or election if he has taken the action necessary under the
13 law of the state of Minnesota to qualify himself for
14 nomination for election or election to an office, has
15 received contributions or made expenditures in excess of
16 \$100, or has given his consent, implicit or explicit, for
17 any other person to receive contributions or make
18 expenditures in excess of \$100 with a view to bringing about
19 his nomination for election or election to an office.

20 Sec. 3. Minnesota Statutes 1974, Section 10A.01,

21 Subdivision 11, is amended to read:

22 Subd. 11. "Lobbyist" means any individual :

23 (a) ~~individual who is~~ Engaged for pay or other
24 consideration, ~~or is~~ authorized by another ~~person~~
25 individual or association to spend money , who spends more
26 than five hours in any month or more than \$250, not
27 including travel expenses and membership dues, in any year,
28 for the purpose of attempting to influence legislative or
29 administrative action by communicating or urging others to
30 communicate with public officials; or

31 (b) ~~officially designated representatives of any person~~
32 ~~or association which has as a major purpose the influencing~~

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1 ~~of legislative or administrative action who attempt to~~
2 ~~influence an action by communicating with public officials,~~
3 ~~or~~

4 ~~(c) individual~~ Who spends more than \$250, not including
5 traveling expenses and membership dues, in any year for the
6 purpose of attempting to influence legislative or
7 administrative action by communicating or urging others to
8 communicate with public officials:

9 "Lobbyist" does not include any :

10 (a) ~~A~~ Public official or employee of the state or any
11 of its political subdivisions or public bodies acting in his
12 official capacity;

13 (b) ~~Parties and their representatives~~ Party or his
14 representative appearing in a proceeding before a state
15 board, commission or agency of the executive branch unless
16 the board, commission or agency is ~~acting in a~~
17 ~~non-ministerial capacity~~ taking administrative action ;

18 (c) ~~individuals~~ Individual in the course of selling
19 goods or services to be paid for by public funds; ~~or~~

20 (d) News media or their employees or agents, ~~but only~~
21 ~~while~~ acting in the ordinary course of business of
22 publishing or broadcasting news items, editorials or other
23 comments or paid advertisements which directly or indirectly
24 urge official action ;

25 (e) Paid expert ~~witnesses~~ witness whose testimony is
26 requested either by the body before which they are he is
27 appearing or one of the parties to a proceeding, but only
28 ~~while acting in the ordinary course~~ to the extent of
29 preparing or delivering testimony ; or

30 (f) Stockholder of a family farm corporation as defined
31 in section 500.24, subdivision 1, who does not spend over
32 \$250, excluding travel expenses, in any year in

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1 communicating with public officials .

2 Sec. 4. Minnesota Statutes 1974, Section 10A.01, is
3 amended by adding a subdivision to read:

4 Subd. 19. "Office holder" means an individual who
5 holds any statewide or legislative office, except a federal
6 office for which candidates are required to report under
7 federal laws, state supreme court justice or district court
8 judge.

9 Sec. 5. Minnesota Statutes 1974, Section 10A.02,
10 Subdivision 1, is amended to read:

11 10A.02 [STATE ETHICS COMMISSION.] Subdivision 1. There
12 is hereby created a state ethics commission composed of six
13 members. The members shall be appointed by the governor
14 with the advice and consent of three-fifths of both the
15 senate and the house of representatives acting separately.
16 Failure by either house to confirm the appointment of a
17 commission member within 45 legislative days after his
18 appointment shall be deemed to be a refusal to advise and
19 consent and his appointment shall terminate immediately
20 after 45 legislative days or non-confirmation, whichever is
21 earlier. One member shall be a former state legislator from
22 a major political party different from that of the governor;
23 one member shall be a former state legislator from the same
24 political party as the governor; two members shall be
25 persons who have not been public officials, held office in a
26 political party other than precinct delegate, or been
27 elected to public office for which party designation is
28 required by statute in the three years prior to the time of
29 their appointment; and the other two members shall not
30 support the same political party. No more than three of the
31 members of the commission shall support the same political
32 party.

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1 Sec. 6, Minnesota Statutes 1974, Section 10A.02,

2 Subdivision 5, is amended to read:

3 Subd. 5. The commission shall appoint an executive
4 director who shall be in the unclassified service. The
5 commission may also employ and prescribe the duties of other
6 permanent or temporary employees in the unclassified service
7 as may be necessary to administer sections 10A.01 to 10A.34,
8 subject to appropriation. The executive director and all
9 other employees shall serve at the pleasure of the
10 commission. ~~All administrative services such as supplies,~~
11 ~~office space and furnishings, payroll preparation and~~
12 ~~accounting services shall be provided to the commission by~~
13 ~~the secretary of state.~~ Expenses of the commission shall be
14 approved by the chairman or such other member as the rules
15 of the commission may provide and the expenses shall then be
16 paid in the same manner as other state expenses are paid.

17 Sec. 7, Minnesota Statutes 1974, Section 10A.02,

18 Subdivision 8, is amended to read:

19 Subd. 8. The commission shall: (a) Report at the close
20 of each fiscal year to the legislature, the governor and the
21 public concerning the action it has taken, the names,
22 salaries, and duties of all individuals in its employ and
23 the money it has disbursed. The commission shall include
24 and identify in its report any other reports it has made
25 during the fiscal year. It may indicate apparent abuses and
26 offer legislative recommendations;

27 (b) Prescribe forms for statements and reports required
28 to be filed under sections 10A.01 to 10A.34 and make the
29 forms available to persons required to file them;

30 (c) Make available to the persons required to file the
31 reports and statements a manual setting forth the
32 recommended uniform methods of bookkeeping and reporting;

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1 (d) Develop a filing, coding and cross-indexing system
2 consistent with the purposes of sections 10A.01 to 10A.34;

3 (e) Make the reports and statements filed with it
4 available for public inspection and copying by the end of
5 the second day following the day on which they were
6 received. Any person may copy a report or statement by hand
7 or by duplicating machine and the commission shall provide
8 duplicating services at cost for this purpose. No
9 information copied from reports and statements shall be sold
10 or utilized by any person for any commercial purpose;

11 (f) Notwithstanding the provisions of section 138.163,
12 preserve reports and statements for a period of ~~ten~~ five
13 years from the date of receipt;

14 (g) Compile and maintain a current list and summary of
15 all statements or parts of statements pertaining to each
16 candidate; and

17 (h) Prepare and publish reports as it may deem
18 appropriate.

19 Sec. 8. Minnesota Statutes 1974, Section 10A.02,
20 Subdivision 11, is amended to read:

21 Subd. 11. Any hearing or action of the commission
22 concerning any complaint or investigation shall be
23 confidential and all information obtained by the commission
24 shall be privileged until the commission makes a finding
25 that the commission believes there is or is not probable
26 cause to conclude that a violation of Laws 1974, Chapter 476
27 ~~or other campaign laws~~ has occurred. Any person, including
28 any member or employee of the commission, violating the
29 confidentiality provisions of this subdivision shall be
30 guilty of a gross misdemeanor. The commission shall make a
31 finding within 30 days of receipt of a written complaint
32 unless a majority of the commission agrees to extend the

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1 time limit. After determination of its findings the
2 commission shall report any finding of probable cause to the
3 appropriate law enforcement authorities,

4 Sec. 9, Minnesota Statutes 1974, Section 10A.04,
5 Subdivision 4, is amended to read:

6 Subd. 4. The report shall include ~~all~~ such
7 ~~information required on~~ as the commission may require from
8 the registration form and the following information for the
9 reporting period:

10 (a) The lobbyist's total disbursements on lobbying and
11 a breakdown of those disbursements into categories specified
12 by the commission, including but not limited to the cost of
13 publication and distribution of each publication used in
14 lobbying; other printing; media, including the cost of
15 production; postage; travel; fees, including allowances;
16 entertainment; telephone and telegraph; and other expenses;

17 (b) The amount and nature of each honorarium, gift-
18 , loan, item or benefit, excluding contributions to a
19 candidate, equal in value to \$20 or more, given or paid to
20 any public official by the lobbyist or any employer or any
21 employee of the lobbyist. The list shall include the name
22 and address of each public official to whom the honorarium,
23 gift, loan, item or benefit was given or paid and the date
24 it was given or paid; and

25 (c) Each original source of funds in excess of \$500 in
26 any year used for the purpose of lobbying. The list shall
27 include the name, address and employer, or, if self
28 employed, the occupation and principal place of business, of
29 each payer of funds in excess of \$500.

30 Sec. 10, Minnesota Statutes 1974, Section 10A.04, is
31 amended by adding a subdivision to read:

32 Subd. 4a. If in any reporting period the lobbyist's

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1 reportable disbursements total not over \$100 and no
2 honorarium, gift, loan, item or benefit equal in value to
3 \$20 or more was given or paid to any public official, a
4 statement to that effect in lieu of the report may be filed
5 for that period. The unreported disbursements shall be
6 included in the report for the following period, unless the
7 total for that period, including the carryover, is not over
8 \$100. The October 15 report shall include all previously
9 unreported disbursements, even though the total for the year
10 is not over \$100.

11 Sec. 11. Minnesota Statutes 1974, Section 10A.09,
12 Subdivision 5, is amended to read:

13 Subd. 5. A statement of economic interest required by
14 this section shall be on a form prescribed by the
15 commission. The individual filing shall provide the
16 following information:

17 (a) His name, address, occupation and principal place
18 of business;

19 (b) The name of each business with which he is
20 associated and the nature of that association; and

21 (c) A listing of all real property within the state,
22 excluding homestead property, in which he has a fee simple
23 interest, a contract for deed or an option to buy, whether
24 direct or indirect, and which interest is valued in excess
25 of \$2,500. The filing shall indicate the street address and
26 the municipality, ~~if any~~ or the section, township, range
27 and approximate acreage, whichever applies, and the county
28 wherein the property is located.

29 Sec. 12. Minnesota Statutes 1974, Section 10A.14,
30 Subdivision 2, is amended to read:

31 Subd. 2. The statement of organization shall include:

32 (a) The name and address of the political committee or

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1 political fund;

2 (b) The names and addresses of the supporting
3 associations of a political fund;

4 ~~(c) The geographic area in which it will operate and~~
5 ~~the purpose of the political committee or political fund;~~

6 ~~(d) The name, address and position of the custodian of~~
7 ~~books and accounts;~~

8 ~~(e)~~ (c) The name and address of the chairman, the
9 treasurer, and any other principal officers including deputy
10 treasurers, if any;

11 ~~(f) The name, address, office sought, and party~~
12 ~~affiliation, if any, of each candidate whom the committee or~~
13 ~~political fund is supporting, or, if the committee or~~
14 ~~political fund is supporting the entire ticket of any party,~~
15 ~~the name of the party;~~

16 ~~(g) A statement as to whether the committee or~~
17 ~~political fund is a continuing one;~~

18 ~~(h)~~ (d) A listing of all depositories or safety
19 deposit boxes used; and

20 ~~(i)~~ (e) A statement as to whether the committee is a
21 principal campaign committee.

22 Sec. 13. Minnesota Statutes 1974, Section 10A.19,
23 Subdivision 1, is amended to read:

24 10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1.
25 Every candidate shall designate and cause to be formed a
26 single principal campaign committee which shall be
27 responsible for reporting contributions and authorized
28 expenditures on behalf of the candidate .

29 Sec. 14. Minnesota Statutes 1974, Section 10A.20,
30 Subdivision 1, is amended to read:

31 10A.20 [CAMPAIGN REPORTS.] Subdivision 1. ~~Every~~ The
32 treasurer of ~~a~~ every political committee ~~or~~ and political

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1 fund shall begin to file the reports required by this
2 section in any the first year it receives contributions or
3 makes expenditures in excess of \$100 and shall continue to
4 file until the committee or fund is terminated .

5 Sec. 15. Minnesota Statutes 1974, Section 10A.20,
6 Subdivision 2, is amended to read:

7 Subd. 2. The reports shall be filed with the
8 ~~commission by the following dates:-~~

9 ~~(a) in years in which any candidate being supported~~
10 ~~does not stand for election:-~~

11 ~~(1) January 7; and~~

12 ~~(2) July 7;~~

13 ~~(b) in years in which any candidate being supported~~
14 ~~does stand for election:-~~

15 ~~(1) January 7;~~

16 ~~(2) July 7;~~

17 ~~(3) Five~~ on or before January 31 of each year, and in
18 each year in which the name of the candidate being supported
19 is on the ballot, ten days before any the primary election
20 in which the candidate stands for election;

21 ~~(4) Five days before any or special primary and~~
22 general or special election in which the candidate stands
23 for election; and

24 ~~(5) 30 days after the last election in which a~~
25 candidate stands for election;

26 ~~(c) in special or special primary elections in which a~~
27 candidate stands for election:-

28 ~~(1) 30 days before the election; and~~

29 ~~(2) Five days before the election .~~

30 If a scheduled filing date falls on a Saturday, Sunday
31 or legal holiday, the filing date shall be the next regular
32 business day.

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1 Sec. 16. Minnesota Statutes 1974, Section 10A.20,
2 Subdivision 3, is amended to read:

3 Subd. 3. Each report under this section shall
4 disclose:

5 (a) The amount of liquid assets on hand at the
6 beginning of the reporting period;

7 (b) The name, address and employer, or, if
8 self-employed, occupation of each person, political
9 committee or political fund who has made one or more
10 contributions to or for the political committee or political
11 fund including the purchase of tickets for dinners,
12 luncheons, rallies, and similar fund raising events within
13 the year in an aggregate amount or value in excess of \$50
14 for legislative candidates and in excess of \$100 for
15 statewide candidates, together with the amount and date of
16 the contributions, and the aggregate amount of contributions
17 within the year ~~of~~ from each contributor so disclosed. The
18 lists of contributors shall be in alphabetical order;

19 (c) The total sum of individual contributions made to
20 or for the political committee or political fund during the
21 reporting period and not reported under clause (b);

22 ~~(d) The name and address of each political committee,~~
23 ~~political fund or candidate from which the reporting~~
24 ~~committee or fund received, or to which that committee made,~~
25 ~~any transfer of funds, together with the amounts and dates~~
26 ~~of all transfers. The lists shall be in alphabetical order.~~

27 ~~(e)~~ (d) Each loan to or from any person within the
28 year in an aggregate amount or value in excess of \$100,
29 together with the ~~full name~~ name and ~~mailing~~ address,
30 ~~occupations~~ occupation and the principal ~~place~~ place of
31 business, if any, of the lender or ~~endorser, if any,~~ any
32 endorser and the date and amount of the ~~loans~~ loan;

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1 ~~(f)~~ (e) Each receipt in excess of \$100 not otherwise
2 listed under clauses (b) to ~~(e)~~ (d) ;

3 ~~(g)~~ (f) The total sum of all receipts by or for the
4 political committee or political fund during the reporting
5 period;

6 ~~(h)~~ (g) The name ~~and address, occupation and the~~
7 ~~principal place of business, if any~~ of each person to whom
8 expenditures have been made by the political committee or
9 political fund or on its behalf within the year in an
10 aggregate amount in excess of \$100, the amount, date and
11 purpose of each expenditure and the name and address of, and
12 office sought by, each candidate on whose behalf the
13 expenditure was made;

14 ~~(i)~~ (h) The sum of individual expenditures ~~which is~~
15 not otherwise reported under clause ~~(h)~~ (g) ;

16 ~~(j) The name, address, occupation and the principal~~
17 ~~place of business, if any, of each person to whom an~~
18 ~~expenditure for personal services, salaries, and~~
19 ~~reimbursable expenses in excess of \$100 has been made, and~~
20 ~~which is not otherwise reported, including the amount, date~~
21 ~~and purpose of the expenditure;~~

22 ~~(k) The sum of individual expenditures for personal~~
23 ~~services, salaries and reimbursable expense which is not~~
24 ~~otherwise reported under (j);~~

25 ~~(l)~~ (i) The total expenditures made by the political
26 committee or political fund during the reporting period;

27 ~~(m)~~ (j) The amount and nature of ~~debts and obligations~~
28 any debt or obligation owed by or to the political committee
29 or political fund, continuously reported until extinguished,
30 ~~and a continuous reporting of their debts and obligations~~
31 ~~after the election until the debts and obligations are~~
32 ~~extinguished;~~

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1 ~~(n) The amount and nature of any written contract,~~
2 ~~promise or agreement, in writing, whether or not legally~~
3 ~~enforceable to make a contribution or expenditure; and~~

4 ~~to~~ (k) For principal campaign committees only: The
5 name of each person, committee or political fund, which has
6 been authorized by the treasurer to make expenditures on
7 behalf of the candidate and the nature and amount of each
8 authorized expenditure.

9 Sec. 17. Minnesota Statutes 1974, Section 10A.20, is
10 amended by adding a subdivision to read:

11 Subd. 3a. The reports of a principal campaign
12 committee of a legislative candidate required by this
13 section shall list in a prominent place on the first page of
14 every report each county in which the legislative district
15 lies.

16 Sec. 18. Minnesota Statutes 1974, Section 10A.20, is
17 amended by adding a subdivision to read:

18 Subd. 12. The commission shall notify any person who
19 fails to file a statement required by this section. A
20 person who knowingly fails to file the statement within
21 seven days after receiving notice from the commission is
22 guilty of a misdemeanor.

23 Sec. 19. Minnesota Statutes 1974, Section 10A.21,
24 Subdivision 1, is amended to read:

25 10A.21 [REPORTS TO COUNTY AUDITOR.] Subdivision 1. All
26 reports or statements that must be filed with the commission
27 by the principal campaign committee of legislative
28 candidates shall also be duplicated and filed by the
29 commission with the county auditor of each county in which
30 the legislative district lies within 72 hours of the date
31 the report or statement is required to be filed or, if the
32 report or statement is delinquent, within 72 hours of the

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1 time the report is actually filed .

2 Sec. 20. Minnesota Statutes 1974, Section 10A.23, is
3 amended to read:

4 10A.23 [CHANGES AND CORRECTIONS.] Any material changes
5 in information previously submitted and any corrections to a
6 report or statement shall be reported in writing to the
7 commission within ten days following the date of the event
8 prompting the change or the date upon which the person
9 filing became aware of the inaccuracy. The change or
10 correction shall identify the form and the paragraph
11 containing the information to be changed or corrected. Any
12 person who wilfully fails to report a material change or
13 correction is guilty of a gross misdemeanor.

14 Sec. 21. Minnesota Statutes 1974, Section 10A.25,
15 Subdivision 3, is amended to read:

16 Subd. 3. Notwithstanding subdivision 2, clause (a), a
17 candidate for the endorsement for the office of lieutenant
18 governor at the convention of a political party may spend
19 \$30,000 or five percent of the amount in subdivision 2,
20 clause (a) ~~prior to the time of~~ to seek endorsement.
21 ~~This money~~ amount shall be in addition to the ~~money~~ amount
22 which may be expended pursuant to subdivision 2, clause (a).

23 Sec. 22. Minnesota Statutes 1974, Section 10A.25,
24 Subdivision 6, is amended to read:

25 Subd. 6. In a year in which ~~a candidate does not stand~~
26 ~~for election~~ an election does not occur for an office held
27 or sought, no expenditures shall be made and no obligations
28 to make expenditures shall be incurred by a candidate or
29 officeholder or by a political committee, political fund or
30 individual which makes expenditures with the authorization,
31 express or implied, and under the control, direct or
32 indirect, of the candidate or officeholder or his agents

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1 which shall result in the aggregate expenditure on behalf of
2 the candidate or officeholder in that year of an amount in
3 excess of 20 percent of the amount of the aggregate
4 expenditure permitted by subdivision 2. Expenditures
5 permitted by this subdivision shall be in addition to
6 expenditures permitted by subdivision 2.

7 Sec. 23. Minnesota Statutes 1974, Section 10A.25,
8 Subdivision 7, is amended to read:

9 Subd. 7. On or before January 15 of each year, the
10 ~~commissioner of health~~ state demographer shall certify to
11 the commission the estimated population of the state of
12 Minnesota for the last ~~calendar~~ year ending before the date
13 of certification. In determining the per capita amounts for
14 each office in section 10A.25, subdivision 2, the commission
15 shall use:

16 (a) In the case of the elections for governor and
17 lieutenant governor, attorney general, secretary of state,
18 state treasurer and state auditor, the total estimated
19 population of the state;

20 (b) In the case of the elections for state senator,
21 1/67 of the total estimated population of the state;

22 (c) In the case of elections for state representative,
23 1/134 of the total estimated population of the state.

24 Sec. 24. Minnesota Statutes 1974, Section 10A.27,
25 Subdivision 3, is amended to read:

26 Subd. 3. Expenditures by ~~a~~ the state or local
27 committee of any political party on behalf of candidates of
28 that party generally, without referring to any of them
29 specifically in any advertisement published ~~or~~ , posted, on
30 ~~any~~ or broadcast, or in any official party sample ballot or
31 telephone conversation ~~if that conversation mentions~~
32 listing three or more candidates persons whose names are to

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1 appear on the ballot , shall not be allocated to any
2 candidate or subject to the limitations of section 10A.25,
3 subdivision 2.

4 Sec. 25. Minnesota Statutes 1974, Section 10A.30,
5 Subdivision 2, is amended to read:

6 Subd. 2. Within the state elections campaign fund
7 account there shall be maintained ~~separate accounts~~ a
8 separate account for the candidates of each political party
9 and a general account.

10 Sec. 26. Minnesota Statutes 1974, Section 10A.31,
11 Subdivision 3, is amended to read:

12 Subd. 3. The commissioner of the department of revenue
13 shall on the first page of the income tax form notify the
14 taxpayer of his right to allocate \$1 of his taxes (\$2 if
15 filing a joint return) to finance the election campaigns of
16 state candidates. The form shall also contain language
17 prepared by the commissioner which permits the taxpayer to
18 direct the state to allocate the \$1 (or \$2 if filing a joint
19 return) to ~~one of the following~~ : (i) one of the major
20 political parties; (ii) ~~the name of~~ any minor political
21 ~~party provided that if a petition is filed to qualify as a~~
22 ~~minor political party it be filed by June 1 of that taxable~~
23 ~~year, and~~ which qualifies under the provisions of
24 subdivision 3a of this section; or (iii) ~~distribution to all~~
25 qualifying candidates as provided by subdivision 7 of this
26 section.

27 Sec. 27. Minnesota Statutes 1974, Section 10A.31, is
28 amended by adding a subdivision to read:

29 Subd. 3a. A minor political party qualifies for
30 inclusion on the income tax form as provided in subdivision
31 3 if a candidate of that party filed for an office in the
32 preceding general election, or if a petition on behalf of

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1 that party is filed as provided in section 10A.01,
2 subdivision 13, by June 1 of the taxable year.

3 Sec. 28. Minnesota Statutes 1974, Section 10A.31,
4 Subdivision 5, is amended to read:

5 Subd. 5. ~~(a) in each fiscal year, 40 percent of the~~
6 ~~moneys in each account shall be set aside for candidates for~~
7 ~~statewide offices.~~

8 ~~(b) of the amount set aside in clause (a), 40 percent~~
9 ~~shall be distributed to the candidates for governor and~~
10 ~~lieutenant governor jointly; 24 percent shall be distributed~~
11 ~~to the candidate for attorney general; and 12 percent each~~
12 ~~shall be distributed to the candidates for secretary of~~
13 ~~state, state treasurer and state auditor; if there is no~~
14 ~~nominee of that party for one of the offices, the share set~~
15 ~~aside for that office shall be distributed to the other~~
16 ~~statewide candidates of that party in the same proportions~~
17 ~~as the original amount.~~

18 ~~(c) within two weeks of the certification by the state~~
19 ~~canvassing board of the results of the primary election, the~~
20 ~~state treasurer shall distribute available funds in each~~
21 ~~account, other than the general account, of the state~~
22 ~~elections fund to the appropriate candidates who are to~~
23 ~~appear on the ballot for the general election as prescribed~~
24 ~~in clauses (a) and (b).~~

25 ~~(d) within two weeks of the certification by the state~~
26 ~~canvassing board of the results of the general election, the~~
27 ~~state treasurer shall distribute the available funds in the~~
28 ~~general account in the same proportions as provided in~~
29 ~~clause (b) in an equal amount to each candidate who~~
30 ~~receives at least five percent of the vote cast in the~~
31 ~~general election for the office for which he was a~~
32 ~~candidate.~~ In each calendar year the moneys in each party

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1 account and the general account shall be allocated to
2 candidates as follows:

3 (a) 16 percent for the offices of governor and
4 lieutenant governor jointly;

5 (b) 9.6 percent for the office of attorney general;

6 (c) 4.8 percent each for the offices of secretary of
7 state, state auditor and state treasurer;

8 (d) in each calendar year during the period in which
9 state senators serve a four year term, 20 percent for the
10 office of state senator and 40 percent for the office of
11 state representative;

12 (e) in each calendar year during the period in which
13 state senators serve a two year term, and in 1975 and 1976,
14 30 percent each for the offices of state senator and state
15 representative;

16 (f) all candidates of one party for the state senate
17 and state house of representatives whose names are to appear
18 on the ballot in the general election shall share equally in
19 the funds allocated to their respective offices from their
20 party account.

21 Moneys from any party account refused by any candidate
22 shall be distributed to all other candidates of that party
23 in proportion to their shares as provided in this
24 subdivision. Moneys from the general account refused by any
25 candidate shall be distributed to all other qualifying
26 candidates in proportion to their shares as provided in this
27 subdivision.

28 Beginning with calendar year 1977 and applying to
29 taxable year 1976, the allocations from the state elections
30 campaign fund shall be: 21 percent for the offices of
31 governor and lieutenant governor filing jointly; 3.6 percent
32 for the office of attorney general; 1.8 percent each for the

1499

1 offices of secretary of state, state auditor, and state
 2 treasurer; in each calendar year during the period in which
 3 state senators serve a four year term, 23 1/3 percent for
 4 the office of state senator and 46 2/3 percent for the
 5 office of state representative; and in each calendar year
 6 during the period in which state senators serve a two year
 7 term, 35 percent each for the offices of state senator and
 8 state representative.

9 Sec. 29. Minnesota Statutes 1974, Section 10A.31,
 10 Subdivision 6, is amended to read:

11 Subd. 6. ~~-(a) In each of the fiscal years during the~~
 12 ~~period in which the state senate serves a four year term~~
 13 ~~which commences after April 13, 1974, 20 percent of the~~
 14 ~~moneys in each account shall be set aside for candidates for~~
 15 ~~state senate; in each of the fiscal years during the period~~
 16 ~~in which the state senate serves a two year term, and in~~
 17 ~~1975 and 1976, 30 percent of the moneys in each account~~
 18 ~~shall be set aside for candidates for state senate;~~

19 ~~(b) The amount set aside in clause (a) shall be~~
 20 ~~distributed in equal shares to each of the candidates for~~
 21 ~~state senate of that party.~~

22 ~~(c) Within two weeks of the~~ after certification by the
 23 state canvassing board of the results of the primary
 24 election, the state treasurer shall distribute the
 25 available funds in each party account, ~~other than the~~
 26 ~~general account to the appropriate candidates who as~~
 27 certified by the commissioner of revenue on September 15, to
 28 the candidates of that party who have signed the agreement
 29 as provided in section 10A.32, subdivision 3, and whose
 30 names are to appear on the ballot for in the general
 31 ~~election as prescribed in clauses (a) and (b), according~~
 32 to the allocations set forth in subdivision 5. If there is

1499

1 no candidate of a party for any one office designated in
2 subdivision 5 in any year in which that office appears on
3 the ballot, the allocation for that office shall be
4 distributed to all other candidates of that party in
5 proportion to their shares as set forth in subdivision 5.

6 ~~(d) Within two weeks of the certification by the state~~
7 ~~canvassing board of the results of the general election, the~~
8 ~~state treasurer shall distribute the available funds in the~~
9 ~~general account in an equal amount to each candidate who~~
10 ~~received at least ten percent of the votes cast in the~~
11 ~~general election for the office for which he was a~~
12 ~~candidate.~~

13 Sec. 30. Minnesota Statutes 1974, Section 10A.31,
14 Subdivision 7, is amended to read:

15 Subd. 7. ~~(a) In each of the fiscal years during the~~
16 ~~period in which the state senate serves a four-year term~~
17 ~~which commences after April 13, 1974, 40 percent of the~~
18 ~~moneys in each account shall be set aside for candidates for~~
19 ~~state representatives, in each of the fiscal years during~~
20 ~~the period in which the state senate serves a two-year term,~~
21 ~~and in 1975 and 1976, 30 percent of the moneys in each~~
22 ~~account shall be set aside for candidates for state~~
23 ~~representatives.~~

24 ~~(b) The amount set aside in clause (a) shall be~~
25 ~~distributed in equal shares to each of the candidates for~~
26 ~~state representative of that party.~~

27 ~~(c) Within two weeks of the certification by the state~~
28 ~~canvassing board of the results of the primary election, the~~
29 ~~state treasurer shall distribute available funds in each~~
30 ~~account, other than the general account, to the appropriate~~
31 ~~candidates who are to appear on the ballot for the general~~
32 ~~election as prescribed in clauses (a) and (b).~~

1499

1 ~~++~~ Within two weeks ~~of the~~ after certification by the
2 state canvassing board of the results of the general
3 election, the state treasurer shall distribute the available
4 funds in the general account, as certified by the
5 commissioner of revenue on November 15 and according to the
6 allocations set forth in subdivision 5, in an equal amount
7 amounts to each candidate all candidates for each statewide
8 office who received at least five percent of the votes cast
9 in the general election for that office, and to all
10 candidates for legislative office who received at least ten
11 percent of the votes cast in the general election for the
12 specific office for which he was a candidate they were
13 candidates.

14 Sec. 31. Minnesota Statutes 1974, Section 10A.31, is
15 amended by adding a subdivision to read:

16 Subd. 8. Within one week after certification by the
17 state canvassing board of the results of the primary, the
18 commission shall certify to the state treasurer the name of
19 each candidate who has signed the agreement as provided in
20 section 10A.32, subdivision 3, and the amount he is to
21 receive from the available funds in his party account.

22 Sec. 32. Minnesota Statutes 1974, Section 10A.31, is
23 amended by adding a subdivision to read:

24 Subd. 9. Within one week after certification by the
25 state canvassing board of the results of the general
26 election, the commission shall certify to the state
27 treasurer the name of each candidate who is qualified to
28 receive funds from the general account, together with the
29 amount he is to receive from the available funds in the
30 general account.

31 Sec. 33. Minnesota Statutes 1974, Section 10A.31, is
32 amended by adding a subdivision to read:

1499

1 Subd. 10. In the event that on November 15 less than
2 98 percent of the tax returns have been processed, the
3 commissioner of revenue shall certify to the commission on
4 December 7 the amount accumulated in each account since the
5 previous certification. Within one week thereafter, the
6 commission shall certify to the state treasurer the amount
7 to be distributed to each candidate according to the
8 allocations as provided in subdivision 5. As soon as
9 practicable thereafter, the state treasurer shall distribute
10 the amounts to the candidates. Any moneys accumulated after
11 the final certification shall be maintained in the
12 respective accounts for distribution in the next general
13 election year.

14 Sec. 34. Minnesota Statutes 1974, Section 10A.32, is
15 amended to read:

16 10A.32 [LIMITATIONS UPON THE STATE ELECTION CAMPAIGN
17 FUND.] Subdivision 1. No candidate shall be entitled to
18 receive from the state elections campaign fund an amount
19 greater than the total amount of expenditures which may be
20 made by him or on his behalf ~~of the candidate~~ under sections
21 10A.25 and 10A.27. The amount by which the allocation
22 exceeds the expenditure limit shall be distributed to all
23 other candidates of the same party whose shares do not
24 exceed their expenditure limits in proportion to their
25 shares as set forth in section 10A.31.

26 Subd. 2. No candidate shall be entitled to receive
27 from the state election campaign fund an amount greater than
28 the total amount actually expended by him or on his behalf
29 ~~of the candidate during his campaign~~ in the year of the
30 election . If the report required to be filed on or before
31 January 31 in the year following the general election
32 indicates that the amount received by the candidate is

1499

1 greater than the amount authorized to be expended on his
2 behalf, the treasurer of his principal campaign committee
3 shall refund to the state treasurer an amount equal to the
4 difference. The refund in the form of a check or money
5 order shall be submitted with such report and the commission
6 shall forward the refund to the state treasurer for deposit
7 in the general fund of the state.

8 Subd. 3. As a condition of receiving any funds from
9 the state elections campaign fund, any candidate, prior to
10 receipt of the funds, shall agree by stating in writing to
11 the commission on or before September 1 that authorized
12 expenditures on his behalf shall not exceed the expenditure
13 limits as set forth in section 10A.25 and that his principal
14 campaign committee shall not accept contributions ~~exceeding~~
15 for the period beginning with January 1 of the election year
16 or the registration of his principal campaign committee,
17 whichever occurs later, and ending December 31 of the
18 election year which exceed 105 percent of the difference
19 between the amount which may legally be expended by him or
20 on his behalf ~~of that candidate~~, and the amount which ~~the~~
21 ~~candidate~~ he receives from the state elections campaign
22 fund. Any amount by which his total contributions exceed
23 105 percent of the difference shall be refunded to the state
24 treasurer. The refund in the form of a check or money order
25 shall be submitted in the same manner as provided in
26 subdivision 2.

27 For the purposes of this subdivision only, the total
28 amount to be distributed to each candidate is calculated to
29 be his share of the total estimated funds in his party
30 account as provided in subdivision 3a, plus the total amount
31 estimated as provided in subdivision 3a to be in the general
32 account and set aside for that office divided by the number

1499

1 of candidates whose names are to appear on the general
2 election ballot for that office. If the amount actually
3 received by the candidate is greater by reason of a lesser
4 number of qualifying candidates sharing in the funds in each
5 account, and his contributions thereby exceed 105 percent of
6 the difference, the agreement shall not be considered
7 violated.

8 Subd. 3a. The commissioner of revenue shall certify to
9 the commission on or before the last day for filing for
10 office his estimate of the total to be accumulated in each
11 account in the state elections campaign fund after 100
12 percent of the tax returns have been processed. Within
13 seven days after the last day for filing for office the
14 secretary of state shall certify to the commission the name,
15 address, office sought, and party affiliation of each
16 candidate who has filed with that office his affidavit of
17 candidacy or petition to appear on the ballot. The auditor
18 of each county shall certify to the commission the same
19 information for each candidate who has filed with that
20 county his affidavit of candidacy or petition to appear on
21 the ballot. Within seven days thereafter the commission
22 shall estimate the minimum amount to be received by each
23 candidate who qualifies as provided in section 10A.31,
24 subdivisions 6 and 7, and notify all candidates on or before
25 August 15 of the applicable amount.

26 Subd. 4. If a political party for whose candidates
27 funds have been accumulated in the state elections campaign
28 fund does not have a candidate for ~~statewide~~ any office ~~or~~
29 ~~state representative or state senator~~, the moneys ~~which~~
30 ~~would be used for distribution to that category or~~
31 ~~categories~~ shall be transferred to the general maintained
32 in that account until the year of the next general election.

1499

1 If in two successive general election years that political
2 party does not have a candidate for any office, the
3 accumulated funds shall be transferred to the general fund
4 of the state .

5 Sec. 35. Minnesota Statutes 1974, Sections 10A.01,
6 Subdivision 14; 10A.14, Subdivision 3; and 10A.22,
7 Subdivisions 2 and 8, are repealed.

8 Sec. 36. This act is effective the day following final
9 enactment.

House
Companion
No.

DUPLICATE

S. F. NO. 1500

A bill for an act relating to appropriations; appropriating funds to the university of Minnesota for medical research.

B. D. No. B2963

SENATE ACTION

Introduced by Senators

S. Keefe

★ Read FIRST TIME

APR 14 1975

Committee on

HEALTH, WELFARE AND CORRECTIONS

and Referred to the

Committee Recommendation and Adoption of Report

★ Read SECOND TIME

Committee of the Whole

★ Read THIRD TIME

Passed by the Senate

Transmitted to the House

Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date

_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date

Upon motion of

_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House

Laid on Table

Taken from Table

CONCURRENCE

Date

The Senate concurred in House amendments to

S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No.

★ Read FIRST TIME

Committee on

and Referred to the

Committee Recommendation and Adoption of Report

★ Read SECOND TIME

Committee of the Whole

★ Read THIRD TIME

Passed by the House

Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference
committee action.

1500

S. F. No.

Printed Page No.

1500

Mr. Keefe, S. introduced--

S. F. No. 1500: *Referred to the Committee on* HEALTH, WELFARE AND CORRECTIONS

1 A bill for an act
2 relating to appropriations; appropriating funds to
3 the university of Minnesota for medical research.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
5 Section 1. There is appropriated from the general fund
6 to the university of Minnesota the sum of \$100,000 for each
7 of the fiscal years 1976 and 1977, for the purpose of
8 conducting a program of research into the biological causes,
9 effects and cure of various types of human disease. Funds
10 shall be expended by the medical school under the direction
11 and supervision of Dr. Nelson Goldberg, a professor therein.

House
Companion
No.

DUPLICATE

S. F. NO. 1501

A bill for an act relating to game and fish; regulating entry on agricultural lands for taking big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

B. D. No. B3343

COMPARISON ACTION

Date _____ moved that

____ F. No. _____ and ____ F. No. _____
be referred for comparison.

Date _____

Upon motion of _____

____ F. No. _____ was substituted

for ____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____

Laid on Table _____

Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to

S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. _____

SENATE ACTION

Introduced by Senators _____

★ Read FIRST TIME _____

Committee on _____

APR 14 1975 and Referred to the
Committee Recommendation and Adoption of Report
NATURAL RESOURCES AND AGRICULTURE

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

★ Read FIRST TIME _____
Committee on _____

Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

1501

S. F.

No.

Printed Page No.

SENATE
STATE OF MINNESOTA
SIXTY-NINTH LEGISLATURE

383
S. F. NO 1501

1501

Introduced by Willet, Renneke and Olhoft.
Read First Time Apr. 14, 1975, and Referred to
the Committee on Natural Resources and Agriculture.
Committee Recommendation. To Pass.
Committee Report Adopted Apr. 23, 1975.
Read Second Time Apr. 23, 1975.

1 A bill for an act
2 relating to game and fish; regulating entry on
3 agricultural lands for taking big game; providing
4 a penalty; amending Minnesota Statutes 1974,
5 Section 100.273.
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
7 Section 1. Minnesota Statutes 1974, Section 100.273,
8 is amended to read:
9 100.273 [HUNTING CERTAIN GAME; ENTERING UPON
10 AGRICULTURAL LANDS FORBIDDEN.] Subdivision 1. During the
11 seasons for taking of pheasants, sharp tailed grouse, ruffed
12 grouse, woodcocks, ~~and~~ snowshoe rabbits, or big game no
13 person shall enter upon the lands of another which are being
14 used to raise agricultural products or upon land enclosing
15 domestic stock of any kind for the purpose of hunting the
16 above mentioned ~~small~~ game unless and until the permission
17 of the owner or lessee is obtained. Wooded areas other than
18 tree 30rms shall in no case be construed to be agricultural
19 lands within the meaning of this statute.
20 Subd. 2. No person while engaged in hunting small game
21 or big game shall destroy, cut or tear down any fence,
22 building, grain, crops, or live trees, or wound or kill any
23 domestic livestock.

1501

1501

- 1 Subd. 3. All peace officers shall enforce the
- 2 provisions of this section.
- 3 Subd. 4. Violation of this section is a misdemeanor.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1501

A bill for an act relating to game and fish; regulating entry on agricultural lands for taking small or big game; providing a penalty; amending Minnesota Statutes 1974, Section 100.273.

B. D. No. B3343

SENATE ACTION

Introduced by Senators

Willet

Resnick

O. R. Goff

Read FIRST TIME APR 14 1975

Committee on

NATURAL RESOURCES AND AGRICULTURE

Committee Recommendation and Adoption of Report

To pass APR 23 1975

★ Read SECOND TIME APR 23 1975
Committee of the Whole

Special Order MAY 9 1975

★ Read THIRD TIME MAY 9 1975
Passed by the Senate MAY 9 1975
Transmitted to the House MAY 9 1975

Patrick E. Flahaver
Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date FEB 19 1976
The Senate concurred in House amendments to
S. F. No. 1501 and repassed
the bill as amended.
Patrick E. Flahaver
Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. 1508

★ Read FIRST TIME MAY 12 1975
Committee on RULES AND LEGISLATIVE ADMINISTRATION
Committee Recommendation and Adoption of Report Pursuant to Joint Rules 20
and 23 referred to the Committee on JUDICIARY MAY 19 1975
TO PASS as AMENDED
and placed on CONSENT CAL. FEB 12 1976

★ Read SECOND TIME FEB 12 1976
Committee of the Whole

★ Read THIRD TIME FEB 17 1976
Passed by the House FEB 17 1976
Returned to the Senate FEB 17 1976

Edward A. Burdick
Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☒ Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

Printed Page No.

S. F. No. 1501

1501

1 A bill for an act

2 relating to game and fish; regulating entry on
3 agricultural lands for taking small or big game;
4 providing a penalty; amending Minnesota Statutes
5 1974, Section 100.273.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

7 Section 1. Minnesota Statutes 1974, Section 100.273,
8 is amended to read:

9 100.273 [HUNTING CERTAIN GAME; ENTERING UPON
10 AGRICULTURAL LANDS FORBIDDEN.] Subdivision 1. During the
11 seasons for taking ~~of pheasants, sharp-tailed grouse, ruffed~~
12 ~~grouse, woodcock, and snowshoe rabbits~~ small game or big
13 game no person shall enter upon the lands of another which
14 are being used to raise agricultural products or upon land
15 enclosing domestic stock of any kind for the purpose of
16 hunting the above mentioned ~~small~~ game unless and until the
17 permission of the owner or lessee is obtained. Wooded areas
18 other than tree farms shall in no case be construed to be
19 agricultural lands within the meaning of this statute.

20 Subd. 2. No person while engaged in hunting small game
21 or big game shall destroy, cut or tear down any fence,
22 building, grain, crops, or live trees, or wound or kill any
23 domestic livestock.

1501

- 1 Subd. 3. All peace officers shall enforce the
- 2 provisions of this section.
- 3 Subd. 4. Violation of this section is a misdemeanor.

House
Companion
No.

DUPLICATE

S. F. NO. 1502

A bill for an act relating to labor; public employees;
providing for the determination of fair share payments;
amending Minnesota Statutes 1974, Section 179.65, Subdivision
2.

B. D. No. B2088

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Willet
Ashland Klein
Read FIRST TIME APR 14 1975 and Referred to the
Committee on LABOR AND COMMERCE
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME _____ and Referred to the
Committee on _____

Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

1502

Printed Page No.

S. F.

No.

1502

Messrs. Willet, Ashbach and Kleinbaum introduced--

S. F. No. 1502: *Referred to the Committee on* LABOR AND COMMERCE

A bill for an act

1
2 relating to labor; public employees; providing for
3 the determination of fair share payments; amending
4 Minnesota Statutes 1974, Section 179.65,
5 Subdivision 2.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

7 Section 1. Minnesota Statutes 1974, Section 179.65,
8 Subdivision 2, is amended to read:

9 Subd. 2. Public employees shall have the right to form
10 and join labor or employee organizations, and shall have the
11 right not to form and join such organizations. Public
12 employees in an appropriate unit shall have the right by
13 secret ballot to designate an exclusive representative for
14 the purpose of negotiating grievance procedures and the
15 terms and conditions of employment for such employees with
16 the employer of such unit. Except for employees included in
17 section 179.63, subdivision 10, clause (c), who shall be
18 exempt from contributing until January 1, 1975 only, all
19 public employees who are not members of the exclusive
20 representative may be required by said representative to
21 contribute a fair share fee for services rendered by the
22 exclusive representative, and the employer upon notification
23 by the exclusive representative of such employees shall be

1502

1 obligated to check off said fee from the earnings of the
2 employee and transmit the same to the exclusive
3 representative. In no instance shall the required
4 contribution exceed the lesser of either 50 percent of the
5 regular member dues of the exclusive representative or a pro
6 rata share of the specific expenses incurred for services
7 rendered by the representative in relationship to
8 negotiations and administration of grievance procedures.

House
Companion
No.

DUPLICATE

S. F. NO. 1503

A bill for an act relating to natural resources; authorizing the department of natural resources to make a grant to the city of Duluth for the construction of a dam at Hartley Pond on Tischer Creek.

B. D. No. B3344

SENATE ACTION

Introduced by Senators

Read FIRST TIME

APR 14 1975

Committee on

NATURAL RESOURCES AND AGRICULTURE

Committee Recommendation and Adoption of Report

★

Read SECOND TIME

Committee of the Whole

★

Read THIRD TIME

Passed by the Senate

Transmitted to the House

Secretary of the Senate
State of Minnesota

COMPARISON ACTION

Date

moved that

F. No. and F. No.

be referred for comparison.

Date

Upon motion of

F. No. was substituted

for F. No. which
was indefinitely postponed.

(SENATE ACTION)

Received from House

Laid on Table

Taken from Table

CONCURRENCE

Date

The Senate concurred in House amendments to

S. F. No. and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No.

★

Read FIRST TIME

Committee on

and Referred to the

Committee Recommendation and Adoption of Report

★

Read SECOND TIME

Committee of the Whole

★

Read THIRD TIME

Passed by the House

Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☐

Refer to back of cover for other
action.

☐

CONFERENCE COMMITTEE ACTION

Refer to back of cover for conference
committee action.

1503

S. F.

No.

Printed Page No.

1503

Messrs. Doty and Solon introduced--

S. F. No. 1503: Referred to the Committee on ~~NATURAL~~ RESOURCES AND AGRICULTURE

1 A bill for an act

2 relating to natural resources; authorizing the
3 department of natural resources to make a grant to
4 the city of Duluth for the construction of a dam
5 at Hartley Pond on Tischer Creek.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

7 Section 1. The department of natural resources may
8 expend an amount not to exceed \$87,500 for construction of a
9 dam on Tischer Creek within the city of Duluth. The
10 expenditure shall not be made until the city of Duluth has
11 fulfilled the applicable requirements for such a project as
12 contained in Minnesota Statutes, Sections 105.37 to 105.541.

13 Sec. 2. The expenditure shall be from funds
14 appropriated by the legislature in 1973 for the fiscal years
15 1973-1974 and 1974-1975 for dam construction and
16 maintenance.

17 Sec. 3. This act is effective on the date following
18 its final enactment.

House
Companion
No.

DUPLICATE
FIRST ENGROSSMENT

S. F. NO. 1503

A bill for an act relating to natural resources; authorizing the department of natural resources to make grants to the city of Duluth for the construction of a dam at Hartley Pond on Tischer Creek and to the city of Elk River for the construction of a dam on the Elk River.

B. D. No. B3344

COMPARISON ACTION

Date _____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

HOUSE ACTION

House Companion
is H. F. No. _____

SENATE ACTION

Introduced by Senators Doty
Solon

Read FIRST TIME APR 14 1975 and Referred to the
Committee on NATURAL RESOURCES AND AGRICULTURE

Committee Recommendation and Adoption of Report
To Pass as Amended Re-referred to the
Committee on FINANCE APR 23 1975

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

★ Read FIRST TIME _____ and Referred to the
Committee on _____
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

☐ OTHER ACTION
Refer to back of cover for other
action.

☐ CONFERENCE COMMITTEE ACTION
Refer to back of cover for conference
committee action.

Printed Page No.

1503

S. F. No.

1503

1 A bill for an act

2 relating to natural resources; authorizing the
3 department of natural resources to make grants to
4 the city of Duluth for the construction of a dam
5 at Hartley Pond on Tischer Creek and to the city
6 of Elk River for the construction of a dam on the
7 Elk River.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

9 Section 1. The department of natural resources may
10 expend an amount not to exceed \$87,500 for construction of a
11 dam on Tischer Creek within the city of Duluth. The
12 expenditure shall not be made until the city of Duluth has
13 fulfilled the applicable requirements for such a project as
14 contained in Minnesota Statutes, Sections 105.37 to 105.541.

15 Sec. 2. The department of natural resources may expend
16 an amount not to exceed \$80,000 for construction of a dam on
17 Elk River within the city of Elk River. The expenditure
18 shall not be made until the city of Elk River has fulfilled
19 the applicable requirements for such a project as contained
20 in Minnesota Statutes, Sections 105.37 to 105.541.

21 Sec. 3. The expenditures shall be from funds
22 appropriated by the legislature in 1973 for the fiscal years
23 1973-1974 and 1974-1975 for dam construction and
24 maintenance.

1503

1 Sec. 4. This act is effective on the date following
2 its final enactment.

House
Companion
No.

DUPLICATE

S. F. NO. 1504

A bill for an act relating to labor; directing the commissioner of labor and industry to enforce the prohibition against administering polygraph tests to employees; prescribing penalties; amending Minnesota Statutes 1974, Section 181.75.

B. D. No. 83122

COMPARISON ACTION

Date _____
_____ moved that
_____ F. No. _____ and _____ F. No. _____
be referred for comparison.

Date _____
Upon motion of _____
_____ F. No. _____ was substituted
for _____ F. No. _____ which
was indefinitely postponed.

(SENATE ACTION)

Received from House _____
Laid on Table _____
Taken from Table _____

CONCURRENCE

Date _____
The Senate concurred in House amendments to
S. F. No. _____ and repassed
the bill as amended.

Secretary of the Senate

SENATE ACTION

Introduced by Senators Doty
Chenoweth MILTON
Read FIRST TIME APR 14 1975 and Referred to the
Committee on JUDICIARY
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the Senate
Transmitted to the House

Secretary of the Senate
State of Minnesota

HOUSE ACTION

House Companion
is H. F. No. _____

★ Read FIRST TIME _____ and Referred to the
Committee on _____
Committee Recommendation and Adoption of Report

★ Read SECOND TIME
Committee of the Whole

★ Read THIRD TIME
Passed by the House
Returned to the Senate

Chief Clerk, House of Representatives
State of Minnesota

OTHER ACTION

☐ Refer to back of cover for other
action.

CONFERENCE COMMITTEE ACTION

☐ Refer to back of cover for conference
committee action.

Printed Page No.

S. F.

No.

1504

Messrs. Doty, Chenoweth and Milton introduced--

S. F. No. 1504: *Referred to the Committee on* JUDICIARY

1 A bill for an act

2 relating to labor; directing the commissioner of
3 labor and industry to enforce the prohibition
4 against administering polygraph tests to
5 employees; prescribing penalties; amending
6 Minnesota Statutes 1974, Section 181.75.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

8 Section 1. Minnesota Statutes 1974, Section 181.75, is
9 amended to read:

10 181.75 (LIE DETECTOR TESTS OF EMPLOYEES OR PROSPECTIVE
11 EMPLOYEES PROHIBITED; ENFORCEMENT.) Subdivision 1.
12 [PROHIBITION; PENALTY.] No employer or agent thereof shall
13 ~~by direct or indirect coercion~~ directly or indirectly
14 request or require a polygraph, psychological stress
15 evaluation, or any test purporting to test the honesty of
16 any employee or prospective employee. An employer or agent
17 violating this section is guilty of a gross misdemeanor.
18 Subd. 2. [INVESTIGATIONS.] The department of labor and
19 industry shall investigate suspected violations of this
20 section. The department may refer such evidence as is
21 available concerning violations of this section to the
22 county attorney of the appropriate county, who may with or
23 without such reference, institute the appropriate criminal

1504

1 proceedings under this section.

2 Subd. 3. [INJUNCTIVE RELIEF.] In addition to the
3 penalties provided by law for violation of this section,
4 specifically and generally, whether or not injunctive relief
5 is otherwise provided by law, the courts of this state are
6 vested with jurisdiction to prevent and restrain violations
7 of this section and to require the payment of civil
8 penalties. Whenever it shall appear to the satisfaction of
9 the attorney general that this section has been or is being
10 violated, or is about to be violated, he shall be entitled,
11 on behalf of the state, to sue for and have injunctive
12 relief in any court of competent jurisdiction against any
13 such violation or threatened violation without abridging
14 other penalties provided by law.

15 Subd. 4. [INDIVIDUAL REMEDIES.] In addition to the
16 remedies otherwise provided by law, any person injured by a
17 violation of this section may bring a civil action and
18 recover damages, together with costs and disbursements,
19 including costs of investigation and reasonable attorney's
20 fees, and receive other equitable relief as determined by
21 the court. The court may, as appropriate, enter a consent
22 judgment or decree without a finding of illegality.

23 Sec. 2. [EFFECTIVE DATE.] This act is effective the
24 day following its final enactment.