

Minnesota Attorney General: Administrative Rules Proceedings

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August 20, 2018

248

DEPARTMENT Attorney General

STATE OF MINNESOTA

Office Memorandum

TO : Kathryn A. Rush
Special Assistant
Attorney General

DATE: August 18, 1976

FROM : Michael B. Miller
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: Rules of the Ethical Practices Board Relating to Financing of Political Campaigns

The above-captioned rules are returned herewith and disapproved for the following reasons:

1. The promulgating agency did not demonstrate the need for rulemaking, since the rules are largely a rearrangement of Minnesota Statutes, Chapter 10A (as amended, 1976);

2. With minor exceptions, the agency did not make an affirmative presentation of facts adequate to substantiate adoption of the rules as required by Minn. Stat. § 15.0412, subd. 4 (1975 Supp.);

3. The rules, as enumerated below, impermissibly repeat, vary or extend provisions of Chapter 10A of Minnesota Statutes (as amended, 1976):

701(b)-simply refers to Minn. Stat. § 10A.01.

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711(a)-repeats provisions of Minn. Stat. § 10A.31, subd. 6.

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Rules 700 and 701(a) are unobjectionable but are not of any significance when considered by themselves. They are therefore also returned.

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EPB-76-002-DR

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OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE ETHICAL PRACTICES BOARD

IN THE MATTER OF THE PROPOSED RULES OF THE MINNESOTA ETHICAL PRACTICES BOARD RELATING TO PUBLIC FINANCING OF POLITICAL CAMPAIGNS.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Duane R. Harves, Acting Chief Hearing Examiner of the Minnesota Office of Hearing Examiners, on Friday, May 14, 1976, at 9:30 a.m. in Room 83, State Office Building, St. Paul, Minnesota. The hearing was closed on the same day and the record was closed on June 3, 1976.

The Notice of Hearing in this matter originally indicated that Room 81 of the State Office Building was the room wherein the hearing was to be held. Finding that room to be occupied, the hearing was moved to Room 83. Proper notice of the room change was given by the hanging of signs indicating the change of rooms, which rooms are across the hall from each other.

Appearing at the hearing on behalf of the Ethical Practices Board (hereinafter "EPB") were Kathryn Rush, Special Assistant Attorney General, and B. Allen Clutter, III, Executive Director of the Ethical Practices Board.

The only persons testifying or commenting at the hearing were Mel Hansen, State Senator from District 61; George W. Winter, Deputy Commissioner of the Minnesota Department of Revenue; and Albert J. Brisson, 2637 Stillwater Road, St. Paul, Minnesota, Ramsey County Chairman of the Minnesota Taxpayers Party.

Pursuant to Rule HE 103 of the Office of Hearing Examiners, the EPB submitted all required documents to the Hearing Examiner 25 days prior to the hearing where they were available for public inspection.

Based upon all of the files, records and proceedings herein, including all written and oral testimony, the Hearing Examiner now makes

this Report as required by Minnesota Statutes, Section 15.052.

FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS

1. That all procedural requirements of law and rule have been met.

2. That the EPB's authority to adopt rules, while no direct testimony on the issue was ever presented other than reference in the Notice of Hearing, is found in Minnesota Statutes, 1974, Section 10A.02, Subd. 13, which states: "The provisions of Chapter 15, shall apply to the commission including the power to prescribe rules and regulations to carry out the purposes of Section 10A.01 to 10A.34." In addition to the foregoing statutory authority, Minnesota Statutes, Section 15.0412, Subd. 3, grants State agencies rule making authority where not otherwise specifically delegated but only in the area of setting forth the nature and requirements of all formal and informal procedures related to the administration of official agency duties.

The statutory language used, particularly in M.S. 10A.02, is important as it is the language by which the Legislature has delegated authority to the EPB. This language becomes important to this Report for as the Board indicated on the record in response to a question of the Hearing Examiner, it did not want to exceed or go beyond statutory authority (transcript, page 20).

In this case, the Legislature has delegated to the EPB, authority to establish rules for carrying out the purposes of the law and as such has delegated procedural rule making authority to the EPB. No evidence or testimony was presented to document the EPB's statutory authority to promulgate anything other than procedural rules. State courts throughout the country have stricken down rules of State agencies when they give effect to policies extending or expanding the policies set forth in the statute. As is stated as the rule in such cases by the California court: "An administrative officer may not make a rule or regulation that alters or enlarges the terms of a legislative enactment." Therefore, in this case, any rules which would be other than solely procedural rules would be interpreted as exceeding the authority delegated in the

statute and would be entering into legislative regulation.

That while no direct evidence on the statutory authority to promulgate procedural rules was presented, the Hearing Examiner finds that by stating the statutory reference in the Notice of Hearing, which notice was sent to all persons on the Secretary of State's list, that the agency has sufficiently documented this statutory authority.

3. That with very few exceptions which will be discussed below, the rules as promulgated are a repetition of the statute itself, as amended by Laws of Minnesota, 1976, Chapter 307. The only evidence or testimony presented on the questions of need and reasonableness for repeating the statute by rule was in a statement by Ms. Rush at the outset of the hearing, which was: "The rules are in a substantially different order than the statute...the provisions applicable to each of the individuals or groups (at which the statute is directed) are scattered throughout the statute. The rules, however, are organized so as to group the provisions applicable to each individual or each group of individuals in one place. These rules also clarify the entire public financing process and present it in an orderly, procedural manner so as to make it easier...to understand what is required of them..." (transcript, pages 8 and 9).

It appears from the record that the EPB wishes to publish a document to give to all persons who file for public office, which document will present, in an orderly fashion, all of the requirements which must be met by the candidate in order to qualify for participation in the distribution of public funds. A review of the statute creating the EPB fails to disclose any prohibition which would preclude the EPB from producing a similar document by merely citing the statute in the same order they have done in the proposed rules.

The rule making process is both time-consuming and costly. After July 1, 1976, when the State Register becomes effective, it will take approximately 150 days or more for an agency to adopt rules, plus the time it takes the agency to prepare the rules themselves. Additionally, it will cost a substantial amount of money to properly complete

the process when the costs of the Hearing Examiner, publication in the State Register, printing, mailing and staff time are considered. In cases such as the instant case, where the agency would adopt,as rules, statutory language, it can reasonably be anticipated that the agency might well have to go through the rule making process annually if the Legislature makes even the slightest amendments to those statutes which have been adopted as rules. Statutory language will always prevail over an inconsistent rule.

Therefore, it is concluded that the EPB has failed to substantiate either the need for or the reasonableness of adopting as rules, specific language which has been enacted as law by the Legislature.

It is recommended to the EPB that it not adopt rules which are merely statutory repetition. The rules which would fall into this category are as follows: EPB 702, 703, 704, 705, 707, 709, 710(a)(b) and (c) and 711.

4. That EPB 700, entitled "Purpose of the Rules", is a fair statement of the general purpose for adopting rules and is reasonable.

5. That EPB 701 adds a definition of "board" to existing statutory definitions and clarifies, for the purposes of these rules, that certain terms have the same meaning as in the statutory language and as such is reasonable and probably necessary, although no testimony was presented on those questions.

6. That EPB 704 is, as previously indicated, for the most part a repeat of statutory language and is not needed. However, EPB 704(a) directs the Commissioner of Revenue to certify amounts designated by taxpayers in non-election years. This provision was not substantiated by any testimony with respect to either the need for the rule or its reasonableness except for a statement (transcript, page 17) that it is the Board's position that it would not be necessary for certification at any time other than at the end of the year in such non-election years. Yet, the statute itself does not require any certification except during election years. Therefore, it is specifically found and concluded that the EPB has failed to substantiate either the need for or the reasonableness of the rule and that if the rule were to be adopted, it would place an obligation on another State agency which is not presently found in the

statute. It is recommended that EPB 704 not be adopted.

7. That EPB 706 is a combination of existing statutory language and new language, all of which drew comment (see Exhibits A and C).

First, the rule would compel the EPB to furnish a copy of the rules to each candidate at the time the candidate filed for office. There is presently no statutory directive for the Board to furnish the rules. No testimony or evidence was presented on either the need for or the reasonableness of such a provision.

The second, non-statutory provision is found in EPB 706(b) concerning write-in candidates. Clearly, as the Board indicates (transcript, page 24) it could not have been the Legislature's intent to disallow write-in candidates from participating in the distribution of public funds. A person can qualify as a "candidate" as that term is defined by Minnesota Statutes, Section 10A.01, Subd. 5, (as amended) even though the person is a write-in candidate. However, as previously indicated, an agency cannot, by rule, modify the clear and unambiguous language of a statute. In this instance, the statute (Minn. Stat. Section 10A.32, Subd. 3) states: "As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree...on or before September 1..." (emphasis added).

In using such language, the Legislature has established a statutory deadline for all persons to have performed a specific act as a condition precedent to the person being eligible to participate in public financing.

It is therefore concluded that the EPB has failed to substantiate its authority to adopt this rule. It is recommended that the EPB propose such language to the 1977 Legislature in order to provide for such participation by write-in candidates who do not otherwise qualify.

8. That EPB 706(b)(1) is, primarily, a repetition of statutory language (Minn. Stat. Section 10A.32, Subd. 3, as amended) but does add language which states that: "...'cash on hand' at the beginning of the

calendar year of an election year shall be included as contributions received in the election year...". The EPB stated that the provision is needed to prevent incumbents with excess funds from a prior year from having an advantage over other candidates (transcript, page 25). This provision also drew comments (transcript, page 26; Exhibits B and C).

A review of the statute indicates that prior to the 1976 Legislative Session, the law stated: "...his principal campaign committee shall not accept contributions exceeding 105% of the difference...". During the 1976 Session, the word "exceeding" was stricken and in its place, the following language was inserted: "...for the period beginning with January 1 of the election year or the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year which exceed..." (emphasis added).

In other words, prior to the 1976 Legislative Session, the statute appears to have included contributions received on behalf of a candidate, no matter when they were received. The amendatory language limits the time during which contributions received may not exceed the 105% limitation to the 12 calendar months of the election year. It is quite clear that the Legislature, by its 1976 amendment, has limited the provision by setting a definite time frame for the receipt of contributions and it is therefore concluded that for the EPB to expand the limited time frame would be contrary to specific statutory language. No evidence or testimony was presented to document the EPB's statutory authority to adopt this rule.

It is therefore recommended that the proposed rule, EPB 706 (b)(1) not be adopted.

9. That the remainder of EPB 706 is taken directly from the statutory language with the sole exception being the deadlines imposed in EPB 706(d) and (e) for notification to the Board that a candidate does not wish to accept any money from the accounts. No evidence or testimony was presented with respect to either the need for or the reasonableness of such deadlines. Therefore, it is concluded that the Board has failed to make the affirmative presentation of fact as required by law and it is recommended that the rule not be adopted.

10. That EPB 708 imposes a condition precedent on the candidate which is not specifically found in the statute. Minn. Stat. Section 10A.20, Subd. 2 (as amended) provides that the Report of Receipts and Expenditures shall be filed ten days before the general election. That section also provides, in Subd. 12, that any person who knowingly fails to file such statement is guilty of a misdemeanor. Thus, a penalty is already statutorily applied.

It is concluded that the Board has failed to make a showing of either the need for or the reasonableness of such rule and further that it has failed to document its statutory authority to adopt such a rule. It is recommended that no rule be adopted.

11. That EPB 710(d) speaks to the question of public financing provisions not applying to special primary or special general elections. It is clear from the statute and the record that none of the provisions apply to any primary elections. However, the statute did not consider special general elections. For the EPB to make such a provision in these rules would be deemed to be legislating by rule making. The EPB has failed to document its statutory authority to do so. It is therefore recommended that the rule not be adopted but that the agency bring the oversight to the attention of the 1977 Legislature.

Dated this 10th day
of June, 1976.

Duane R. Harves

DUANE R. HARVES
Acting Chief Hearing Examiner

Attorney General

Kathryn A. Rush
Special Assistant
Attorney General

August 18, 1976

296-4692

Michael B. Miller
Special Assistant
Attorney General

Rules of the Ethical Practices Board Relating to Financing of Political Campaigns

The above-captioned rules are returned herewith and disapproved for the following reasons:

1. The promulgating agency did not demonstrate the need for rulemaking, since the rules are largely a rearrangement of Minnesota Statutes, Chapter 10A (as amended, 1976);

2. With minor exceptions, the agency did not make an affirmative presentation of facts adequate to substantiate adoption of the rules as required by Minn. Stat. § 15.0412, subd. 4 (1975 Supp.);

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3. The rules, as enumerated below, impermissibly repeat, vary or extend provisions of Chapter 10A of Minnesota Statutes (as amended, 1976):

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Rules 700 and 701(a) are unobjectionable but are not of any significance when considered by themselves. They are therefore also returned.

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ADMIN 1000

STATE OF MINNESOTA

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STATE OF MINNESOTA

ETHICAL PRACTICES BOARD

IN THE MATTER OF THE PROPOSED RULES OF THE MINNESOTA ETHICAL PRACTICES BOARD RELATING TO PUBLIC FINANCING OF POLITICAL CAMPAIGNS

FINDINGS OF FACT

The above-entitled matter came on for hearing before Duane R. Harves, acting chief hearing examiner of the Minnesota Office of Hearing Examiners, on Friday, May 14, 1976, at 9:30 a.m. in Room 83, State Office Building, St. Paul, Minnesota. The hearing was closed on the same day. The record was closed on June 3, 1976.

Kathryn Rush, Special Assistant Attorney General and B. Allen Clutter, III, Executive Director of the Ethical Practices Board appeared on behalf of the Ethical Practices Board (hereinafter the "Board"). Mel Hansen, State Senator from District 61, George W. Winter, Deputy Commissioner of the Minnesota Department of Revenue and Albert J. Brisson, Ramsey County Chairman, Minnesota Taxpayers Party, also testified.

The hearing examiner has made Findings of Fact, Conclusions and Recommendations as required by law. Based upon all the files, record and proceedings herein, including all oral testimony, the Board rejects the hearing examiner's Findings of Fact, Conclusions and Recommendations and makes the following:

FINDINGS OF FACT AND CONCLUSIONS

1. All procedural requirements of law and rule have been met. This finding is supported by the hearing examiner. See Report of Hearing Examiner, Finding One, p. 2.

2. The Board has the power to adopt substantive rules Direct evidence as to the source of that power was presented at

the hearing. See T. pp. 6-7 and Exhibit 3 (marked "III"). That evidence indicates that the power to adopt substantive rules is found in Section 10A.02, subdivision 13 of the Ethics in Government Act, Minn. Stat. ch. 10A (1974). That section states:

> The provisions of Minnesota Statutes, Chapter 15, shall apply to the Commission including the power to prescribe rules and regulations, to carry out the purposes of Sections 10A.01 through 10A.34.

(Emphasis added). (That section has been reenacted without change by Minn. Laws 1976, c. 307).

The hearing examiner's position that the Board does not have the power to adopt substantive rules appears to be based soley upon his own bald assertion, unsupported by citation to authority, that rules for "carrying out the purposes of the law" means procedural rules only.[1/] See Report of Hearing Examiner, Finding 2, p. 2.

While the hearing examiner cites no authority to support his position, there is authority, on the other hand, for the position that Section 10A.02, subdivision 13 grants the Board the power to promulgate substantive rules. The fact that the Board so interpreted that section and accordingly adopted substantive rules in 1974 is of some importance in light of the fact that the legislature reenacted that section without change in 1976. Minn. Laws 1976, ch. 307. At the same time the legislature made extensive changes to other sections of that law. Id. That the legislature did not see fit, by amendment to express disapproval of the Board's interpretation of that section bolsters that interpretation, particularly when other provisions

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1/ He does claim that the general proposition that substantive rules cannot conflict with explicit statutory terms somehow supports that position. See Report of Hearing Examiner, Finding 2, p. 2. The Board, however, fails to see how that proposition, which it does not dispute, is at all relevant to the issue of whether the Board has the power to adopt substantive rules in the first place.

of the law were amended.[2]

Furthermore, other state agencies have promulgated rules which are at least in part substantive under the same or essentially the same statutory language as set forth in Section 10A.02, subdivision 13.[3] Those statutes are also still in effect.

On the federal level, Section 6 of the National Labor Relations Act, 29 U.S.C.A. § 156 (1974) grants the National Labor Relations Board the authority to make rules as may be necessary "to carry out the provisions of this Act." Kenneth K. Davis, a noted authority on administrative law, takes exactly the opposite position of the hearing examiner when he states unequivocally that this language authorizes that Board to promulgate substantive rules. See Davis, Administrative Law Treatise, § 617, p. 287 (1970 Supp.).

The position that Section 10A.02, subdivision 13 grants the Board the power to adopt substantive rules is also supported by judicial authority. The Minnesota Supreme Court has, on at least two occasions, interpreted statutes granting rule making power in essentially the same language as is used in Section 10A.02, subdivision 13, as granting substantive rule making power. Welsand v. State of Minnesota Railroad and Warehouse Commission, 251 Minn. 504, 88 N.W.2d 834 (1958); Hurley v. Chaffee, 231 Minn. 362, 43 N.W.2d 281 (1950).[4] Furthermore, in 1973 the legislature

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2/ It cannot be argued that the legislature was not aware of the 1974 rules as each legislator who ran for election in 1974 received a copy.

3/ See Minn. Stat. §§ 79.26; 299A.01(6); 363.05, subd. 8 and 150A.04, subd. 5 (1974).

4/ The statute in Welsand granted the power to make such rules as may be "necessary to the enforcement of the statute." 251 Minn. at ____, 85 N.W.2d at ____. The statute in Hurley granted the power to make rules "as may be necessary to carry this law into effect." 231 Minn. at ____, 43 N.W.2d at ____.

amended the statute at issue in Hurley leaving the rule making provision intact. [That statute is now Minn. Stat. § 79.26 (1974)]. The fact that the legislature did not, by amendment, indicate disapproval of the Court's interpretation when it amended the statute in other particulars, amounts to ratification of the Court's construction.[5/]

While both of the aforecited cases involved challenges to "substantive" rules, in neither case did the Court make a distinction between "procedural" and "substantive" rules. Rather, the Court determined that the reasonable implication of language such as "to carry this law into effect" or "necessary to the enforcement of the statute" is that the legislature intended that the agency adopt whatever rules are necessary to fill in the details of the legislation whether they be substantive or procedural. Certainly, that reasoning would apply equally to Section 10A.02, subdivision 13 which grants the Ethical Practices Board the power to adopt rules "to carry out the purposes" of the Ethics in Government Act.

The inability of the hearing examiner to refer the Board to any authority in support of the position that the Board does not have substantive rule making power, together with the fact that there is authority for the position that the Board does have the power to adopt substantive rules compels the Board to find the latter.

THE RULES GENERALLY

3. The proposed rules are necessary in order to carry out the purposes of Minn. Stat. §§ 10A.30 to 10A.32 (1974) and

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5/ Where a judicial construction has been placed upon a statute for a long period of time so that there is abundant opportunity for the legislature to give further expression of will, the failure to do so, particularly where the statute is amended in other particulars, amounts to legislative approval and ratification of the construction placed upon the statute by the courts. 73 Am. Jur. 2d Statutes, § 169, p. 372.

are reasonably related to that end. One way in which the rules generally clarify the statute is by grouping together the responsibilities of each individual or agency which are scattered throughout the statute, and putting the rules in an order which reflects the order in which each step in the public financing process will occur. See T. pp. 8-9. This enables the individuals responsible for implementing public financing to look to one place for their responsibilities while, at the same time, enabling those who benefit by public financing to get a precise and orderly step by step picture of the process. Id.

THE RULES INDIVIDUALLY

4. EPB Rules 700 and 701 are necessary and reasonable. EPB Rule 700 is the statement of general purpose and EPB Rule 701 is definitions. The hearing examiner supports this finding and the record reveals no opposition to these rules. See Report of Hearing Examiner, Findings four and five, p. 4.

5. EPB Rule 702 is necessary and reasonable. This rule makes it clear that the Commissioner of Finance is responsible for the accounts required by Minn. Laws 1976, c. 307, s. 25 and that only one account need be maintained for each party rather than one account for each candidate. The statute is not clear in these areas. See T. p. 15. The record reveals no opposition to this rule other than that of the hearing examiner See Report of Hearing Examiner Finding three, pp. 3-4.[6/]

6/ In finding three, pp. 3-4 of the Report of the Hearing Examiner, the hearing examiner essentially makes two general objections to EPB Rules 702, 703, 704, 705, 707, 709, 710 (a), (b), and (c) and 711, neither of which lend support to the position that there is no need for these rules in order to carry out the purposes of public financing provisions of the act. A comparison of the statute and the proposed rules quickly reveals the absurdity of the suggestion that the Board could produce a document similar to the proposed rules simply by citing the statute in the same order as the proposed rules. Similarly, the argument that the Board may have to go through this very costly rule making process everytime the legislature amends the statute in no way supports the position that the Board does not need rules. Since all rules derive from the provisions of a governing statute, whenever rules are adopted there is the possibility that they may have to be amended if the statute is amended.

6. EPB Rule 703 is necessary and reasonable. It makes it clear that the Board is to compute the required apportionments, clarifies the different manner in which apportionments are to be computed for 1975 and 1976 and 1977 and future years, and clarifies to which taxable years these dates refer. The statute is not clear in these areas. See T. p. 16. The record indicates no opposition to this rule other than that of the hearing examiner. See footnote six herein.

7. EPB Rule 704 is necessary and reasonable. Again, although some of the language of this rule is the same as the language of the statute, the rule puts the Commissioner of Revenue's duties, which are scattered throughout the statute, in one place and in the proper time sequence. See T. pp. 8-9, and finding three herein.

The one provision of the rule which does not reflect explicit statutory language is the provision for a certification by the Commissioner of Revenue in the non-election year. The statute could be read as providing for no certification in the non-election year or for a conditional December 7 certification. As neither of these interpretations make sense, it would appear that this is an area which the legislature intended to be filled in by rule. The rule clarifies the ambiguity in a reasonable manner; i.e., one certification at the end of the non-election year in order to keep the public informed of the amounts accumulated that year. See T. pp. 16-17. There was no opposition to the non-election year certification or the need for a rule generally clarifying the Commissioner of Revenue's duties other than that of the hearing examiner. See Report of the Hearing Examiner finding six, pp. 4-5. In fact, George Winter, Deputy Commissioner of Revenue testified that his staff and the staff of the Board worked closely in attempting to clarify and carefully delineate the responsibilities of the Revenue Department and that the Revenue Department

"urges" adoption of those provisions of the rules relating to its duties and responsibilities. See T. pp. 17-21.

The record also indicates objection to the fact that the Board did not provide for an additional distribution from the party accounts in the event that more funds are received from returns processed after the September distribution. See Exhibit A. However, Mr. Winter testified that 98% of the returns would probably be processed by the September distribution date. See T. p. 20. Further, the Board introduced testimony indicating that since the statute delineates exact distribution dates it could not, by rule, provide for an additional distribution from the party accounts. See T. p. 20. The hearing examiner does not oppose omission of this additional distribution date. See Report of Hearing Examiner.

8. EPB Rule 705 is necessary and reasonable. Again, this rule sets forth, in one place, the provision for redistribution of funds in the event a party does not have a candidate for any one office and the provision for redistribution of funds in the event a party does not have any candidate for any office. See T. pp. 8-9. These two provisions are in separate sections of the statute. Only by seeing these two provisions together can a political party clearly understand the different results which will occur in the event it has no candidate for any one office and in the event it has no candidate for any office. The record reveals no opposition to this rule other than that of the hearing examiner. See footnote six herein.

9. EPB Rule 706 is necessary and reasonable. Again, this rule enables the candidate and his or her treasurer to look to one place for information as to what their responsibilities will be and what kind of data they can expect to receive during the course of the public financing process. See T. pp. 8-9 and finding three herein. The information of concern to candidates

and treasurers of principal campaign committees is scattered throughout the statute and in no semblance of procedural order. Those provisions of this rule which do not reflect explicit statutory language are as follows:

Rule 706(b) provides that write-in candidates do not have to file the required agreement until seven days before certification of the results of the general election, rather than on September 1. The record indicates no objection to the Board's determination that the legislature intended write-in candidates to share in the general account if they receive the required percentage of the vote. See the record generally and Exhibit A, p. 2. Indeed, the hearing officer agrees that write-in candidates fall within the statutory definition of candidate. See Report of Hearing Examiner, p. 5. However, given the nature of a write-in candidacy, many such candidates will not, in fact, be candidates until after September 1. Therefore, in order to avoid a complete negation of the legislative intent that write-in candidate who receive the required percentage of the vote share in the general account, Rule 706(b) extends the deadline for filing the agreement for those candidates. See T. pp. 23-24.

Rule 706(b)(1) provides that "contributions" for purpose of the public financing limitations includes "cash-on-hand" (unless otherwise specified) at the beginning of an election year. The record indicates objection to this provision. See Exhibit A, p. 2. However, if cash-on-hand were not included as contributions the public financing contribution limitation would unfairly discriminate in favor of incumbents who carry over funds from prior elections and possibly major party candidates who can begin campaigns in the preceeding election year. See T. pp. 24-25. Thus, the cash-on-hand rule saves the statute from a possibly unconstitutional result which the Board presumes the legislature did not intend. Further, Senator Mel Hansen's testimony indicates

that he is of the opinion that "contribution" for purposes of the public financing limitations includes "cash-on-hand" at the beginning of the election year. See T. pp. 26-29.

Finally, EPB Rule 706, subdivisions (d) and (e) impose deadlines for notification to the Board that a candidate does not wish to receive all or some of the monies available to him. These deadlines are not explicitly provided for in the statute. However, the statute implicitly requires these deadlines by requiring redistribution of funds which are so refused to other qualifying candidates. It would be impossible to so redistribute refused funds unless the Board knew of the refusal prior to the applicable distribution dates. Thus, the rule sets the refusal deadlines just prior to the applicable distribution dates. There is no opposition to this rule other than that of the hearing examiner. See Report of Hearing Examiner, p. 6.

10. EPB Rules 707, 709, 710 (a), (b), and (c) and 711 are necessary and reasonable. The only objection to these rules is again, that of the hearing examiner, to the effect that they are not needed because they use the same or similar language as is used by the statute. See footnote six herein. Finding three of these findings, however, supports the need and rationality of these rules and is hereby incorporated in this finding.

11. EPB Rule 708 is necessary and reasonable. This rule provides that no candidate shall receive any funds from the general account until the report due ten days before the general election has been filed. These reports are generally not filed on time. This rule is intended to insure that this report is filed on time so as to enable the Board to effectively police the procedure and not give out public monies if the contribution limitation has already been exceeded. See T. pp. 30-31. The hearing examiner states that this rule is not necessary as any person who knowingly fails to file the statement is guilty of a misdemeanor anyway.

See Report of Hearing Examiner Finding ten, p. 7. However, that statement is not correct. A person is guilty of a misdemeanor if he knowingly fails to file within seven days after receiving notice from the Board. Minn. Laws 1976, c. 307. Here, with the additional time needed to give notice and the additional seven days it would be impossible to police the reports prior to the distribution date.

12. EPB Rule 710 (d) is necessary and reasonable and supported by the explicit language of the statute. See Minn. Laws, 1976, c. 470, s. 33. The hearing examiner is simply incorrect when he contends that the statute does not provide for the exclusion of special general elections from its application. See Report of Hearing Examiner Finding 11, p. 7 and the statutory provision cited.

Adopted by the Ethical Practices
Board by Resolution at its
July 6, 1976 meeting

B. Allen Clutter

B. ALLEN CLUTTER
Executive Director

RECEIVED
JUL
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE STATE ETHICAL PRACTICES BOARD

In the matter of the Proposed Adoption of Rules of the Ethical Practices Board Relating to Public Financing of Political Campaigns

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the hearing examiner of the State of Minnesota on the 14th day of May, 1976, at 9:30 A.M. in Room 83, State Office Building-St. Paul, Minnesota, after proper notice required by M.S. 1974, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules adopted by the Board at its meeting of July 6, 1976, are hereby ordered adopted as of July 6, 1976, pursuant to the authority delegated to me by the State Ethical Practices Board.

Elizabeth Ebbott

ELIZABETH EBBOTT
Chairperson

RECEIVED
JUL 10 1976
OFFICE OF HEARING
EXAMINERS

CERTIFICATION OF BOARD'S ADOPTION
OF RULES BY RESOLUTION

I, Elizabeth Ebbott, do hereby certify that I am chairperson of the State Ethical Practices Board (hereinafter the "Board"); that at its July 6, 1976 meeting the Board resolved to adopt the attached rules and regulations; that a quorum was present at that meeting; that a majority of those present voted for the aforementioned resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

Elizabeth Ebbott
ELIZABETH EBBOTT
Chairperson

8th day of July, 1976

RECEIVED
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OFFICE OF HEARING EXAMINERS

MINNESOTA ETHICAL PRACTICES BOARD

PROPOSED RULES RELATING TO THE STATE ELECTIONS CAMPAIGN FUND

April 13, 1976

EPB 700 PURPOSE OF THE RULES

The purpose of these rules is to implement the provisions of the Minnesota Ethics in Government Act governing the State Elections Campaign Fund, specifically Minn. Stat. §10A.30-34, as amended by Minn. Laws 1976, ch. ____ (S.F. No. 1499). Those sections provide for distribution of monies from the State Elections Campaign Fund to the appropriate candidates for statewide office, state senator and state representative who are to appear on the ballot in the general election for those offices.

EPB 701 DEFINITIONS

For purpose of these rules:

(a) "Board" means the Minnesota State Ethical Practices Board.

(b) "Contribution" and "expenditure" have the same meanings as provided in the definitions Minn. Stat. §10A.01 (1974), and implemented by Minnesota Ethical Practices Board Rules, EPB 1-39.

EPB 702 ESTABLISHMENT OF ACCOUNTS IN THE GENERAL FUND OF THE STATE

The Commissioner of Finance shall establish the following accounts in the State Elections Campaign Fund:

(a) One account for each political party for which funds were allocated by taxpayers, said accounts to be designated as the State Election Campaign Fund Political Party Accounts.

(b) One account to be designated as the State Elections Campaign Fund General Account.

EPB 703 FORMULA FOR APPORTIONMENT OF FUNDS FOR EACH ACCOUNT

In each calendar year the Board shall compute apportionments of the amounts designated by taxpayers in that year for

each party account and the general account, and shall allocate monies to accounts of candidates as follows:

(a) In calendar years of 1975 and 1976 and applying to the taxable years of 1974 and 1975 respectively:

(1) 16 percent for the offices of governor and lieutenant governor jointly;

(2) 9.6 percent for the office of attorney general;

(3) 4.8 percent each for the offices of secretary of state, state auditor and state treasurer;

(4) 30 percent each for the offices of state senator and state representative.

(b) In calendar year 1977, (and applying to the taxable year 1976) and subsequent years:

(1) 21 percent for the offices of governor and lieutenant governor filing jointly;

(2) 3.6 percent for the office of attorney general;

(3) 1.8 percent each for the offices of secretary of state, state auditor, and state treasurer;

(4) (i) In each calendar year during the period in which state senators serve a four year term, 23-1/3 percent for the office of state senator and 46-2/3 percent for the office of state representative;

(ii) In each calendar year during the period in which state senators serve a two year term, 35 percent each for the offices of state senator and state representative.

EPB 704 TIME OF CERTIFICATION AND APPORTIONMENTS

(a) By December 31 of each non-election year the Commissioner of Revenue shall certify to the Board the amounts designated by taxpayers for each political party listed on the tax return and for the general account of the State elections

Campaign Fund, based upon all tax returns processed that year and any amounts refunded from a previous election year pursuant to EPB 706(b)(2) and (3). The Board shall compute the apportionments as provided in EPB 703 and shall direct the Commissioner of Finance to credit the appropriate account.

(b) On or before the last day for filing for office in each election year the Commissioner of Revenue shall certify to the Board his estimate of the total to be accumulated in each account in the state elections campaign fund after 100 percent of the tax returns have been processed.

(c) At the following times in each election year, the Commissioner of Revenue shall certify to the Board the amounts designated by taxpayers for State Elections Campaign Fund based upon all processed tax returns:

(1) On September 15 for party accounts;

(2) On November 15 for the general accounts;

(3) On December 7 for party accounts and the general accounts, if on November 15 less than 98 percent of tax returns are processed.

[illegible] shall compute apportionments as provided in EPB 703 and shall [illegible]he Commissioner of Finance to credit the appropriate account.

APPORTIONMENT OF FUNDS IN ELECTION YEARS

Each apportionment of funds in an election year shall take [illegible]ount the following:

(a) If there is no candidate of a party for any one office, in any year in which that office appears on the ballot, the allocation for that office shall be distributed to all other candidates of that party proportionately as set forth in EPB Rule 703.

(b) If a political party for whose candidates funds have been accumulated in the State Elections Campaign Fund

does not have a candidate for any office, the monies shall be maintained in that account until the year of the next general election. If in two successive general election years that political party does not have a candidate for any office, the accumulated funds shall be transferred to the general fund of the state.

EPB 706 INFORMATION FOR CANDIDATES

At the time of filing for office, the following shall be available to each candidate:

(a) A copy of these rules.

(b) An agreement to be signed and returned to the Board on or before September 1; provided that a write-in candidate shall sign and return the agreement by seven days before certification of the results of the general election if the candidate desires to receive monies from the general account of the State Elections Campaign Fund. The agreement shall contain the following requirements which are hereby made a part of these rules:

(1) The candidate's principal campaign committee shall not accept contributions for the period beginning with January 1 of the election year or the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which exceed 105 percent of the difference between the amount which may legally be expended by him or on his behalf and the amount which he receives from the State Elections Campaign Fund. For purposes of public financing, "cash on hand" at the beginning of the calendar year of an election year shall be included as contributions received

in the election year unless the Commission is notified that some or all of the "cash on hand" does not represent contributions.

(2) If the actual amount received by the candidate from the State Elections Campaign Fund is greater by reason of a lesser number of qualifying candidates sharing in each account and his contributions therefore exceed 105 percent of the limitation, the agreement shall not be considered violated.

(3) If the principal campaign committee accepts contributions in excess of the 105 percent limitation, the difference shall be returned to the Board by check or money order payable to the State Treasurer by and with the candidate's principal campaign committee's January report. The Board shall then forward the refund to the State Treasurer for deposit in the general fund of the state.

(4) Authorized expenditures on the candidate's behalf shall not exceed the expenditure limitations as set forth in Section 10A.25, subdivisions 2 and 6.

(5) If the reports required to be filed on or before January 31 in the year following the general election indicate that the amount received by the candidate is greater than the total amount actually expended by him or on his behalf in the election year, the Treasurer of his principal campaign committee shall return the difference to the Board by check or money order payable to the State Treasurer with the candidate's

principal campaign committee's January report. The Board shall then return the amounts to the State Treasurer who shall deposit said monies in the general fund of the state.

(c) A notice indicating that on or before August 15 each candidate will receive from the Board the following information:

(1) An estimate of the amount the candidate shall receive from the applicable party account and general account, together with an explanation of the basis for such estimates.

(2) Notification of the date and manner of distribution of funds to the candidate.

(d) Notification that a candidate may indicate at any time prior to September 15 that he does not wish to receive all or some of the monies available to him from the applicable party account. Such monies will then be redistributed to other qualifying candidates of that party in that year.

(e) Notification that a candidate may indicate at any time prior to November 15 of the election year that he does not wish to receive all or some of the monies available to him from the general account of the State Elections Campaign Fund. Such monies will then be redistributed to the other qualifying candidates in that year.

EPB 707 DISTRIBUTION OF FUNDS IN PARTY ACCOUNTS

Within one week after certification by the State Canvassing Board of the results of the primary election, the funds credited to the political party accounts shall be apportioned by the Board. Within two weeks after certification by the State Canvassing Board

of the results of the primary election, the State Treasurer shall, at the direction of the Board, distribute monies among candidates for the respective parties who are to appear on the ballot for the general election and who have filed an agreement pursuant to EPB 706(b).

EPB 708 CAMPAIGN REPORT TO BE FILED BEFORE THE GENERAL ELECTION

No candidate shall receive any funds from the general account of the State Elections Campaign Fund until the Report of Receipts and Expenditures of the candidate's principal campaign committee, due 10 days before the general election, has been filed with the Board.

EPB 709 DISTRIBUTION OF FUNDS IN THE GENERAL ACCOUNTS

Within one week after certification by the State Canvassing Board of the results of the general election, funds credited to the general account of the State Elections Campaign Fund shall be apportioned by the Board. Within two weeks after certification by the State Canvassing Board the State Treasurer shall distribute, at the direction of the Board, monies from the general account in the following manner:

(a) Appropriate shares to all candidates for statewide office who, based upon the State Canvassing Board's report, received at least 5 percent of the vote cast in the general election for that office and who have filed an agreement pursuant to EPB 706(b).

(b) Appropriate shares to all candidates for legislative office who, based upon the State Canvassing Board's report, received at least 10 percent of the votes cast in the general election for that office and who have filed an agreement pursuant to EPB 706(b).

EPB 710 LIMITATION ON STATE ELECTIONS CAMPAIGN FUND

(a) No candidate shall receive from the State Elections Campaign Fund an amount greater than the total

amount of expenditures which may be made by him or on his behalf under Minn. Stat §§ 10A.25 and 10A.27. The amount by which the allocation exceeds the expenditure limit shall be distributed to all other candidates of the same party whose shares do not exceed expenditure limits in proportion to their shares pursuant to EPB 703.

(b) No candidate shall be entitled to receive from the State Elections Campaign Fund an amount greater than the total amount actually expended by him or on his behalf in the year of the election.

(c) No candidate shall receive any monies from the State Elections Campaign Fund unless the agreement set forth in Rule 706(b) is signed and returned to the Board on or before September 1 of the election year.

(d) Public Financing provisions shall not apply to special primary or special general elections.

EPB 711 TAX RETURNS PROCESSED AFTER THE COMMISSIONER OF REVENUE CERTIFICATION PURSUANT TO RULE EPB 704(c) (1) and (2)

(a) Monies designated to the State Elections Campaign Fund for political parties by election year tax returns processed after September 15 shall remain in the State Elections Campaign Fund for apportionment and distribution in future years, unless (b) of this Rule applies. Monies designated to the State Elections Campaign Fund for the general account by election year tax returns processed after November 15 shall remain in the State Elections Campaign Fund for apportionment and distribution in future years unless part (b) of this Rule applies.

(b) In the event that on November 15 less than 98 percent of the tax returns have been processed, the Commissioner

of Revenue shall certify to the Board on December 7 the amount accumulated in each account since the previous certification. Within one week thereafter the Board shall certify to the State Treasurer the amount to be distributed to each candidate according to the allocations in Rule 703. As soon as practicable thereafter, the State Treasurer shall distribute the amounts to the candidates. Any monies accumulated after final certification shall be maintained in the respective accounts for distribution in the next general election year.

ADMIN 1000

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT ~~Ethical Practices Board~~

TO : Mike Miller
Special Asst. Attorney General
Room G19, Administration Building

DATE: September 1, 1976

FROM : B. Allen Clutter

PHONE:

SUBJECT: Public Financing Rules

At its August 24th meeting, the Board reviewed your findings regarding the Public Financing Rules. They have directed that Staff, Ms. Rush and I, obtain a more complete explanation for your denial of the Rules.

Ms. Rush is on vacation and will not return until September 7. The acting counsel for the Board, Mr. Lockridge, has recommended that the matter be discussed between you and Ms. Rush on her return.

I shall be in touch with you to discuss the options which the Board may now have available on this matter.

Joel Jacobs 755-5740

Mike George 454-5779 (213 SOB)

TRANSMITTAL - MESSAGE SLIP 4238

TO Miller	**LOCATION**
DATE 8/12	**TIME** 2:30
FROM	**LOCATION** (274 SOB)

TRANSMITTAL ACTION	CALL OR VISIT
Review and see me	**NAME** Lois Mizuno
Review and return	**FROM** Speaker's Office - House
Prepare reply for my sig.	**PHONE NO.** 4386
Reply and send me copy	Called
For your approval	Was here to see you
For your information	Please call
For signature	Will call again
As we discussed	
As you requested	
Take appropriate action	

cc of Nelsons

MESSAGE

Ethics Comm. Rules

Call on Ethics Rules

① Cash on hand comps. — ch. 307 laws '76

② Intend to calc. amt. due after election (stat. contra) → 10A.32 Sub 3

③ Follow up in Jan. to go beyond Sep. 1

OVER

Ethics Comm'n – proposes allowing after 9/1/76

(4) Re-enact stat.
(5) Beyond auth.
(6) Affects pres.

TRANSMITTAL - MESSAGE SLIP

TO	LOCATION
DATE	TIME
FROM	LOCATION

TRANSMITTAL ACTION	CALL OR VISIT
☐ Review and see me	NAME
☐ Review and return	
☐ Prepare reply for my sig.	FROM
☐ Reply and send me copy	
☐ For your approval	PHONE NO.
☐ For your information	
☐ For signature	☐ Called
☐ As we discussed	☐ Was here to see you
☐ As you requested	☐ Please call
☐ Take appropriate action	☐ Will call again

MESSAGE

① Notice - borderline
② "Proposed" on Adopted Rules - where are proposed

Admin 1010(Rev. 10/75) (55)

☐ OVER

701 st. purpose

① H/E → rules repeat stat. (Laws '76 ch 307)

T.8-9

② No real need

Agency 701 - dupe.

702 - clarifies statute / H/E says - appr. test. ? 10A.30 sub 2 rule n/needed

10A.31 sub 5 ← 703 - makes B.S. do computations

Dept/Rev. urges ← 704 - ~~refer.~~ ? cert. in (c) = 10A.31 subs 6+7 17-18 non-el. yr. made clear

705 - nam. statute

10A.32 sub 3 706 - " nothing else

[redacted]

707 - stat.

No Aff tive pres.

708 stat.

709 "

710 "

711 "

TRANSMITTAL - MESSAGE SLIP

TO	LOCATION
DATE	TIME
FROM	LOCATION

TRANSMITTAL ACTION	CALL OR VISIT
☐ Review and see me	NAME
☐ Review and return	
☐ Prepare reply for my sig.	FROM
☐ Reply and send me copy	
☐ For your approval	PHONE NO.
☐ For your information	
☐ For signature	☐ Called
☐ As we discussed	☐ Was here to see you
☐ As you requested	☐ Please call
☐ Take appropriate action	☐ Will call again

MESSAGE

Please open rules file - these are rules disapproved.

Admin 1010(Rev. 10/75) 55

☐ OVER

Attorney General

Kathryn A. Rush
Special Assistant
Attorney General

August 18, 1976

296-4692

Michael B. Miller
Special Assistant
Attorney General

Rules of the Ethical Practices Board Relating to
Financing of Political Campaigns

The above-captioned rules are returned herewith and disapproved for the following reasons:

1. The promulgating agency did not demonstrate the need for rulemaking, since the rules are largely a rearrangement of Minnesota Statutes, Chapter 10A (as amended, 1976);

2. With minor exceptions, the agency did not make an affirmative presentation of facts adequate to substantiate adoption of the rules as required by Minn. Stat. § 15.0412, subd. 4 (1975 Supp.);

3. The rules, as enumerated below, impermissibly repeat, vary or extend provisions of Chapter 10A of Minnesota Statutes (as amended, 1976):

   701(b)-simply refers to Minn. Stat. § 10A.01.

   702-partly repeats and partly varies Minn. Stat. § 10A.30, subd. 2.

   703-the subject matter of this rule is covered by Minn. Stat. § 10A.31, subd. 5 (as amended by Laws 1976, Chapter 307 § 28).

   704(a)-adds a provision that exceeds the requirement of Minn. Stat. § 10A.31, subd. 10 (1976).

   704(b) and (c)-the subject matter of these provisions is covered by Minn. Stat. § 10.A.31, subds. 6 and 7.

   705(a) and (b)-are rearrangements of Minn. Stat. §§ 10A.31, subd. 6 and 10A.32, subd. 4, respectively.

   706(a)-is not supported by any evidence given on the record.

   706(b)-is contrary to Minn. Stat. § 10A.32, subd. 3.

   706(b)(1)-is partly a statutory repetition but contradicts Minn. Stat. § 10A.32, subd. 3.

706(remainder)-is a statutory repetition with slight variance in §§ d and e.

707-the subject matter of this rule is covered by Minn. Stat. § 10A.31, subd. 6.

708-this rule adds a condition to Minn. Stat. § 10A.20, subd. 2 (as amended, 1976) and therefore is an improper variance.

709-the subject matter of this rule is covered by Minn. Stat. § 10A.31, subd. 7.

710(a)-repeats provisions of Minn. Stat. § 10A.32, subd. 1.

710(b)-repeats provisions of Minn. Stat. § 10A.32, subd. 2.

710(c)-repeats provisions of Minn. Stat. § 10A.32, subd. 3.

710(d)-varies the enabling statute by precluding its application to special general elections.

711(a)-repeats provisions of Minn. Stat. § 10A.31, subd. 6.

711(b)-repeats provisions of Minn. Stat. § 10A.31, subd. 10.

Rules 700 and 701(a) are unobjectionable but are not of any significance when considered by themselves. They are therefore also returned.

MBM/mb

ch. 307 laws '76

Statement of Purpose

700
701 - a- provides abbrev. reference for use in rules
b- refers to stat. defns.

702 - statutory repetition & variation — 10A.30 sub 2

703 - covered by 10A.31 sub 5 (as amended 1976) (differs from statute in that it makes Bd. do computations + perhaps contradicts statute as that seems to indicate it should be done by finance. (stat. doesn't really say) ch. 307 §38

~~703 differs from statute~~

some support by stat. text

704 A. stat only req cert. in election yrs.

B+C = 10A.31 sub 6+7

705 Rem. statute — 10A.31 sub 6 A; 10A.32 sub 4 B

706 a) furnish cc of rules to candidates - no stat. or rem.
b) write in cand. - contra to 10A.32 sub 3
(b)-(1) - { repeats stat. just a / cash on hand contra + " "

Rem of 706 repeats stat.

707 from 10A.31 sub 6 — last d + e allow for notification that w/wish to accept $

708, adds condition to 709 - 10A.31 sub 7 — 10A.30 sub 2 as amended varies statute

710 — 710 d - varies the enabling legislation

Repeal stat { 702 703 704 705 707 709 710 a b c 711

710a - 10A.32 sub 1
b 2
c 3
d

BEFORE THE OFFICE OF HEARING EXAMINERS

OF THE STATE OF MINNESOTA

IN THE MATTER OF PROPOSED RULES OF THE MINNESOTA ETHICAL PRACTICES BOARD RELATING TO PUBLIC FINANCING OF POLITICAL CAMPAIGNS	EPB-76-002-DR

Room 81
State Office Building
Aurora and Wabasha Streets
St. Paul, Minnesota
Friday, May 14, 1976

Met, pursuant to notice, at 9:00 o'clock a.m.

BEFORE:

DUANE HARVES, Hearing Examiner

APPEARANCES:

KATHRYN RUSH, Special Assistant Attorney General appearing on behalf of the State Ethical Practices Board.

APPEARANCES (Cont.):

ALLEN CLUTTER, Executive Director of the State Ethical Practices Board appearing on behalf of the State Ethical Practices Board.

P R O C E E D I N G S

EXAMINER HARVES: Morning. At this time, I'd like to call the public hearing on the Proposed Rules of the Ethical Practices Board, formerly the Ethics Commission, to order. These rules relate to the distribution to candidates for Public Office, funds which have been earmarked for such purpose by Minnesota taxpayers.

My name is Duane Harves. I am the Acting Chief Hearing Examiner for the Minnesota Office of Hearing Examiners. For those of you who are present who may be unaware of that office, it was created as an independent agency by the 1975 Legislature. All hearings of this nature must be conducted by our office. My role here today is to conduct this hearing pursuant to the Procedureal Rules of the Office of Hearing Examiners and to be sure that all interested persons have been given a full opportunity to be heard on all matters relevant to this hearing.

Following the hearing, the record will remain open for a period of 20 days to allow any persons desiring to submit written comments to do so. They must be received in the Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, prior to 4:30 P.M. on Thursday, June 3, 1976.

At that time, I will prepare a report to the Board which will include Findings of Fact, Conclusions and Recommendations to the Board, which report will include the extent to which the Board has fulfilled all relevant statutory and procedural requirements, and the extent to which the Board has fulfilled the requirement of making an affirmative presentation of facts showing both the need for and the reasonableness of each proposed rule. This report will be made available to all persons interested for a period of 10 days prior to the Board making any decisions thereon. Any persons desiring to be notified on the date the report is completed should so indicate on the register which is located at the speaker's podium and note that you wish to be notified.

With respect to the register, all persons desiring to testify, give statements or to question the panel at this proceeding must sign the register, indicating who they represent. You are advised that under Minnesota Statutes, Section 10A.01, Subdivision 11, any individual representing persons or associations attempting to influence administrative action, such as the promulgation of these rules, must register with the Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual.

The procedural guidelines which will be followed at this hearing are as follows: The Hearing convened by the Hearing Examiner. Explanation of procedure by the Hearing Examiner. Introduction of the Agency Panel. Introduction of the Jurisdictional Documents. Presentation by the Agency. Questions and statements from interested persons. And, hearing closed by the Hearing Examiner. Now if any perons here is peculiarly inconvenienced by the above agenda, such as having to get back to his employment or whatever, he should indicate this to the Hearing Examiner who will consider suspending the agenda to accommodate such special circumstances.

For the purpose of keeping a clean record at this hearing, we are taping it on a four-track system; therefore, anybody desiring to ask questions or give statements should approach the speakers podium. You will not be recognized speaking from the audience. You should state your full name, spelling your name, and giving your address and the persons or organizations you represent at the time of making your presentation.

In order to proceed in an orderly fashion, we will ask the Board to proceed on a rule by rule basis and allow persons to make particular comments on each rule, being specific on that rule, following the

discussion on that rule. After we have completed going through the rules on that basis, any persons wishing to give a general statement or make general comments on the rules as a whole will be allowed to do so.

At this time for purposes of the record I would ask the Agency Panel to introduce themselves.

MS. RUSH: Kathryn Rush, Special Assistant Attorney General, representing the State Ethical Practices Board.

MR. CLUTTER: I'm Allen Clutter, Executive Director of the Ethical Practices Board.

EXAMINER HARVES: At this time, would the Agency introduce the jurisdictional documents.

MS. RUSH: I'd like to introduce into evidence at this time: First, this is the affidavit of Elsa Carpenter on the staff of the Ethical Practices Board for, ah, affirming that she went to the Secretary of State's Office to request a list of all associations and groups interested in receiving Notice of this Hearing. The second document, is a certificate of the Secretary of State certifying that she did -- she did -- um -- submit that list to the State Ethical Practices Board. The third document, is the Notice of Hearing. Fourth document, is the Affidavit of Mailing of the Notice of Hearing. The fifth document, is the Statement

of Need for these rules. The sixth document, is the Order for Hearing. And, I -- the Statement of Need will be briefly supplemented by a statement which I will give with it shortly at this hearing.

EXAMINER HARVES: Does the Agency have a copy of the Secretary of State's List?

MS. RUSH: We can get one for you.

EXAMINER HARVES: Exhibit No. 1, which was the affidavit of Elsa Carpenter, indicates that such list is attached and no list is attached so, perhaps before the close of the hearing we can have that list and attach it. For purposes of the record we have marked the documents as introduced by the Agency in the numerical sequence in which they were introduced by the Agency, and they will be admitted into the record at this time. Counsel?

(Exhibits Nos. 1, 2, 3, 4, 5, 6 Marked for Identification)

(Exhibit Nos. 1, 2, 3, 4, 5, 6 Received in Evidence)

MS. RUSH: All right -- just wanted -- the documents that were admitted into record are copies of the originals and I have the originals, also, if you'd like.

EXAMINER HARVES: We should have the originals for the record --

MS. RUSH: All right. I just noticed that we admitted the copies. These are the originals of each one of them.

Before going through each rule individually, I'd like to make a brief statement on behalf of the Board, as to the need for these rules and regulations. While the rules are for the most part directly from the Statute, the Ethical Practices Board is of the opinion that there is a substantial need for these rules and regulations for the following reasons: The rules are in a substantially different order than the Statute. The Statute is directed as--at six different individuals or groups of individuals. It's directed at the Ethical Practices Board, the Commissioner of Revenue, the Commissioner of Finance, the State Treasurer, the Candidates and the treasurers of Campaign Committees. The provisions applicable to each of the individuals or groups are scattered throughout the Statute. The rules however, are organized so as to group the provisions applicable to each individual or each group of individuals in one place. These rules also clarify the entire public financing process and present it in an orderly procedural manner, so as to make it easier for the individuals to which these rules are directed to understand exactly what is required of

them and what is required of the Ethical Practices Board. The Board feels that is -- that it is very important that the candidates and the treasurers of committees have a very clear understanding of what is required of them in order to receive public financing. These rules, which will be available to each candidate when that candidate files for office, will in the opinion of the Board, better guide the candidate and the treasurer through the process than the Statute. Finally, there is a need for rule making in some areas in which the Statute is not clear. This need will be evident when we go through each rule and present the Board's position on those rules which are not directly from the Statute.

All right, guess we'll begin by going through each rule individually. I'll just, um -- excuse me just -- do you want me to read each rule or if I -- or -- or else I can just, I think everybody has a copy of the rules so why don't I just cite the number and I'll give a brief explanation of the Boards rationale for that rule. Starting out with EPB rule 700 on page 1, is simply a statement of the purpose of the rules. If anybody wants to make any comment on each -- on each rule -- um -- you can do so after I just simply, briefly explain what the rule is. Any -- does anybody have any comment on the purpose of the rules?

All right, EPB 701, is the definition --

UNIDENTIFIED: Excuse me.

EXAMINER HARVES: Yes, sir.

UNIDENTIFIED: I'd like to ask a question.

EXAMINER HARVES: Please come forward and identify yourself for the record. Please give your name and spell your name please, and your address and who you represent.

UNIDENTIFIED: Okay. Good morning. My names Albert Brisson, I live at 2637 Stillwater Road, St. Paul. My zip codes 55119. I'm Chairmen of the Ramsey County Chapter of the Minnesota Taxpayers Party. Also --

EXAMINER HARVES: Excuse me, sir, could you spell your last name, please.

MR. BRISSON: B-R-I-S-S-O-N, Sr. I -- ah -- also a candidate for United States Senate, the third party candidate. I -- I've been lobbying in the Minnesota State Legislature for a good many years. I'm 60 years old. I think I've been lobbying for about 20 years. And, I am very concerned about this first paragraph. I brought it before the Legislature and I've got kind of this, I will say, I will use the word disgusted. I was a registered lobbyist up until this year. This year I didn't testify too many times under my own. I do represent the Taxpayers Party. But, the reason I didn't register the first session of Legislature

this year, when it first started, I was cut down by some of my legislators, and not only my legislators but some other legislators. And, I thought it was very unfair. I made a statement to the Ethics Commission, I do believe Mr.Norrgard at that time was on the Commission, I believe he was. Mr. Norrgard says, well, Mr. Brisson, he said, I don't know what I'm going to tell you. He said, I had complaint against some of the Senators representative in the Legislature. He says, Mr. Brisson, Legislature created the Ethics Commission, therefore I cannot do nothing about it. Well, I says, it's kinda -- I said I'm a registered lobbyist. I should a -- I wasn't disturbing anybody. I wasn't saying any dirty words or anything. Just -- they didn't like what I was saying, so they just cut me off. I think it was very unfair. Now being a third party candidate we have to run under, by petition. I believe, I'm correct. The Secretary's Office, Joan Growe. I have to have 2,000 names to my petition. Also, I think the filing dates in July, sometime. We got 10 days to get our 2,000 names. I would like to have clar--clarify that if I'm wrong. Also, I see where all the other two party this campaign financial distrib--distrib-- I was just asking -- asking you if there's a way possible a third party candidate by petition could be entitled to some kind of funds?

EXAMINER HARVES: Well, I think, Mr. Brisson, is it?

MR. BRISSON: Yes.

EXAMINER HARVES: Mr. Brisson, if you look at the purpose for which this hearing is being held, the Ethical Practices Board cannot change what the Legislature has done by Statute. Now, if the Legislature had indicated differently than they had, this could happen but, I guess the Board could probably better respond but, I certainly, ah, in making my report would not allow them to in any way change the Statute because that would be improper. But, perhaps the Board could, ah, answer your question specifically as to the --

MR. BRISSON: Before. Before we ask the Board to answer my question could ask another question, maybe the Board can help me out on this, too. Then if we're done for this year, could I make a suggestion to you, and I--I'd hope it'd be approved. Ah, could we bring that before the State Legislature this coming session.

EXAMINER HARVES: Sir, I'm--I'm confident that any taxpayer could bring anything before the State Legislature at any time. I have seen the laws changed by the Legislature from one session to the other and I'm sure that they would, ah, would hear it out whether they do anything about it, of course, is

up to them. But, once the law is written does not mean that the Legislature cannot change it immediately the next session.

MR. BRISSON: Yes, I understand. Now, I'll have the comments from the Board, yet, that is questions, the answers.

EXAMINER HARVES: I believe the thrust of his question is, and perhaps it could be answered simply, is what rights to receiving funds do persons other than the two major political parties have?

MS. RUSH: The answer, um, to your question of whether a third party candidate can receive any funds, is yes. The thir-- a third party candidate can receive funds in two ways. First, if that candidate, if that party had any candidate in a prior election then that party's -- the name of that party will automatically be put on the tax return for the next year. Or, if that candidate properly qualifies for their name to be put on the tax return.

MR. BRISSON: Well, another thing I want to ask you, too. When we do get these petitions out, sometime in July, ah, I would also think that -- I think it's 10 days, I think it's kind of a short time, this is what I would bring to State Legislature next time, I would like at least a couple months to get our petition filled in, cause it's kind of short notice, 10 days to

file 200 -- 2,000 names. Ah, especially wanted to ask you then if I qualify and get my names on the petition within-the amount time given to me, then I would be entitled to some funds.

MS. RUSH: Then what will happen is the taxpayers will have an opportunity to designate funds to your party that -- ea--each taxpayer can designate one dollar or two dollars. You--your party will then-- the candidates from your party will be entitled to receive those funds. Also, you can also get funds from the general account, if the candidate from your party receives five percent of the vote in the general election for statewide office or 10 percent of the vote in the general election for legislative office. In that -- if that candidate receives that percentage, that candidate will share equally in the funds that are in the general account.

MR. BRISSON: You see this -- I can only run and get on the -- running for United States Senate, I can only run during the general elections. You see that's all.

MS. RUSH: Well, I'm only speaking to candidates from your party who will be running for statewide office.

MR. BRISSON: Well, I'm the only one so far as I know of.

MS. RUSH: This -- the -- as to United States

Senate that's a -- that is not covered at all by this law.

MR. BRISSON: I thank you very much for your time and I--I'm satisfied with the --the questions, the answer I given to my questions, and thank you very much.

MR. HARVES: Thank you, Mr. Brisson. Does anyone else wish to comment on rule EPB 700? If not, counselor?

MS. RUSH: EPB rule 701 is the definition of Board and definition of contribution and expenditure. Would anybody like to comment on that rule?

(Pause.)

EPB 702 is the establishment of accounts in the general fund of the State. And, this rule simply provides that there will be one account for each political party for which funds were allocated by taxpayers and one account to be designated as the State Elections Campaign Fund, general account. The political party account will be designated as the State Elections Campaign Fund, political party account. Does anyone wish to comment on that rule?

MR. HARVES: For purposes of the record, I might indicate that the Statutory reference herein is Minnesota Statutes 10A.30 Subdivision 2, and the Hearing Examiner has found that the only change is to make it

clear that the Commissioner of Finance is the one who establishes the account which is covered elsewhere in Minnesota Law that he is the one that would establish all such accounts anyway.

MS. RUSH: EPB Rule 703 is the formula for apportionment of funds for each account. This formula, is essentially, again, directly from the Statute as amended in 1976 by, um, Senate File No. 1499. The only change in this rule from the Statute is clarification of what years we're talking about, whach-- what is the calendar year and what taxable year is applicable to that calendar year, and the order is simply -- it's put in a little clearer order. Is there any comment on that rule?

EXAMINER HARVES: Again, for the record, I might indicate that the statutory reference would be to Minnesota Statutes 10A.31, Subdivision 5.

MS. RUSH: Let me just say -- those statutory references are all as amended in 1976 by Senate File 1499, there's no session law as yet on that amendment. Or no session law citation.

EPB Rule 704, is the time of certification and apportionments. And, um, let's see -- this rule Parts B and C are directly from the Statute. Part A does provide for a certification by the Commissioner of Revenue on December 31st, of the non-election year.

That is not provided for in the Statute. The Board's position is that this certification is -- is necessary as it would not really be necessary or appropriate for the Commissioner of Revenue to have to certify in a non-election year the accounts on September 15th and November 15th. The -- there would only be a necessity for certification at the end of the year. Does anyone wish to make a comment on this rule

UNIDENTIFIED: Yes, I do.

EXAMINER HARVES: Would you identify yourself for the record, please.

UNIDENTIFIED: Excuse me. My name -- my name is George Winter, last name spelled W-I-N-T-E-R. Ah, my office address is 202 Centennial Building. I serve as a Deputy Commissioner of Revenue for the State, and I wish to read a brief statement.

The Department of Revenue urges the adoption of Rule EPB 704 of the State Ethical Pract--Practices Board, which is the subject of the hearing this morning. The employees of the State Ethical Practices Board have worked closely with the Department of Revenue in developing certain portions of the rules that relate to the timely computation of amounts in the funds for the Public Financing of political campaigns. The Department of Revenue has freely offered its assistance to the Ethical Practice Board -- eh, Practices Board and promises to

execute its portion of the duties found in these rules promptly and accurately. On July 20th of each election year the Commissioner of Revenue will estimate the total amounts of money that will be present in party and general accounts at the end of the calendar year after all 1975 tax returns and for subsequent years have been processed. By that time, approximately 60 percent of the 1975 returns will have been processed and using that 60 percent as a basis together with last year's experience in the State political check-off funds, the Department of Revenue should be able to develop an accurate estimate of the total funds received during calendar year 1976. On September 15th the Commissioner of Revenue will certify the amount of money in each political account at that time. At that time between 95 and 98 percent of the '75, ah, 1975 Individual Income Tax Returns will have been processed. On November 15th the Commissioner of Revenue will certify the amount in the general account on that date. More than 99 percent of all 1975 Income Tax Returns should have been processed by that time. If by November 15th, less than 98 percent of the Income Tax Returns for 1975 have been processed the Commissioner of Revenue will certify on December 7th the amount in each account that has accumulated since the previous certification on November 15th. However, it is unlikely that less than 98 percent of the 1975

Income Tax Returns will have been processed on November 15th. On December 31st of each non-election year, the Commissioner of Revenue will be able to certify the amounts in the political party and general accounts that have accumulated during the calendar year. However, because some tax returns will not have been fully processed by the end of the calendar year, it will be necessary to update the certification approximately 10 days later to include the check-off amounts that appear on a small number of returns that are processed in the last few days of the calendar year. This is necessitated by getting them all the way through the computer system and information that can be printed out. The Department of Revenue anticipates no problems in the prompt reporting of funds accumulated in the various accounts on the date specified in the proposed rules before you today. Thank you.

EXAMINER HARVES: I have one question, ah, to clarify my own mind, it's my understanding that portion C of EPB 704, a tracks Minnesota Statutes 10A.31 Subdivision 6 and 7 as amended, the question which I have is what occurs to the funds in the party accounts, ah, between September 15th and November 15th, ah, and specifically, if on September 15th less than 98 percent of the returns have been processed, but by November 15th they have been processed, what happens to the additional

money which was earmarked for the party accounts, ah, if that happens?

MS. RUSH: Well -- the Board's -- the Ethical Practices Board has disc-- did discuss the possibility of having a rule which would provide for distribution of those amounts that were pro-- that came in on tax returns processed between September 15th and November 15th for the party accounts. The reason why the Board did not put an additional distribution date in these proposed rules is because the Board felt that it may not be within the -- the, um, authority of the Statute. The Statute very specifically provides for distribution dates, and to add a distribution date that the Legislature did not provide for, may not have been within the authority of the Statute. Now, we were un--under the -- im-- understanding and, um, this has been confirmed, I guess, that 95 to 90 percent of the tax returns will be processed by September 15th --

MR. WINTER: That's correct.

MS. RUSH: --or that's the prediction, which means then, that we are only talking about two to five percent of the tax returns that will not have been processed at that time.

MR. WINTER: In fact, on the basis of last year's experience that number should be very close to 98 percent.

MS. RUSH: So, okay, that's ev-- so, so, we're talking about two percent of the tax returns. So, we're talking about a very small sum of money that will not be distri-distributed in that election year from the party accounts. Now, what happens to that money is it carries over it will be distributed in the next election year, but since the sum is so small and the Legislature did not provide for an additional distribution date, we felt that we sh-- that-- the rules could not go beyond the Statute and provide for an additional distribution date.

EXAMINER HARVES: Thank you. I just have one other question, counsel. You indicated that, ah, EPB 704 B, was also directly from the Statute. Do you have the statutory cite for that?

MS. RUSH: That would be -- it's from the amended -- that would be from Senate File 1499, page 24, lines 18 through 22. I'm quoting from the Senate File, we don't have -- it's not -- this is not in the session laws at this point. Do you have that?

EXAMINER HARVES: Well, as I read lines 18 to 22 of page 24, which is Subdivision 3A of Section 34 of the bill, it talks about the auditor of each county.

MS. RUSH: I -- we must have a different Minns--

let me see -- but, we've got it.

EXAMINER HARVES: Off the record for a moment.

MS. RUSH: Um.

(Off the record discussion.)

EXAMINER HARVES: Ah, for the record, ah, while we were off the record we had a discussion regarding the two copies of the Senate File, which we had in our possession. Senate Counsel has been kind enough to furnish us with a, an engrossed copy of the bill as signed, and it appears that the copy I have been working out would track that by line number and page number, so we will attempt to get the two copies together so that we can give you the exact cites as they come from the rules with the cites to the Statute. Ah, I might also indicate that, ah, the section B, which I had asked the question on, appears on page 24, starting at line 8 of the Senate File 1499, which is, ah, now been engrossed as Chapter 307 of the 1976 session laws. Shall we proceed to, ah, 50-- or 705?

MS. RUSH: All right. Rule EPB rule 705, apportionment of funds in election years. Bo-- this rule is directly from Statute, although, it is again putting everything in one place, um, in the Statute-- if your following in the engrossed copy, part A --

Part A is from the Statute on pages 19 through 20, lines 32, line 32 on page 19 and lines 1 through 5 on page 20.

EXAMINER HARVES: For the record I'm indica-- I might indicate that that's Minnesota Statutes 10A.31, Subdivision 6,for paragraph 705A, and 10A.32, Subdivision 4, of the Minnesota Statutes for EPB 705 B. Does anyone have any comments on EPB 705?

(Pause.)

Let's proceed to 706.

MS. RUSH: All right. Off the record a minute.

EXAMINER HARVES: Off the record.

(Off the record discussion.)

EXAMINER HARVES: Back on the record.

MS. RUSH: EPB Rule 706, is information for candidates. Ah, this, again, is directly from the Statute although put in one place. Ah, the-- the, um, only thing in this section that's not from the Statute is that a copy of the rules -- of these rules will be ava-- made available for the candidate at the time that the candidate files for office. There is -- and the other -- this section -- the other section that's not directly from the Statute is section B, which provides that write-in candidates shall sign the -- the agreement -- shall sign and return the agreement by seven days be -- before certification of the results of the general

election, if the candidate desires to receive monies from the general account of the State Elections Campaign Fund. The Board feels that this important addition to be made by rule as there are often quite a few write-in candidates. And, the Board feels that the Legislature did not intend that these individ--individuals should not share in these funds. If any -- does anybody have any comments on EPBru-- B rule 706, u--um, parts A or B?

EXAMINER HARVES: For the record, I might indicate that 706 A and B, ah, track Minnesota Statutes Chap--Chapter 10A.32, Subdivision 3.

MS. RUSH: All right. EPB rule 706 part B1 provides that cash on hand at the beginning of the calendar year of an election year shall be included as contributions received in the election year unless the Commission is notified that some or all of the cash on hand does not represent contributions. Again, this is not directly from the Statute. The Board feels that the cash on hand provision is very important for this reason, without it the incumbents who were candidates in the prior election year and have carry-over contributions would have an advantage over other candidates who do not start raising money until the beginning of the election year. Certainly, these other candidates could also begin to raise money in the year before the

election. However, most of these individuals will not even begin their campaigns until the election year, and this especially applies to minor party candidates and write-in candidates. Does anybody have any comments about -- on EPB Rule 706, part 1?

If not, EPB Rule 706, I'm sorry, EPB Rule 706 B, part 1, that was. EPB Rule 706 B, parts 2, 3 4, um, and 5 and part C, D, and E are all again directly from the statute. Does any --

EXAM. HARVES: I might indicate that the -- the particular statutory sections referred to are, a for, ah, item 3 on page 5 of the proposed rules is 10A.31 Subdivision 3, ah, for point number 4 on page 5, I find no direct statutory reference in the amended law to that particular section, ah, point 5 on page 5 is again 10A.31 Subdivision 3, C1 on page 6, or C generally comes from Minnesota Statutes 10A.31, Subdivision 3A. With respect to part D and E, ah, the Hearing Examiner was unable to find in the statute except for certain sentences, ah, a direct reference to these particular sections.

MS. RUSH: I'll clarify that. Ah, part 4 um, EPB Rule 706 B, part 4, is, um, on your engrossed copy of the bill, section 10A.32, Subdivision 3, on page 23, lines 10 through 13.

Now as to -- as to parts, um, D and E in that rule, I should correct that it's not directly from the statute. The, um, find this one in engrossed bill -- just one minute --

EXAMINER HARVES: If I might assess the sentences which I was able to locate in the statute come from page 18 of the engrossed bill, lines 21 through 27.

MS. RUSH: All right. The bill provides that monies from any party account refused by any candidate shall be distributed to all other candidates of that party, in proportion to their shares as provided in this subdivision and then the Statute provides the same as to the general account. What the rule does is simply in -- the Board as inferred from that statute that a candidate may refuse monies from either the specific or account or the general account at any time, and the purpose for the rule is simply to inform the candidate that he may do so, and -- well -- th--that's the sole purpose of r-- parts D and E of rule EPB 706. Is there any comment on any of these subsections?

SENATOR HANSEN: I've got a comment.

EXAMINER HARVES: Excuse me, ah, Senator, would you please come forward identify yourself--

SENATOR HANSEN: Oh, I really -- really have

que--question and it's probably very stupid, I'd rather not put it on tape, but I will. Top ot page 5 --

EXAMINER HARVES: Would you please identify yourself for the record.

SENATOR HANSEN: Ah, Senator Mel Hansen. And, ah, on top of page 5, we ah, provide that, ah, some of the money coming from previous years will not count if it does not represent contributions. I am just trying to visualize what type of funds that might be. I can't vi-- I can't picture their having anything that isn't a contribution exc-- unless it's a loan, and I'm not sure why that should be.

MS. RUSH: Well, the reason for that inclusion is that we are assuming that all cash on-hands would be from contributions, but it was brought to the Board's attention that there may be and maybe we're not thinking -- maybe we aren't going to think about it right now, but there maybe something in there that i-- something in the cash on-hands that did not come from contributions and, the example that we were given is possibly interest that had accumulated. Now, I don't know whether that would be even a good example to point up right now. That may in fact, should be considered a contribution also. I remember that that was the example that was given to the Board at the time by the individual who brought up

this point. The Board, I think, determined that it should put this provision in in case there is something in there that is not from contributions that we may not be thinking about right now. We may not be able to think of it, but it may come up. If it never does come up, and in fact, it -- there never would be anything that is included as cash on hand that would be anything other than a contribution the provision would simply have no effect.

SENATOR HANSEN: I see. It would appear to me that interest that has been earned from prior contributions should be included as contributions.

MS. RUSH: Yah. If that appear --

SENATOR HANSEN: Because it actually represents money available for campaign purposes and it would appear to me that the legislatures intent is to equalize the amount of money available between the various candidates, and, ah, this would not permit it to do it if you permitted the person to have significant interest earnings from four years before. Let's say that he is a Senate candidate and he had $2,000 left over; and, he could of had some bath--rather substantial interest earnings which would then as I understand it, ah, still be -- wo--would --would that or would that not be subject to the spending limitations?

MS. RUSH: Well, as I -- as I gave that example I had the same thought as you did and, so, it's a bad example I shouldn't give it because I think that will have to be determined if that does come up the--the Board will have to make that determination of whether the interest is part of contributions that may in fact make that determination. So, that probably -- I'm not saying right now, cause that's a determination for the Board to make. That was a bad example. I don't think I can give you an example, right now, of what I would think what might be something other than a contribution that would have been included in cash on hand. And, um, the case is simply that it's in there in case there is something in cash on hand that we have not -- we are not thinking about right now.

SENATOR HANSEN: Thank you. The Board obviously isn't looking to make a loop hole.

MS. RUSH: No.

MR. CLUTTER: That's very clear, I'm sure of that.

EXAMINER HARVES: Are there any other comment on, either specific or general, on EPB 706 in its entirety?

(Pause.)

MS. RUSH: All right. EPB Rule 707 is distribution of funds in the party accounts. Again, um,

this is directly from the statute. Does anybody have -- do you want to give the statutory cite on that?

EXAMINER HARVES: Minnesota Statutes 10A.31, Subdivision 6, which can be found on page 19 of the engrossed copy of, ah, Minnes-- the Laws of Minnesota, Chapter 307.

MS. RUSH: Are there any comments on that rule?

(Pause.)

MS. RUSH: All right. EPB Rule 708, campaign report to be filed before the general election. Ah, this is the campaign report that is due under the statute to be filed in any case before the general election. The reason why this rule is again repeated in here is -- is because the board felt it was particularly important to emphasize that this report be filed before any funds are received. As, um, this would be the only way that the Board would have of policing contribution excesses, if a candidate has already exceeded the contribution limitations before the distribution of funds from the general account, it would appear that there would not be any sense in giving money to a candidate who has already exceeded the contribution limitations; and, then simply letting that candidate return it in January. The Board feels that it does have a duty to protect the public monies that are being

given out and police the procedure in anyway possible. This would be one way to police it. This report will indicate if the contribution limitation has been exceeded before the, um, monies are given out from the general account. Are there any comments on Rule 708?

EXAMINER HARVES: I might indicate for the record that that EPB 708 is found in Minnesota Statutes Section 10A.20 as amended.

MS. RUSH: EPB Rule 709 is distribution of funds from the general account which is again from the statute --

EXAMINER HARVES: Ah, the initial paragraph as well as -- strike that -- the, the entire Rule 709 can be found in Minnesota Statutes, Chapter or Section 10A.31 Subdivision 7.

MS. RUSH: Are there any comments on Rule 709?

(Pause.)

MS. RUSH: Rule EPB Rule 710, limitation on state elections campaign funds, fund, is again from the statute.

EXAMINER HARVES: EPB 710A is found in Subdivision 1 of Minnesota Statutes Section 10A.32, ah, section B is Subdivision 2 of the same section, ah, section C is Subdivision 3 of, ah, 10A.32. Subdivision

D does not appear specifically in the Statute.

MS. RUSH: Oh, yes. That's correct. Well, as to subdivision D not applying to special primaries. The public financing does not apply to any primaries. So, that would include special primaries. As to it not applying to special general elections. The purpose for that rule is the statute is not clear on this area and, um, the Board has determined that the legislature did not intend the statute to apply to special general elections. We're to not make provision for how this statute could practically be implemented to apply in that way. There is no way as the --as the statute's written now that it could be implemented to apply to special generals. Are there any comments on EPB Rule 710?

(Pause.)

All right EPB Rule 711, tax returns processed after the Commissioner of Revenue certification pursuant to EPB Rule 704 C 1 and 2. This is again distribution dates which are provided for in the statute and, again, we've already discussed why there is not a third distribution from the party accounts between September 15 and November 15th. And, do you want to give the cite?

EXAMINER HARVES: EPB 711 A can be found in Minnesota Statutes Section 10A.31, Subdivision 6, ah,

Section B can be found in section 10A.31 Subdivision 10, again as amended.

MS. RUSH: Are there any comments on EPB Rule 711?

(Pause.)

If not, then, I'll just ask if there are any comments generally on the rules as a whole?

EXAMINER HARVES: Is there anyone in the audience who desires to make a statement for the record to comment either on specific rules in general?

MS. RUSH: I'd like then at this time to submit into evidence a, a written statement that was -- that is submitted from Lois Mizuno. She could not be here and asked that this be submitted into evidence for the Hearing Officer's benefit. And that would be exhibit --

EXAMINER HARVES: For purposes of the record, written comment received will be marked alphabetically as apposed to the documents of the agency which have been marked with Roman Numerals. The letter from Lois Mizuno will be marked as Exhibit A for the Hearing Record.

(Exhibit A marked for identification.)

MS. RUSH: Then, I think I should also submit at this time a letter from William Knaus, Archonist Regent. He said that he had intended to appear at this time

to present his view, not to submit this letter to the -- for the Hearing Officer's benefit. That would be Exhibit --

EXAMINER HARVES: For the record the letter from Mr. Knaus, K-N-A-U-S, will be admitted as Exhibit B.

(Exhibit B, received in evidence.)

I'll ask again, is there anyone who desires to make any further statement for the purposes of this hearing record. Mr. Brisson, please approach the microphone.

MR. BRISSON: Yes. Mr. Chairman, there's only one thing. Maybe I'll leave here, having a lot of enemies and maybe I'll get laughed at, but I'm gonna bring to th-- you people, which I brought to many other people before. I love my country. I've been born, raised here. I'm 60 years old. I'm a true American, which I think a lot of us, maybe most us, a lot of people here, but there is some. I'm in opposition to financing the Socialist Party or the Communist Party. There a group of people. They are disrupting our present form of government. Their getting too strong. I've been to Washington D.C. about three years ago. I'm supprised to find that some of our politicians are support of a Socialist Party, and I won't mention no

names because my life is at stake. My life's been threatened before. But, this is -- a my feeling and feeling of many other people and I think it's -- it's taking a foot hold here in our State of Minnesota. So, I'm asking you, I'm very glad you let me speak here and I think you're a fine bunch of people, but this is what I want to bring to you. I'm opposed to financing Socialist or the Communist Party. Thank you very much.

EXAMINER HARVES: Are there any other persons who wish to make comments or statements? If not, I would repeat the, ah, necessity for any persons who are representing, ah, anybody other than themselves to register with the State Ethics Board. I would also remind you that the record in this matter will remain open for 20 days. The deadline being 4:30 P.M., Thursday, June 3, 1976, written comment must be received in the Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104. If there are no further statements, I'll ask once again, does anyone which to make any further statements? If not, the record is closed. Thank you, very much.

STATE OF MINNESOTA

ETHICAL PRACTICES BOARD

In the Matter of the Proposed Rules of the Minnesota Ethical Practices Board Relating to Public Financing of Political Campaigns

STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I, Special Assistant Attorney General Kathryn Ann Rush, do hereby declare that I have examined the proposed rules and all related documents and that, based upon that examination and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed. Any exceptions are noted below.

Kathryn A. Rush

SPECIAL ASSISTANT ATTORNEY GENERAL

Dated: 7/28/76

II
5-14-76

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OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA
COUNTY OF RAMSEY

STATE ETHICAL PRACTICES BOARD

In the matter of the Proposed Adoption of Rules of the State Ethical Practices Board governing Public Financing of Political Campaigns (EPB700-712)

To effectively implement Minnesota Statutes, Chapter 10A, the Minnesota State Ethical Practices Board deems it necessary to consider adoption of the proposed rule changes captioned above pursuant to the authority vested in the Board by said Minnesota Statutes10A.02, Subd. 13.

Now, therefore, it is ordered this 9th day of April, 1976, that a public hearing on the proposed rules captioned above be held in Room 81, State Office Building, St. Paul, MInnesota, on May 14, 1976, commencing at 9:00 a.m. and continuing until all representatives of associations or other interested groups or persons have an opportunity to be heard.

It is further ordered that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota State Legislature.

STATE OF MINNESOTA
STATE ETHICAL PRACTICES BOARD

By Elizabeth Ebbott
Elizabeth Ebbott, Chairperson

3-14-76

III

Before the Minnesota Ethical Practices Board

Elizabeth Ebbott	Chairperson
David Durenberger	Vice Chairman
Rosemary Davis	Secretary
Spencer Sakolowski	Board Member
Harold Chase	Board Member
Roger Noreen	Board Member

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OFFICE OF HEARING EXAMINERS

In the matter of Proposed
Rules of the Minnesota Ethical Practices
Board Relating to Public Fianancing of Political Campaigns

NOTICE OF HEARING

Notice is hereby given that a public hearing in the above - entitled matter will be held before Duane Harves, Hearing Examiner, Room 81, State Office Building, Aurora and Wabasha Streets, on Friday, May 14, 1976, commencing at 9:00 A.M. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to: Duane Harves, Hearing Examiner, Office of Hearing Examiner, 1745 University Avenue, St. Paul, Minnesota 55104, either before the hearing or within twenty days after the close of the hearing.

The proposed rules*, if adopted, would promulgate Ethical Practices Board Rules 700-712. to implement Minn. Statute 10A.30-32., related to the State Elections Campaign Fund. The Rules provide information on establishment of accounts within the State Elections Campaign Fund, applicability of proposed rules, methods of calculating distribution of monies from State Elections Campaign Fund, time and manner of distribution of monies from the State Elections Campaign Fund, and limitations of distribution of monies from the State Elections Campaign Fund.

Copies of the proposed rules are now available and one free copy may be obtained by writing to the Minnesota State Ethical Practices Board, Room 410, State Office Building, Aurora and Wabasha Streets, St. Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing. The Board's authority to promulgate the proposed rules is contained in Minn. Statute 10A.02, Subd.113. A statement of need explaining why the Board feels the proposed rules are necessary will be filed with Duane Harves, Hearing Examiner, at least 25 days prior to the hearing and will be available for public inspection.

Please be advised that pursuant to Minn. Statute 10A.01, Subd.11 (1974), any individual engaged for pay or other considerations for the purpose of representing persons or associations attempting to influence administrative action, such as promulgation of these rules, must register with the State Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual.

By Order of the Board
Elizabeth Ebbott
Elizabeth Ebbott
Chairperson

*Two sets of rules are available; one reflecting the present law, Minn.Stat.§(1974)10A.30-32; and one reflecting changes in Minn.Stat.§(1974) 10A.30-32 made in the 1976 legislative session as yet unsigned by the Governor.

Date: April 12, 1976

IV
5-14-76

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STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the State Ethical Practices Board

AFFIDAVIT OF MAILING

JoAnn Hill, being first duty sworn, deposes and says:

That on the 13th day of April, 1976, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached certificate of the Secretary of State.

JoAnn Hill

Subscribed and sworn to before me this 14th day of April, 1976.

Theresa R. Elizondo

THERESA R. ELIZONDO
Notary Public, Ramsey County, Minn.
MY COMMISSION EXPIRES
December 29, 1978

1
DRH
5-14-76

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JUL 16 1976

OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA

COUNTY OF RAMSEY

STATE ETHICAL PRACTICES BOARD

- - - - - - - - - - - - - - - - - -

In the matter of the Proposed Adoption of Rules of the State Ethical Practices Board Relating to Public Public Financing of Political Campaigns (EPB700-712)

STATEMENT OF NEED

- - - - - - - - - - - - - - - - - -

The above captioned rules are not amendments to existing rules of the State Ethical Practices Board.

The need to adopt these rules arise in order for the Ethical Practices Board to administer and distribute monies from the State Election Campaign Fund as provided by Minn. Statute 10A.30-33(1974) and amendments approved April 13, 1976. The proposed rules establish: accounts within the State Elections Campaign fund, the formula for apportionment of monies among statewide offices and legislative offices, the time of apportionment to accounts within the State Elections Campaign Fund in election and non-election years, the information given to candidates on public financing provisions of the law, the time of distribution of monies from the party accounts of the State Elections Campaign Fund, the requirement for a candidate's principal Campaign Committee to file the Report of Receipts and Expenditures ten days before the General Election in order to receive public monies from the General Account of the State Elections Campaign Fund, the time of distribution of monies from the General Account of the State Elections Campaign Fund, the limitations on the amounts of money that may be distributed to a candidate from the State Elections Campaign Fund, and the procedure for apportionment and distribution of monies received in the State Elections Campaign Fund after November 15 of an election year.

These rules are necessary to allow timely and accurate distribution to qualifying candidates of taxpayer designated monies.

Dated: April 15, 1976

MINNESOTA STATE ETHICAL PRACTICES BOARD

By Elizabeth Ebbott
Elizabeth Ebbott, Chairwoman

V
5-14-76

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JUL 16 19??
OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

Elsa Carpenter, being first duly sworn upon oath, deposes and says:

1. That she is a staff associate in the office of the State Ethical Practices Board for the State of Minnesota.

2. That on the 12th day of April, 1976, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn.Stat.§15.0412.

3. That on the 12th day of April, 1976, in response to theabove request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Elsa M. Carpenter

Subscribed and sworn to before me
This 12 day of April, 1976.

Steven Lindroth

Notary Public

STEVEN LINDROTH
Notary Public, Dakota Co. Mn.
My Commission Expires
May 19, 1981

Exhibit VI
5-14-76
ARM

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OFFICE OF HEARING EXAMINERS

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

CERTIFICATE

In the matter of the Proposed Adoption of Rules and Regulations to be promulgated by the State Ethical Practices Board

I hereby certify that the attached 478 labels constitute one sheet the complete list of persons, associations, and other interested groups who as of 10:30 o'clock a.m., this 12th day of April, 1976, have requested, pursuant to M.S. 1969 §15.0421, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

Joan Anderson Growe
JOAN GROWE
Secretary of State
State Of Minnesota

BY Ceil Dion

ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

AMER CAMPING ASSN
3639-21/2 ST N.E.
MPLS MN
55418

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDERSON MARY
4425 RUTLEDGE AVE
EDINA MN
55436

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ARROWHEAD REGIONAL DEV COMM
200 ARROWHEAD PLACE
DULUTH MN
55802

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET
118 E MAIN ST
ANOKA MN
55303

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BECK PAT
953 HYACINTH AVE
ST PAUL MN
55106

BEGALKA D REV
212 N ELK ST
BELLE PLAINE MN
56011

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

BERGSETH THOMAS
1011 NICOLLET MALL
MPLS MN
55403

BEST FLANAGAN ET AL
4040 IDS CENTER
MPLS MN
55402

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

BOLTON MALCOLM
422 ALDRICH AVE NO
MPLS MN
55405

BRIGHAM E M III
RR4
RED WING MN
55066

BROWN D M GOODRIDGE PUB SCH
IND DIST #561
GOODRIDGE MN
56725

BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
55343

HEARING EX. Off.
M. GREEN BERG
1745 UNIV AVE
ST PAUL, MN 55104

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ALBERT, AA CALDER CORP
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ST PAUL MN
55101

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

ANTHONY DICK WDSM RADIO
230 E SUPR ST
DULUTH MN
55102

ARNOLD ROBERT MESPA
41 SHERBURNE
ST PAUL MN
55103

ASMUSSEN, DENNIS, MPIRG
3036 UNIV AVE SE
MPLS MN
55414

ASSOCIATED GEN CONTROF MN
48 E 8TH STREET
ST PAUL MN
55101

ASSN RESIDENCES FOR RETARDED
459 RICE SUITE 301
ST PAUL MN
55103

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BADALICH JOHN P
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SO ST PAUL MN
55075

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BECKLIN ROBERT C
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CAMBRIDGE MN
55008

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

BENSONI PETER USW OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

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NEW BRIGHTON MN
55112

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BREHL JAMES W
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ST PAUL MN
55101

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BLOOMINGTON MN
55420

BROOKS WILLIAM F JR
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MPLS MN
55401

BUCHHOLTZ CHARLES
5044 BRENT AVE E
INV GRV HTS MN
55075

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUSCH NOEL
3131 FERNBROOK LANE N
MPLS MN
55441

CAIRNS JOHN A
47TH FLR IDS CENTER
MPLS MN
55402

CAPITOL NEWS SERVICE
BOX 17035
ST PAUL MN
55117

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CHRYSALIS CENTER FOR WOMEN
2104 STEVENS AVE S
MPLS MN
55404

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

CLAUSEN PHILLIP
2307 STANDISH ST
ST PAUL MN
55108

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
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55103

CRAVEN NORMAN
10637 THOMAS AVE S
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55431

DAHLKE LOIS M
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BELLE PLAINE MN
56011

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DAYTON CHAS SIERRA CLUB
800 MIDLAND BANK BLDG
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55401

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BRUNING C.R.DEPT.CLINIC.EXP.
BURTON HALL
MPLS. MN
55455

BUR.ENGR.IND.DIV. MR.KIBIGER
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COTTAGE GROVE MN
55016

CARLSON VERNE E
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WILLMAR MN
56201

CENTRAL MN REGIONAL DEV COMM
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SAUK RAPIDS MN
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CHAMBER OF COMMERCE
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ELY MN
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CHRISTIANSEN FREDRIK
RM 505 CAPITOL SQ BLDG
ST PAUL MN
55155

CITIZENS LEAGUE
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MPLS MN
55402

CITY OF ROBBINSDALE
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ROBBINSDALE MN
55422

CLAWSON CONNIE
HELP CT 317-17TH AV SE
MPLS MN

COLEMAN NICHOLAS D
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ST PAUL MN
55105

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CONSUMER SERVICES DEPT COMM
5TH FLR METRO SQ BLDG
ST PAUL MN
55101

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DAILEY THOMAS ECONOMICS LAB
370 WABASHA ST
ST PAUL MN
55102

DANKERS,KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DEVELOP DISABILITIES PROGRAM
STATE PLAN 101 CAP SQ
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PROCTOR&GAMBLE L THEOHAR
IVORYDALE TECH CENTER
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RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
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55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

REID DAVID H
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MPLS MN
55410

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RICHARDSON THOS
7851 METRO PKWY S 103
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RICHARDS MONTGOMERY ET AL
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55014

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
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614 AM NATL BK
ST PAUL MN

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BATTLE LAKE MN
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NW COUNTRY ELEVATOR ASSN
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BROOKLYN CTR MN
55429

OLD COLONY GAS & OIL COMPANY
17TH AVE N AT 2ND ST
MPLS MN
55411

OLOFSON ARTHUR MBO & MAI
927 SOO LINE BLDG
MPLS MN
55402

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PETERSON JOHN W
510 NW BK BLDG
ST PAUL MN
55101

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

PINNETTI NICK M HALEY & A
40 CENTRAL PARK S
NEW YORK NY
10019

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

PORTER DAVID
3212 LONGFELLOW AVE S
MPLS MN
55407

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SLOCUM CHARLES A
1203 IDS TOWER
MPLS MN
55402

SMERIKA WM.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SNYDER ROBERT W
248 CO B U OF M
ST PAUL MN
55101

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

STATE BD.BARBER EXAMINERS
555 WABASHA
ST PAUL MN
55102

STATE BD VETERINARY EXAMI
C/O DR A C SPANNAUS DVM
WACONIA MN

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SUSSEL CO.ATTN:TED SCHWENKER
1850 COMO AVE.
ST PAUL MN
55108

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWEITZER R L HONEYWELL INC
2701 4TH AVE S
MPLS MN
55408

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TIMESAVERS INC ATT R S VO
5270 HANSON COURT
MPLS MN
55422

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

VILLAGE OF WOODBURY-F.STRONG
561 TOWER DRIVE
NEWPORT MN
55055

VOLDNESS PERRY
IDS 8TH & MARQUETTE
MPLS MN
55402

WALD JEAN
5746 SANDER DR
MPLS MN
55417

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHELL OIL CO. W.A. ROQUET
ONE SHELL PLAZA BX 2463
HOUSTON TX
77001

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SMITH MICHAEL
1423 NEWTON AVE N
MPLS MN
55411

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SODERMAN ANTHONY
152 S PLAZA BLDG
MPLS MN
55416

STANSFIELD ARLENE LAND OLKS
PO BOX 116
MPLS MN
55440

STD AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

VANDERVOORT T J MET WASTE
350 METRO SQUARE BLDG
ST PAUL MN
55101

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RAMSEY CO MEDICAL SOCIETY
1500 LOWRY MEDICAL BLDG
ST PAUL MN
55102

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SATHRE, HARVEY
375 MARION STREET
ST PAUL MN
55103

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SELECTVISION INC FR VALENTIN
245 PARK AVE
NEW YORK NY
10017

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MOONEY, MICHAEL A.
BOX 903, ST.JOHN'S UNIV
COLLEGEVILLE MN
56321

MUCK THOS R
160 STATE OFF BLDG
ST PAUL MN
55155

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

NO SUB MONTESSORI-S SADDLER
2487 HELEN COURT
NO ST PAUL MN
55109

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
WASHINGTON DC DC
20005

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER LYLE O

TRACY MN
56175

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN STATE CAPITOL EMP UNION
PO BOX 3215
ST PAUL MN
55165

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MN. ASN.C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN COUNCIL STATE EMP NO 6
475 RICE ST
ST PAUL MN
55103

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN SOC CERTIFIED PUB ACCTS
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN. TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MN AFL-CIO L.O. LASHOMB
175 AURORA
ST PAUL MN
55103

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN HWYS MANAGEMENT SERVICE
407 HWY BLDG
ST PAUL MN
55101

MINN.MTR.TRANSP. .J.N.DENN
1821 UNIV.
ST.PAUL MN
55104

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MILLER PAUL J PHARMACY SE
ST MARYS HOSP
ROCHESTER MN
55901

MN SOC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MINN ASSN ELEC COOPERATIV
4901 W 77TH ST
MPLS MN
55435

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN TEAMSTERS CREDIT UNI
2021 HENN AVE E
MPLS MN
55413

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SE
717 DELAWARE ST SE
MPLS MN
55440

LEG.REF.LIB-Z. DEWITT
RM 111 STATE CAPITOL
ST PAUL MN
55155

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PR
55 E 4TH ST
ST PAUL MN
55101

MALONE E I COMM LABOR & I
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MARRINAN MARGARET M
1117 COMMERCE BLDG
ST PAUL MN
55101

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MECCA
867 GRAND AVE
ST PAUL MN
55105

MET TFR MEN ASSN A ROSENTHAL
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL LIBR
300 METRO SQUARE
ST PAUL MN
55155

MIDLAND GLASS- HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MPLS CHAMBER COMM TRANSP DPT
15 S 5TH ST
MPLS MN
55402

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

KUHL CARL
4421 4TH ST NE
COL HEIGHTS MN
55421

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LAKE SUPERIOR INDUSTRIAL BUR
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
1935 W CO RD 32
ROSEVILLE MN
55113

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUMAN SERVICES
414 LAFFAYETTE RD 5THFL
ST PAUL MN
55101

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

INGVALSON VERN MN.FARM BUR.
3110 WOODDALE DR PO 337
OST PAUL MN
55165

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JAIN NIRMAL ENI / PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KNAPP J A
RM 3 CAPITOL
ST PAUL MN
5515

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNVDSON ROBT
4375 BROWNDALE AVE
MPLS MN
55424

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HULTMAN WARREN R
C/O BARBARCSSA R3
OSSEO MN
55369

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

ILLINGWORTH ROBERT C
6750 FRANCE AVE S RM290
MPLS MN

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JENSEN ARTHUR, CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

KABLE RICHARD W

BETHEL MN
55006

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNUTSON DR KEITH, BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GLEESON MICHAEL
909 SOC SC BLDG U OF M
MPLS MN
55455

GOODMAN DF TEL CABLE TV
302 E SUPERIOR
DULUTH MN
55802

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GUSTAFSON DAN-LABOR TEMPLE
312 CENTRAL
MPLS MN
55414

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HANFT PHILIP M
1200 ALWORTH BLDG
DULUTH MN
55802

HANSON ETHEL
2813 85TH AVE N
MPLS MN
55444

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HAUN DR J W GEN MILLS
PO BOX 1113
MPLS MN
55440

HENTHORN GARY WOODSTOCK
7365 LANDAU DR
BLOOMINGTON MN
55438

HART PATRICK V
112 E LIBERTY BOX 3271
MANKATO MN
56001

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HEANEY BILL
30 W SUPERIOR ST
DULUTH MN
55802

HEISENFELT WM
BOX 516
BEMIDJI MN
56601

HENDRICKSON A WM
100 FREEMAN DRIVE
ST PETER MN
56082

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLDAHL SCOTT
380 N BLDG GRAIN EXCH
MPLS MN
55415

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIUKEW
PO BOX 3260
ST PAUL MN
55165

HOUSE ED STANDING SUB COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HOUSE RESEARCH
RM 17 STATE CAPITOL
ST PAUL MN
55155

GEO A HORMEL & CO LAW DEPT
PO BOX 800
AUSTIN MN
55912

GLEN. HILLS HOSP.R.VAN HAUER
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GREATER MET AREA HOSPITALITY
5152 CEDAR AVE S
MPLS MN
55417

GREEN JANET
9773 N SHORE DR
DULUTH MN
55804

GRUMMERT REV DONALD
1435 ADAMS ST
MPLS MN
55413

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HAROLD J WESTIN CONSTRUCTORS
45 E 8TH ST
ST PAUL MN
55101

HARVEY MICHAEL
1390 W M HAHA PKWY
MPLS MN
55409

HAYES, THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HARTFELDT WILL
434 HAMM BLDG
ST PAUL MN
55102

HAVEN ROBT TWIN TN TREATMENT
1706 UNIV AVE
ST PAUL MN
55104

HEIM PAUL
1320 SOO LINE BLDG
MPLS MN
55402

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

HICHINGER-MARK PLANNING
421 WABASHA ST
ST PAUL MN
55102

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HOLEY GEO AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

DOW CHEMICAL
47 BLDG
MIDLAND MI
48640

DOYTON MAURICE, MET SEWER
350 METRO SQ BLDG
ST PAUL MN
55101

DZUGAN KEN ST PAUL PLANNING
421 WABASHA ST
ST PAUL MN
55102

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

ENNIS A F BOISE CASCADE
PO BOX 713
INTL FALLS MN
56649

ENV SERV-GEN RESOURCE COR
6340 INDUSTRIAL DR
HOPKINS MN
55343

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

ETHICS COMM
RM 410 STATE OFF BLDG
ST PAUL MN
55155

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FARMERS ELEVATOR ASSN
852 GRAIN EXCH BLDG
MPLS MN
55415

FARRELL FRANK BUR NOR
RM 1180 176 E 5TH ST
ST PAUL MN
55101

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FLADLAND CLINT MN L&P BUR
795 RAYMOND AVE
ST PAUL MN
55114

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FRANKLIN ROBERT B MPLS TR
426 PORTLAND
MPLS MN
55415

F W WOOLWORTH CO
3316 W 66TH ST
EDINA MN
55424

GARDNER HDW - R A JOHNSON
515 WASHINGTON AVE N
MPLS MN
55401

GEBERT K L
220 GRAIN EXCH
MPLS MN
55415

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DOUGLASS BELL
~~229 OSBORN BLDG~~ 2212 AM
ST PAUL MN NATL BK BLDG
55102

DUDLEY E H
RT 7 BOX 122
EXCELSIOR MN
55331

DUNN OLIVER PLUMBERS LOC 15
708 SO 10TH ST
MPLS MN
55404

EBELING EDWARD H.
161 W. MAIN
PERHAM MN
56573

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

ENGELBRECHT DOUGLAS
809 RANGE ST
NO MANKATO MN
56001

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

ERNEST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

FAEGRE & BENSON ATTN LIBR
1300 NW BANK BLDG
MPLS MN
55402

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FILTER LOREN
BOX 36
BRITT MN
55701

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FLADLAND CLINTON MN L&P BUR
796 RAYMOND AVE
ST PAUL MN
55114

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FORSBERG AGR SERV
518 SUMMIT AVE
NEW ULM MN
56073

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

FREDRIKSON BYRON ET AL
47TH FLR IDS CENTER M
PLS MN
55402

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WILLIAMS THOS W
4915 W 35TH ST
MPLS MN
55416

WILSON R GARY PPG INDUST
1 GATEWAY CENTER
PITTSBURGH PA
15222

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

YOUNG TODD P
555 WABASHA STE 215
ST PAUL MN
55102

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WESTIN CHAS W
220 MEDICAL ARTS BLDG
DULUTH MN
55802

WHITING RALPH
555 WABASHA SUITE 204
ST PAUL MN
55102

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

SECRETARY OF STATE

ELECTIONS & VOTAMATICS

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Coon Rapids 55433, Betty Bell
Maple Grove, Terri Fleming, 9401 Fernbrook Lane 53369
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Mound, Barbara Heyman, 5341 Maywood Rd 55364
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Plymouth, 3025 Harbor Lane 55441

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Larson, Mrs. Philip, 8527 5th Ave S, Bloomington 55420

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Nelson, Jan, 11809 Zion, Coon Rapids 55433

Norrgran,Collen, Election Bur., Court House, St Paul 55101

Opley, Evelyn, 10354 Quinn St., Coon Rapids 55433

Orono Village Clk, Alberta Strom, Box 66, Crystal Bay 55323

PB-76-002-DH

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE ETHICAL PRACTICES BOARD

IN THE MATTER OF THE PROPOSED RULES OF THE MINNESOTA ETHICAL PRACTICES BOARD RELATING TO PUBLIC FINANCING OF POLITICAL CAMPAIGNS.

REPORT OF THE ACTING CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on May 14, 1976, before Duane R. Harves, Acting Chief Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. §15.052, Subd. 3, was issued to the Ethical Practices Board on June 10, 1976; and

WHEREAS, the Ethical Practices Board has now determined to adopt rules pursuant to Minn. Stat. §15.0412, Subd. 4; and

WHEREAS, the Ethical Practices Board has submitted said rules to the Acting Chief Hearing Examiner for review pursuant to Minn. Stat. §15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Acting Chief Hearing Examiner finds that there are no substantial changes in said rules as originally proposed.

NOW, THEREFORE, upon receipt of this Report, the Ethical Practices Board has the responsibility of submitting the complete hearing record and the rules as adopted by the Board to the Attorney General and to publish in the State Register thereafter, all pursuant to Minn. Stat. §15.0412, Subd. 4

Dated this 21st day of July, 1976.

DUANE R. HARVES
Acting Chief Hearing Examiner