

1 Ethical Practices Board

2

3 Adopted Permanent Rules Relating to Ethics Rules Revision

4

5 Rules as Adopted

6 4501.0010 SCOPE AND AUTHORITY.

7 This chapter and chapters 4503 to 4530 govern compliance
8 with the Ethics in Government Act, Minnesota Statutes, chapter
9 10A. This chapter contains provisions and definitions of
10 general application. This chapter and chapters 4503 to 4530 are
11 adopted pursuant to Minnesota Statutes, section 10A.02,
12 subdivision 13.

13 4501.0100 DEFINITIONS.

14 Subpart 1. **Scope.** The definitions in this part apply to
15 this chapter and chapters 4503 to 4530 and Minnesota Statutes,
16 chapter 10A. The definitions in Minnesota Statutes, chapter
17 10A, also apply to chapters 4503 to 4530.

18 Subp. 2. **Address.** "Address" means the complete mailing
19 address, including the zip code. An individual may use either
20 the person's business address or home address. An association's
21 address is the address from which the association conducts its
22 business.

23 Subp. 3. **Business day.** A "business day" is from 8:00 a.m.
24 to 4:30 p.m., Monday through Friday, except for official state
25 holidays.

26 Subp. 4. **Compensation.** "Compensation" means every kind of
27 payment for labor or personal services. Compensation does not
28 include payments of social security, unemployment compensation,
29 workers' compensation, or pension benefits.

30 Subp. 5. **Honorarium.** "Honorarium" means anything of value
31 given or received for services such as making speeches, writing
32 articles, or making presentations when there is no obligation on
33 the part of the giver to make payment.

34 Subp. 6. **Money.** "Money" means cash and cash equivalents
35 such as checks, money orders, travelers checks, negotiable

1 instruments, and other paper commonly accepted by a bank as a
2 deposit. A transfer of money includes an electronic transfer of
3 funds.

4 Subp. 7. **Occupation.** "Occupation" means a person's usual
5 trade, profession, employment, or other similar endeavor, and
6 includes categories for which there is no direct financial
7 compensation, such as homemaker.

8 Subp. 8. **Principal place of business.** "Principal place of
9 business" means:

10 A. for an employed person, the name of the employer
11 and the address from which the employee conducts the employer's
12 business;

13 B. for a self-employed person or a person not
14 employed, the address from which the person conducts business or
15 personal matters; or

16 C. for an association, the name and business address
17 of the association.

18 Subp. 9. **Promptly.** "Promptly" means completed not later
19 than the end of the third business day after the event that gave
20 rise to the requirement.

21 4501.0200 SECURITIES.

22 Subpart 1. **Items which are securities.** Securities include
23 any stock, share, bond, warrant, option, pledge, note, mortgage,
24 debenture, lease, or commercial paper, in any corporation,
25 partnership, mutual fund, trust, or other association.

26 Subp. 2. **Items which are not securities.** Securities do
27 not include deposits in a savings account, certificates of
28 deposit, money market certificates, treasury bills, bonds or
29 notes, dividends from securities, or holdings in a pension or
30 retirement plan.

31 Subp. 3. **Holder of securities.** A "holder of securities"
32 is an individual having an ownership interest in a security, or
33 who is the trustee or beneficiary of a trust having an ownership
34 in a security. An individual owning shares in a mutual fund
35 does not have an ownership interest in underlying securities

1 owned by the fund.

2 Subp. 4. **Valuation of securities.** The value of a security
3 is its fair market value. For securities traded on national
4 exchanges, the fair market value is the closing bid price for
5 the security on a given date. The value of a partial interest
6 in a security is the value of the holder's proportionate share.

7 Subp. 5. **Exception for charitable trusts.** Trustees of
8 associations organized for charitable, philanthropic, religious,
9 social service, educational, or other public use or purpose are
10 not holders of securities owned by the associations.

11 4501.0300 CERTIFICATION, SIGNATURES, AND NOTARIZATION.

12 Subpart 1. **Signature required.** The original signature of
13 the person responsible for preparation or filing of a report or
14 other document is required to make the report or document
15 complete. Only signed reports or documents may be filed with
16 the board. A document filed by facsimile transmission meets the
17 requirements of this part if the original document being
18 transmitted bears the required signature.

19 Subp. 2. **Certification.** The signature of a person
20 authorized to sign a report or form constitutes certification by
21 that person of the truth and accuracy of the report or form.

22 Subp. 3. **Notarization.** The only documents that must be
23 notarized are affidavits of contributions filed pursuant to
24 Minnesota Statutes, section 10A.323, and sworn statements
25 relating to independent expenditures filed pursuant to Minnesota
26 Statutes, section 10A.20, subdivision 6a.

27 Subp. 4. **Candidates.** A candidate may sign any report or
28 other document that the treasurer or deputy treasurer of the
29 candidate's principal campaign committee may sign.

30 4501.0400 DETERMINATION OF LOCAL OR PUBLIC OFFICIAL STATUS.

31 Subpart 1. **Metropolitan governmental units to determine**
32 **local official status.** Annually, each metropolitan governmental
33 unit must determine which positions within the metropolitan
34 governmental unit constitute its local officials and must
35 provide the board with a list of those positions.

1 Subp. 2. Acting or part-time local or public official. An
2 individual who fills a local or public official position on an
3 acting or part-time basis is a local or public official.

4 4501.0500 FILINGS, SUBMISSIONS, AND DISCLOSURES.

5 Subpart 1. Completion of filing. A filing with the board
6 is complete upon:

7 A. receipt in the board office of the document being
8 filed, bearing the original signature of the person responsible
9 for filing the document;

10 B. receipt of a facsimile transmission of the
11 document according to subpart 5 2; or

12 C. the postmark date of a first class or certified
13 mailing of the document being filed, properly addressed to the
14 board at its current address.

15 Subp. 2. Alternative filing by facsimile transmission. A
16 document that may be filed with the board may be filed by
17 facsimile transmission and the filing is complete upon receipt
18 in the board office of the facsimile transmission. A document
19 filed by facsimile transmission has the same force and effect as
20 the original. The original signed document must be received in
21 the board office within five business days after the facsimile
22 transmission is made. ~~If it is not, the board may take any~~
23 ~~appropriate action, including, but not limited to, considering~~
24 ~~the filing null and void.~~

25 Subp. 3. Filings on nonbusiness days. If a scheduled
26 filing date falls on a Saturday, Sunday, or state holiday, the
27 filing is due on the next business day.

28 Subp. 4. Submissions and disclosures. Any required
29 submission or disclosure to the board must be in the form of a
30 written document filed with the board.

31 4501.0600 UNDELIVERED CERTIFIED MAIL.

32 Subpart 1. Refused certified mail. A certified letter
33 that is returned by the post office to the board as refused is
34 considered to have been received by the addressee on the date
35 refused.

1 Subp. 2. **Returned certified mail.** A certified letter that
2 is returned by the post office to the board as undelivered must
3 be forwarded by first class mail to the original addressee and,
4 if not returned by the post office, is considered received by
5 the addressee five business days after the first class mailing.

6 4501.0700 ASSESSMENT OF LATE FILING FEES.

7 Late filing fees are not assessed for Saturdays, Sundays,
8 or state holidays.

9 4503.0010 SCOPE.

10 This chapter applies to the campaign finance activities of
11 candidates and their principal campaign committees, political
12 party units, political committees, and political funds regulated
13 by Minnesota Statutes, sections 10A.11 to 10A.335.

14 4503.0100 DEFINITIONS.

15 Subpart 1. **Scope.** The definitions in this part apply to
16 this chapter and Minnesota Statutes, chapter 10A. The
17 definitions in chapter 4501 and Minnesota Statutes, chapter 10A,
18 also apply to this chapter.

19 Subp. 2. **Adjournment sine die.** "Adjournment sine die"
20 means final adjournment by the legislature ~~at-the-end-of~~ in the
21 second year of a biennium.

22 Subp. 3. **Anonymous contribution.** "Anonymous contribution"
23 means a contribution for which the name and address of the donor
24 cannot be determined.

25 Subp. 4. **Fundraising event.** "Fundraising event" means a
26 meal, party, entertainment event, rally, or similar gathering of
27 three or more individuals where contributions are solicited or
28 received.

29 Subp. 5. **Receipted bill.** "Receipted bill" means an
30 invoice marked paid by the vendor or a canceled check with a
31 corresponding invoice indicating the purpose of the expenditure.

32 Subp. 6. **Services for a constituent.** "Services for a
33 constituent" means services performed or provided by an
34 incumbent legislator or constitutional officer for the benefit

1 of one or more residents of the official's district. "Services
2 for a constituent" do not include gifts, congratulatory
3 advertisements, charitable contributions, or similar
4 expenditures.

5 Subp. 7. **Statewide election.** "Statewide election" means
6 an election for a statewide constitutional office, appeals
7 court, or supreme court office, or an election in which a
8 question or proposition on the ballot can be voted on by all
9 voters of the state.

10 Subp. 8. **Unpaid bill.** "Unpaid bill" means an advance of
11 credit for which payment has not been made. An advance of
12 credit is an unpaid bill from the time it is incurred,
13 regardless of when an actual invoice is received.

14 4503.0200 ORGANIZATION OF POLITICAL COMMITTEES AND POLITICAL
15 FUNDS.

16 Subpart 1. **Organizational information to be provided by a**
17 **political party.** The statement of organization of a political
18 party must include a list of the names of the party units
19 organized in each house of the legislature and in congressional
20 districts, counties, legislative districts, municipalities, and
21 precincts, along with the name and address of the treasurer and
22 chair of each unit, and must be updated annually.

23 Subp. 2. **Officers of principal campaign committee.** A
24 candidate may be chair, treasurer, or both, of the candidate's
25 own principal campaign committee. The candidate is ultimately
26 responsible for the principal campaign committee's compliance
27 with Minnesota Statutes, chapter 10A.

28 Subp. 3. **When registration is not required.** When a person
29 or group merely solicits contributions with the approval of a
30 candidate or the treasurer, deputy treasurer, or agent of a
31 political committee or political fund and when those
32 contributions are made directly to the reporting committee or
33 fund, that person or group need not establish a separate
34 political committee or political fund.

35 Subp. 4. **Change of officer.** The treasurer of a political

1 committee or political fund must file with the board a written
2 notice of any change of officers within ten business days after
3 the change occurs. The notice must include the name and address
4 of each new officer and the effective date of the change.

5 Subp. 5. **Termination of responsibility of former**
6 **treasurer.** A former treasurer who transfers political committee
7 or political fund records and receipts to a new treasurer or to
8 the chair of the committee or fund is relieved of future
9 responsibilities when notice required under subpart 4 is filed
10 or when the former treasurer notifies the board in writing of
11 the change.

12 Subp. 6. **Depositories.** The depositories of a political
13 committee or political fund include any depository in which the
14 committee or fund has a savings, checking, or similar account,
15 or purchases a money market certificate or certificate of
16 deposit.

17 4503.0300 TERMINATION OF POLITICAL COMMITTEE OR POLITICAL FUND.

18 Subpart 1. **Termination report.** A termination report must
19 cover the period from the closing date of the last report filed
20 through the date of termination.

21 Subp. 2. **Time of termination after making transfers**
22 **between principal campaign committees.** A principal campaign
23 committee which makes a transfer or contribution to another
24 principal campaign committee in anticipation of termination must
25 complete its termination by the end of the reporting period in
26 which the transfer or contribution was made.

27 Subp. 3. **Transfer of debts.** An agreement to transfer
28 debts upon the termination of a candidate's principal committee
29 for one office under Minnesota Statutes, section 10A.241, must
30 be made in writing, signed by the candidate and the committee
31 treasurers, and preserved in the records of each committee.

32 Subp. 4. **Payment plan pending dissolution of inactive**
33 **political committee or political fund.** An inactive political
34 committee or political fund that must dissolve according to
35 Minnesota Statutes, section 10A.242, and that has liquidated its

1 available assets to pay its debts may submit to the board a
2 proposed payment schedule to settle any remaining debts. Upon
3 approval of the schedule, the board may allow the committee or
4 fund to defer dissolution until all debts are paid.

5 4503.0400 DISTRICT COURT JUDICIAL CANDIDATES.

6 Subpart 1. Donations in kind. Donations in kind to a
7 candidate for district court judge which in aggregate exceed
8 \$100 must be disclosed in accordance with Minnesota Statutes,
9 section 10A.20, subdivision 3, paragraph (b).

10 Subp. 2. Contributions from one source. Contributions to
11 a candidate for district court judge from any one source
12 totaling more than \$400 received between the last day covered in
13 the last report prior to an election and the election must be
14 reported to the board in person, by telegram or mailgram, or by
15 certified mail within 48 hours after receipt and must also be
16 included in the next required report.

17 4503.0500 CONTRIBUTIONS.

18 Subpart 1. Transmission of contributions. Promptly after
19 receipt of any contribution or on demand of the treasurer, an
20 individual must transmit the contribution together with any
21 required record to the treasurer.

22 Subp. 2. Identification of contributor. The contributor
23 of goods or of services is the individual or association that
24 pays for the goods or services.

25 Subp. 3. Contributions from Hennepin county registered
26 associations. In lieu of registration with the board, an
27 association registered with the Hennepin county filing officer
28 under Minnesota Statutes, sections 383B.041 to 383B.058, that
29 makes contributions of more than \$100 to a committee or fund in
30 a calendar year may notify the recipient committee of its
31 registration with Hennepin county, including its registration
32 number, and instruct the recipient committee to include the
33 notice when the recipient committee discloses receipt of the
34 contribution.

35 Subp. 4. Contributions by joint check. A contribution

1 given by a check written on a joint account is considered to be
2 a contribution by the persons who signed the check in equal
3 proportions unless otherwise specified on the check by the
4 signers.

5 Subp. 5. **Forwarding anonymous contributions.** An anonymous
6 contribution in excess of \$20 must be forwarded to the board in
7 its entirety within 14 days after its receipt by the treasurer
8 along with a statement of the amount of the contribution and the
9 date on which it was received.

10 Subp. 6. **Value of contributions of automobile use.**
11 Automobile use provided without reimbursement to the provider is
12 a donation in kind valued at the lowest rate used by the state
13 of Minnesota to reimburse its employees for automobile use.

14 4503.0700 CONTRIBUTION LIMITS.

15 Subpart 1. **Loans included in aggregation of**
16 **contributions.** Contribution limits apply to the aggregation of:

- 17 A. money;
18 B. donations in kind;
19 C. outstanding loans from the contributor; and
20 D. proceeds of outstanding loans endorsed by the
21 contributor.

22 Subp. 2. **Special election contribution limits.** Election
23 year contribution limits set forth in Minnesota Statutes,
24 section 10A.27, apply to a special election cycle.

25 Subp. 3. **Independent application of limits for special**
26 **election.** Contribution limits apply independently for election
27 years, other years, and special election cycles.

28 4503.0800 DONATIONS IN KIND AND APPROVED EXPENDITURES.

29 Subpart 1. **Approved expenditure is always a donation in**
30 **kind.** Every approved expenditure is a donation in kind of the
31 goods or services purchased with the expenditure.

32 Subp. 2. **Multicandidate materials.** An approved
33 expenditure made on behalf of multiple candidates must be
34 allocated between the candidates on a reasonable basis if the
35 cost exceeds \$20 per candidate.

1 Subp. 3. **Multipurpose materials.** A reasonable portion of
 2 the fair market value of preparation and distribution of
 3 association newsletters or similar materials which, in part,
 4 advocate the nomination or election of a candidate is a donation
 5 in kind which must be approved by the candidate if the value
 6 exceeds \$20, unless an independent expenditure is being made.

7 Subp. 4. **Office facilities.** The fair market value of
 8 shared office space or services provided to a candidate without
 9 reimbursement is a donation in kind.

10 Subp. 5. **Campaign expenditures for constituent services**
 11 **paid with personal funds.** Costs of providing constituent
 12 services that are campaign expenditures and paid with the
 13 personal funds of the candidate are a donation in kind to the
 14 principal campaign committee of the candidate.

15 4503.0900 NONCAMPAIGN DISBURSEMENTS.

16 Subpart 1. **Additional definitions.** In addition to those
 17 listed in Minnesota Statutes, section 10A.01, subdivision 10c,
 18 the following expenses are noncampaign disbursements:

19 A. transportation, meals, and lodging paid to attend
 20 a campaign school;

21 B. costs of campaigning incurred by a person with a
 22 disability, as defined in Minnesota Statutes, section 363.01,
 23 subdivision 13, and which are made necessary by the disability;

24 C. the cost to an incumbent or a winning candidate of
 25 providing services to residents in the district after the
 26 general election in an election year for the office held;

27 D. payment of advances of credit in a year after the
 28 year in which the advance was reported as an expenditure; and

29 E. payment of fines assessed by the board.

30 Subp. 2. **Nonreportable noncampaign disbursements.**

31 Noncampaign disbursements for services to residents in the
 32 district paid with personal funds of an incumbent or winning
 33 candidate are not reportable.

34 4503.1000 CAMPAIGN MATERIALS INCLUDING OTHER CANDIDATES.

35 Subpart 1. **Inclusion of others without attempt to**

1 influence nomination or election. Campaign materials, including
2 media advertisements, produced and distributed on behalf of one
3 candidate which contain images of, appearances by, or references
4 to another candidate, but which do not mention the candidacy of
5 the other candidate or make a direct or indirect appeal for
6 support of the other candidate, are not contributions to, or
7 expenditures on behalf of that candidate.

8 Subp. 2. **Multicandidate materials prepared by a**
9 **candidate.** A candidate who produces and distributes campaign
10 materials, including media advertisements, which include images
11 of, appearances by, or references to one or more other
12 candidates, and which mention the candidacy of the other
13 candidates or include a direct or indirect appeal for the
14 support of the other candidates must collect from each of the
15 other candidates a reasonable proportion of the production and
16 distribution costs.

17 4503.1100 CARRYFORWARD OF CAMPAIGN FUNDS; UNPAID ADVANCES OF
18 CREDIT.

19 Subpart 1. **Retention for unpaid advances of credit.** In
20 addition to the carryforward permitted under Minnesota Statutes,
21 section 10A.25, subdivision 11, the treasurer of a principal
22 campaign committee may retain into the next election cycle an
23 amount equal to the sum of all unpaid advances of credit on the
24 last day of the previous election cycle.

25 Subp. 2. **Forgiveness and payment of advances of credit.**
26 When an advance of credit for which funds were retained under
27 subpart 1 is later forgiven or paid by an individual or
28 association other than the principal campaign committee, funds
29 retained under subpart 1 based on the advance of credit must be
30 disposed of pursuant to Minnesota Statutes, section 10A.25,
31 subdivision 11.

32 4503.1200 JOINT FUNDRAISING EVENTS BY PRINCIPAL CAMPAIGN
33 COMMITTEES.

34 Subpart 1. **General requirement.** Proceeds and costs of
35 joint fundraising events held by two or more principal campaign

1 committees must be allocated in such a way as to avoid
2 earmarking and prohibited transfers or contributions from one
3 principal campaign committee to another.

4 **Subp. 2. Elective procedures to assure compliance.**

5 Principal campaign committees may be certain that allocation of
6 proceeds and costs of a joint fundraising event will not result
7 in earmarking or a prohibited transfer or contribution if:

8 A. contributions are made individually to each
9 committee by check payable to the committee, by cash given in a
10 separate collection for the committee, or by cash with a record
11 kept of each contributor and recipient;

12 B. expenses of the event are allocated among the
13 participating committees in direct proportion to the
14 contributions received by each committee; and

15 C. campaign expenditures and noncampaign
16 disbursements are allocated separately and in the same
17 proportion.

18 **Subp. 3. Recordkeeping and reconciliation of expenses.**

19 The treasurers of principal campaign committees conducting a
20 joint fundraising event must maintain records of all costs
21 associated with the event. After the conclusion of the event,
22 the treasurers shall complete a reconciliation and allocation of
23 the costs of the event pursuant to this part, and shall make any
24 transfers of funds between the committees necessary to properly
25 allocate the expenses.

26 4503.1300 GOVERNOR AND LIEUTENANT GOVERNOR.

27 **Subpart 1. Seeking endorsement as lieutenant governor.**

28 Raising and spending funds to seek endorsement as lieutenant
29 governor may be done either through a separate principal
30 campaign committee established by the lieutenant governor
31 candidate or through a joint principal campaign committee of the
32 governor and lieutenant governor candidates.

33 **Subp. 2. Separate records for seeking endorsement.** A
34 principal campaign committee that makes expenditures and
35 authorizes approved expenditures to seek endorsement for the

1 office of lieutenant governor at the convention of a political
2 party and intends those expenditures to be in addition to the
3 expenditure limit established by Minnesota Statutes, section
4 10A.25, subdivision 2, shall maintain a separate record of those
5 expenditures.

6 **Subp. 3. Merger of committees.** Separate committees of a
7 candidate for governor and lieutenant governor must be merged
8 not later than five business days after the joint endorsement or
9 filing for office by the candidates for governor and lieutenant
10 governor. The merger must be accomplished by amending the
11 statement of organization of one of the committees making it a
12 joint committee and by terminating the remaining committee. All
13 funds, assets, and debt of the terminated committee must be
14 transferred to the joint committee at the time of the merger.
15 The transfer of debt must be by means of an agreement meeting
16 the requirements of part 4503.0300, subpart 3.

17 **Subp. 4. Contribution limits for governor and lieutenant**
18 **governor before and after merger of separate committees.** Prior
19 to the merger of separate principal campaign committees for
20 governor and lieutenant governor, each committee may accept
21 contributions up to the limits set forth in Minnesota Statutes,
22 section 10A.27, subdivision 1, clause (a), for governor and
23 lieutenant governor running together. After the merger of the
24 committees, contributions to either committee from a single
25 source must be aggregated in determining whether the
26 contribution limit for the joint committee has been reached or
27 exceeded. If the limit has been exceeded, contributions must be
28 returned in accordance with subpart 5.

29 **Subp. 5. Return of contributions after merger.** Funds
30 transferred to the joint committee which result in aggregate
31 contributions in excess of the applicable limits may be returned
32 to the contributor within 60 days of the transfer of funds to
33 the joint committee.

34 **Subp. 6. Public subsidy agreement.** Promptly following
35 their joint endorsement or filing for office, candidates for
36 governor and lieutenant governor who have not each signed a

1 separate public subsidy agreement must jointly sign a public
2 subsidy agreement if they wish to receive a public subsidy.

3 4503.1400 PUBLIC SUBSIDY AGREEMENTS.

4 Subpart 1. Expenditure limits. A candidate or
5 officeholder who signs a public subsidy agreement is bound by
6 the expenditure limits in an election cycle whether or not the
7 candidate actually receives funds from the state elections
8 campaign fund.

9 Subp. 2. Affidavit of contributions for special
10 elections. For a special election for which the filing period
11 does not coincide with a general election, the candidate must
12 submit the affidavit of contributions not later than five days
13 after filing an affidavit of candidacy or nominating petition
14 for the office sought.

15 4503.1500 AGREEMENT TO MAKE LOAN.

16 An agreement to make a loan to a political committee or
17 fund must be made in writing and signed by the borrower and
18 endorsers.

19 4503.1600 FUNDRAISING DURING LEGISLATIVE SESSION.

20 If the board makes a public finding that there is probable
21 cause to believe a violation of Minnesota Statutes, section
22 10A.065, has occurred, in lieu of pursuing or enforcing a
23 judgment, the board may attempt to negotiate a settlement
24 agreement with the candidate, political committee, or political
25 fund for payment of the civil fine.

26 4505.0010 SCOPE.

27 This chapter applies to the filing of statements of
28 economic interest required by Minnesota Statutes, section 10A.09.

29 4505.0100 DEFINITIONS.

30 Subpart 1. Scope. For the purposes of this chapter and
31 Minnesota Statutes, section 10A.09, the terms defined in this
32 part have the meanings given them. The definitions in chapter
33 4501 and in Minnesota Statutes, chapter 10A, apply to this

1 chapter.

2 Subp. 1a. [See repealer.]

3 Subp. 2. [See repealer.]

4 [For text of subps 3 to 6, see M.R.]

5 4510.0010 SCOPE.

6 This chapter implements the lobbyist registration and
7 reporting requirements of Minnesota Statutes, chapter 10A.

8 4510.0050 INCORPORATION AND APPLICATION OF DEFINITIONS.

9 The definitions in chapter 4501 and in Minnesota Statutes,
10 chapter 10A, apply to this chapter.

11 4512.0010 SCOPE.

12 This chapter applies to the prohibition of certain gifts
13 pursuant to Minnesota Statutes, section 10A.071.

14 4512.0100 DEFINITIONS.

15 Subpart 1. **Scope.** The definitions in this part apply to
16 this chapter and Minnesota Statutes, section 10A.071. The
17 definitions in chapter 4501 and in Minnesota Statutes, chapter
18 10A, apply to this chapter.

19 Subp. 2. **Field of specialty.** "Field of specialty" means a
20 vocation, profession, trade, craft, or avocation of the
21 individual.

22 Subp. 3. **Gift.** In addition to those categories specified
23 in Minnesota Statutes, section 10A.071, subdivision 1, the
24 following are included within the definition of gift:

25 A. meals and entertainment;

26 B. loans of personal property for less than payment
27 of fair market value;

28 C. giving preferential treatment for purchases;

29 D. honoraria; and

30 E. payment of loans or other obligations.

31 Subp. 4. ~~insignificant-value, insignificant-monetary~~

32 ~~value, or unexceptional-value. -- "insignificant-value,"~~

33 ~~"insignificant-monetary-value," and "unexceptional-value" mean~~

34 ~~having a fair market value of less than \$5.~~

1 ~~Subp. 5.~~ Individual services. "Individual services" means
2 services performed by an official outside of official duties.

3 Subp. ~~6.~~ 5. Plaque or similar memento. "Plaque or similar
4 memento" means a decorative item with an inscription recognizing
5 an individual for an accomplishment.

6 4512.0200 GIFTS WHICH MAY NOT BE ACCEPTED.

7 An official may not accept a gift given by a lobbyist or
8 lobbyist principal or given as the result of a request by a
9 lobbyist or lobbyist principal.

10 4512.0300 GIFTS PAID FOR BY THIRD PARTIES.

11 A gift is given by the individual or association paying for
12 the gift or reimbursing another for the gift.

13 4512.0400 GIFTS PARTIALLY PAID FOR BY LOBBYIST OR LOBBYIST
14 PRINCIPAL.

15 An official must contemporaneously reimburse the lobbyist
16 or lobbyist principal for the fair market value of any part of a
17 gift paid for by the lobbyist or lobbyist principal.

18 4512.0500 WHEN A GIFT IS REQUESTED BY LOBBYIST OR LOBBYIST
19 PRINCIPAL.

20 A gift is requested by a lobbyist or lobbyist principal if
21 it is the direct result of a request, suggestion, or other
22 affirmative effort by the lobbyist or lobbyist principal.

23 4512.0600 SPECIFIC EXCLUSIONS FROM GIFT DEFINITION.

24 Subpart 1. Payment for goods and services. Payment of the
25 regular price for goods or services provided by an official or
26 an official's business is not a gift to the official.

27 Subp. 2. Employment compensation. A salary increase,
28 promotion, or change from part-time to full-time status for an
29 official who is an employee is not a gift to the official.

30 4515.0010 SCOPE.

31 This chapter applies to the conflict of interest provisions
32 of Minnesota Statutes, section 10A.07.

1 4515.0100 DEFINITIONS.

2 Subpart 1. **Scope.** The definitions in this part apply to
3 this chapter and Minnesota Statutes, section 10A.07. The
4 definitions in chapter 4501 and in Minnesota Statutes, chapter
5 10A, apply to this chapter.

6 Subp. 2. [See repealer.]

7 Subp. 4. [See repealer.]

8 Subp. 5. **Financial interest.** "Financial interest" means
9 any ownership or control in an asset which has the potential to
10 produce a monetary return.

11 Subp. 6. [See repealer.]

12 Subp. 7. [See repealer.]

13 4515.0500 ABSTENTION.

14 Subpart 1. **Nonlegislator.** A public official who is not a
15 legislator or a member of the governing body of a metropolitan
16 governmental unit and who has a potential conflict of interest
17 and who does not have an immediate superior shall abstain from
18 the matter, if possible, by assigning the matter to a
19 subordinate for disposition or requesting the appointing
20 authority to designate another to determine the matter. In such
21 a case, the official shall not chair a meeting, participate in
22 any vote, or offer any motion or discussion on the matter giving
23 rise to the potential conflict of interest.

24 Subp. 2. [See repealer.]

25 4515.0700 CHANGES AND CORRECTIONS.

26 If information contained in a previously filed potential
27 conflict of interest notice materially changes or is found to be
28 in error, the person who filed the notice shall file a written
29 notice of the change or correction within ten days of the event
30 prompting the change or the date upon which the person became
31 aware of the inaccuracy. The change or correction shall
32 identify the form and paragraph containing the information to be
33 changed or corrected.

34 4520.0010 SCOPE.

1 This chapter applies to the representation disclosure
2 requirements of Minnesota Statutes, section 10A.08.

3 4520.0100 DEFINITIONS.

4 Subpart 1. **Scope.** The definitions in this part apply to
5 this chapter and Minnesota Statutes, section 10A.08. The
6 definitions in chapter 4501 and in Minnesota Statutes, chapter
7 10A, apply to this chapter.

8 Subp. 2. [See repealer.]

9 Subp. 4. **Fee.** "Fee" means any compensation or other
10 consideration for services performed or for future services.

11 Subp. 5. [See repealer.]

12 Subp. 6. **Initial appearance at a hearing.** "Initial
13 appearance at a hearing" means the first appearance by a public
14 official representing a client for a fee at a hearing on a
15 single subject. Subsequent appearances at continuations of the
16 same hearing are not initial appearances.

17 Subp. 7. [See repealer.]

18 4520.0400 OBLIGATION TO DISCLOSE REPRESENTATION.

19 A public official's obligation to disclose representation
20 arises upon the public official's initial appearance at a
21 hearing.

22 4520.0500 REQUIRED REPORTING INFORMATION.

23 Each public official required to report shall provide the
24 following information: name, address, and office held; name and
25 address of each client represented at the hearing; the name of
26 the individual, board, commission, or agency conducting the
27 hearing and the date and location of the initial appearance at
28 the hearing; and a general description of the subject or
29 subjects on which the public official represented the client in
30 the hearing.

31 4520.0700 CHANGES AND CORRECTIONS.

32 If information contained in a previously filed
33 representation disclosure statement materially changes or is
34 found to be in error, the person who filed the statement shall

1 file a written notice of the change or correction within ten
2 days of the event prompting the change or the date upon which
3 the person became aware of the inaccuracy. The change or
4 correction shall identify the form and paragraph containing the
5 information to be changed or corrected.

6 4525.0010 SCOPE.

7 This chapter applies to the conduct of hearings, audits,
8 and investigations by the board.

9 4525.0100 DEFINITIONS.

10 Subpart 1. **Scope.** The definitions in this part apply to
11 this chapter and Minnesota Statutes, chapter 10A. The
12 definitions in chapter 4501 and in Minnesota Statutes, chapter
13 10A, apply to this chapter.

14 Subp. 1a. [See repealer.]

15 Subp. 2. [See repealer.]

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

17 Subp. 4. [See repealer.]

18 [For text of subp 5, see M.R.]

19 Subp. 6. **Person.** A "person" includes an individual, an
20 association, or any government or governmental subdivision,
21 unit, or agency, other than a court of law.

22 Subp. 7. [See repealer.]

23 4525.0200 COMPLAINTS OF VIOLATIONS.

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

25 Subp. 4. **Oath.** Testimony given in a meeting conducted by
26 the board under this chapter must be under oath.

27 [For text of subps 5 and 6, see M.R.]

28 4525.1000 INITIATING ANONYMOUS PROCEEDINGS.

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

30 Subp. 2. **Application.** Any person wishing to proceed
31 anonymously under this part shall make an application under part
32 4525.0900, subpart 1, which shall contain:

33 [For text of item A, see M.R.]

34 B. The name and address of a person who is authorized

1 to receive official notices or correspondence from the board or
2 upon whom service of legal process may be made;

3 [For text of item C, see M.R.]

4 D. The name and address of a person who will appear
5 for the applicant during the proceedings if the applicant wishes
6 to remain anonymous;

7 [For text of items E and F, see M.R.]

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

9

10 RENUMBERER. Minnesota Rules, part 4500.2900 is renumbered to
11 part 4503.0600.

12 REPEALER. Minnesota Rules, parts 4500.0100; 4500.0200;
13 4500.0300; 4500.0400; 4500.0600; 4500.0700; 4500.0800;
14 4500.0900; 4500.1000; 4500.1100; 4500.1200; 4500.1400;
15 4500.1500; 4500.1600; 4500.1700; 4500.1900; 4500.2000;
16 4500.2100; 4500.2200; 4500.2300; 4500.2400; 4500.2500;
17 4500.2600; 4500.2700; 4500.2800; 4500.3000; 4500.3100;
18 4500.3200; 4500.3300; 4500.3400; 4500.3500; 4500.3600;
19 4500.3700; 4500.3800; 4500.3900; 4500.4000; 4500.4300, subparts
20 1, 2, 4, and 5; 4500.4400; 4505.0100, subparts 1a and 2;
21 4505.0200; 4505.0300; 4505.0400; 4505.0500; 4505.0600;
22 4505.0800; 4505.0900, subpart 1; 4505.1000; 4510.0100;
23 4510.0200; 4510.0300; 4510.0400, subparts 1 and 2; 4510.0600,
24 subpart 4; 4510.1000; 4510.1200; 4510.1300; 4510.1400;
25 4515.0100, subparts 2, 4, 6, and 7; 4515.0200; 4515.0300;
26 4515.0400; 4515.0500, subpart 2; 4515.0600; 4515.0800;
27 4520.0100, subparts 2, 5, and 7; 4520.0200; 4520.0300;
28 4520.0600; 4520.0800; 4525.0100, subparts 1a, 2, 4, and 7; and
29 4525.0500, subpart 4, are repealed.