

245.87 **ALLOCATIONS.** For the purposes of sections 245.83 to 245.87 grants shall be equally distributed between the metropolitan area, comprising the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, and the ~~outstate~~ area outside the metropolitan area so that no more than 55 percent of the total fund goes to either area after excluding allocations for migrant day care services, administrative costs and statewide projects . At least ten percent of the total program allocation shall be designated for interim financing. ~~For the purposes of Laws 1973, Chapter 584;~~ The commissioner is further instructed that the allocation in each area be based on a need and population basis.

Sec. 7. For the purposes of this act section 3, subdivision 4, is effective July 1, 1976.

Approved April 13, 1976.

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**CHAPTER 307—S.F.No.1499**

[Coded in Part]

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

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

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

Subd. 2. **ETHICAL PRACTICES; LOBBYISTS; PUBLIC OFFICIALS.** "Administrative action" means an action ~~of a non-ministerial nature~~ by any official, board, commission or agency of the executive branch to make rules. "Administrative action" does not include the application or administration of those rules, except in cases of rate setting, power plant siting and others specified by the commission .

Sec. 2. Minnesota Statutes 1974, Section 10A.01, Subdivision 5, is amended to read:

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

Sec. 3. Minnesota Statutes 1974, Section 10A.01, Subdivision 11, is amended to read:

Subd. 11. "Lobbyist" means any individual :

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

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

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

"Lobbyist" does not include any :

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

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

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

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

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

(f) Stockholder of a family farm corporation as defined in section 500.24, subdivision 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials .

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

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

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

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

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

Subd. 5. The commission shall appoint an executive director who shall be in the unclassified service. The commission may also employ and prescribe the duties of other permanent or temporary employees *in the unclassified service as may be necessary to administer sections 10A.01 to 10A.34, subject to appropriation.* The executive director and

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all other employees shall serve at the pleasure of the commission. ~~All administrative services such as supplies, office space and furnishings, payroll preparation and accounting services shall be provided to the commission by the secretary of state.~~ Expenses of the commission shall be approved by the chairman or such other member as the rules of the commission may provide and the expenses shall then be paid in the same manner as other state expenses are paid.

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

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

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

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

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

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

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

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

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

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

Subd. 11. Any hearing or action of the commission concerning ~~Changes or additions indicated by underline deletions by~~ strikeout

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

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

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

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

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

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

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

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

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year is not over \$100.

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

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

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

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

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

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

Subd. 2. The statement of organization shall include:

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

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

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

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

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

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

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

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

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and

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

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

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

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

**10A.20 CAMPAIGN REPORTS.** Subdivision 1. ~~Every~~~~The~~ treasurer of ~~a~~~~every~~ political committee ~~or~~~~and~~ political fund shall begin to file the reports required by this section in ~~any~~ the first year it receives contributions or makes expenditures in excess of \$100 and shall continue to file until the committee or fund is terminated .

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

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

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

~~(1) January 7; and~~

~~(2) July 7;~~

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

~~(1) January 7;~~

~~(2) July 7;~~

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

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

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

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election;

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

(1) 30 days before the election; and

(2) Five days before the election .

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

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

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

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

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

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

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

~~(d)~~ Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the ~~full names-name~~ and ~~mailing~~ address, ~~occupations-occupation~~ and the principal ~~places-place~~ of business, if any, of the lender or ~~endorsers~~; if ~~any-any~~ endorser and the date and amount of the ~~loans-loan~~ ;

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

~~(f)~~ The total sum of all receipts by or for the political committee ~~Changes or additions indicated by underline deletions by strikethrough~~

tee or political fund during the reporting period;

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

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

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

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

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

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

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

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

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

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

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

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

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

**10A.21 REPORTS TO COUNTY AUDITOR.** Subdivision 1. All reports or statements that must be filed with the commission by the principal campaign committee of legislative candidates shall ~~also be duplicated and filed by the commission~~ with the county auditor of each county in which the legislative district lies within 72 hours of the date the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report is actually filed.

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

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

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

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

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

Subd. 6. In a year in which ~~a candidate does not stand for election~~ an election does not occur for an office held or sought, no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate or officeholder or by a political committee, political fund or individual which makes expenditures with the authorization, express or implied, and under the control, direct or indirect, of the candidate or officeholder or his agents which shall result in the aggregate expenditure on behalf of the candidate or officeholder in that year

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of an amount in excess of 20 percent of the amount of the aggregate expenditure permitted by subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.

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

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

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

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

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

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

Subd. 3. Expenditures by ~~a-the state or local committee of any~~ political party on behalf of candidates of that party generally, without referring to any of them specifically in any advertisement published ~~or~~, posted, ~~on any or~~ broadcast, or ~~in any official party sample ballot or~~ telephone conversation; ~~if that conversation mentions listing three or more candidates-persons whose names are to appear on the ballot~~, shall not be allocated to any candidate or subject to the limitations of section 10A.25, subdivision 2.

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

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

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

Subd. 3. The commissioner of the department of revenue shall on the first page of the income tax form notify the taxpayer of his right to allocate \$1 of his taxes (\$2 if filing a joint return) to finance the election campaigns of state candidates. The form shall also contain lan-

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guage prepared by the commissioner which permits the taxpayer to direct the state to allocate the \$1 (or \$2 if filing a joint return) to one of the following : (i) one of the major political parties; (ii) the name of any minor political party provided that if a petition is filed to qualify as a minor political party it be filed by June 1 of that taxable year; and which qualifies under the provisions of subdivision 3a of this section; or (iii) distribution to all qualifying candidates as provided by subdivision 7 of this section.

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

Subd. 3a. A minor political party qualifies for inclusion on the income tax form as provided in subdivision 3 if a candidate of that party filed for an office in the preceding general election, or if a petition on behalf of that party is filed as provided in section 10A.01, subdivision 13, by June 1 of the taxable year.

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

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

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

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

(d) Within two weeks of the certification by the state canvassing board of the results of the general election, the state treasurer shall distribute the available funds in the general account in the same proportions as provided in clause (b); in an equal amount to each candidate who received at least five percent of the vote cast in the general election for the office for which he was a candidate. In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:

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

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

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

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

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

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

Moneys 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. Moneys from the general account refused by any candidate shall be distributed to all other qualifying candidates in proportion to their shares as provided in this subdivision.

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

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

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

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

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(c) ~~Within two weeks of the after certification by the state canvassing board of the results of the primary election , the state treasurer shall distribute the available funds in each party account, other than the general account to the appropriate candidates who as certified by the commissioner of revenue on September 15, to the candidates of that party who have signed the agreement as provided in section 10A.32, subdivision 3, and whose names are to appear on the ballot for in the general election as prescribed in clauses (a) and (b), according to the allocations set forth in subdivision 5. If there is no candidate of a party for any one office designated in subdivision 5 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 in proportion to their shares as set forth in subdivision 5 .~~

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

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

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

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

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

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

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

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

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

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

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

Subd. 10. 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 commission on December 7 the amount accumulated in each account since the previous certification. Within one week thereafter, the commission shall certify to the state treasurer the amount to be distributed to each candidate according to the allocations as provided in subdivision 5. As soon as practicable thereafter, the state treasurer shall distribute the amounts to the candidates. Any moneys accumulated after the final certification shall be maintained in the respective accounts for distribution in the next general election year.

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

**10A.32 LIMITATIONS UPON THE STATE ELECTION CAMPAIGN FUND.** Subdivision 1. No candidate shall be entitled to 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 of ~~the candidate~~ under sections 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 their expenditure limits in proportion to their shares as set forth in section 10A.31.

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than the total amount actually expended by him or on his behalf of ~~the candidate~~ during his campaign in the year of the election. If the report required to be filed on or before January 31 in the year following the general election indi-

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cates that the amount received by the candidate is greater than the amount authorized to be expended on his behalf, the treasurer of his principal campaign committee shall refund to the state treasurer an amount equal to the difference. The refund in the form of a check or money order shall be submitted with such report and the commission shall forward the refund to the state treasurer for deposit in the general fund of the state.

Subd. 3. As a condition of receiving any funds from the state elections campaign fund, any candidate, prior to receipt of the funds, shall agree by stating in writing to the commission on or before September 1 that authorized expenditures on his behalf shall not exceed the expenditure limits as set forth in section 10A.25 and that his principal campaign committee shall not accept contributions exceeding 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 of that candidate , and the amount which the candidate he receives from the state elections campaign fund. Any amount by which his total contributions exceed 105 percent of the difference shall be refunded to the state treasurer. The refund in the form of a check or money order shall be submitted in the same manner as provided in subdivision 2.

For the purposes of this subdivision only, the total amount to be distributed to each candidate is calculated to be his share of the total estimated funds in his party account as provided in subdivision 3a, plus the total amount estimated as provided in subdivision 3a to be in the general account and set aside for that office divided by the number of candidates whose names are to appear on the general election ballot for that office. If the amount actually received by the candidate is greater by reason of a lesser number of qualifying candidates sharing in the funds in each account, and his contributions thereby exceed 105 percent of the difference, the agreement shall not be considered violated.

Subd. 3a. The commissioner of revenue shall certify to the commission on or before the last day for filing for office 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. Within seven days after the last day for filing for office the secretary of state shall certify to the commission the name, address, office sought, and party affiliation of each candidate who has filed with that office his affidavit of candidacy or petition to appear on the ballot. The auditor of each county shall certify to the commission the same information for each candidate who has filed with that county his affidavit of candidacy or petition to appear on the ballot. Within seven days thereafter the commission shall estimate the minimum amount to be received by each candidate who qualifies as provided in section 10A.31, subdivisions 6 and 7, and notify all candidates on or before Au-

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gust 15 of the applicable amount.

Subd. 4. If a political party for whose candidates funds have been accumulated in the state elections campaign fund does not have a candidate for ~~statewide any~~ office ; ~~state representative or state senator~~ , the moneys ~~which would be used for distribution to that category or categories~~ shall be ~~transferred to the general~~ 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 .

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

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

Approved April 13, 1976.

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CHAPTER 308—S.F.No.1780

*An act relating to credit unions; allowing credit unions to permit draft withdrawals by their members; amending Minnesota Statutes, 1975 Supplement, Section 52.04.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 52.04, is amended to read:

**52.04 CREDIT UNIONS; DRAFT WITHDRAWALS; POWERS.** A credit union shall have the following powers:

(1) To receive the savings of its members either as payment on shares or as deposits, including the right to conduct Christmas clubs, vacation clubs, and other such thrift organizations within its membership;

(2) To make loans to members for provident or productive purposes as provided in section 52.16;

(3) To make loans to a cooperative society or other organization having membership in the credit union;

(4) To deposit in state and national banks and trust companies authorized to receive deposits;

**Changes or additions indicated by underline deletions by strikeout**