

1 Ethical Practices Board

2

3 Adopted Permanent Rules Relating to Ethics in Government

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5 Rules as Adopted

6 4500.0100 DEFINITIONS.

7 Subpart 1. [Unchanged.]

8 Subp. 1a. **Address.** "Address" means, for an individual,  
9 the individual's home mailing address or, for an association,  
10 the place where the association conducts its business, including  
11 the street and number, the post office box or rural route, if  
12 appropriate, the room number, and the city, state, and zip  
13 code. An individual may provide a business address rather than  
14 a home mailing address.

15 Subp. 2. to 8. [Unchanged.]

16 4500.1600 CONTRIBUTIONS FROM ASSOCIATIONS.

17 Subpart 1. **Optional disclosure.** An association that  
18 contributes more than \$100 in a calendar year to a political  
19 committee or political fund may, in lieu of registration with  
20 the board, provide the recipient political committee or  
21 political fund with a report of receipts and expenditures  
22 containing all information required by Minnesota Statutes,  
23 section 10A.20 for the reporting period in which the  
24 contribution was made.

25 Subp. 2. **Exception.** A Minnesota-domiciled association  
26 that makes separate contributions of more than \$100 to more than  
27 three committees or funds in a calendar year must register with  
28 the board.

29 Subp. 3. **Hennepin County.** In lieu of registration with  
30 the board, an association registered with the Hennepin County  
31 filing officer under Laws of Minnesota 1980, chapter 362, that  
32 makes contributions of more than \$100 to a committee or fund in  
33 a calendar year may notify the recipient committee of its  
34 registration with Hennepin county and instruct the recipient  
35 committee to include the notice when the recipient committee

1 discloses receipt of the contribution.

2 4500.3900 RESPONSIBILITIES OF TREASURERS.

3 Subpart 1. **Change of treasurer.** The new treasurer or the  
4 candidate shall send the board written notice of a change of  
5 treasurers within ten days after the change occurs. The notice  
6 must include the name and address of the new treasurer and the  
7 effective date of the transfer of records and receipts to the  
8 new treasurer.

9 Subp. 2. **Former treasurer.** A former treasurer who  
10 transfers committee or fund records and receipts to a new  
11 treasurer is relieved of record retention responsibilities.

12 Subp. 3. **Canceled check.** A copy of a canceled check with  
13 an invoice stating the purpose of the expenditure will be  
14 treated as a receipted bill.

15 4500.4100 TAX CREDIT AGREEMENT.

16 A candidate may file a tax credit agreement at any time  
17 after registration of the candidate's principal campaign  
18 committee for the office sought or held through December 31. An  
19 agreement filed on or after January 1 is not applicable to a  
20 preceding calendar year.

21 4500.4200 TAX CREDIT AGREEMENT AND PUBLIC FINANCING AGREEMENT.

22 A candidate must file a separate agreement in order to  
23 participate in each public financing program.

24 4500.4400 TERMINATION OF REGISTRATION.

25 Subpart 1. **Termination report.** A termination report must  
26 cover the period from the closing date of the last previous  
27 report filed through the date of termination. Any terminated  
28 political committee or political fund which subsequently becomes  
29 subject to the registration and reporting requirements of the  
30 act is required to reregister.

31 Subp. 2. **Transfer of debts.** An agreement to terminate a  
32 candidate's principal committee for one office under Minnesota  
33 Statutes, section 10A.241, must be made in writing, signed by  
34 the candidate and the committee treasurers, and preserved in the

1 records of each committee.

2 4505.0100 DEFINITIONS.

3 Subpart 1. [Unchanged.]

4 Subp. 1a. **Address.** "Address" means, for an individual,  
5 the individual's home mailing address or, for an association,  
6 the place where the association conducts its business, including  
7 the street and number, the post office box or rural route, if  
8 appropriate, the room number, and the city, state, and zip  
9 code. An individual may provide a business address rather than  
10 a home mailing address.

11 Subp. 2. to 5. [Unchanged.]

12 4505.0300 LATE FILING FEES.

13 The board shall send a delinquency notice by certified mail  
14 to a public official or candidate within ten business days after  
15 a filing date. A certified letter returned by the post office  
16 to the board as refused is considered received by the addressee  
17 on the date refused. The late filing fee begins accumulating on  
18 the eighth day after refusal. A certified letter returned to  
19 the board as undelivered or refused must be forwarded by first  
20 class mail to the public official or candidate. An undelivered  
21 notice of late filing is considered received by the recipient  
22 five business days after the first class mailing. The late  
23 filing fee for an undelivered notice begins accumulating on the  
24 eighth day after the notice is deposited in first class mail. A  
25 late filing fee must be charged through the business day  
26 preceding the day of filing of a late statement. A late filing  
27 fee may not be assessed for Saturday, Sunday, or legal holidays.

28 4510.0100 DEFINITIONS.

29 Subpart 1. [Unchanged.]

30 Subp. 1a. **Address.** "Address" means, for an individual,  
31 the individual's home mailing address or, for an association,  
32 the place where the association conducts its business, including  
33 the street and number, the post office box or rural route, if  
34 appropriate, the room number, and the city, state, and zip

APPROVED IN THE  
REVISOR OF STATUTES  
OFFICE BY:

1 code. An individual may provide a business address rather than  
2 a home mailing address.

3 Subp. 2. to 5. [Unchanged.]

4 4510.1000 LOBBYIST DISBURSEMENTS FOR ADMINISTRATIVE ACTIONS.

5 A lobbyist who does both legislative and administrative  
6 lobbying for the same entity in a reporting period shall  
7 disclose disbursements for administrative lobbying and  
8 disbursements for legislative lobbying in the categories  
9 specified in part 4510.0500, subpart 3, on the applicable  
10 lobbyist disbursement report.

11 4515.0100 DEFINITIONS.

12 Subpart 1. [Unchanged.]

13 Subp. 2. **Address.** "Address" means, for an individual, the  
14 individual's home mailing address or, for an association, the  
15 place where the association conducts its business, including the  
16 street and number, the post office box or rural route, if  
17 appropriate, the room number, and the city, state, and zip  
18 code. An individual may provide a business address rather than  
19 a home mailing address.

20 Subp. 3. to 7. [Unchanged.]

21 4520.0100 DEFINITIONS.

22 Subpart 1. [Unchanged.]

23 Subp. 2. **Address.** "Address" means, for an individual, the  
24 individual's home mailing address or, for an association, the  
25 place where the association conducts its business, including the  
26 street and number, the post office box or rural route, if  
27 appropriate, the room number, and the city, state, and zip  
28 code. An individual may provide a business address rather than  
29 a home mailing address.

30 Subp. 4. to 7. [Unchanged.]

31 4525.0100 DEFINITIONS.

32 Subpart 1. [Unchanged.]

33 Subp. 1a. **Address.** "Address" means, for an individual,  
34 the individual's home mailing address or, for an association,

1 the place where the association conducts its business, including  
2 the street and number, the post office box or rural route, if  
3 appropriate, the room number, and the city, state, and zip  
4 code. An individual may provide a business address rather than  
5 a home mailing address.

6 Subp. 2. to 7. [Unchanged.]

7 4525.0200 COMPLAINTS OF VIOLATIONS.

8 Subpart 1. **Who may complain.** A person who believes a  
9 violation of Minnesota Statutes, chapter 10A or rules of the  
10 board has occurred may submit an oral or written complaint to  
11 the board.

12 Subp. 2. **Form.** There is no prescribed form for a written  
13 complaint, but all written complaints must be typewritten or  
14 handwritten legibly. The name and address of the person making  
15 the complaint must be typewritten or hand-printed on the  
16 complaint and it must be signed by the complainant. A  
17 complainant shall list the alleged violator and describe the  
18 complainant's knowledge of the alleged violation. Any  
19 evidentiary material should be submitted with the complaint.  
20 Complaints are not available for public inspection or copying  
21 until after the board makes a finding. No investigations are  
22 required if a complaint is frivolous on its face, illegible, too  
23 indefinite, does not identify the violator, or is unsigned by  
24 the complainant.

25 Subp. 3. **Oral complaints.** The board need not investigate  
26 an oral complaint. No investigation or audit may be undertaken  
27 if an oral complaint is frivolous on its face, too indefinite,  
28 does not identify the violation, or does not identify the  
29 complainant. There is no prescribed form for an oral complaint,  
30 but all oral complaints must describe in sufficient detail the  
31 alleged violator and the violation.

32 Subp. 4. **Oath.** Before a witness gives testimony in a  
33 meeting conducted by the board under part 4525.0500 or this  
34 rule, the following oath must be administered to the witness:  
35 "Do you solemnly swear or affirm that you will fully and truly

1 answer all questions put to you and that all statements made or  
2 submitted to this board are true to the best of your knowledge?"

3 Subp. 5. **Confidentiality.** Any portion of a meeting during  
4 which the board is hearing testimony or taking action concerning  
5 any complaint, investigation, preparation of a conciliation  
6 agreement, or a conciliation meeting must be closed to the  
7 public. The minutes and tape recordings of ~~the~~ a meeting closed  
8 to the public must be kept confidential.

9 Subp. 6. **Hearings.** At any time during an investigation of  
10 a complaint, the board in its discretion, may hold a contested  
11 case hearing before making a finding on the complaint.

12 4525.0500 INVESTIGATIONS AND AUDITS.

13 Subpart 1. **No complaint.** The board may undertake  
14 investigations or audits with respect to statements and reports  
15 which are filed or should have been filed under Minnesota  
16 Statutes, chapter 10A although no complaint has been filed. Any  
17 decision as to whether an investigation should be undertaken  
18 must be made at a closed meeting of the board.

19 Subp. 2. **Conduct.** Investigations and audits must be  
20 conducted in an expeditious manner, but with regard for  
21 fundamental fairness. Within a reasonable time after  
22 undertaking an investigation or audit, the executive director of  
23 the board shall inform the person under investigation or audit  
24 of the fact of the investigation or audit. The board shall make  
25 no final decision on any investigation or audit unless the  
26 person under investigation or audit has been informed of the  
27 charges and has had the opportunity to make a statement to the  
28 board or its employees or agents.

29 Subp. 3. **Contested case hearing.** At any time during an  
30 investigation or audit, the board in its discretion may hold a  
31 contested case hearing before making a finding on any  
32 investigation or audit.

33 Subp. 4. **Dispositions.** At the conclusion of an  
34 investigation or audit or after a hearing if a hearing has been  
35 ordered, the board shall take the action in item A or B or both

1 of those actions.

2           A. The board may make a finding that there is or is  
3 not probable cause to conclude that a violation of Minnesota  
4 Statutes, chapter 10A has occurred. The board shall report any  
5 finding of probable cause to the appropriate law enforcement  
6 authorities.

7           B. The board may authorize the commencement of a  
8 civil action for injunctive or other appropriate relief.

9           Subp. 5. Board meetings. Board meetings related to an  
10 investigation or audit must be conducted in accordance with part  
11 4525.0200, subparts 3 to 6.

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13           REPEALER. Parts 4500.1300; 4500.3100, subpart 6; 4525.0300;  
14 4525.0400; 4525.0600; 4525.0700; and 4525.0800 are repealed.