

9 MCAR1

2-23-82

1 Ethical Practices Board

2

3 Adopted Rules Governing Campaign Financing; Economic Interest
4 Disclosure; Lobbyists; and Hearings

5

6 Rules as Adopted

7 9 MCAR S 1.0002 Definitions. For the purposes of 9 MCAR SS
8 1.0001-~~1.0046~~ 1.0043 the terms defined in this rule have the
9 meanings given them.

10 A. Board. "Board" means the Ethical Practices Board.

11 B. Business day. "Business day" means 8:00 a.m. to 4:30 p.m.
12 Monday through Friday except for official state holidays.

13 ~~B.~~ C. File, filed, filing. "File," "filed," and "filing"
14 mean delivery to the office of the board by 4:30 p.m. on the
15 prescribed filing date or postmarked on the filing date. If the
16 filing date is a Saturday, Sunday or legal holiday, the filing
17 date is the following next regular business day.

18 ~~Relettering. Reletter 9 MCAR S 1.0002 D.-G. as 9 MCAR S 1.0002~~
19 ~~E.-F.~~

20 9 MCAR S 1.0010 Campaign literature.

21 A. Pictures; references to other candidates. Campaign
22 literature paid for and distributed by a candidate or a
23 principal campaign committee of a candidate running for office
24 which contains pictures of or incidental references to another
25 candidate or officeholder will not be considered an approved and
26 authorized expenditure on behalf of the other candidate provided
27 the candidacy of the other candidate is not mentioned and no
28 direct or indirect appeal for support of the other candidate is
29 made, or if there is an independent expenditure disclaimer as
30 defined in Minn. Stat. S 10A.17, subd. 4.

31 B. Distribution by principal campaign committee. Literature
32 distributed by a candidate's principal campaign committee is
33 presumed to influence the nomination or election of the
34 candidate. Cost of the literature must be reported by the
35 candidate's principal campaign committee. For material obtained

1 free of charge, the fair market value must be estimated for
2 reporting purposes. The cost of printed material which does not
3 identify the candidate and in no way furthers the candidate's
4 nomination or election is not a campaign expenditure.

5 9 MCAR S 1.0015 Judicial candidate.

6 A. Aggregate contributions. Pursuant to Minn. Stat. S
7 10A.20, subd. 3, clause (b)-

8 1- Contributions to a candidate for the supreme court
9 which in aggregate exceed \$100 shall be disclosed, and

10 2- Contributions to a candidate for district court or
11 county court which in aggregate exceed \$50 shall be disclosed in
12 accordance with requirements set forth in Minn. Stat. S 10A.20,
13 -----
subd. 3, clause (b).

14 B. Contributions from one source. Pursuant to Minn. Stat. S
15 10A.20, subd. 5:-

16 1- Contributions to a candidate for the supreme court
17 from any one source totaling \$2,000 or more shall be disclosed,
18 and

19 2- Contributions to a candidate for district court or
20 county court from any one source totaling \$200 or more received
21 between the last day covered in the last report prior to an
22 -----
election and the election shall be disclosed reported to the
23 -----
board in person or by telegram within 48 hours after receipt and
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also in the next required report.

25 9 MCAR S 1.0042 Special elections.

26 A. Applicability of statutes. Contribution limits in Minn.
27 Stat. S 10A.27 apply to general elections and to special
28 elections.

29 B. Separate application. Contribution limits for a general
30 election and for a special election shall apply separately.

31 C. Official Tax Credit Receipts prohibited. Candidates
32 shall not issue Official Tax Credit Receipts for special
33 elections.

34 9 MCAR S 1.0111 Time for filing.

35 A. Delivery to board. A Statement of Economic Interest is

1 considered filed if it is delivered to the office of the board
 2 by 4:30 p.m. on the prescribed filing date or postmarked on the
 3 filing date. If the filing date is a Saturday, Sunday, or legal
 4 holiday, the filing date is the ~~following~~ next regular business
 5 day. -----

6 9 MCAR S 1.0201 Definitions. For the purposes of Chapter Three
 7 the terms defined in this rule have the meanings given to them.

8 A. Board. "Board" means the Ethical Practices Board.

9 B. File; filed; filing. "File," "filed," and "filing" mean
 10 delivery to the office of the board by 4:30 p.m. on the
 11 prescribed filing date or postmarked on the filing date. If the
 12 filing date is a Saturday, Sunday, or legal holiday, the filing
 13 date is the ~~following~~ next regular business day. -----

14 B. [Reletter as C.]

15 C. [Reletter as D.]

16 9 MCAR S 1.0601 Definitions. For the purposes of Chapter Six
 17 the terms defined in this rule have the meanings given to them.

18 A. Board. "Board" means the Ethical Practices Board.

19 B. Contested case. "Contested case" means a proceeding
 20 before the board in which the legal rights, duties or privileges
 21 of specific parties are required by law or constitutional right
 22 to be determined after a board hearing. "Contested case"
 23 includes:

24 1. a proceeding pursuant to a request for exemption from
 25 campaign reporting requirements under Minn. Stat. S 10A.20,
 26 subds. 8 and 10;

27 2. a proceeding to suspend a public official without pay
 28 for failure to file a Statement of Economic Interest under Minn.
 29 Stat. S 10A.09, subd. 8;

30 3. a hearing ordered by the board under 9 MCAR SS ~~1-0602~~
 31 ~~and 1-0603~~ 9 MCAR S 1.0604 B. concerning a complaint,
 32 -----
 investigation or audit; and

33 4. any other hearing which may be ordered by the board
 34 under 9 MCAR SS 1.0601-1.0605 or which may be required by law.

35 "Contested case" does not include a board investigation or

1 audit conducted under Minn. Stat. S 10A.02, subds. 9 and 10.

2 C. File; filed; filing. "File," "filed," and "filing" mean
3 delivery to the office of the board by 4:30 p.m. on the
4 prescribed filing date or postmarked on the filing date. If the
5 filing date is a Saturday, Sunday, or legal holiday, the filing
6 date is the ~~following~~ next regular business day.

7 D. Party. "Party" means a person whose legal rights,
8 duties, or privileges may be determined in a contested case.
9 "Party" includes the board except when the board participates in
10 the contested case in a neutral or quasi-judicial capacity
11 only. In anonymous proceedings, "party" includes the person
12 designated to appear by the applicant under ~~EE 606 9~~ MCAR S
13 1.0605. In a contested case commenced by the board following a
14 ~~complaint~~, "party" includes both the person who filed the
15 complaint and the person against whom it was filed.

16 E. Person. "Person" means any individual, partnership,
17 corporation, joint stock company, unincorporated association or
18 society, or any government or governmental subdivision, unit or
19 agency, other than a court of law.

20 F. Service; serve. "Service" or "serve" means service by
21 certified mail addressed to the party at the last known address
22 of that party, unless some other manner of service is required
23 by law or permitted by Chapter Six.

24 ~~Repealer. Rules 9 MCAR S 1-0013, and EC 603 are repealed.~~