

1 Ethical Practices Board

2

3 Adopted Permanent Rules Relating to Campaign Financing

4

5 Rules as Adopted

6

CAMPAIGN FINANCING

7 4500.0100 DEFINITIONS.

8

[For text of subps 1 to 3, see M.R.]

9

Subp. 4. **File, filed, filing.** "File," "filed," and

10 "filing" mean delivery to the office of the board of a document  
11 bearing the original signature of the individual who submits the  
12 document by 4:30 p.m. on the prescribed filing date or  
13 postmarked on the filing date. If the filing date is a  
14 Saturday, Sunday, or legal holiday, the filing date is the next  
15 regular business day.

16

[For text of subps 5 to 8, see M.R.]

17 4500.1100 CERTIFICATION.

18

Subpart 1. **Signature.** The original signature of the

19 treasurer or deputy treasurer of record is sufficient  
20 certification on forms prescribed by the board. A candidate may  
21 sign forms that the treasurer or deputy treasurer of the  
22 committee is required to file.

23

Subp. 2. **Notarization.** Notarization is not required,

24 except for the affidavit of contributions in Minnesota Statutes,  
25 section 10A.323.

26 4500.1200 CHANGE OF OFFICE SOUGHT BY CANDIDATE.

27

[For text of subpart 1, see M.R.]

28

Subp. 1a. **Exception.** A candidate with principal campaign

29 committees for more than one statewide office who signs a public  
30 subsidy agreement for one of the offices must aggregate the  
31 campaign expenditures of all of the committees for statewide  
32 office for purposes of the application of the limits on campaign  
33 expenditures under Minnesota Statutes, section 10A.25,  
34 subdivision 2, clauses (a) to (c).

1 [For text of subp 2, see M.R.]

2 Subp. 3. **Public subsidy agreement.** A candidate may sign a  
3 public subsidy agreement for the office for which the candidate  
4 files an affidavit of candidacy in the general election year, as  
5 provided in part 4500.3500.

6 4500.1600 CONTRIBUTIONS FROM ASSOCIATIONS.

7 Subpart 1. **Optional disclosure.** An association that  
8 contributes more than \$100 in a calendar year to a political  
9 committee or political fund may, in lieu of registration with  
10 the board, provide the recipient committee or fund with a report  
11 of receipts and expenditures containing all information required  
12 by Minnesota Statutes, sections 10A.20 and 10A.22, subdivision  
13 7. If an association uses this option, the report must include  
14 the association's transactions covering at least the 30 days  
15 immediately preceding and through the end of the business day on  
16 which the contribution is made.

17 Subp. 2. **Exception.** An association that makes separate  
18 contributions of more than \$100 to more than three committees or  
19 funds in a calendar year must register with the board.

20 [For text of subp 3, see M.R.]

21 4500.1700 CONTRIBUTION LIMITS; POLITICAL PARTY DEFINITION.

22 Subpart 1. **List of categories.** The registration and  
23 statement of organization of a political party under Minnesota  
24 Statutes, section 10A.14, subdivision 2, clause (f), must  
25 include the list of the names of the party units organized  
26 within each house of the legislature, the state party  
27 organization, and the party organization within congressional  
28 districts, counties, legislative districts, municipalities, and  
29 precincts.

30 Subp. 2. **Aggregate political party contribution limit.**  
31 For purposes of determining an aggregate political party  
32 contribution limit, the organization of a political party does  
33 not include a political party ward organization; a social club  
34 of a political party in a congressional district, legislative  
35 district, municipality, or precinct; an auxiliary committee of a

1 political party unit defined by Minnesota Statutes, section  
2 10A.27, subdivision 4; or an association as defined in Minnesota  
3 Statutes, section 10A.01, subdivision 3, that uses a political  
4 party name and is not listed in Minnesota Statutes, section  
5 10A.27, subdivision 4.

6 4500.2200 FUNDRAISING EVENT.

7       Subpart 1. **Fundraising event held for one or two**  
8 **candidates.** The expenses of a fundraising event held by the  
9 state or local committee of a political party for one or two  
10 candidates are a donation in kind and, except for food and  
11 beverage consumed at the fundraising event and the payment for  
12 entertainment and facility rental for the fundraising event,  
13 must be reported as a campaign expenditure by the candidate or  
14 candidates under the following conditions: the fundraising  
15 event is expressly or implicitly approved by the candidate or  
16 the candidate's treasurer or agent to be held on behalf of the  
17 candidate; and the candidate or candidates are clearly  
18 identified in advertisements, tickets, or any advance publicity  
19 for the fundraising event; and the candidate receives proceeds,  
20 if any, from the fundraising event. "Clearly identified" means  
21 that the name of the candidate is used, or a photograph or  
22 drawing of the candidate appears, or the identity of the  
23 candidate is apparent by unambiguous reference.

24       Subp. 2. **Joint fundraising event.** A separate committee  
25 may be established by two or more candidates to report the  
26 contributions and expenditures as required by the act for a  
27 fundraising event held jointly. The expenses of the fundraising  
28 event must be allocated among the candidates on a reasonable  
29 proportionate basis as donations in kind, and, except for food  
30 and beverage consumed at a fundraising event and the payment for  
31 entertainment and facility rental for the fundraising event, as  
32 campaign expenditures. A transfer of funds to a candidate  
33 combined with the value of donations in kind from that committee  
34 may not exceed the applicable contribution limit for an  
35 individual, political committee, or political fund set forth in

1 Minnesota Statutes, section 10A.27, subdivision 1.

2 Subp. 3. **Sessional fundraising.** If the board makes a  
3 public finding that there is probable cause to believe a  
4 violation of Minnesota Statutes, section 10A.065, has occurred,  
5 in lieu of pursuing or enforcing a judgment, the board may  
6 attempt to negotiate a settlement agreement with the candidate,  
7 political committee, or political fund for payment of the civil  
8 fine.

9 4500.2500 JOINT LIMITS FOR GOVERNOR AND LIEUTENANT GOVERNOR.

10 Subpart 1. **Public subsidy agreement.** Following their  
11 joint endorsement or filing for office, candidates for governor  
12 and lieutenant governor must jointly sign the public subsidy  
13 agreement if they wish to receive a public subsidy.

14 [For text of subps 2 to 4, see M.R.]

15 4500.2900 USE OF CREDIT CARDS.

16 Subpart 1. **Contributions.** A candidate or treasurer of a  
17 political committee or political fund may approve the  
18 solicitation and collection of campaign contributions through  
19 the use of credit cards. An organization that issues credit  
20 cards, when acting in the ordinary course of business by  
21 collecting and disbursing funds designated by the card holders  
22 for contributions to a committee or fund, is not required to  
23 register or report.

24 Subp. 2. **Expenditures; disbursements.** A treasurer who  
25 reimburses a credit card company for campaign expenditures or  
26 noncampaign disbursements that require itemization on a report  
27 of receipts and expenditures under Minnesota Statutes, section  
28 10A.20, must disclose the purpose and the name and address of  
29 the vendor supplying the good or service for which payment is  
30 made.

31 4500.3200 MISCELLANEOUS NONCAMPAIGN DISBURSEMENTS.

32 Other expenses that are to be reported as miscellaneous  
33 noncampaign disbursements if paid for by the principal campaign  
34 committee of the candidate include but are not limited to:

1 costs for child care for the candidate's children when  
 2 campaigning, fees, transportation, and lodging paid to attend a  
 3 campaign school, costs of a postelection party during the  
 4 election year when a candidate's name will no longer appear on a  
 5 ballot or the general election is concluded, whichever occurs  
 6 first, interest on loans paid by a principal campaign committee  
 7 on outstanding loans, filing fees, if permitted by other  
 8 Minnesota law, and thank-you notes or advertisements in the news  
 9 media following a general election.

10 4500.3300 ORGANIZATION OF POLITICAL COMMITTEES AND POLITICAL  
 11 FUNDS.

12 [For text of subpart 1, see M.R.]

13 Subp. 1a. **Principal campaign committee.** A candidate may  
 14 be chair or treasurer of the candidate's own principal campaign  
 15 committee. All candidates are ultimately responsible for the  
 16 principal campaign committee's compliance with Minnesota  
 17 Statutes, chapter 10A.

18 [For text of subps 2 to 4, see M.R.]

19 4500.3500 PUBLIC SUBSIDY.

20 Subpart 1. **Expenditure limits.** A candidate or  
 21 officeholder who signs an agreement to participate in the state  
 22 elections campaign fund is bound by the expenditure limits in an  
 23 election year and nonelection year whether or not the candidate  
 24 actually receives funds from the state elections campaign fund.

25 Subp. 2. **Filing date.** To be effective, a public subsidy  
 26 agreement must bear the original signature of the candidate and  
 27 must be received in the office of the Ethical Practices Board or  
 28 postmarked no later than September 1 of the general election  
 29 year. For a special election for which the filing period does  
 30 not coincide with a general election, the candidate must submit  
 31 the agreement to the board not later than the day after filing  
 32 an affidavit of candidacy or nominating petition for the office  
 33 sought.

34 Subp. 3. **Contribution refund receipts.** The board shall  
 35 provide to a political party upon request or to a candidate with

1 an effective public subsidy agreement a supply of official  
 2 contribution receipt forms. A contributor who is given a  
 3 receipt form may be eligible to claim a refund of the  
 4 contribution by filing a claim with the Department of Revenue  
 5 under Minnesota Statutes, section 290.06, subdivision 23.

6 Subp. 4. **Affidavit of contributions.** To be eligible to  
 7 receive payment of a public subsidy, a candidate who has timely  
 8 signed and filed a public subsidy agreement must file with the  
 9 board an affidavit stating that the candidate has accumulated  
 10 contributions equal to 20 percent or more of the August 15  
 11 estimate of what the candidate would receive from the state  
 12 elections campaign fund. The affidavit must be notarized and  
 13 received by the board on or before or postmarked on October 1 of  
 14 the general election year. For a special election for which the  
 15 filing period does not coincide with a general election, the  
 16 candidate must submit the affidavit not later than five days  
 17 after filing an affidavit of candidacy or nominating petition  
 18 for the office sought.

19 4500.4300 SPECIAL ELECTIONS.

20 [For text of subps 1 and 2, see M.R.]

21 Subp. 4. **Public subsidy.** A candidate in a special  
 22 election who wishes to be eligible to receive a public subsidy  
 23 must sign and file with the board a public subsidy agreement and  
 24 affidavit of contributions as provided in Minnesota Statutes,  
 25 section 10A.315, and according to part 4500.3500, subparts 2 and  
 26 4.

27 Subp. 5. **Contribution refund receipts.** A candidate in a  
 28 special election who has signed and timely filed a public  
 29 subsidy agreement may issue contribution receipt forms to  
 30 contributors according to part 4500.3500, subpart 3.

31 4500.4400 TERMINATION OF REGISTRATION.

32 [For text of subpart 1, see M.R.]

33 Subp. 1a. **Exception.** A committee or fund with debts more  
 34 than six years old that receives no contribution or makes no  
 35 expenditure during a reporting period and has disposed of all

1 its assets may file a termination report under Minnesota  
 2 Statutes, section 10A.24, subdivision 2. The treasurer must  
 3 send notice by certified mail to any remaining creditors and  
 4 furnish to the board a copy of the notice when filing the  
 5 termination report.

6 [For text of subp 2, see M.R.]

7 Subp. 3. **Dissolution of inactive committee or fund.** An  
 8 inactive committee or fund that must dissolve according to  
 9 Minnesota Statutes, section 10A.242, must liquidate available  
 10 assets to pay its debts. If unable to pay the debts, the  
 11 treasurer may propose to the board a payment schedule to settle  
 12 the debts. Upon establishment of the schedule, the board may  
 13 allow the committee or fund to defer dissolution until all debts  
 14 are paid.

15 **ECONOMIC-INTEREST-DISCLOSURE**

16 4505.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

17 4505.0200 ACTING OR PART-TIME LOCAL OR PUBLIC OFFICIAL.  
 18 [Withdrawn at 15 SR 1226]

19 4505.0300 LATE FILING FEES. [Withdrawn at 15 SR 1226]

20 4505.0600 OCCUPATION AND PRINCIPAL PLACE OF BUSINESS.  
 21 [Withdrawn at 15 SR 1226]

22 4505.0700 REAL PROPERTY. [Withdrawn at 15 SR 1226]

23 4505.0900 FILING. [Withdrawn at 15 SR 1226]

24 4505.1000 JOINT INTERESTS. [Withdrawn at 15 SR 1226]

25 **LOBBYIST-REGISTRATION-AND-REPORTING**

26 4510.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

27 4510.0300 OBLIGATION TO REGISTER. [Withdrawn at 15 SR 1226]

28 4510.0400 OBLIGATION TO REPORT. [Withdrawn at 15 SR 1226]

29 4510.0500 DISBURSEMENT REPORTS. [Withdrawn at 15 SR 1226]

30 4510.0600 DISCLOSURE OF GIFTS, LOANS, HONORARIUMS, ITEMS, OR

1 BENEFITS. [Withdrawn at 15 SR 1226]

2 4510.0700 ORIGINAL SOURCE OF FUNDS. [Withdrawn at 15 SR 1226]

3 4510.0800 LOBBYIST RETAINED BY MORE THAN ONE EMPLOYER OR  
4 PRINCIPAL. [Withdrawn at 15 SR 1226]

5 4510.1500 RECORD RETENTION. [Withdrawn at 15 SR 1226]

6 CONFLICTS-OF-INTEREST

7 4515.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

8 4515.0300 APPLICABILITY OF THE CONFLICTS OF INTEREST PROVISIONS.  
9 [Withdrawn at 15 SR 1226]

10 4515.0400 NOTICE OF POTENTIAL CONFLICT OF INTEREST. [Withdrawn  
11 at 15 SR 1226]

12 4515.0500 REMOVAL FROM CONFLICT OF INTEREST. [Withdrawn at 15  
13 SR 1226]

14 4515.0600 OBTAINING AND FILING FORMS. [Withdrawn at 15 SR 1226]

15 4515.0700 CHANGES AND CORRECTIONS. [Withdrawn at 15 SR 1226]

16 4515.0800 FILING OF FALSE STATEMENTS. [Withdrawn at 15 SR 1226]

17

18 EFFECTIVE-DATE.--~~The amendments to Minnesota Rules, parts~~

19 ~~4505.0100, subparts 1b, 8, 9, and 10; 4505.0200; 4505.0300;~~

20 ~~4505.0600; 4505.0700; 4505.0900; 4505.1000; 4510.0100; subparts~~

21 ~~1b, 4, 4a, 4b, 4c, 5; 4510.0300; 4510.0400; subpart 4;~~

22 ~~4510.0500; subparts 3, 4, 6, 7; 4510.0600; 4510.0700; 4510.0800;~~

23 ~~4510.1000; 4510.1500; 4515.0100; subparts 5a and 7; 4515.0300;~~

24 ~~4515.0400; 4515.0500; 4515.0600; 4515.0700; and 4515.0800 are~~

25 ~~effective January 1, 1991.~~

26 REPEALER.--~~Minnesota Rules, part 4510.1000, is repealed.~~