

STATE OF MINNESOTA

SEVENTIETH SESSION - 1978

SEVENTY-SECOND DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, FEBRUARY 15, 1978

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

Abeln	Cohen	Johnson	Neisen	Sieben, H.
Adams	Corbid	Jude	Nelsen, M.	Sieben, M.
Albrecht	Cummiskey	Kaley	Nelson	Simoneau
Anderson, B.	Dean	Kalis	Niehaus	Skoglund
Anderson, D.	Den Ouden	Kelly, R.	Norton	Smogard
Anderson, G.	Eckstein	Kelly, W.	Novak	Spanish
Anderson, I.	Eken	Kempe, A.	Onnen	Stanton
Anderson, R.	Ellingson	Kempe, R.	Osthoff	Stoa
Arlandson	Enebo	King	Patton	Suss
Battaglia	Erickson	Knickerbocker	Pehler	Swanson
Beauchamp	Esau	Kostohryz	Peterson	Tomlinson
Begich	Evans	Kroening	Petrafeso	Vanasek
Berg	Ewald	Kvam	Pleasant	Voss
Berglin	Faricy	Laidig	Prahl	Waldorf
Berkelman	Fjoslien	Langseth	Redalen	Welch
Biersdorf	Forsythe	Lehto	Reding	Wenstrom
Birnstihl	Friedrich	Lemke	Rice	Wenzel
Brandl	Fudro	Mangan	Rose	White
Braun	Fugina	Mann	St. Onge	Wieser
Brinkman	George	McCarron	Samuelson	Wigley
Byrne	Gunter	McCollar	Sarna	Williamson
Carlson, A.	Hanson	McDonald	Savelkoul	Wynia
Carlson, D.	Heinitz	McEachern	Scheid	Zubay
Carlson, L.	Hokanson	Metzen	Schulz	Speaker Sabo
Casserly	Jacobs	Moe	Searle	
Clark	Jaros	Munger	Searles	
Clawson	Jensen	Murphy	Sherwood	

A quorum was present.

Nelsen, B., was excused. Kahn was excused until 3:00 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Enebo moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

Pursuant to Rules of the House, printed copies of H. F. Nos. 1739 and 404 have been placed in the members' files.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: Report to the Legislature submitted by the Department of Economic Security, State Facilities Accessibility Survey Cost Estimates from the Department of Administration and the 1977 Annual Report from the Arrowhead Regional Development Commission.

REPORTS OF STANDING COMMITTEES

Voss from the Committee on Appropriations to which was referred:

H. F. No. 1736, A bill for an act relating to state buildings; concerning the handicapped; requiring state buildings and situses for state meetings to be accessible to the handicapped.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 471.467, is amended by adding subdivisions to read:

Subd. 4. On or before July 1, 1982, all space of 1,000 square feet or more rented or leased for state operations in non-state owned buildings shall meet the state building code requirements relating to accessibility for the physically handicapped.

Subd. 5. After July 1, 1979, public meetings sponsored by state government or conferences sponsored by state government in non-publicly owned buildings shall be held in hotels, motels, restaurants, and other locations that meet the state building code requirements relating to accessibility for the physically handicapped.

Subd. 6. Exceptions to subdivisions 4 and 5 of this section may be granted by the commissioner of administration."

Strike the title in its entirety and insert:

"A bill for an act relating to state-leased buildings and sites for state meetings; concerning the handicapped; requiring state-leased buildings and sites for state meetings to be accessible to the handicapped; amending Minnesota Statutes 1976, Section 471.467, by adding subdivisions."

With the recommendation that when so amended the bill pass.

The report was adopted.

Voss from the Committee on Appropriations to which was referred:

H. F. No. 2068, A bill for an act relating to public television; eliminating restriction on location of television tower; amending Laws 1977, Chapter 320, Section 1.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1345, A bill for an act relating to water well contractors; requiring water well drilling machines to be operated by licensed water well contractors; amending Minnesota Statutes 1976, Sections 156A.02, Subdivision 3; and 156A.03, Subdivision 2.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hanson from the Committee on Commerce and Economic Development to which was referred:

H. F. No. 1728, A bill for an act relating to employments licensed by the state; architects, engineers and landscape architects; requiring knowledge of barrier free design to acquire license; amending Minnesota Statutes 1976, Section 326.10, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be placed on the Consent Calendar.

The report was adopted.

Munger from the Committee on Environment and Natural Resources to which was referred:

H. F. No. 2087, A bill for an act relating to the adoption of rules concerning the process and procedures for designating power plant sites and transmission line routes; amending Minnesota Statutes, 1977 Supplement, Section 116C.66; and Laws 1977, Chapter 439, Section 26.

Reported the same back with the following amendments:

Page 1, line 8, after the colon insert:

"Section 1. Minnesota Statutes, 1977 Supplement, Section 116C.645, is amended to read:

116C.645 [REVOCAION OR SUSPENSION.] A site certificate or construction permit may be revoked or suspended by the board after adequate notice of the alleged grounds for revocation or suspension and a full and fair hearing in which the affected utility has an opportunity to confront any witness and respond to any evidence against it and to present rebuttal or mitigating evidence upon a finding by the board of:

(1) Any false statement knowingly made in the application or in accompanying statements or studies required of the applicant, if a true statement would have warranted a change in the board's findings;

(2) Failure to comply with material conditions of the site certificate or construction permit, or failure to maintain *health and safety standards*; or

(3) Any material violation of the provisions of sections 116C.51 to 116C.69, any rule promulgated pursuant thereto, or any order of the board."

Renumber subsequent sections.

Further amend the title as follows:

Page 1, line 5, delete "Section" insert "Sections 116C.645 and".

With the recommendation that when so amended the bill pass and be placed on the Consent Calendar.

The report was adopted.

Swanson from the Committee on Health and Welfare to which was referred:

H. F. No. 1738, A bill for an act relating to children; establishing a comprehensive child protective services program; prescribing duties of the commissioner of public welfare and local social service agencies; authorizing grants for experimental programs to encourage interagency cooperation; appropriating money.

Reported the same back with the following amendments:

Page 1, line 14, delete "393.07" and insert "393.01".

Page 1, line 17, delete "in the local".

Page 1, line 18, delete "social service agency".

Page 1, line 21, delete "citizens" and insert "persons".

Page 2, line 1, after "health," insert "mental health,".

Page 2, line 5, delete "local social service agency" and insert "county welfare board or human services board".

Page 2, line 12, delete "and investigating".

Page 2, line 26, after "abused" insert "or neglected".

Page 2, line 28, after "abuse" insert "or neglect".

Page 2, line 31, after "abused" insert "or neglected".

Page 3, line 1, after "abuse" and before "to" insert "or neglect" and after "abuse" and before the comma, insert "or neglect".

Page 3, after line 15, insert a new subdivision to read:

"Subd. 3. Payments to physicians, medical clinics and hospitals for diagnostic procedures may be made by the county welfare board if no other source of payment is available."

Page 3, line 16, delete "SOCIAL SERVICE AGENCY".

Page 4, line 1, delete "social service agency" and insert "county welfare board".

Page 4, line 10, delete "to".

Page 4, delete line 11 and insert "so that this plan is coordinated with the proposed and final comprehensive annual services program plan required under Title XX of the social security act."

Page 4, line 12, delete "The local plan may not take effect until at".

Page 4, delete line 13.

Page 4, delete lines 22 to 25.

Page 4, line 26, delete "purposes and meets the requirements of sections 1 to 8."

Page 4, line 27, after "withhold" insert "five percent of the".

Page 4, line 28, delete "all or part of the county's" and insert "the cost of administration of".

Page 4, line 29, delete "activities" and "Decisions of the commissioner under".

Page 4, delete lines 30 and 31 and insert:

"Subd. 6. Prior to withholding administrative reimbursement for child protective services, the commissioner shall notify the county board of commissioners of his intention to withhold funds and of the right of the county to a hearing. If the county board of commissioners request a hearing within 30 days of receipt of the notification the commissioner shall not withhold any state reimbursement until a hearing is conducted and decision rendered in accordance with the provisions of chapter 15 for contested cases."

Page 5, line 1, after "county" insert "welfare".

Page 5, line 1, delete "of commissioners".

Page 5, line 2, after "comprised of" insert "a team coordinator appointed by the board,".

Page 5, line 4, delete "who shall serve as team coordinator".

Page 5, line 5, after "the county sheriff or his designee," insert "other law enforcement personnel,".

Page 5, line 9, delete "and no more than nine".

Page 5, line 11, delete "to assist in providing".

Page 5, delete lines 12 to 14.

Page 5, line 15, delete "staff of the county social service agency".

Page 5, line 15, after the period insert "The team shall establish procedures to clarify the roles and responsibilities of each discipline and to facilitate interagency cooperation relative to the total child protection program or for diagnostic and prognostic conditions in individual cases."

Page 5, line 16, delete "social service agency" and insert "board".

Page 5, line 22, delete "social service agency" and insert "board".

Page 5, after line 25, insert a new subdivision to read:

"Subd. 3. Notwithstanding any other law to the contrary a member of the child protection team may disclose private and confidential data on individuals to other members of the child protection team when necessary to enable the team to perform the functions required by this section. All such data shall be subject to the requirements of Minnesota Statutes, Sections 15.162 to 15.1671."

Page 5, line 29, delete "local social service agencies" and insert "county welfare boards".

Page 5, line 30, delete "establish" and insert "designate".

Page 5, line 31, delete "a state office of child protective services and" and insert "an organizational unit, the director of which".

Page 5, line 32, delete "shall appoint a director who".

Page 6, line 7, delete "a planning process to be used by county agencies".

Page 6, delete line 8.

Page 6, line 9, delete "prescribe".

Page 6, line 9, delete "agencies" and insert "boards".

Page 6, line 11, delete "agency" and insert "boards".

Page 6, line 18, delete "agency" and insert "board".

Page 6, line 26, delete "sections 1 to" and insert "section".

Page 7, line 14, delete "local social service agency" and insert "county child protection program".

Page 7, line 15, after the period insert "The commissioner may contract with appropriate state and other agencies for training of and development of curriculum for professionals in the respective disciplines."

Page 7, line 18, delete "in prevention, intervention" and insert "which encourage interagency cooperation in preventing".

Page 7, line 19, delete "treatment" and insert "treating".

Page 7, line 24, after the period insert "The guidelines and forms prescribed by the commissioner pursuant to this section

shall be exempt from the administrative procedures prescribed in chapter 15.”.

Page 7, line 27, after “of” and before “for” insert “\$185,000”.

Page 7, line 28, after “of” and before “for” insert “\$150,000”.

Further amend the title as follows:

Page 1, line 5, delete “local social service agencies” and insert “county welfare boards”.

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Appropriations.

The report was adopted.

Kelly, W., from the Committee on Taxes to which was referred:

H. F. No. 1726, A bill for an act relating to special assessments; clarifying availability of certain appeal procedures; eliminating use of alternative procedures; increasing the time for appealing certain special assessments; amending Minnesota Statutes 1976, Section 429.081; and Minnesota Statutes, 1977 Supplement, Section 278.01.

Reported the same back with the following amendments:

Page 3, line 3, after “section” insert “do not apply to special assessments for local improvements imposed pursuant to chapter 423 of the Minnesota Statutes and”.

Page 3, line 28, after the period insert “This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.”.

With the recommendation that when so amended the bill pass.

The report was adopted.

Rice from the Committee on General Legislation and Veterans Affairs to which was referred:

H. F. No. 404, A bill for an act relating to political activities; providing for their regulation; revising certain filing and reporting requirements; clarifying language; removing obsolete provisions; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 6, 7, 9, 10, 11, 13, 15 and 18; 10A.02, Subdivisions 1, 2, 4, 8, 9, 11, 12 and 13; 10A.04, Subdivision 1; 10A.07; 10A.09, Subdivision 6; 10A.11, Subdivision 6; 10A.12, Subdivisions 1,

3 and 5; 10A.13; 10A.14, Subdivisions 1 and 2; 10A.15; 10A.16; 10A.17; 10A.20, Subdivisions 3, 4, 5 and 6; 10A.21; 10A.22, Subdivisions 3, 4, 5 and 7; 10A.24; 10A.25; 10A.26; 10A.27, Subdivision 4 and by adding a subdivision; 10A.28; 10A.29; 10A.31, Subdivisions 3a, 7, 10 and by adding a subdivision; 10A.32, Subdivisions 2, 3 and 4; 10A.33; and 210A.44; and Chapter 10A by adding sections.

Reported the same back with the following amendments:

Strike everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. "Administrative action" means (AN ACTION) *rule making* by an official, board, commission or agency of the executive branch (TO MAKE RULES. "ADMINISTRATIVE ACTION" DOES NOT INCLUDE THE) *and* application or administration of (THOSE) rules(, EXCEPT) in (CASES OF) rate setting(, POWER PLANT SITING AND OTHERS SPECIFIED BY THE COMMISSION) *only*.

Sec. 2. Minnesota Statutes 1976, Section 10A.01, Subdivision 5, is amended to read:

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) *reporting is not 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 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 *implicit or explicit* consent(, IMPLICIT OR EXPLICIT,) for any other person to receive contributions or make expenditures in excess of \$100 (WITH A VIEW TO) , *for the purpose of* bringing about his nomination (FOR ELECTION) or election (TO AN OFFICE). *A candidate remains a candidate until his principal campaign committee is dissolved as provided in section 47 of this act.*

Sec. 3. Minnesota Statutes 1976, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. "Contribution" means:

((A) A GIFT, SUBSCRIPTION, LOAN, ADVANCE, THE PROVIDING OF SUPPLIES, MATERIALS OR EQUIPMENT, OR DEPOSIT OF MONEY OR ANYTHING ELSE OF VALUE MADE TO INFLUENCE THE NOMINATION FOR ELECTION OR ELECTION OF A CANDIDATE TO OFFICE;)

((B)) A transfer of funds (BETWEEN POLITICAL COMMITTEES OR POLITICAL FUNDS;) or a *donation in kind*.

((C) THE PAYMENT OF COMPENSATION FOR THE PERSONAL SERVICES OF ANOTHER PERSON WHICH ARE RENDERED TO A CANDIDATE, POLITICAL COMMITTEE OR POLITICAL FUND TO INFLUENCE THE NOMINATION FOR ELECTION OR ELECTION OF A CANDIDATE TO OFFICE BY ANY PERSON OTHER THAN THAT CANDIDATE, POLITICAL COMMITTEE OR POLITICAL FUND.)

"Contribution" includes any loan, other than a loan made by a bona fide financial institution, or advance of credit, other than an advance of credit made by a corporation, to a political committee, political fund, or principal campaign committee, which loan or advance of credit is (a) forgiven, or (b) paid by an entity other than the political committee, political fund, or principal campaign committee to which the loan or advance of credit is made.

"Contribution" does not include services provided without compensation by (INDIVIDUALS) an individual volunteering (THEIR) his time on behalf of a candidate, political committee or political fund, or (COVERAGE BY NEWS MEDIA, BUT ONLY WHILE ACTING IN THE ORDINARY COURSE OF BUSINESS OF;) the publishing or broadcasting of news items, (EDITORIALS) or (OTHER) editorial comments by the news media.

A contribution made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

Sec. 4. Minnesota Statutes 1976, Section 10A.01, is amended by adding subdivisions to read:

Subd. 7a. "Transfer of funds" or "transfer" means money given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the nomination or election of a candidate.

Subd. 7b. "Donation in kind" means anything of value other than a transfer of funds given by an individual or association to a political committee, political fund, or principal campaign committee for the purpose of influencing the nomination or election of a candidate. The dollar value of a donation in kind is an authorized expenditure as defined in section 7 of this act.

Sec. 5. Minnesota Statutes 1976, Section 10A.01, Subdivision 9, is amended to read:

Subd. 9. "Election" means a (GENERAL, SPECIAL,) primary (OR), special primary, *general or special* election (, OR A CONVENTION OR CAUCUS OF A POLITICAL PARTY HELD TO NOMINATE OR ENDORSE A CANDIDATE).

Sec. 6. Minnesota Statutes 1976, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. "Expenditure" means (:)

((A)) a purchase, payment, (DISTRIBUTION, LOAN,) advance of *credit*, (DEPOSIT OR GIFT) or *partial payment* of money or anything of value, made for the purpose of influencing the nomination (FOR ELECTION) or election of any candidate (TO OFFICE; OR)

((B)) A TRANSFER OF FUNDS BETWEEN POLITICAL COMMITTEES OR POLITICAL FUNDS). "*Expenditure*" includes the dollar value of a donation in kind as defined in section 4 of this act.

An expenditure made for the purpose of defeating a candidate is considered made for the purpose of influencing the nomination or election of that candidate or any opponent of that candidate.

"Expenditure" does not include(:)

(a) *Disbursement as defined in section 7 of this act;*

(b) *transfer as defined in section 4 of this act;*

(c) Services provided without compensation by (INDIVIDUALS) *an individual* volunteering (THEIR) *his* time on behalf of a candidate, political committee, or political fund; or

(d) (EXPENSES INCURRED) *Services performed for a constituent* by a member of the legislature or a (PERSON HOLDING) constitutional (OFFICE) *officer* in the executive branch, (IN PERFORMING SERVICES FOR CONSTITUENTS) *which services are performed prior to the day following adjournment sine die of the legislature in the election year for the office held.* The board shall (HAVE THE POWER TO) determine whether (THE EXPENSE WAS INCURRED PRIMARILY FOR THE PURPOSE OF PROVIDING A CONSTITUENT SERVICE OR IS) *an activity involves* an expenditure within the meaning of this subdivision.

Sec. 7. Minnesota Statutes 1976, Section 10A.01, is amended by adding subdivisions to read:

Subd. 10a. "Authorized expenditure" means an expenditure as defined in section 6 of this act made by an entity other than the principal campaign committee of a candidate with the knowledge, cooperation, or implicit or explicit consent of the candidate or the treasurer of the principal campaign committee of the candidate on whose behalf the expenditure is made. "Authorized expenditure" includes the dollar value of a "donation in kind" as defined in section 4 of this act.

Subd. 10b. "Independent expenditure" means an expenditure as defined in section 6 of this act which is made without the knowledge, cooperation, or implicit or explicit consent of the candidate or the treasurer of the principal campaign committee of the candidate on whose behalf the expenditure is made.

Subd. 10c. "Disbursement" means a purchase, payment, or partial payment of money or anything of value made by a political committee, political fund, or principal campaign committee for any purpose other than to influence the nomination or election of a candidate. "Disbursement" includes payment for accounting and legal services and for food or beverage consumed at a fundraising event.

Sec. 8. Minnesota Statutes 1976, Section 10A.01, Subdivision 11, is amended to read:

Subd. 11. "Lobbyist" means any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* 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) Who spends more than \$250, not including *his own* 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) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) 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 taking administrative action;

(c) Individual *while engaged* in (THE COURSE OF) selling goods or services to be paid for by public funds;

(d) News media or their employees or agents (ACTING) *while engaged* in the (ORDINARY COURSE OF BUSINESS OF) publishing or broadcasting of news items, (EDITORIALS OR OTHER) *editorial* comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert witness whose testimony is requested (EITHER) by the body before which he is appearing (OR ONE OF THE PARTIES TO A PROCEEDING), but only 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 *his own* travel expenses, in any year in communicating with public officials.

Sec. 9. Minnesota Statutes 1976, Section 10A.01, Subdivision 13, is amended to read:

Subd. 13. "Minor political party" means any party other than a major political party (WHICH RAN):

(a) *Under whose name* a candidate (ON THE) *filed for* statewide (OR LEGISLATIVE BALLOT) *office* in the last *applicable* general election; or

(b) *Which* files a petition with the secretary of state containing the names of 2,000 persons registered to vote in Minnesota and declaring that the (SIGNATORS) *signers* desire (TO ENABLE) *that* the party *be eligible* to receive money from the state elections campaign fund in the same manner as a major political party.

For the purpose of (LAW 1974, CHAPTER 470 PRIOR TO THE GENERAL ELECTION IN 1974) *chapter 10A*, all persons who are eligible to vote in areas where there is no *permanent system* of registration shall be considered registered voters.

Sec. 10. Minnesota Statutes 1976, Section 10A.01, Subdivision 15, is amended to read:

Subd. 15. "Political committee" means any (POLITICAL PARTY,) association (OR PERSON OTHER THAN AN IN-

DIVIDUAL WHICH HAS AS ITS) *as defined in subdivision 3 whose major purpose is to (SUPPORT OR OPPOSE ANY CANDIDATE OR TO) influence the nomination (FOR ELECTION) or election of (A) any candidate.*

“Political committee” includes “major political party” as defined in subdivision 12 and “minor political party” as defined in section 9 of this act.

Sec. 11. Minnesota Statutes 1976, Section 10A.01, Subdivision 16, is amended to read:

Subd. 16. “Political fund” means any accumulation of dues or voluntary (DONATIONS) *contributions* by an association other than a political committee, which accumulation is collected or expended for the purpose of influencing the nomination (FOR ELECTION) or election of a candidate.

Sec. 12. Minnesota Statutes 1976, Section 10A.01, Subdivision 18, is amended to read:

Subd. 18. “Public official” means any:

- (a) Member of the legislature;
- (b) (PERSON HOLDING A) Constitutional (OFFICE) *officer* in the executive branch and his chief administrative deputy;
- (c) Member of a state board or commission which has rule making authority, as “rule” is defined in section 15.0411, subdivision 3;
- (d) Person employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher or attorney in the office of (LEGISLATIVE) *senate research, senate counsel, or house research*;
- (e) Person employed by the executive branch in any position specified in section 15A.081; (AND) *or*
- (f) Member of the metropolitan council, metropolitan transit commission, metropolitan (SEWER BOARD) *waste control commission, metropolitan parks and open spaces commission, metropolitan sports facilities commission, or metropolitan airports commission.*

Sec. 13. Minnesota Statutes 1976, Section 10A.01, is amended by adding subdivisions to read:

Subd. 20. "Advance of credit" means any money owed for goods provided or services rendered for the purpose of influencing the nomination or election of a candidate. An advance of credit is an expenditure in the year in which the goods or services are used or consumed. For the purposes of sections 38, 50, and 59 of this act, an advance of credit, other than an advance of credit made by a corporation, shall be considered a contribution, in the year in which it is incurred only if forgiven at any time by the creditor. "Advance of credit" does not mean "loan" as defined in this section.

Subd. 21. "Loan" means an advance of money or anything of value made to a political committee, political fund, or principal campaign committee. A loan, other than a loan made by a bona fide financial institution, which is forgiven by the lender or repaid by an endorser at any time shall, for the purposes of sections 38, 50, and 59 of this act, be considered a "transfer" as defined in section 4 of this act in the year in which the loan is made.

Subd. 22. "Immediate family" of an individual includes his spouse, parent, child, brother, sister, and the spouse of any such parent, child, brother, or sister.

Sec. 14. Minnesota Statutes 1976, Section 10A.02, Subdivision 1, is amended to read:

10A.02 [BOARD OF ETHICAL PRACTICES.] Subdivision 1. There is hereby created a state ethical practices board 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)** *If either house fails to confirm the appointment of a board member within 45 legislative days after his appointment (SHALL BE DEEMED TO BE A REFUSAL TO ADVISE AND CONSENT AND HIS), the appointment shall terminate (IMMEDIATELY AFTER 45 LEGISLATIVE DAYS OR NON-CONFIRMATION, WHICHEVER IS EARLIER) on the day following the 45th legislative day.* One member shall be a former **(STATE LEGISLATOR)** *member of the legislature from a major political party different from that of the governor; one member shall be a former (STATE LEGISLATOR) member of the legislature from the same political party as the governor; two members shall be persons who have not been public officials, held any political party 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) preceding the date of their appointment; and the other two members shall not support the same political party. No more than three of the members of the board shall support the same political party.*

Sec. 15. Minnesota Statutes 1976, Section 10A.02, Subdivision 2, is amended to read:

Subd. 2. Any appointment to fill a vacancy (IN AN ORIGINAL OR SUBSEQUENT TERM) shall be made only for the unexpired term of a member who is being replaced and *the appointee* shall (RETAIN) *meet* the same stated qualifications as the member being replaced. The membership terms, compensation, and removal of members on the board shall be as provided in section 15.0575, except that the extension of terms and the filling of vacancies shall be subject to the advice and consent of the legislature in the same manner as provided in subdivision 1.

Sec. 16. Minnesota Statutes 1976, Section 10A.02, Subdivision 4, is amended to read:

Subd. 4. The board shall (HOLD AN ORGANIZATIONAL MEETING WITHIN 45 DAYS AFTER APRIL 13, 1974 AT WHICH TIME THE MEMBERS OF THE BOARD SHALL) elect from among (THEIR) *its* members a chairman, a vice-chairman and a secretary. The secretary shall keep a record of all proceedings and actions by the board. Meetings of the board shall be at the call of the chairman or at the call of any four members of the board acting together.

Sec. 17. Minnesota Statutes 1976, Section 10A.02, Subdivision 8, is amended to read:

Subd. 8. The board 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 board 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) *individuals* required to file them;

(c) Make available to the (PERSONS) *individuals* 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) *individual* may copy a report or statement by hand or by duplicating machine and the board shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any (PERSON) *individual or association* for any commercial purpose;

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

(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. 18. Minnesota Statutes 1976, Section 10A.02, Subdivision 9, is amended to read:

Subd. 9. The executive director of the board or his staff shall inspect all material filed with the board as promptly as is necessary to comply with the provisions of sections 10A.01 to 10A.34. The executive director shall immediately notify the (PERSON) *individual* required to file a document with the board if *it appears, or a written complaint is filed with the board by any registered voter alleging(, OR IT OTHERWISE APPEARS)*, that a document filed with the board is inaccurate or does not comply with the provisions of sections 10A.01 to 10A.34, or that (A) *the (PERSON) individual* has failed to file a document required by sections 10A.01 to 10A.34.

Sec. 19. Minnesota Statutes 1976, Section 10A.02, Subdivision 11, is amended to read:

Subd. 11. Any hearing or action of the board concerning any complaint or investigation shall be confidential and all information obtained by the board shall be privileged until the board makes a finding that the board believes there is or is not probable cause to conclude that a violation of (LAWS 1974, CHAPTER 470) *chapter 10A* has occurred. Any (PERSON) *individual*, including any member or employee of the board, violating the confidentiality provisions of this subdivision shall be guilty of a gross misdemeanor. The board shall make a finding within 30 days of receipt of a written complaint unless a majority of the board agrees to extend the time limit. (AFTER DETERMINATION OF ITS FINDINGS) *Except as provided in section 51 of this act*, the board shall report any finding of probable cause to the appropriate law enforcement authorities.

Sec. 20. Minnesota Statutes 1976, Section 10A.02, Subdivision 12, is amended to read:

Subd. 12. The board may issue and publish advisory opinions on the requirements of sections 10A.01 to 10A.34 based upon real or hypothetical situations. An application for an advisory opinion may be made only by (THOSE) *an individual or association who (WISH) wishes to use the opinion to guide (THEIR) his or its own conduct.* The board shall issue written opinions on all such questions submitted to it within 30 days after receipt of written application, unless a majority of the board agrees to extend the time limit. *An advisory opinion shall lapse the day the legislature convenes in the second year following the date of the opinion unless the opinion is adopted by rule.*

Sec. 21. Minnesota Statutes 1976, Section 10A.02, Subdivision 13, is amended to read:

Subd. 13. The provisions of chapter 15 (**SHALL**) apply to the board (**INCLUDING THE POWER TO PRESCRIBE**). *The board may promulgate rules (AND REGULATIONS) to carry out the purposes of sections 10A.01 to 10A.34.*

Sec. 22. Minnesota Statutes 1976, Section 10A.02 is amended by adding a subdivision to read:

Subd. 14. On or before June 1 of an election year, the board shall determine the vote fractions specified in section 54 of this act.

Sec. 23. Minnesota Statutes 1976, Section 10A.04, Subdivision 1, is amended to read:

10A.04 [**LOBBYING REPORTS.**] Subdivision 1. Each lobbyist shall file reports of his activities with the board as long as he lobbies. *A lobbyist may file a termination statement at any time after he ceases lobbying.*

Sec. 24. Minnesota Statutes 1976, Section 10A.07, is amended to read:

10A.07 [**CONFLICTS OF INTEREST.**] Subdivision 1. Any public official who in the discharge of his official duties would be required to take an action or make a decision which would substantially affect his financial interests or those of a business with which he is associated, unless the effect on him is no greater than on other members of his business classification, profession or occupation, shall take the following actions:

(a) He shall prepare a written statement describing the matter requiring action or decision and the nature of his potential conflict of interest;

(b) He shall deliver copies of the statement to the board and to his immediate superior, if any;

(c) If he is a (LEGISLATOR) *member of the legislature*, he shall deliver a copy of the statement to the presiding officer of the house in which he serves; and

(d) If a potential conflict of interest presents itself and there is insufficient time to comply with the provisions of clauses (a) to (c), the public official shall verbally inform his superior or the official body *in which he serves*, or committee thereof, (IN WHICH HE SERVES) of the potential conflict. He shall file a written statement with the board within one week after the potential conflict presents itself.

Subd. 2. If the public official is not a (LEGISLATOR) *member of the legislature*, his superior shall assign the matter, if possible, to another employee who does not have a potential conflict of interest. If he has no immediate superior, the public official shall remove himself, if possible, in a manner prescribed by the board from influence over the action or decision in question. If the public official is a (LEGISLATOR) *member of the legislature*, the house (OF) *in which he (IS A MEMBER) serves* may, at his request, excuse him from taking part in the action or decision in question.

Sec. 25. Minnesota Statutes 1976, Section 10A.09, Subdivision 6, is amended to read:

Subd. 6. Each individual who is required to file a statement of economic interest shall file a supplementary statement on April 15 of each year *that he remains in office. The statement shall include a space for each category of information in which the individual may indicate that no change in information has occurred since the previous statement. The supplementary statement shall include the amount of each honorarium in excess of \$50 received since the previous statement, together with the name and address of the source of the honorarium. All statements of economic interest submitted by an individual shall be filed in the same place to permit ready access to the information contained therein.*

Sec. 26. Minnesota Statutes 1976, Section 10A.11, Subdivision 1, is amended to read:

10A.11 [ORGANIZATION OF POLITICAL COMMITTEES.] Subdivision 1. Every political committee shall have a chairman and a treasurer. Nothing in (LAWS 1974, CHAPTER 470) *chapter 10A* shall prohibit them from being the same person.

Sec. 27. Minnesota Statutes 1976, Section 10A.11, Subdivision 6, is amended to read:

Subd. 6. (EXCEPT FOR TRANSFERS OF FUNDS BETWEEN POLITICAL COMMITTEES AND TRANSFERS FROM THE STATE ELECTION CAMPAIGN FUND,) A political committee shall be financed solely through (VOLUNTARY DONATIONS) *contributions* by (NATURAL PERSONS) *individuals, associations to the extent permitted in section 28 of this act, political committees, or political funds, interest earned on deposits, and moneys from the state elections campaign fund.*

Sec. 28. Minnesota Statutes 1976, Section 10A.12, Subdivision 1, is amended to read:

10A.12 [POLITICAL FUNDS.] Subdivision 1. No association *other than a political committee* shall (MAKE A) transfer (OF FUNDS) *more than \$100 in aggregate in any one year* to (A CANDIDATE) *candidates* or political (COMMITTEE) *committees* or make (AN) *any authorized or independent expenditure (WHICH HAS AS ITS) for the purpose (THE) of influencing (OF) the nomination (FOR ELECTION OR) or election (OR DEFEAT) of a candidate (UNLESS IT IS A POLITICAL COMMITTEE OR) unless the (FUNDS FOR THE CONTRIBUTION) transfer or expenditure (COME) is made (SOLELY) from a political fund.*

Sec. 29. Minnesota Statutes 1976, Section 10A.12, Subdivision 4, is amended to read:

Subd. 4. No (DONATIONS) *contributions* to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Sec. 30. Minnesota Statutes 1976, Section 10A.12, Subdivision 5, is amended to read:

Subd. 5. Notwithstanding subdivision 1, any association may, if not prohibited by *other law*, (TRANSFER TO) *deposit in its political fund money derived from (THAT PART OF ITS TREASURY FINANCED BY) dues or membership fees.* Pursuant to section 10A.20, the (SOURCE OF THE DUES OR MEMBERSHIP FEES MUST BE DISCLOSED IF AN AGGREGATE AMOUNT IN EXCESS OF \$50 OF ANY MEMBER'S) *treasurer of the fund shall disclose the name of any member whose dues, membership fees and (VOLUNTARY) contributions (ARE TRANSFERRED TO) deposited in the political fund (WITHIN) together exceed \$50 in any one year.*

Sec. 31. Minnesota Statutes 1976, Section 10A.13, is amended to read:

10A.13 [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. (IT SHALL BE THE DUTY OF) The treasurer of a political committee or political fund (TO) *shall* keep an account of:

(a) The sum of all contributions (EXCEPT ANY CONTRIBUTION) , *including the dollar value of any donation in kind valued at (LESS THAN) \$20 or more, made to (OR FOR) the political committee or political fund;*

(b) The name and address (, IF ANY,) of (ANY PERSON MAKING) *each source of a (CONTRIBUTION IN EXCESS) transfer made to the political committee or political fund of \$20 or more, (AND) together with the date and amount (THERE-OF) of each; (AND)*

(c) *The name and address of each source of a donation in kind valued at \$20 or more, together with the date and amount of each;*

(d) (ALL EXPENDITURES) *Each expenditure or authorized expenditure made by or on behalf of the committee or fund; and*

(e) *The name and address of each political committee or political fund to which transfers of \$20 or more have been made.*

Any (PERSON) *individual* who knowingly violates any provision of this subdivision is guilty of a misdemeanor.

Subd. 2. The treasurer shall obtain a receipted bill, stating the particulars, for every expenditure *in excess of \$100* made by, or *authorized expenditure in excess of \$100 made on behalf of, a political committee or political fund (OF OVER \$100), and for any expenditure or authorized expenditure in a lesser amount if the aggregate amount of lesser expenditures and authorized expenditures made to the same (PERSON) individual or association during (A) any year exceeds \$100.* The treasurer shall preserve all receipted bills and accounts required to be kept by this section for four years.

Sec. 32. Minnesota Statutes 1976, Section 10A.14, Subdivision 1, is amended to read:

10A.14 [REGISTRATION OF POLITICAL COMMITTEES AND POLITICAL FUNDS.] Subdivision 1. The treasurer of a political committee or political fund shall register with the board by filing a statement of organization no later than 14 days after the date upon which the committee or fund has received contributions or made expenditures in excess of \$100. (HOW-

EVER, IN THE FIRST YEAR OF LAWS 1974, CHAPTER 470, TREASURERS SHALL FILE WITHIN 30 DAYS AFTER THE BOARD ISSUES POLITICAL COMMITTEE OR POLITICAL FUND REGISTRATION FORMS.)

Sec. 33. Minnesota Statutes 1976, 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) *name* and (ADDRESSES) *address* of (THE) *any* supporting (ASSOCIATIONS) *association* of a political fund;

(c) The name and address of the chairman, the treasurer, and any deputy treasurers;

(d) A listing of all depositories or safety deposit boxes used; and

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

Sec. 34. Minnesota Statutes 1976, Section 10A.15, is amended to read:

10A.15 [CONTRIBUTIONS.] Subdivision 1. (ANY) *No* anonymous contribution in excess of \$20 shall (NOT) be retained by any political committee or political fund, but shall be forwarded to the board and deposited (TO) *in* the general account of the state elections campaign fund.

Subd. 2. Every (PERSON) *individual* who receives a contribution in excess of \$20 for a political committee or political fund shall, on demand of the treasurer, and in any event within 14 days after receipt of the contribution, inform the treasurer of (THE AMOUNT,) the name and, if known, the address of the (PERSON MAKING) *source of* the contribution, *together with the amount of the contribution* and the date it was received.

Subd. 3. All (MONETARY CONTRIBUTIONS) *transfers* received by (OR ON BEHALF OF ANY CANDIDATE) or *any* political committee or political fund shall within 14 days after the receipt thereof, Sundays and holidays excepted, be deposited (IN A DESIGNATED DEPOSITORY) in an account designated "Campaign Fund of (name of *candidate, committee or fund*)".

A deposited transfer may be returned to the source, provided that the amount returned equals the amount received, and provided that the transaction is included in the first campaign report due after the date of the transaction. A transfer returned within the calendar year in which it was made shall not be considered a contribution.

Subd. 4. Any (PERSON) *individual* violating the provisions of this section is guilty of a misdemeanor.

Sec. 35. Minnesota Statutes 1976, Section 10A.16, is amended to read:

10A.16 [EARMARKING.] Any (PERSON) *individual*, political committee or political fund which receives (CONTRIBUTIONS) *a contribution* (OR TRANSFERS OF FUNDS) from any (PERSON OR ASSOCIATION) *source* with the *express or implied* condition (, EXPRESS OR IMPLIED,) that (THOSE FUNDS) *the contribution* or any part of (THEM) *it* be directed to a particular candidate shall disclose to the ultimate recipient (OF SUCH FUNDS), and in the reports required by section 10A.20, the original source of the (FUNDS) *contribution*, the fact that the (FUNDS WERE) *contribution* was earmarked and the candidate to whom (THEY ARE) *it* was directed. The ultimate recipient of any (FUNDS) *contribution* so earmarked shall also disclose (BY REPORT TO THE BOARD) the original source (OF THE FUNDS,) and the (PERSON) *individual*, political committee, or political fund through which (THEY WERE) *it* was directed. This section applies only to (THOSE) contributions required to be disclosed by section 10A.20, *subdivision 3, paragraph (b)*. Any (PERSON OR ASSOCIATION) *individual, political committee, or political fund* who knowingly accepts *any* earmarked (FUNDS) *contribution* and fails to make the required (DISCLOSURES) *disclosure* is guilty of a gross misdemeanor.

Sec. 36. Minnesota Statutes 1976, Section 10A.17, is amended to read:

10A.17 [EXPENDITURES.] Subdivision 1. (ALL EXPENDITURES) *No expenditure shall be made by a political committee, political fund, or principal campaign committee unless it is* (AUTHORIZED) *allowed* by the treasurer or deputy treasurer of (THE) *that* committee or fund (MAKING THAT EXPENDITURE).

(SUBD. 2. NO PERSON OR PERSONS ACTING IN CONCERT OTHER THAN THE CANDIDATE AND THE TREASURER OF THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE MAY MAKE EXPENDITURES OF MORE THAN \$20 WITH THE AUTHORIZATION OR CONSENT, EXPRESS OR IMPLIED, OF A CANDIDATE OR HIS

AGENT, OR UNDER THE CONTROL, DIRECT OR INDIRECT, OF A CANDIDATE OR HIS AGENT ON BEHALF OF A CANDIDATE WITHOUT RECEIVING FROM THE TREASURER OF THAT CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE (I) PRIOR WRITTEN AUTHORIZATION AND (II) CERTIFICATION THAT THE EXPENDITURES WILL NOT EXCEED THE LIMITS ON EXPENDITURES AS SET FORTH IN SECTIONS 10A.25 AND 10A.27. ALL SUCH EXPENDITURES SHALL BE COUNTED AGAINST THE SPENDING LIMITATIONS OF THE CANDIDATE.)

Subd. 2a. The treasurer of each principal campaign committee shall be responsible for returning any contribution which would cause the contribution limits imposed by section 50 of this act to be exceeded. The source of such contribution shall not be subject to the penalties imposed by section 51 of this act.

The candidate or treasurer shall not allow the limits imposed by section 50 of this act to be exceeded by any of the following:

- (a) an authorized expenditure;*
- (b) the forgiveness of an advance of credit; or*
- (c) the forgiveness of, or repayment by an endorser of, a loan.*

Subd. 3. The treasurer or deputy treasurer of a political committee may (MAKE AN AUTHORIZATION) *sign vouchers* for petty cash (IN ANY REPORTING PERIOD) of not more than \$100 per week for statewide elections (AND) or \$20 per week (IN) for legislative elections to be used for miscellaneous expenditures. *Each voucher shall state the amount and purpose.*

Subd. 4. (EACH AUTHORIZATION SHALL STATE THE AMOUNT AND PURPOSE OF THE EXPENDITURE AND SHALL BE SIGNED BY THE TREASURER OR DEPUTY TREASURER OF THE COMMITTEE MAKING THE EXPENDITURE AND BY THE INDIVIDUAL MAKING THE EXPENDITURE.)

(SUBD. 5.) Any *individual, political committee, or political fund (OR PERSON) who independently solicits or accepts contributions or (MAKE) makes independent expenditures on behalf of any candidate (WITHOUT THE WRITTEN AUTHORIZATION OF THE CANDIDATE) shall publicly disclose (ITS) the lack of authorization. (IN) All written communications with those from whom (IT SOLICITS OR ACCEPTS) contributions are solicited or accepted or to whom (IT MAKES) independent expenditures are made, (THE COMMITTEE, FUND OR PERSON) shall (STATE IN WRITING AND) contain a statement*

in conspicuous type that (IT) *the activity* is not authorized by the candidate (AND THAT THE CANDIDATE IS NOT) *nor is he* responsible for (ITS ACTIVITIES) *it*. (A) Similar (ORAL STATEMENT) *language* shall be included in all oral communications. (A SIMILAR WRITTEN STATEMENT SHALL BE INCLUDED), in conspicuous type on the front page of all literature and advertisements published or posted, and (A SIMILAR ORAL STATEMENT INCLUDED) at the end of all broadcast advertisements (BY COMMITTEE, FUND OR PERSON IN CONNECTION WITH) *made on* the candidate's (CAMPAIGN) *behalf*.

(SUBD. 6.) Any person who knowingly violates the provisions of (SUBDIVISIONS 1, 2, 3 OR 5) *this subdivision* or who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 37. Minnesota Statutes 1976, Section 10A.19, Subdivision 1, is amended to read:

10A.19 [PRINCIPAL CAMPAIGN COMMITTEE.] Subdivision 1. (EVERY) *No* candidate shall (DESIGNATE AND CAUSE) *accept contributions from any source, other than himself or a member of his immediate family, in aggregate in excess of \$100 or any moneys from the state elections campaign fund unless he designates and causes to be formed a single principal campaign committee which shall be responsible for (REPORTING CONTRIBUTIONS AND AUTHORIZED EXPENDITURES ON BEHALF OF THE CANDIDATE) filing reports as provided in section 38 of this act.*

Sec. 38. Minnesota Statutes 1976, 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 (,) *occupation* if self-employed, (OCCUPATION) of each (PERSON) *individual*, political committee or political fund who *within the year* 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) *all* fund raising (EVENTS) *efforts* (WITHIN THE YEAR), *which* in (AN) aggregate (AMOUNT OR VALUE IN EXCESS OF) *exceed* \$50 for legislative candidates (AND IN EXCESS OF) or \$100 for statewide candidates, together with the amount and date of (THE CONTRIBUTIONS) *each contribution*, and the aggregate amount of contributions within the year from each contributor so disclosed. The (LISTS) *names* 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) Each loan (TO OR FROM ANY PERSON) *made or received by the political committee or political fund* within the year in (AN) aggregate (AMOUNT OR VALUE) in excess of \$100, *continuously reported until extinguished*, together with the name (AND), address, occupation and the principal place of business, if any, of the lender or any endorser and the date and amount of the loan. *Any loan made to the principal campaign of a candidate which is forgiven at any time or repaid by an endorser shall be considered a contribution in the year in which the loan was made, and shall be subject to the contribution limits imposed in sections 50 and 59 of this act. If such a forgiven or repaid loan causes the contribution limit imposed in section 59 of this act to be exceeded, the amount by which the limit is exceeded shall be returned with the first report due after the loan is forgiven or repaid, in the manner provided in section 58 of this act. In no case shall the amount returned exceed the amount received by the candidate from the state elections campaign fund;*

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

(f) The (TOTAL) sum of all receipts by or (FOR) *on behalf of* the political committee or political fund during the reporting period;

(g) The name and address of each (PERSON) *individual or association to whom aggregate expenditures, including authorized expenditures, have been made by or on behalf of* the political committee or political fund (OR ON ITS BEHALF) within the year (IN AN AGGREGATE AMOUNT) in excess of \$100, *together with* 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;

(h) The sum of individual expenditures, *including authorized expenditures*, not otherwise reported under clause (g);

(i) The (TOTAL) *sum of all* expenditures made by or *on behalf of* the political committee or political fund during the reporting period;

(j) The amount and nature of any (DEBT OR OBLIGATION) *advance of credit* owed by (OR TO) the political committee or political fund, continuously reported until extinguished (, AND ANY WRITTEN CONTRACT, PROMISE OR AGREEMENT TO MAKE A CONTRIBUTION OR EXPENDITURE;

AND). Any advance of credit incurred by or on behalf of a candidate, which advance of credit is forgiven at any time by the creditor, shall be considered a donation in kind in the year in which the advance of credit was incurred, and shall be subject to the contribution limits imposed in sections 50 and 59 of this act. If a forgiven advance of credit incurred by or on behalf of a candidate in an election year causes the contribution limit imposed in section 59 of this act to be exceeded, the amount by which the limit is exceeded shall be returned with the first report due after the advance of credit is forgiven, in the manner provided in section 58 of this act. In no case shall the amount returned exceed the amount received by the candidate from the state elections campaign fund;

(k) The name and address of each political committee, political fund, or principal campaign committee to which aggregate transfers in excess of \$100 have been made within the year, together with the amount and date of each transfer;

(l) The sum of all transfers made by the political committee, political fund, or principal campaign committee during the reporting period; and

(m) The sum of all disbursements made by the political committee, political fund, or principal campaign committee during the reporting period.

((K) FOR) Each report filed under this section by a principal campaign (COMMITTEES ONLY:) committee shall disclose the name of each (PERSON) individual, political committee or political fund (,) which has (BEEN AUTHORIZED BY THE TREASURER TO MAKE) made authorized expenditures on behalf of the candidate and the nature and amount of each authorized expenditure.

Sec. 39. Minnesota Statutes 1976, Section 10A.20, Subdivision 4, is amended to read:

Subd. 4. (THE REPORTS) A reporting period shall (COVER) begin with the (TIME FROM) day after the last day (OF THE PERIOD) covered (BY) in the (LAST REPORT TO) previous reporting period and shall end (a) seven days prior to the filing date for reports due before the primary and election and (b) December 31 for the report due January 31.

Sec. 40. Minnesota Statutes 1976, Section 10A.20, Subdivision 5, is amended to read:

Subd. 5. In any statewide election any contribution or contributions from (A PERSON OR ASSOCIATION) any one source totaling \$2,000 or more, or in any legislative election (ANY CONTRIBUTION OF) totaling \$200 or more, received

(AFTER) *between* the (PERIOD) *last day* covered in the last report prior to an election and (PRIOR TO) the election shall be reported to the board *in person* or by telegram within 48 hours after its receipt and *also* in the next required report.

Sec. 41. Minnesota Statutes 1976, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every (PERSON, OTHER THAN A POLITICAL COMMITTEE OR POLITICAL FUND,) *candidate who does not designate and cause to be formed a principal campaign committee, and any individual who makes independent expenditures* (, OTHER THAN BY CONTRIBUTION TO A POLITICAL COMMITTEE OR POLITICAL FUND,) in (AN) aggregate (AMOUNT) in excess of \$100 (WITHIN A) *in any year*, shall file with the board a (STATEMENT) *report* containing the information required *by subdivision 3* of a political committee (,) or political fund (OR CANDIDATE). (STATEMENTS) *Reports* required by this subdivision shall be filed on the dates on which reports by committees *and funds* are filed.

Sec. 42. Minnesota Statutes 1976, Section 10A.22, Subdivision 1, is amended to read:

10A.22 [REPORTS AND STATEMENTS.] Subdivision 1. A report or statement required by sections 10A.11 to 10A.34 to be filed by a treasurer of a political committee or political fund, or by any other (PERSON) *individual*, shall be signed and certified as true by the (PERSON) *individual* required to file the report. Any (PERSON) *individual* who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a (FELONY) *gross misdemeanor*.

Sec. 43. Minnesota Statutes 1976, Section 10A.22, Subdivision 3, is amended to read:

Subd. 3. Each (CONTRIBUTION) *donation* in kind shall be valued at fair market value and *the dollar value* reported on the appropriate (SCHEDULE) *schedules* of (RECEIPTS) *contributions and expenditures*, identified as to its nature and listed as "(CONTRIBUTION) *donation* in kind". (THE TOTAL AMOUNT OF GOODS AND SERVICES CONTRIBUTED) *Donations* in kind (SHALL BE DEEMED TO HAVE BEEN) *are considered* consumed in the reporting period in which *they* are received. (EACH CONTRIBUTION IN KIND SHALL BE DECLARED AS AN EXPENDITURE AT THE SAME FAIR MARKET VALUE AND REPORTED ON THE APPROPRIATE EXPENDITURE SCHEDULE, IDENTIFIED AS "CONTRIBUTION IN KIND".)

Sec. 44. Minnesota Statutes 1976, Section 10A.22, Subdivision 4, is amended to read:

Subd. 4. (IN DETERMINING THE AGGREGATE OF A PERSON'S CONTRIBUTIONS,) The treasurer shall list contributions from the same (DONOR) *source* under the same name. (IN EACH INSTANCE) When a contribution received from (A PERSON) *any source* in a reporting period is added to previously reported un-itemized contributions from the same (CONTRIBUTOR) *source* and the aggregate exceeds the disclosure threshold of section 10A.20, the name, address and employer, or (,) *occupation* if self-employed, occupation of that (CONTRIBUTOR) *source* shall then be listed on the prescribed (REPORTING FORMS) *schedule*. A candidate may refuse to accept any contribution.

Sec. 45. Minnesota Statutes 1976, Section 10A.22, Subdivision 5, is amended to read:

Subd. 5. A political committee or political fund making an expenditure (, OTHER THAN A TRANSFER OF FUNDS, FOR OR) on behalf of more than one candidate for state or legislative office shall allocate the expenditure among the candidates on a reasonable cost basis and report (THIS) *the* allocation for each candidate. (THE TREASURER SHALL RETAIN FOR AUDIT ANY DOCUMENTS SUPPORTING THE ALLOCATION.)

Sec. 46. Minnesota Statutes 1976, Section 10A.22, Subdivision 7, is amended to read:

Subd. 7. The treasurer of a political committee or political fund shall not accept a contribution *in excess* of (MORE THAN) \$100 from a political committee or political fund not registered in this state unless the contribution is accompanied by a written statement which meets the disclosure requirements imposed by section 10A.20. This statement shall be certified as true and correct by an officer of the contributing *political* committee or political fund. The provisions of this subdivision shall not apply when (THE) a national (AFFILIATE OF ANY) political party (IN THIS STATE TRANSFERS MONEY) *makes a transfer* to its (STATE) affiliate *in this state* (AND THAT MONEY), *which transfer* is expended by the (STATE 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 BROADCAST, OR IN ANY TELEPHONE CONVERSATION IF THAT CONVERSATION MENTIONS THREE OR MORE CANDIDATES) *affiliate for any purpose listed in section 50, subdivision 3 of this act*.

Sec. 47. Minnesota Statutes 1976, Section 10A.24, is amended to read:

10A.24 [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled

all of its debts or disposed of all its assets and filed a termination report. The termination report may be made at any time and shall include all information required in periodic reports (AND A STATEMENT AS TO THE DISPOSITION OF ANY RESIDUAL FUNDS).

Sec. 48. Minnesota Statutes 1976, Section 10A.25, is amended to read:

10A.25 [LIMITS ON CAMPAIGN EXPENDITURES.]
 Subdivision 1. For the purposes of sections 10A.11 to 10A.34 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate (AND). *Except as provided in subdivision 3 of this section, all expenditures made by or all authorized expenditures made on behalf of the candidate for (GOVERNOR AND ALL EXPENDITURES MADE BY OR ON BEHALF OF THE CANDIDATE FOR) lieutenant governor shall be considered to be expenditures by or authorized expenditures on behalf of the candidate for governor.*

Subd. 2. In a year in which an election is held for an office sought by a candidate (STANDS FOR ELECTION) who accepts moneys as set forth in subdivision 2a, no expenditures shall be made (AND NO OBLIGATIONS TO MAKE) by the principal campaign committee of that candidate, nor any authorized expenditures (SHALL BE INCURRED BY) made on behalf of (A) that candidate (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 HIS AGENTS) which expenditures and authorized expenditures (RESULTS) result in (THE) an aggregate (EXPENDITURE ON BEHALF OF THE CANDIDATE OF AN) amount in excess of the following (AMOUNTS):

(a) For governor and lieutenant governor, running (JOINTLY) together, 12 1/2 cents per capita or \$600,000, whichever is greater;

(b) For attorney general, 2 1/2 cents per capita or \$100,000, whichever is greater;

(c) For secretary of state, state treasurer and state auditor, separately, 1 1/4 cents per capita or \$50,000, whichever is greater;

(d) For state senator, 20 cents per capita or \$15,000, whichever is greater;

(e) For state representative, 20 cents per capita or \$7,500, whichever is greater.

Subd. 2a. The limitations set forth in subdivision 2 shall apply to a candidate who accepts any moneys from the state elections campaign fund.

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), *whichever is greater*, to seek endorsement. This amount shall be in addition to the amount which may be expended pursuant to subdivision 2, clause (a).

Subd. 4. Notwithstanding (SUBDIVISION 2 WITH RESPECT TO THE 1974 GENERAL ELECTION,) *the effective date of this act, (EXPENSES INCURRED) expenditures, authorized expenditures, and advances of credit made prior to (APRIL 13, 1974) the effective date of this act for goods and services consumed or used after the effective date of this act shall (NOT) be counted against the spending limitations imposed by subdivision 2.*

Subd. 5. If the winning candidate in a contested race in a primary (ELECTION) receives less than twice as many votes as any one of his opponents in that (ELECTION) *primary*, he shall have added to the aggregate amount which may be expended by him (OR) *and authorized to be expended* on his behalf an amount equal to (ONE-FIFTH) *20 percent* of the applicable amount as set forth in subdivision 2 (, OR THE AMOUNT ACTUALLY EXPENDED BY HIM OR ON HIS BEHALF IN THE PRIMARY ELECTION, WHICHEVER IS LESS).

Subd. 6. *For any candidate for or holder of office who has accepted or accepts moneys as set forth in subdivision 2a, for the term of the office held or sought, in (A) any year (IN WHICH) following an election (DOES NOT OCCUR) year for (AN) the 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) amount of expenditures by and authorized expenditures on behalf of (THE) such candidate for or (OFFICEHOLDER IN THAT YEAR OF AN AMOUNT IN EXCESS OF) holder of that office shall not exceed 20 percent of the (AMOUNT OF THE AGGREGATE) expenditure (PERMITTED) limit set (BY) forth in subdivision 2. Expenditures permitted by this subdivision shall be in addition to expenditures permitted by subdivision 2.*

Subd. 7. On or before (JANUARY 15) *December 31* of each year, the state demographer shall certify to the board the estimated population of the state of Minnesota for (THE LAST) *that year* (ENDING BEFORE THE DATE OF CERTIFICATION). In determining the per capita amounts for each office in subdivision 2, the board shall use:

(a) (IN THE CASE OF THE ELECTIONS FOR) *For the offices of 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) *For the office of state senator, 1/67 of the total estimated population of the state; and*

(c) (IN THE CASE OF ELECTIONS FOR) *For the office of state representative, 1/134 of the total estimated population of the state.*

Subd. 8. On or before January 31 of each year, the board shall determine and publish the (AMOUNT) *limit*, rounded off to the nearest hundred dollars, (OF THE LIMITS) on campaign expenditures in subdivision 2.

Subd. 9. An expenditure is *considered to be* made in the year in which the goods or services for which it was made are used or consumed.

Sec. 49. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.265] [FREEDOM TO ASSOCIATE AND COMMUNICATE.] *Nothing in chapter 10A shall be construed as abridging the right of an association to communicate with its members.*

Sec. 50. Minnesota Statutes 1976, Section 10A.27, is amended to read:

10A.27 [ADDITIONAL LIMITATIONS.] Subdivision 1. (NO POLITICAL COMMITTEE, POLITICAL FUND, OR INDIVIDUAL, EXCEPT A POLITICAL PARTY OR THE PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE SHALL MAKE EXPENDITURES ON BEHALF OR IN OPPOSITION TO THE OPPONENT OF A CANDIDATE, OR TRANSFER FUNDS TO THE PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE, IN AN AMOUNT IN EXCESS OF TEN PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25.) *Except as provided in subdivisions 2 and 6, no contributions to the principal cam-*

paign of that candidate or authorized expenditures on behalf of that candidate shall be made in aggregate amounts in excess of the following:

(a) To candidates for governor and lieutenant governor running together, \$60,000 in an election year for the office sought and \$12,000 in other years;

(b) To a candidate for attorney general, \$10,000 in an election year for the office sought and \$2,000 in other years;

(c) To a candidate for the office of secretary of state, state treasurer or state auditor, \$5,000 in an election year for the office sought and \$1,000 in other years;

(d) To a candidate for state senator, \$1,500 in an election year for the office sought and \$300 in other years;

(e) To a candidate for state representative, \$750 in an election year for the office sought and \$150 in the other year.

Subd. 2. No political party shall make *contributions and authorized expenditures* on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of (50 PERCENT OF) *five times* the amount (THAT MAY BE SPENT BY OR ON BEHALF OF) *applicable* to that candidate as set forth in (SECTION 10A.25) *subdivision 1.*

Subd. 3. (EXPENDITURES) *Any expenditures* by 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, POSTED, OR BROADCAST, OR ANY OFFICIAL PARTY SAMPLE BALLOT OR TELEPHONE CONVERSATION LISTING THREE OR MORE 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, *if the expenditure is made for:*

(a) any published, posted, or broadcast advertisement on behalf of candidates of that party generally without referring to any of them specifically;

(b) any sample ballot or telephone conversation listing three or more individuals whose names are to appear on the ballot; or

(c) a fundraising effort made on behalf of three or more candidates.

Subd. 4. For the purposes of this section, a political party includes (A POLITICAL) the party's organization within congressional districts, counties, legislative districts, municipalities, wards, and precincts (, AND ANY LEGISLATIVE BODY).

Subd. 5. *Nothing in chapter 10A shall be construed as limiting independent expenditures on behalf of a candidate.*

Subd. 6. *Nothing in chapter 10A shall be construed as limiting the amount which may be contributed by a candidate, or his immediate family as defined in section 13 of this act, for the purpose of influencing the nomination or election of that candidate.*

Subd. 7. *Contributions and authorized expenditures made prior to the effective date of this act which are in excess of the limits imposed by this section shall not be in violation of this act but shall be disclosed as required by section 38 of this act.*

Sec. 51. Minnesota Statutes 1976, Section 10A.28, is amended to read:

10A.28 [PENALTY FOR EXCEEDING LIMITS.] Any (PERSON OR ASSOCIATION THAT MAKES EXPENDITURES IN EXCESS OF THE LIMITATIONS IMPOSED BY SECTIONS 10A.25 AND 10A.27) *principal campaign committee which is found in violation of the provisions of sections 36, 48, or 50 of this act shall be subject to a fine (EQUAL) of up to four times the amount by which (ITS EXPENDITURE EXCEEDED) the applicable limit is exceeded. If the board (OR COUNTY ATTORNEY HAS REASON TO BELIEVE) determines there is sufficient evidence that (A PERSON OR ASSOCIATION) a principal campaign committee has (MADE SUCH EXCESS EXPENDITURES, THE BOARD OR COUNTY ATTORNEY) allegedly violated sections 36, 48, or 50 of this act, it shall (BRING AN ACTION IN THE DISTRICT COURT OF RAMSEY COUNTY OR, IN THE CASE OF A LEGISLATIVE CANDIDATE, THE DISTRICT COURT OF A COUNTY WITHIN THE LEGISLATIVE DISTRICT, TO IMPOSE THIS PENALTY) notify the candidate and the treasurer of his principal campaign committee by certified mail of its determination and the amount by which the applicable limit was allegedly exceeded. If the candidate or treasurer does not agree with the determination or the amount, he may request that proceedings be held in accordance with the contested case provisions of sections 15.0418 to 15.0426. If the candidate or treasurer agrees at any time that the board's determination is correct, both as to the violation and the amount, the proceedings against the principal campaign committee shall terminate upon payment of the fine imposed by the board. All moneys recovered pursuant to this section shall be deposited in the general (ACCOUNT) fund of the state (ELECTIONS CAMPAIGN FUND).*

Sec. 52. Minnesota Statutes 1976, Section 10A.29, is amended to read:

10A.29 [CIRCUMVENTION PROHIBITED.] Any attempt by (A PERSON) *an individual or association* to circumvent the provisions of (LAWS 1974, CHAPTER 470, SECTIONS 11 TO 41) *chapter 10A* by redirecting funds through, or contributing funds on behalf of, another (PERSON) *individual or association* is a gross misdemeanor.

Sec. 53. Minnesota Statutes 1976, Section 10A.31, Subdivision 3a, is amended 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) *a statewide* 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. 54. Minnesota Statutes 1976, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. In each calendar year the moneys in each party account and the general account shall be allocated to candidates as follows:

(a) (16) *21* percent for the offices of governor and lieutenant governor (JOINTLY) *together*;

(b) (9.6) *3.6* percent for the office of attorney general;

(c) (4.8) *1.8* 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, (28) *23 1/3* percent for the office of state senator and (40) *46 2/3* 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) *35* 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.)

Each candidate for the state senate and state house of representatives whose name is to appear on the ballot in the general election shall receive moneys from his party account set aside for candidates of the state senate or state house of representatives, whichever applies, according to the following formula:

(a) the sum of the votes cast in the last general election in his district for all candidates of his party (i) whose names appeared on the ballot in each voting precinct of the state and (ii) for the state senate and state house of representatives, divided by

(b) the sum of the votes cast in the entire state in the last general election for all candidates of his party (i) whose names appeared on the ballot in each voting precinct in the state and (ii) for the state senate and state house of representatives, multiplied by

(c) the amount in his party account set aside for all the candidates for the office for which he is a candidate.

In a year in which an election for the state senate occurs, with respect to votes for candidates for the state senate only, "last general election" means the last general election in which an election for the state senate occurred.

For any party under whose name no candidate's name appeared on the ballot in each voting precinct in the state in the last general election, "last general election" means the last general election in which the name of a candidate of that party appeared on the ballot in each voting precinct in the state.

If in a district there were no candidates of a party for the state senate or state house of representatives in the last general election, or if a candidate for the state senate or state house of representatives were unopposed, the vote for that office for that party shall be the average vote of all the remaining candidates of that party in that district whose votes are included in the sums in clauses (a) and (b). The average vote shall be added to the sums in clauses (a) and (b) before the calculation is made for all districts.

Moneys from any party account (REFUSED BY ANY CANDIDATE) not distributed in any election year shall be (DISTRIBUTED TO ALL OTHER CANDIDATES OF THAT PARTY IN PROPORTION TO THEIR SHARES AS PROVIDED IN THIS SUBDIVISION) returned to the general fund of the state. 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 GOV-

ERNOR 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. 55. Minnesota Statutes 1976, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. Within two weeks after certification by the state canvassing board of the results of the primary, the state treasurer shall distribute the available funds in each party account, 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 in the general election, 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.)

Sec. 56. Minnesota Statutes 1976, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. Within two weeks 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 allocations set forth in subdivision 5, in equal amounts to 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 they were candidates. *The board shall not use the information contained in the report of the principal campaign committee of any candidate due ten days before the general election for the purpose of reducing the amount due that candidate from the general account.*

Sec. 57. Minnesota Statutes 1976, Section 10A.31, Subdivision 10, is amended to read:

Subd. 10. In the event that on (NOVEMBER 15) *the date of either certification by the commissioner of revenue as provided in subdivisions 6 and 7*, less than 98 percent of the tax returns have been processed, the commissioner of revenue shall certify to the board on December 7 the amount accumulated in each account since the previous certification. Within one week thereafter, the board 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. 58. Minnesota Statutes 1976, Section 10A.31, is amended by adding a subdivision to read:

Subd. 11. For the purposes of section 10A.31, a write-in candidate is not a candidate unless he complies with the provisions of section 59, subdivision 3, of this act.

Sec. 59. Minnesota Statutes 1976, 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 *and retain an amount greater than the (TOTAL) aggregate amount of expenditures which may be made by him or his principal campaign committee and authorized expenditures made on his behalf* under (SECTIONS) *section 10A.25 (AND 10A.27), subdivision 2.* 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) *returned to the general fund of the state.*

Subd. 2. No candidate shall be entitled to receive from the state (ELECTION) *elections* campaign fund an amount greater than the (TOTAL) *aggregate amount (ACTUALLY EXPENDED) of expenditures made by (HIM OR) his principal campaign committee and authorized expenditures made on his behalf* 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 indicates that the amount received by the candidate *from the state elections campaign fund* is greater than the amount (AUTHORIZED TO BE) expended on his behalf, the treasurer of his principal campaign committee shall (REFUND) *return* to the state treasurer an amount equal to the difference. The (REFUND) *return* in the form of a check or money order shall be submitted with such report and the board shall forward the (RE-

FUND) return to the state treasurer for deposit in the general fund of the state.

Subd. 3. As a condition of receiving any (FUNDS) moneys from the state elections campaign fund, (ANY) a candidate, (PRIOR TO RECEIPT OF THE FUNDS,) shall agree by stating in writing to the board (ON OR BEFORE SEPTEMBER 1) that (a) (AUTHORIZED) except as provided in section 48, subdivision 4, of this act, his expenditures (ON HIS BEHALF) and authorized expenditures shall not exceed the expenditure limits as set forth in section 10A.25 and that (b) his principal campaign committee shall not accept contributions nor allow authorized expenditures to be made on his behalf for the period beginning with January 1 of the election year or with the registration of his principal campaign committee, whichever occurs later, and ending December 31 of the election year, which aggregate contributions and authorized expenditures exceed (105 PERCENT OF) the difference between the amount which may legally be expended by him or on his behalf, and the amount which he receives from the state elections campaign fund. Notwithstanding the effective date of this act, for 1978, the period for determining the aggregate contribution and authorized expenditure limit agreed to pursuant to this subdivision shall begin January 1, 1978. The sum of all contributions received in an election year on or before the day of adjournment sine die of the legislature which is equal to the amount disbursed for services to constituents shall not count toward the contribution limit imposed in this subdivision. Any amount by which his total contributions and authorized expenditures exceed (105 PERCENT OF) the difference shall be (REFUNDED) returned 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. In no case shall the amount returned exceed the amount received from the state elections campaign fund.

The candidate may submit his signed agreement to the filing officer on the day he files his affidavit of candidacy or petition to appear on the ballot, or he may submit the agreement to the board no later than September 1.

The board shall make forms for the agreement available to all filing officers prior to the first day for filing for office. The filing officer shall without delay forward signed agreements to the board. An agreement once submitted may not be withdrawn.

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 of the state elections campaign fund and set aside for that office divided by the number of candidates whose names are to appear on the general elec-

tion ballot for that office. If *for any reason* the amount actually received by the candidate is greater (BY REASON OF A LES-
SER NUMBER OF QUALIFYING CANDIDATES SHARING
IN THE FUNDS IN EACH ACCOUNT) *than his share of the
estimate*, and his contributions thereby exceed (105 PERCENT
OF) the difference, the agreement shall not be considered vio-
lated.

Subd. 3a. The commissioner of revenue shall certify to the board (ON OR) before the (LAST) *first day (FOR FILING FOR OFFICE) of July in an election year* 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. *Prior to the first day of filing for office the board shall calculate, publish, and forward to all filing officers the amount of moneys each candidate who qualifies as provided in section 54 of this act shall receive from his party account, based upon the certification of the estimate by the commissioner of revenue.* Within seven days after the last day for filing for office the secretary of state shall certify to the board 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 board 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 board 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 August 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 any office, the moneys *set aside for that office* shall be (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) *returned* to the general fund of the state.

Sec. 60. Minnesota Statutes 1976, Section 10A.33, is amended to read:

10A.33 [APPLICATION.] The provisions of sections 10A.30 to 10A.32 shall apply only in general elections and (PRIMARY ELECTIONS) *primaries* preceeding general elections and shall not include special elections(,) *or* special (PRIMARY ELECTIONS, CONVENTIONS AND CAUCUSES OF A POLITICAL PARTY) *primaries*.

Sec. 61. Minnesota Statutes 1976, Section 210A.01, Subdivision 3, is amended to read:

Subd. 3. "Candidate" means (EVERY PERSON) *any individual* for whom it is contemplated or desired that votes may be cast at any *primary or election (OR PRIMARY)*, and who either tacitly or expressly consents to be so considered, except candidates for president and vice president of the United States. In sections 210A.22 to 210A.28, 210A.32 and 210A.33, "candidate" does not mean (A PERSON) *an individual* for whom it is contemplated or desired that votes may be cast at any *primary or election (OR PRIMARY)*, and who either tacitly or expressly consents to be so considered for (GOVERNOR, STATE OFFICER, STATE SENATOR OR MEMBERSHIP IN THE HOUSE OF REPRESENTATIVES) *constitutional office, member of the legislature, justice of the supreme court, or district court judge.*

Sec. 62. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.335] *For the purpose of determining whether the distribution formula provided in section 54 of this act continues to have a rational relation to (a) the dollars designated on income tax returns for political parties within legislative districts, and (b) the support for particular parties or particular candidates within legislative districts, it is the intention of this act that future legislatures monitor, using statistical data provided by the department of revenue, income tax returns on which \$1, or in the case of a joint return, \$2, is designated for a political party.*

Sec. 63. Minnesota Statutes 1976, Sections 10A.09, Subdivision 7, 10A.17, Subdivision 2, and 10A.26, are repealed.

Sec. 64. *This act is effective the day following its final enactment."*

Further amend the title by deleting it entirely and inserting:

"A bill for an act relating to political activities; providing for their regulation; defining terms; revising certain filing and reporting requirements; clarifying language; imposing expenditure and contribution limits; revising distribution of moneys from the state elections campaign fund to legislative candidates; removing obsolete provisions; providing penalties; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 7, 9, 10, 11, 13, 15, 16 and 18, and by adding subdivisions; 10A.02, Subdivisions 1, 2, 4, 8, 9, 11, 12 and 13, and by adding a subdivision; 10A.04, Subdivision 1; 10A.07; 10A.09, Subdivision 6; 10A.11, Subdivisions 1 and 6; 10A.12, Subdivisions 1, 4 and 5; 10A.13; 10A.14, Subdivisions 1 and 2; 10A.15; 10A.16; 10A.17; 10A.19, Subdivision 1; 10A.20, Subdivisions 3, 4, 5 and 6; 10A.22, Subdivisions 1, 3, 4, 5 and 7; 10A.24; 10A.25; 10A.27; 10A.28; 10A.29; 10A.31, Subdivisions 3a, 5, 6, 7, 10, and by adding a subdivision; 10A.32; 10A.33; and 210A.01, Subdivision 3; and Chapter 10A, by adding sections; repealing Minnesota Statutes

1976, Sections 10A.09, Subdivision 7; 10A.17, Subdivision 2; and 10A.26.”.

With the recommendation that when so amended the bill pass.

MINORITY REPORT

February 15, 1978

We, the undersigned, being a minority of the Committee on General Legislation and Veterans Affairs, recommend that H. F. No. 404, do pass with the following amendments:

Strike everything after the enacting clause and insert:

“Section 1. Minnesota Statutes 1976, Section 10A.01, is amended by adding a subdivision to read:

Subd. 10a. “Independent expenditure” means an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with the candidate, his principal campaign committee or an agent of the candidate or committee.

Sec. 2. Minnesota Statutes 1976, Section 10A.11, Subdivision 6, is amended to read:

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund, a political committee shall be financed solely through voluntary (DONATIONS) contributions by natural persons or political funds.

Sec. 3. Minnesota Statutes 1976, Section 10A.12, Subdivision 4, is amended to read:

Subd. 4. No (DONATIONS) contributions to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Sec. 4. Minnesota Statutes 1976, Section 10A.17, is amended by adding a subdivision to read:

Subd. 2a. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with the authorization or consent, express or implied, of a candidate or his agent, or under the control, direct or indirect, of a candidate or his agent on behalf of a candidate without receiving from the treasurer of that candidate's principal campaign committee (i) prior written authorization and (ii) certification that the

expenditures will not exceed the limits on expenditures as set forth in sections 7 and 8 of this act. All such expenditures shall be counted against the spending limitations of the candidate.

Sec. 5. Minnesota Statutes 1976, Section 10A.17, is amended by adding a subdivision to read:

Subd. 7. Any person who knowingly violates the provisions of subdivisions 1, 3 or 5 or section 4 of this act or who falsely claims the lack of authorization is guilty of a misdemeanor.

Sec. 6. Minnesota Statutes 1976, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every person (, OTHER THAN A POLITICAL COMMITTEE OR POLITICAL FUND,) who makes *independent* expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the board a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed.

Sec. 7. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.251] [LIMITS ON CAMPAIGN EXPENDITURES.]
Subdivision 1. For the purposes of sections 10A.11 to 10A.34 a candidate for governor and a candidate for lieutenant governor, running together, shall be deemed to be a single candidate and all expenditures made by or on behalf of the candidate for governor and all expenditures made by or on behalf of the candidate for lieutenant governor shall be considered to be expenditures by or on behalf of the candidate for governor.

Subd. 2. In a year in which a candidate stands for election no expenditures shall be made and no obligations to make expenditures shall be incurred by a candidate 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 his agents which results in the aggregate expenditure on behalf of the candidate of an amount in excess of the following amounts:

(a) *For governor and lieutenant governor, running jointly, 12 1/2 cents per capita or \$600,000, whichever is greater;*

(b) *For attorney general, 2 1/2 cents per capita or \$100,000, whichever is greater;*

(c) *For secretary of state, state treasurer and state auditor, separately, 1 1/4 cents per capita or \$50,000, whichever is greater;*

(d) For state senator, 20 cents per capita or \$15,000, whichever is greater;

(e) For state representative, 20 cents per capita or \$7,500, whichever is greater.

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) to seek endorsement. This amount shall be in addition to the amount which may be expended pursuant to subdivision 2, clause (a).

Subd. 4. Notwithstanding subdivision 2 with respect to the 1974 general election, expenses incurred prior to April 13, 1974 shall not be counted against the spending limitations imposed by subdivision 2.

Subd. 5. If the winning candidate in a contested race in a primary election receives less than twice as many votes as any one of his opponents in that election, he shall have added to the aggregate amount which may be expended by him or on his behalf an amount equal to one-fifth of the applicable amount as set forth in subdivision 2, or the amount actually expended by him or on his behalf in the primary election, whichever is less.

Subd. 6. In a year in which 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 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.

Subd. 7. On or before January 15 of each year, the state demographer shall certify to the board the estimated population of the state of Minnesota for the last year ending before the date of certification. In determining the per capita amounts for each office in subdivision 2, the board 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.*

Subd. 8. On or before January 31 of each year, the board shall determine and publish the amount, rounded off to the nearest hundred dollars, of the limits on campaign expenditures in subdivision 2.

Subd. 9. An expenditure is made in the year in which the goods or services for which it was made are used or consumed.

Subd. 10. The expenditure limits of this section apply only to candidates who agree pursuant to section 17, subdivision 3 of this act to be bound by the limits as a condition of receiving money from the state elections campaign fund.

Sec. 8. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.271] [ADDITIONAL LIMITATIONS.] *Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make contributions to a candidate or his principal campaign committee in an amount in excess of ten percent of the amount that is prescribed in section 7 of this act for the office the candidate is seeking.*

This section does not apply to a candidate's expenditure of his personal funds or the funds of his immediate family unless the candidate agrees pursuant to section 17, subdivision 3 of this act to be bound by the expenditure limits in section 7 of this act as a condition of receiving money from the state elections campaign fund.

Subd. 2. No political party shall make expenditures on behalf of a candidate or transfer funds to the principal campaign committee of a candidate in an amount in excess of 50 percent of the amount that may be spent by or on behalf of that candidate as set forth in section 7 of this act.

Subd. 3. Expenditures by 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, posted, or broadcast, or any official party sample ballot or telephone conversation listing three or more persons whose names are to appear on the ballot, shall not be allocated to any candidate or subject to the limitations of section 7, subdivision 2 of this act.

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional

districts, counties, legislative districts, municipalities, wards, precincts, and any legislative body.

Sec. 9. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.281] [PENALTY FOR EXCEEDING LIMITS.] *Any person or association that makes expenditures in excess of the limitations imposed by sections 7 and 8 of this act shall be subject to a fine equal to four times the amount by which its expenditure exceeded the limit. If the board or county attorney has reason to believe that a person or association has made such excess expenditures, the board or county attorney shall bring an action in the district court of Ramsey county or, in the case of a legislative candidate, the district court of a county within the legislative district, to impose this penalty. All moneys recovered pursuant to this section shall be deposited in the general account of state elections campaign fund.*

Sec. 10. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.291] [CIRCUMVENTION PROHIBITED.] *Any attempt by a person to circumvent the provisions of Laws 1974, Chapter 470, Sections 11 to 41 by redirecting funds through, or contributing funds on behalf of, another person is a gross misdemeanor.*

Sec. 11. Minnesota Statutes 1976, Section 10A.31, Subdivision 1, is amended to read:

10A.31 [DESIGNATION OF INCOME TAX PAYMENTS.]
Subdivision 1. Effective with the taxable years beginning after December 31, 1973, every individual whose income tax liability after personal credit for the taxable year is (\$1) \$2 or more may designate that (\$1) \$2 shall be paid into the state elections campaign fund. In the case of a joint return of husband and wife having an income tax liability of (\$2) \$4 or more, each spouse may designate that (\$1) \$2 shall be paid.

Sec. 12. Minnesota Statutes 1976, Section 10A.31, Subdivision 2, is amended to read:

Subd. 2. The taxpayer may designate that the (\$1) \$2 be paid into the account of a political party or into the general account.

Sec. 13. Minnesota Statutes 1976, 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) \$2 of his taxes (((\$2) \$4 if

filing a joint return) to finance the election campaigns of state candidates. The form shall also contain language prepared by the commissioner which permits the taxpayer to direct the state to allocate the (\$1) \$2 (or (\$2) \$4 if filing a joint return) to: (i) one of the major political parties; (ii) any minor political party which qualifies under the provisions of subdivision 3a; or (iii) all qualifying candidates as provided by subdivision 7.

Sec. 14. Minnesota Statutes 1976, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. 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;

(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 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 representatives (;)

((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).

Each candidate of a political party for the office of state senator or state representative shall receive the fraction of the money allocated to that office from his party account which is equal to the number of dollars allocated to his party account by the taxpayers of his legislative district divided by the number of dollars allocated to his party account statewide.

Moneys from any party account refused by any candidate shall be distributed to all other *statewide* 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. 15. Minnesota Statutes 1976, Section 10A.31, Subdivision 6, is amended to read:

Subd. 6. Within two weeks after certification by the state canvassing board of the results of the primary, the state treasurer shall distribute the available funds in each party account, 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) 17, subdivision 3 of *this act*, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivision 5. *The commissioner of revenue shall determine and certify to the board the amount allocated to each party account by the taxpayers in each legislative district.* 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 *statewide* candidates of that party in proportion to their shares as set forth in subdivision 5.

Sec. 16. Minnesota Statutes 1976, Section 10A.31, Subdivision 8, is amended to read:

Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the board shall certify to the state treasurer the name of each candidate who has signed the agreement as provided in section (10A.32) 17, subdivision 3 of *this act*, and the amount he is to receive from the available funds in his party account.

Sec. 17. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section to read:

[10A.321] [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 40 percent of the total amount of expenditures which may be made by him or on his behalf under sections 7 and 8 of this act. The amount by which the allocation exceeds this 40 percent expenditure limit shall be distributed to*

all other candidates of the same party whose shares do not exceed 40 percent of their expenditure limits in proportion to their shares as set forth in section 10A.31. Moneys remaining in any party account after the allocations as set forth in this subdivision shall be deposited in the general account of the state elections campaign fund and shall be distributed to all other candidates whose shares do not exceed 40 percent of their expenditure limits in proportion to their shares as provided in section 10A.31.

Subd. 2. No candidate shall be entitled to receive from the state election campaign fund an amount greater than 40 percent of the total amount actually expended by him or on his behalf 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 indicates that the amount received by the candidate is greater than 40 percent of 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 board shall forward the refund to the state treasurer for deposit in the general account of the state elections campaign fund.

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 board on or before September 1 that authorized expenditures on his behalf shall not exceed the expenditure limits as set forth in section 7 and that his principal campaign committee shall not accept contributions 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, and the amount which 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 for deposit in the general account of the state elections campaign fund. 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 board 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 and his estimate of the amount allocated to each party account by the taxpayers of each legislative district. Within seven days after the last day for filing for office the secretary of state shall certify to the board 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 board 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 board 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 August 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 any office, the moneys shall be 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 account of the state elections campaign fund.

Sec. 18. Minnesota Statutes 1976, Section 10A.33, is amended to read:

10A.33 [APPLICATION.] The provisions of sections 10A.30 to (10A.32) 10A.33 and this act shall apply only in general elections and primary elections preceding general elections and shall not include special elections, special primary elections, conventions and caucuses of a political party.

Sec. 19. Minnesota Statutes 1976, Chapter 10A, is amended by adding a section read:

[10A.341] [REMEDIES.] *Subdivision 1. A person charged with a duty under sections 10A.02 to 10A.33 shall be personally liable for the penalty for failing to discharge it.*

Subd. 2. The board or a county attorney may seek an injunction in the district court to enforce the provisions of sections 10A.02 to 10A.33.

Subd. 3. Unless otherwise provided, a violation of sections 10A.02 to 10A.33 is not a crime.

Sec. 20. *The ethical practices board may exercise emergency rulemaking authority as provided in section 15.0214, subdivision 5, to implement the provisions of chapter 10A which are*

amended by this act. The board shall solicit information and opinions from outside the board as provided in section 15.0412, subdivision 6, before adopting these rules. Notwithstanding the provisions of section 15.0214, subdivision 5, any rules adopted pursuant to this section shall be effective until permanent rules are adopted pursuant to chapter 15 or until October 1, 1979, whichever occurs first. This section expires October 1, 1979.

Sec. 21. [REPEALER.] *Minnesota Statutes 1976, Sections 10A.17, Subdivisions 2 and 6; 10A.25; 10A.27; 10A.28; 10A.29; 10A.32 and 10A.34 are repealed.*

Sec. 22. *This act is effective the day after final enactment."*

Further, strike the title in its entirety and insert:

"A bill for an act relating to ethics in government; regulating the conduct of campaigns for the offices; conforming certain election provisions to constitutional requirements; providing penalties; amending Minnesota Statutes 1976, Sections 10A.01, by adding a subdivision; 10A.11, Subdivision 6; 10A.12, Subdivision 4; 10A.17, by adding subdivisions; 10A.20, Subdivision 6; 10A.31, Subdivisions 1, 2, 3, 5, 6 and 8; and 10A.33; and Chapter 10A, by adding sections; repealing Minnesota Statutes 1976, Sections 10A.17, Subdivisions 2 and 6; 10A.25; 10A.27; 10A.28; 10A.29; 10A.32 and 10A.34."

HENRY J. SAVELKOUL, GERALD C. KNICKERBOCKER, BRUCE G. NELSEN, JOHN S. BIERSDORF, TONY ONNEN and K. J. McDONALD.

Savelkoul, Knickerbocker, Biersdorf, Onnen and McDonald moved that the Minority Report on H. F. No. 404 be substituted for the Majority Report and that the Minority Report be now adopted.

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Savelkoul and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeln	Berg	Clark	Esau	Heinitz
Adams	Berglin	Clawson	Evans	Hokanson
Albrecht	Berkelman	Cohen	Ewald	Jacobs
Anderson, B.	Biersdorf	Corbid	Faricy	Jensen
Anderson, D.	Birnstihl	Cummiskey	Fjoslien	Johnson
Anderson, G.	Brandl	Dean	Forsythe	Jude
Anderson, I.	Braun	Den Ouden	Friedrich	Kaley
Anderson, R.	Brinkman	Eckstein	Fudro	Kalis
Arlandson	Byrne	Eken	Fugina	Kelly, R.
Battaglia	Carlson, A.	Ellingson	George	Kelly, W.
Beauchamp	Carlson, L.	Enebo	Gunter	Kempe, A.
Begich	Casserly	Erickson	Hanson	Kempe, R.

King	McEachern	Pehler	Schulz	Tomlinson
Knickerbocker	Metzen	Peterson	Searle	Vanasek
Kostohryz	Moe	Petrafaso	Searles	Voss
Kroening	Munger	Pleasant	Sherwood	Waldorf
Kvam	Murphy	Prahl	Sieben, H.	Welch
Laidig	Neisen	Redalen	Sieben, M.	Wenstrom
Langseth	Nelson, M.	Reding	Simoneau	Wenzel
Lehto	Nelson	Rice	Skoglund	White
Lemke	Niehaus	Rose	Smogard	Wieser
Mangan	Norton	St. Onge	Spanish	Wigley
Mann	Novak	Samuelson	Stanton	Williamson
McCarron	Onnen	Sarna	Stoa	Wynia
McCollar	Osthoff	Savelkoul	Suss	Zubay
McDonald	Patton	Scheid	Swanson	Speaker Sabo

Savelkoul moved that further proceedings of the roll call be dispensed with and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Faricy was excused between the hours of 2:30 p.m. and 3:50 p.m.

The question recurred on the adoption of the minority report and the roll was called. There were 33 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Niehaus	Searle
Anderson, D.	Erickson	Heinitz	Onnen	Searles
Anderson, R.	Esau	Kaley	Peterson	Wieser
Biersdorf	Evans	Knickerbocker	Pleasant	Wigley
Carlson, A.	Ewald	Kvam	Redalen	Zubay
Carlson, D.	Fjoslien	Laidig	Rose	
Dean	Forsythe	McDonald	Savelkoul	

Those who voted in the negative were:

Abeln	Clawson	Kelly, R.	Nelsen, M.	Skoglund
Adams	Cohen	Kelly, W.	Nelson	Smogard
Anderson, B.	Corbid	Kempe, A.	Norton	Spanish
Anderson, G.	Cummiskey	Kempe, R.	Novak	Stanton
Anderson, I.	Eckstein	King	Osthoff	Stoa
Arlandson	Eken	Kostohryz	Patton	Suss
Battaglia	Ellingson	Kroening	Pehler	Swanson
Beauchamp	Enebo	Langseth	Petrafaso	Tomlinson
Begich	Fudro	Lehto	Prahl	Vanasek
Berg	Fugina	Lemke	Reding	Voss
Berglin	George	Mangan	Rice	Waldorf
Berkelman	Gunter	Mann	St. Onge	Welch
Birnstihl	Hanson	McCarron	Samuelson	Wenstrom
Brandl	Hokanson	McCollar	Sarna	Wenzel
Braun	Jacobs	McEachern	Scheid	White
Brinkman	Jaros	Metzen	Schulz	Williamson
Byrne	Jensen	Moe	Sherwood	Wynia
Carlson, L.	Johnson	Munger	Sieben, H.	Speaker Sabo
Casserly	Jude	Murphy	Sieben, M.	
Clark	Kalis	Neisen	Simoneau	

The minority report was not adopted.

The question recurred on the adoption of the majority report from the Committee on General Legislation and Veterans Affairs on H. F. No. 404. The majority report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1736, 2068, 1345, 1728, 2087, 1726 and 404 were read for the second time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Rice moved that the rule therein be suspended and an urgency be declared so that H. F. No. 404 be given its third reading and be placed upon its final passage.

A roll call was requested and properly seconded.

The question was taken on the motion by Rice and the roll was called.

Savelkoul moved that those not voting be excused from voting. The motion prevailed.

There were 99 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kalis	Neisen	Simoneau
Adams	Cohen	Kelly, R.	Nelsen, M.	Skoglund
Anderson, B.	Corbid	Kelly, W.	Nelson	Smogard
Anderson, G.	Cumiskey	Kempe, A.	Norton	Spanish
Anderson, I.	Eckstein	Kempe, R.	Novak	Stanton
Arlandson	Eken	King	Osthoff	Stoa
Battaglia	Ellingson	Kostohryz	Patton	Suss
Beauchamp	Enebo	Kroening	Pehler	Swanson
Begich	Fudro	Langseth	Petrafeso	Tomlinson
Berg	Fugina	Lehto	Prahl	Vanasek
Berglin	George	Lemke	Reding	Voss
Berkelman	Gunter	Mangan	Rice	Waldorf
Birnstihl	Hanson	Mann	St. Onge	Welch
Brandl	Hokanson	McCarron	Samuelson	Wenstrom
Braun	Jacobs	McCollar	Sarna	Wenzel
Brinkman	Jaros	McEachern	Scheid	White
Byrne	Jensen	Metzen	Schulz	Williamson
Carlson, L.	Johnson	Moe	Sherwood	Wynia
Casserly	Jude	Munger	Sieben, H.	Speaker Sabo
Clark	Kahn	Murphy	Sieben, M.	

Those who voted in the negative were:

Albrecht	Den Ouden	Friedrich	Niehaus	Searle
Anderson, D.	Erickson	Heinitz	Onnen	Wieser
Anderson, R.	Esau	Kaley	Peterson	Wigley
Biersdorf	Evans	Knickerbocker	Pleasant	Zubay
Carlson, A.	Ewald	Kvam	Redalen	
Carlson, D.	Fjoslien	Laidig	Rose	
Dean	Forsythe	McDonald	Savelkoul	

The motion prevailed.

Rice moved that the rules of the House be so far suspended that H. F. No. 404 be given its third reading and be placed upon its final passage. The motion prevailed.

Searles was excused for the remainder of today's session.

H. F. No. 404 was reported to the House.

Sieben, H., as Speaker Pro Tempore, was called to the Chair.

Savelkoul moved to amend H. F. No. 404, as follows:

Pages 2 to 4, delete Sections 3 and 4 in their entirety.

Page 2, after line 24, insert a section to read:

"Sec. 3. Minnesota Statutes 1976, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. (a) "Contribution" means:

((A)) (1) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;

((B)) (2) A transfer of funds between political committees or political funds; or

((C)) (3) The payment of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.

(b) "Contribution" does not include:

(1) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund (, OR) ;

(2) *Payment for legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of ensuring compliance with the provisions of chapter 10A or defending a lawsuit arising out of an alleged violation of chapter 10A;*

(3) Coverage by news media, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments; or

(4) *A loan of money by a national or state bank made in accordance with applicable banking laws, regulations, and in the ordinary course of business. Any such loan if repaid entirely or in part by any endorser or guarantor shall be considered a contribution by the endorser or guarantor. Loans from state or national banking institutions shall be reported pursuant to section 10A.20, subdivision 3, clause (d)."*

Renumber the remaining sections accordingly. Correct the internal cross references.

Pages 4 and 5, delete section 6 in its entirety.

Page 4, after line 15, insert a section to read:

"Sec. 6. Minnesota Statutes 1976, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. (a) "Expenditure" means:

((A)) (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; (OR)

((B)) (2) A transfer of funds between political committees or political funds; or

(3) *The payment of compensation for the personal services of another person, which services are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.*

(b) "Expenditure" does not include:

((C)) (1) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund; (OR (B))

(2) *Compensation paid for legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of ensuring compliance with provisions of chapter 10A or defending a lawsuit arising out of an alleged violation of chapter 10A;*

(3) (EXPENSES INCURRED) *Services performed for a constituent by a member of the legislature or a (PERSON HOLDING) constitutional (OFFICE) officer in the executive branch, (IN PERFORMING SERVICES FOR CONSTITUENTS) which services are performed prior to the day following adjournment sine die or recess after March 31 of the legislature in the election year for the office held.* The board shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision;

(4) *Coverage by news media, but only while acting in the ordinary course of the business of publishing or broadcasting news items, editorials or other comments;*

(5) *A loan of money by a national or state bank made in accordance with applicable banking laws, regulations and in the ordinary course of business. Any such loan, if repaid entirely or in part by any endorser or guarantor shall be considered a contribution by the endorser or guarantor. Any loan shall be reported pursuant to section 10A.20, subdivision 3, clause (d); or*

(6) *Disbursement as defined in section 7 of this act."*

Renumber the remaining sections accordingly.

Correct the internal cross references.

Page 5, line 25, delete " "Authorized expenditure" "

Page 5, delete lines 26 and 27 in their entirety.

Page 9, line 8, delete "subdivisions" and insert "a subdivision".

Page 9, delete lines 9 to 27 in their entirety.

Page 9, line 28, delete "22" and insert "20".

Page 17, lines 27 and 28, reinstate the stricken language.

Page 17, line 28, delete the new language.

Page 17, line 29, reinstate "or for".

Page 17, line 32, reinstate "contribution".

Page 17, line 32, delete "transfer".

Page 18, line 3, reinstate "and".

Page 18, delete lines 4 to 6.

Page 18, line 7, strike "(d)" and insert "(c)".

Page 18, line 8, delete the semicolon and insert a period.

Page 18, delete lines 9 to 12.

Page 20, line 2, reinstate the stricken language and delete the new language.

Page 20, line 9, delete "*deposited transfer*" and insert "*contribution*".

Page 20, line 13, delete "*transfer*" and insert "*contribution*".

Page 22, line 5, after the semicolon insert "*or*".

Page 22, delete line 6 in its entirety.

Page 22, line 7, delete "(c)" and insert "(b)".

Page 25, line 21, reinstate the stricken language.

Page 25, line 22, delete the new language and reinstate the stricken language.

Page 25, lines 23 and 24, reinstate the old language.

Page 25, line 25, reinstate "contribution or expenditure;"

Page 25, line 25, delete the new language.

Page 25, delete lines 26 to 32 in their entirety.

Page 26, delete lines 1 to 7 in their entirety.

Page 28, line 9, reinstate the stricken language and strike the new language.

Page 28, line 13, reinstate "contribution" and delete "*donation*".

Page 28, line 14, delete "*Donations*" and insert "*Contributions*".

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 30 yeas and 91 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Forsythe	Laidig	Redalen
Anderson, D.	Erickson	Friedrich	McDonald	Rose
Anderson, R.	Esau	Heinitz	Niehaus	Savelkoul
Carlson, A.	Evans	Kaley	Onnen	Searle
Carlson, D.	Ewald	Knickerbocker	Peterson	Wieser
Dean	Fjoslien	Kvam	Pleasant	Wigley

Those who voted in the negative were:

Abeln	Cohen	Kelly, R.	Nelson	Spanish
Adams	Corbid	Kelly, W.	Novak	Stanton
Anderson, B.	Cummiskey	Kempe, A.	Osthoff	Stoa
Anderson, G.	Eckstein	Kempe, R.	Patton	Suss
Anderson, I.	Eken	King	Pehler	Swanson
Arlandson	Ellingson	Kostohryz	Petraleso	Vanasek
Battaglia	Enebo	Kroening	Prahl	Voss
Beauchamp	Fudro	Langseth	Reding	Waldorf
Begich	Fugina	Lehto	Rice	Welch
Berg	George	Lemke	St. Onge	Wenstrom
Berglin	Gunter	Mangan	Sarna	Wenzel
Berkelman	Hokanson	Mann	Scheid	White
Birnstihl	Jacobs	McCollar	Schulz	Williamson
Brandl	Jaros	McEachern	Sherwood	Wynia
Braun	Jensen	Metzen	Sieben, H.	Speaker Sabo
Carlson, L.	Johnson	Munger	Sieben, M.	
Casserly	Jude	Murphy	Simoneau	
Clark	Kahn	Neisen	Skoglund	
Clawson	Kalis	Nelsen, M.	Smogard	

The motion did not prevail and the amendment was not adopted.

Savelkoul moved to amend H. F. No. 404 as follows:

Page 12, line 15, delete the new language.

Page 12, lines 16 to 19, reinstate the stricken language.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 60 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Abeln	Byrne	Friedrich	Moe	Sherwood
Adams	Carlson, A.	Heinitz	Nelson	Skoglund
Albrecht	Carlson, D.	Kaley	Niehaus	Stoa
Anderson, B.	Clawson	Kempe, A.	Onnen	Tomlinson
Anderson, D.	Dean	Kempe, R.	Pehler	Vanasek
Anderson, G.	Den Ouden	Knickerbocker	Peterson	Wenstrom
Anderson, R.	Erickson	Kvam	Petraleso	Wenzel
Beauchamp	Esau	Laidig	Pleasant	Wieser
Berg	Evans	Lehto	Redalen	Wigley
Berkelman	Ewald	McCarron	Rose	Williamson
Biersdorf	Fjoslien	McCollar	Savelkoul	Wynia
Brandl	Forsythe	McDonald	Searle	Zubay

Those who voted in the negative were:

Anderson, I.	Eckstein	Kalis	Neisen	Simoneau
Arlandson	Eken	Kelly, R.	Nelsen, M.	Smogard
Battaglia	Ellingson	Kelly, W.	Novak	Spanish
Begich	Enebo	King	Osthoff	Stanton
Berglin	Fudro	Kostohryz	Patton	Suss
Birnstihl	Fugina	Kroening	Prahl	Swanson
Braun	George	Langseth	Rice	Voss
Brinkman	Gunter	Lemke	St. Onge	Waldorf
Carlson, L.	Hanson	Mangan	Samuelson	Welch
Casserly	Hokanson	Mann	Sarna	White
Clark	Jensen	McEachern	Scheid	Speaker Sabo
Cohen	Johnson	Metzen	Schulz	
Corbid	Jude	Munger	Sieben, H.	
Cummiskey	Kahn	Murphy	Sieben, M.	

The motion did not prevail and the amendment was not adopted.

Speaker Sabo resumed the Chair.

Savelkoul moved to amend H. F. No. 404, as follows:

Page 13, line 25, strike "only".

Page 13, line 26, strike "who".

Page 13, line 26, delete "*wishes*".

Page 13, line 26, strike "to" and insert "*for*".

Page 13, line 26, strike "the" and insert "*in*".

Page 13, line 27, strike "opinion to guide" and insert "*guiding*".

Page 13, line 27, after "conduct" insert "*or concerning the conduct of any public official*".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 42 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Abeln	Carlson, D.	Ewald	Kempe, R.	Niehaus
Albrecht	Dean	Fjoslien	Knickerbocker	Onnen
Anderson, D.	Den Ouden	Forsythé	Kvam	Peterson
Anderson, R.	Eckstein	Friedrich	Laidig	Petrafaso
Arlandson	Erickson	Heinitz	Lemke	Pleasant
Biersdorf	Esau	Johnson	Mann	Redalen
Carlson, A.	Evans	Kaley	McDonald	Rose

Savelkoul
SearleSherwood
Vanasek

Wieser

Wigley

Zubay

Those who voted in the negative were :

Adams	Clark	Kahn	Murphy	Simoneau
Anderson, B.	Clawson	Kalis	Neisen	Skoglund
Anderson, G.	Cohen	Kelly, R.	Nelsen, M.	Smogard
Anderson, I.	Corbid	Kelly, W.	Norton	Spanish
Battaglia	Cummiskey	Kempe, A.	Novak	Stanton
Beauchamp	Eken	King	Patton	Stoa
Begich	Ellingson	Kostohryz	Pehler	Suss
Berg	Enebo	Kroening	Prahl	Swanson
Berglin	Fudro	Langseth	Reding	Tomlinson
Berkelman	George	Lehto	Rice	Voss
Birnstihl	Gunter	Mangan	St. Onge	Waldorf
Brandl	Hanson	McCarron	Samuelson	Welch
Braun	Hokanson	McCollar	Sarna	Wenstrom
Brinkman	Jacobs	McEachern	Scheid	Wenzel
Byrne	Jaros	Metzen	Schulz	White
Carlson, L.	Jensen	Moe	Sieben, H.	Wynia
Casserly	Jude	Munger	Sieben, M.	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Savelkoul moved to amend H. F. No. 404, as follows:

Page 13, lines 31 and 32, delete the new language.

Page 14, line 1, delete the new language.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Forsythe	Laidig	Rose
Anderson, D.	Den Ouden	Friedrich	McDonald	Savelkoul
Anderson, R.	Erickson	Heinitz	Niehaus	Searle
Berkelman	Esau	Kaley	Onnen	Wieser
Biersdorf	Evans	Kempe, R.	Peterson	Wigley
Carlson, A.	Ewald	Knickerbocker	Pleasant	Zubay
Carlson, D.	Fjoslien	Kvam	Redalen	

Those who voted in the negative were:

Abeln	Berg	Clark	Faricy	Jude
Adams	Berglin	Clawson	Fugina	Kahn
Anderson, B.	Birnstihl	Cohen	George	Kalis
Anderson, G.	Brandl	Corbid	Gunter	Kelly, R.
Anderson, I.	Brandl	Cummiskey	Hanson	Kelly, W.
Arlandson	Brinkman	Eckstein	Hokanson	Kempe, A.
Battaglia	Byrne	Eken	Jacobs	King
Beauchamp	Carlson, L.	Ellingson	Jaros	Kostohryz
Begich	Casserly	Enebo	Jensen	Kroening

Langseth	Murphy	Reding	Skoglund	Welch
Lehto	Neisen	Rice	Smogard	Wenstrom
Lemke	Nelsen, M.	St. Onge	Spanish	Wenzel
Mangan	Nelson	Samuelson	Stanton	White
Mann	Norton	Sarna	Stoa	Williamson
McCarron	Novak	Scheid	Suss	Wynia
McCollar	Osthoff	Schulz	Swanson	Speaker Sabo
McEachern	Patton	Sherwood	Tomlinson	
Metzen	Pehler	Sieben, H.	Vanasek	
Moe	Petrafeso	Sieben, M.	Voss	
Munger	Frahl	Simoneau	Waldorf	

The motion did not prevail and the amendment was not adopted.

Savelkoul moved to amend H. F. No. 404, as follows:

Page 17, after line 8, insert a section to read:

"Sec. 30. Minnesota Statutes 1976, Section 10A.12, is amended by adding a subdivision to read:

Subd. 4a. No transfer of funds shall be made between principal campaign committees."

Renumber the remaining sections accordingly.

Correct the internal cross references.

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 45 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Albrecht	Corbid	Friedrich	Metzen	Searle
Anderson, D.	Dean	Fudro	Niehaus	Sherwood
Anderson, R.	Den Ouden	Heinitz	Novak	Swanson
Arlandson	Erickson	Kaley	Onnen	Waldorf
Berkelman	Esau	Kempe, R.	Peterson	Wenstrom
Biersdorf	Evans	Knickerbocker	Pleasant	Wenzel
Carlson, A.	Ewald	Kvam	Redalen	Wieser
Carlson, D.	Fjoslien	Laidig	Rose	Wigley
Cohen	Forsythe	McDonald	Savelkoul	Zubay

Those who voted in the negative were:

Abeln	Begich	Carlson, L.	Ellingson	Hokanson
Adams	Berg	Casserly	Enebo	Jacobs
Anderson, B.	Birnstihl	Clark	Faricy	Jaros
Anderson, G.	Brandl	Clawson	Fugina	Jensen
Anderson, I.	Braun	Cummiskey	George	Johnson
Battaglia	Brinkman	Eckstein	Gunter	Jude
Beauchamp	Byrne	Eken	Hanson	Kahn

Kalis	Mann	Osthoff	Schulz	Vanasek
Kelly, R.	McCarron	Patton	Sieben, H.	Voss
Kelly, W.	McCollar	Pehler	Sieben, M.	Welch
Kempe, A.	McEachern	Petrafaso	Simoneau	White
King	Moe	Prahl	Skoglund	Williamson
Kostohryz	Munger	Reding	Smogard	Wynia
Kroening	Murphy	Rice	Spanish	Speaker Sabo
Langseth	Neisen	St. Onge	Stanton	
Lehto	Nelsen, M.	Samuelson	Stoa	
Lemke	Nelson	Sarna	Suss	
Mangan	Norton	Scheid	Tomlinson	

The motion did not prevail and the amendment was not adopted.

Savelkoul moved to amend H. F. No. 404 as follows:

Page 17, delete Section 30 in its entirety.

Renumber the remaining sections accordingly.

Correct the internal cross references.

Page 46, line 22, after "Subdivision 7," insert "10A.12, *Subdivision 5*,".

Amend the title accordingly.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 43 yeas and 85 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Forsythe	Mann	Searle
Anderson, D.	Eckstein	Friedrich	McDonald	Sherwood
Anderson, G.	Eken	Heinitz	Niehaus	Vanasek
Anderson, R.	Erickson	Johnson	Onnen	Wieser
Berg	Esau	Kaley	Peterson	Wigley
Brandl	Evans	Kempe, R.	Pleasant	Wynia
Carlson, A.	Ewald	Knickerbocker	Redalen	Zubay
Carlson, D.	Faricy	Kvam	Rose	
Dean	Fjoslien	Laidig	Savelkoul	

Those who voted in the negative were:

Abein	Braun	Ellingson	Jensen	Langseth
Adams	Brinkman	Enebo	Jude	Lehto
Anderson, B.	Byrne	Fudro	Kahn	Lemke
Anderson, I.	Carlson, L.	Fugina	Kalis	Mangan
Battaglia	Casserly	George	Kelly, R.	McCollar
Beauchamp	Clark	Gunter	Kelly, W.	McEachern
Begich	Clawson	Hanson	Kempe, A.	Metzen
Berglin	Cohen	Hokanson	King	Moe
Berkelman	Corbid	Jacobs	Kostohryz	Munger
Birnstihl	Cummiskey	Jaros	Kroening	Murphy

Neisen	Petrafeso	Scheid	Spanish	Waldorf
Nelson	Prahl	Schulz	Stanton	Welch
Norton	Reding	Sieben, H.	Stoa	Wenstrom
Novak	Rice	Sieben, M.	Suss	Wenzel
Osthoff	St. Onge	Simoneau	Swanson	White
Patton	Samuelson	Skoglund	Tomlinson	Williamson
Peher	Sarna	Smogard	Voss	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Carlson, A., offered an amendment to H. F. No. 404.

POINT OF ORDER

Rice raised a point of order pursuant to rule 3.9. The Speaker ruled the point of order well taken and the amendment out of order.

Faricy and Prahl were excused for the remainder of today's session.

McDonald moved to amend H. F. No. 404, as follows:

Page 30, line 22, delete everything after "Subd. 2" and delete all of lines 24 to 32 and insert: *"The board shall conduct rule making proceedings to determine the relative advantage an incumbent holds over a challenger in the contests for each constitutional office in the executive branch and for the state senate and the state house of representatives. In making its determination the board shall consider factors such as the staff advantage of an incumbent in each office, as well as all other factors the board deems relevant. The board shall then permit challengers to the incumbents in the offices stated in this subdivision to exceed the expenditure limitations of clauses (a) through (e) of this subdivision by a percentage which the board determines will compensate for the disadvantage a challenger bears in relation to an incumbent in each of the offices. If no candidate for an office is an incumbent, all candidates shall abide by the expenditure limitations in clauses (a) through (e) of this subdivision."*

Page 31, delete lines 1 and 2.

Page 31, line 3, after "For" insert *"an incumbent"*.

Page 31, line 6, after "For" insert *"an incumbent"*.

Page 31, line 8, after "For" insert *"an incumbent"*.

Page 31, line 11, after "For" insert *"an incumbent"*.

Page 31, line 13, after "For" insert *"an incumbent"*.

Page 32, line 26, before the period insert "for incumbents and challengers respectively".

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 31 yeas and 95 nays as follows:

Those who voted in the affirmative were:

Albrecht	Evans	Kelly, R.	Redalen	Wigley
Anderson, D.	Ewald	Kvam	Rose	Williamson
Biersdorf	Fjoslien	Laidig	Savelkoul	Zubay
Carlson, A.	Forsythe	McDonald	Searle	
Den Ouden	Friedrich	Niehaus	Tomlinson	
Erickson	Heinitz	Onnen	Welch	
Esau	Kaley	Pleasant	Wieser	

Those who voted in the negative were:

Abeln	Clark	Jude	Munger	Sherwood
Adams	Clawson	Kahn	Murphy	Sieben, H.
Anderson, B.	Corbid	Kalis	Neisen	Sieben, M.
Anderson, G.	Cummiskey	Kelly, W.	Nelsen, M.	Simoneau
Anderson, I.	Dean	Kempe, A.	Nelson	Skoglund
Arlandson	Eckstein	Kempe, R.	Norton	Smogard
Battaglia	Eken	King	Novak	Spanish
Beauchamp	Ellingson	Knickerbocker	Osthoff	Stanton
Begich	Enebo	Kostohryz	Patton	Stoa
Berg	Fudro	Kroening	Pehler	Suss
Berglin	Fugina	Langseth	Peterson	Swanson
Berkelman	George	Lehto	Petrafeso	Vanasek
Birnstihl	Gunter	Lemke	Reding	Voss
Brandl	Hanson	Mangan	Rice	Waldorf
Braun	Hokanson	Mann	St. Onge	Wenstrom
Brinkman	Jacobs	McCollar	Samuelson	Wenzel
Byrne	Jaros	McEachern	Sarna	White
Carlson, L.	Jensen	Metzen	Scheid	Wynia
Casserly	Johnson	Moe	Schulz	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Den Ouden moved to amend H. F. No. 404 as follows:

Page 31, line 3, after "For" insert "*an incumbent*".

Page 31, line 5, delete the semicolon and insert ". *For candidates challenging an incumbent governor and lieutenant governor, 15 cents per capita or \$720,000, whichever is greater.*".

Page 31, line 6, after "For" insert "*an incumbent*".

Page 31, line 7, delete the semicolon and insert ". *For a candidate challenging an incumbent attorney general, 3 cents per capita or \$120,000, whichever is greater.*".

Page 31, line 8, after "For" insert "an incumbent".

Page 31, line 10, delete the semicolon and insert ". For a candidate challenging an incumbent secretary of state, state treasurer, or state auditor, 1 1/2 cents per capita or \$60,000, whichever is greater."

Page 31, line 11, after "For" insert "an incumbent".

Page 31, line 12, delete the semicolon and insert ". For a candidate challenging an incumbent state senator, 24 cents per capita or \$18,000, whichever is greater."

Page 31, line 13, after "For" insert "an incumbent".

Page 31, line 14, after the period insert "For a candidate challenging an incumbent state representative 24 cents per capita or \$9,000, whichever is greater."

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Albrecht	Erickson	Heinitz	Niehaus	Searle
Anderson, D.	Esau	Kaley	Onnen	Sherwood
Anderson, G.	Evans	Kempe, R.	Peterson	Wieser
Anderson, R.	Ewald	Knickerbocker	Pleasant	Wigley
Biersdorf	Fjoslien	Kvam	Redalen	Zubay
Carlson, A.	Forsythe	Laidig	Rose	
Den Ouden	Friedrich	McDonald	Savelkoul	

Those who voted in the negative were:

Abeln	Cohen	Kahn	Murphy	Skoglund
Adams	Corbid	Kalis	Neisen	Smogard
Anderson, B.	Cummiskey	Kelly, R.	Nelsen, M.	Spanish
Anderson, I.	Dean	Kelly, W.	Nelson	Stanton
Arlandson	Eckstein	Kempe, A.	Norton	Stoa
Battaglia	Eken	King	Novak	Suss
Beauchamp	Ellingson	Kostohryz	Osthoff	Swanson
Begich	Enebo	Kroening	Patton	Tomlinson
Berg	Fudro	Langseth	Pehler	Vanasek
Berglin	Fugina	Lehto	Petrafeso	Voss
Berkelman	George	Lemke	Reding	Waldorf
Birnstihl	Gunter	Mangan	Rice	Welch
Brandl	Hanson	Mann	St. Onge	Wenstrom
Braun	Hokanson	McCarron	Samuelson	Wenzel
Brinkman	Jacobs	McCollar	Sarna	White
Byrne	Jaros	McEachern	Scheid	Williamson
Carlson, L.	Jensen	Metzen	Schulz	Wynia
Clark	Johnson	Moe	Sieben, H.	Speaker Sabo
Clawson	Jude	Munger	Simoneau	

The motion did not prevail and the amendment was not adopted.

Carlson, D., offered an amendment to H. F. No. 404.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 3.9. The Speaker ruled the point of order well taken and the amendment out of order.

Laidig moved to amend H. F. No. 404, as follows:

Page 37, after line 5, insert:

"Sec. . . . Minnesota Statutes 1976, Section 10A.31, Subdivision 2, is amended to read:

Subd. 2. The taxpayer may designate that the \$1 be paid into the account of a political party, *the independent account* or into the general account."

Page 41, after line 23, insert:

"Sec. . . . Minnesota Statutes 1976, Section 10A.31, is amended by adding a subdivision to read:

Subd. 12. Money in the independent account shall be distributed to the independent candidates in the proportion provided by section 10A.31. Independents who accept state funds are subject to the same requirements of chapter 10A as partisan candidates who accept state funds. If there is no independent candidate for an office the money for that office shall be distributed proportionately to the independent candidates for the other offices. An independent candidate shall qualify for distribution by nomination in a primary election or by his affidavit that he has received campaign contributions in the following amounts. If a candidate for:

<i>Governor and lieutenant governor jointly</i>	<i>\$150,000</i>
<i>Attorney general</i>	<i>25,000</i>
<i>Secretary of state, state auditor or state treasurer</i>	<i>12,500</i>
<i>State senator</i>	<i>3,750</i>
<i>State representative</i>	<i>1,875</i>

If there are two or more qualifying independent candidates for the same office the funds shall be divided equally among them."

Page 46, after line 20, insert:

"Sec. . . . Minnesota Statutes 1976, Section 202A.22, Subdivision 1, is amended to read:

202A.22 [AFFIDAVIT OF CANDIDACY.] Subdivision 1. [FILING, DATE.] Not more than 70 nor less than 56 days before the primary election any eligible person who desires to have his name placed on the primary ballot as a candidate for any elective office to be filled at the general election, except presidential electors, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county stating the following:

(a) That he is a qualified voter in the subdivision where he seeks nomination;

(b) The name of his political party *or independent status* if for a partisan office;

(c) The office for which he desires to be a candidate;

(d) That he has not filed as a candidate for any other office at the same primary election;

(e) That he is, or will be on assuming the office, 21 years of age or more, and that he will have been for 30 days previous to the general election a resident in the district from which he seeks election;

(f) If filing to be a United States senator, that on the next January 3 he will be 30 years of age or more and nine years a citizen of the United States;

(g) If filing to be a United States representative, that on the next January 3, or in the case of an election to fill a vacancy within 21 days after the election, he will be 25 years of age or more and seven years a citizen of the United States;

(h) If filing to be governor or lieutenant governor, that on the first Monday of the next January he will be 25 years of age or more and on general election day he will have been a resident of Minnesota for one year;

(i) If filing to be a supreme court justice or a district court judge that he is learned in the law;

(j) If filing to be a probate judge, county court judge, municipal judge or other judicial officer that he is qualified as prescribed by law;

(k) If filing to be a senator or representative in the legislature, that on election day he will have resided in the state for not less than one year and in the legislative district from which he seeks election for not less than six months;

(l) If he is a partisan candidate for a partisan office, that he affiliated with his political party at the last general election, and either that he did not vote thereat or voted for a majority of the candidates of the political party at the election, and intends to so vote at the ensuing election.

Sec. . . . Minnesota Statutes 1976, Section 202A.41, Subdivision 2, is amended to read:

Subd. 2. [CANDIDATES, PARTISAN OFFICES, WHO NOMINATED.] The candidate for any political party office receiving the highest vote at the primary election shall be the nominee of that political party for the office except as provided in subdivision 3. *The independent candidate for any political party office receiving the highest vote at the primary election shall be an independent nominee for the office and appear on the general election ballot in the same manner as a candidate nominated by petition.*

Renumber sections in sequence.

Further, amend the title.

Page 1, line 8, after "candidates;" insert "providing for independent candidacies;"

Page 1, line 21, before "3a" insert "2,"

Page 1, lines 21 and 22, delete "a subdivision" and insert "subdivisions".

Page 1, line 22, after "10A.33;" insert "202A.22, Subdivision 1; 202A.41, Subdivision 2;"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 33 yeas and 90 nays as follows:

Those who voted in the affirmative were:

Albrecht	Carlson, D.	Fjoslien	Laidig	Rose
Anderson, D.	Dean	Forsythe	McDonald	Savelkoul
Anderson, R.	Den Ouden	Friedrich	Niehaus	Wieser
Berkelman	Erickson	Heinitz	Onnen	Wigley
Biersdorf	Esau	Kempe, R.	Peterson	Zubay
Byrne	Evans	Knickerbocker	Pleasant	
Carlson, A.	Ewald	Kvam	Redalen	

Those who voted in the negative were:

Abeln	Corbid	Kalis	Nelsen, M.	Simoneau
Adams	Cummiskey	Kelly, R.	Nelson	Skoglund
Anderson, G.	Eckstein	Kelly, W.	Norton	Smogard
Anderson, I.	Eken	Kempe, A.	Novak	Spanish
Arlandson	Ellingson	King	Osthoff	Stanton
Battaglia	Enebo	Kostohryz	Patton	Stoa
Beauchamp	Fudro	Kroening	Pehler	Suss
Begich	Fugina	Langseth	Petrafaso	Swanson
Berg	George	Lehto	Reding	Tomlinson
Berglin	Gunter	Lemke	Rice	Vanasek
Birnstihl	Hanson	Mann	St. Onge	Voss
Brandl	Hokanson	McCarron	Samuelson	Waldorf
Braun	Jacobs	McCollar	Sarna	Wenstrom
Brinkman	Jaros	McEachern	Scheid	Wenzel
Carlson, L.	Jensen	Metzen	Schulz	White
Casserly	Johnson	Moe	Sherwood	Williamson
Clark	Jude	Murphy	Sieben, H.	Wynia
Cohen	Kahn	Neisen	Sieben, M.	Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Carlson, A., moved to amend H. F. No. 404, as follows:

Page 31, after line 14, insert "*The limitations on expenditures and authorized expenditures in clauses (a) through (e) of this subdivision shall be increased for the year 1978 and for each subsequent election year by an amount that reflects the percentage by which the over-all cost of living in 1978 and in each subsequent election year, as determined by the bureau of labor statistics of the United States department of labor, has increased over the cost of living as it was determined by the bureau for the year 1974.*"

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 31 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Albrecht	Dean	Forsythe	Laidig	Rose
Anderson, D.	Den Ouden	Friedrich	McDonald	Savelkoul
Anderson, R.	Erickson	Gunter	Niehaus	Wigley
Biersdorf	Esau	Heinitz	Onnen	
Carlson, A.	Evans	King	Peterson	
Carlson, D.	Ewald	Knickerbocker	Pleasant	
Cohen	Fjoslien	Kvam	Redalen	

Those who voted in the negative were:

Abeln	Beauchamp	Braun	Corbid	George
Adams	Begich	Brinkman	Cummiskey	Hanson
Anderson, B.	Berg	Byrne	Eckstein	Hokanson
Anderson, G.	Berglin	Carlson, L.	Ellingson	Jacobs
Anderson, I.	Berkelman	Casserly	Enebo	Jaros
Arlandson	Birnstihl	Clark	Fudro	Jensen
Battaglia	Brandl	Clawson	Fugina	Johnson

Jude	Mangan	Novak	Sherwood	Vanasek
Kahn	Mann	Osthoff	Sieben, H.	Voss
Kalis	McCarron	Patton	Sieben, M.	Waldorf
Kelly, R.	McCollar	Pehler	Simoneau	Welch
Kelly, W.	McEachern	Petrafeso	Skoglund	Wenstrom
Kempe, A.	Metzen	Reding	Smogard	Wenzel
Kempe, R.	Munger	Rice	Spanish	White
Kostohryz	Murphy	St. Onge	Stanton	Williamson
Kroening	Neisen	Samuelson	Stoa	Wynia
Langseth	Nelsen, M.	Sarna	Suss	Speaker Sabo
Lehto	Nelson	Scheid	Swanson	
Lemke	Norton	Schulz	Tomlinson	

The motion did not prevail and the amendment was not adopted.

Onnen moved to amend H. F. No. 404, as follows:

Page 33, restore the stricken language in lines 27 through 32.

Page 34, restore the stricken language in lines 1 and 2.

Page 34, line 1, strike "ten" and insert "five".

Page 34, strike lines 3 through 21.

A roll call was requested and properly seconded.

The question was taken on the adoption of the amendment and the roll was called. There were 34 yeas and 94 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	McDonald	Savelkoul
Anderson, D.	Erickson	Heinitz	Niehaus	Searle
Anderson, R.	Esau	Kaley	Onnen	Stanton
Biersdorf	Evans	Kempe, R.	Peterson	Wieser
Carlson, A.	Ewald	Knickerbocker	Pleasant	Wigley
Carlson, D.	Fjoslien	Kvam	Redalen	Zubay
Dean	Forsythe	Laidig	Rose	

Those who voted in the negative were:

Abeln	Byrne	Hanson	Lemke	Pehler
Adams	Carlson, L.	Hokanson	Mangan	Petrafeso
Anderson, B.	Casserly	Jacobs	Mann	Reding
Anderson, G.	Clark	Jaros	McCarron	Rice
Anderson, I.	Clawson	Jensen	McEachern	St. Onge
Arlandson	Cohid	Johnson	Metzen	Samuelson
Battaglia	Corbid	Jude	Moe	Sarna
Beauchamp	Cummiskey	Kahn	Munger	Scheid
Begich	Eckstein	Kalis	Murphy	Schulz
Berg	Eken	Kelly, R.	Neisen	Sherwood
Berglin	Ellingson	Kelly, W.	Nelsen, M.	Sieben, H.
Berkelman	Enebo	Kempe, A.	Nelson	Sieben, M.
Birnstihl	Fudro	King	Norton	Simoneau
Brandl	Fugina	Kroening	Novak	Skoglund
Braun	George	Langseth	Osthoff	Smogard
Brinkman	Gunter	Lehto	Patton	Spanish

Stoa
Suss
Swanson

Tomlinson
Vanasek
Voss

Waldorf
Welch
Wenstrom

Wenzel
White
Williamson

Wynia
Speaker Sabo

The motion did not prevail and the amendment was not adopted.

Knickerbocker moved to amend H. F. No. 404, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 1976, Section 10A.01, Subdivision 2, is amended to read:

Subd. 2. "Administrative action" means an action by any official, board, commission or agency of the executive branch to make (RULES), *amend or repeal a rule or to adjudicate a contested case pursuant to sections 15.0411 to 15.052.* "Administrative action" does not include the application or administration of (THOSE RULES) *an adopted rule*, except in (CASES) *a case of rate setting, power plant siting and others specified by the commission.*

Sec. 2. Minnesota Statutes 1976, Section 10A.01, Subdivision 5, is amended to read:

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 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. *An individual who loses an election is deemed a candidate until his principal campaign committee terminates.*

Sec. 3. Minnesota Statutes 1976, Section 10A.01, Subdivision 7, is amended to read:

Subd. 7. (a) "Contribution" means:

((A)) (1) A gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate to office;

((B)) (2) A transfer of funds between political committees or political funds; or

((C)) (3) The payment of compensation for the personal services of another person which are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.

(b) "Contribution" does not include:

(1) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee or political fund(, OR) ;

(2) *Payment for legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of ensuring compliance with the provisions of chapter 10A or defending a lawsuit arising out of an alleged violation of chapter 10A;*

(3) Coverage by news media, but only while acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments;

(4) *A loan of money by a national or state bank made in accordance with applicable banking laws, regulations, and in the ordinary course of business. Any such loan if repaid entirely or in part by any endorser or guarantor shall be considered a contribution by the endorser or guarantor. Loans from state or national banking institutions shall be reported pursuant to section 10A.20, subdivision 3, clause (d); or*

(5) *Payment by the state committee or any local committee of any political party of the costs of any of the following:*

(i) *Preparation and display, mailing or other distribution of an official party sample ballot listing the names of three or more candidates;*

(ii) *Any published, posted or broadcast advertisement, or telephone conversation if three or more candidates are named;*

(iii) *A political party fundraiser on behalf of three or more candidates. A fundraiser is on behalf of a candidate if the candidate or his agent give authorization or consent, express or implied, for the fundraiser to be on behalf of the candidate.*

Sec. 4. Minnesota Statutes 1976, Section 10A.01, Subdivision 10, is amended to read:

Subd. 10. (a) "Expenditure" means:

((A)) (1) A purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, made for the purpose of influencing the nomination for election or election of any candidate to office; or

((B) A TRANSFER OF FUNDS BETWEEN POLITICAL COMMITTEES OR POLITICAL FUNDS)

(2) *The payment of compensation for the personal services of another person, which services are rendered to a candidate, political committee or political fund to influence the nomination for election or election of a candidate to office by any person other than that candidate, political committee or political fund.*

(b) "Expenditure" does not include:

((A)) (1) Services provided without compensation by individuals volunteering their time on behalf of a candidate, political committee, or political fund; (OR (B))

(2) *Compensation paid for legal or accounting services rendered to or on behalf of a candidate or political committee solely for the purpose of ensuring compliance with provisions of chapter 10A or defending a lawsuit arising out of an alleged violation of chapter 10A;*

(3) (EXPENSES INCURRED) *Services performed for a constituent by a member of the legislature or a (PERSON HOLDING) constitutional (OFFICE) officer in the executive branch, (IN PERFORMING SERVICES FOR CONSTITUENTS) which services are performed prior to the day following adjournment sine die or recess after March 31 of the legislature in the election year for the office held, unless the source of the funds expended for the services is a principal campaign committee. The board shall have the power to determine whether the expense was incurred primarily for the purpose of providing a constituent service or is an expenditure within the meaning of this subdivision;*

(4) *Coverage by news media, but only while acting in the ordinary course of the business of publishing or broadcasting news items, editorials or other comments;*

(5) *A loan of money by a national or state bank made in accordance with applicable banking laws, regulations and in the ordinary course of business. Any such loan, if repaid entirely or in part by any endorser or guarantor shall be considered a contribution by the endorser or guarantor. Any loan shall be reported pursuant to section 10A.20, subdivision 3, clause (d); or*

(6) *Payment by the state committee or any local committee of any political party of the costs of any of the following:*

(i) *Preparation and display, mailing or other distribution of an official party sample ballot listing the names of three or more candidates;*

(ii) *Any published, posted or broadcast advertisement or telephone conversation if three or more candidates are named;*

(iii) *A political party fundraiser on behalf of three or more candidates. A fundraiser is on behalf of a candidate if the candidate or his agent give authorization or consent, express or implied, for the fundraiser to be on behalf of the candidate.*

Sec. 5. Minnesota Statutes 1976, Section 10A.01, Subdivision 18, is amended to read:

Subd. 18. "Public official" means any:

(a) Member of the legislature;

(b) Person holding a constitutional office in the executive branch and his chief administrative deputy;

(c) Member of a state board (OR COMMISSION WHICH HAS RULE MAKING AUTHORITY, AS "RULE" IS DEFINED IN SECTION 15.0411, SUBDIVISION 3) *which has at least one of the following powers:*

(1) *The power to issue and revoke licenses or certifications;*

(2) *The power to make rules which operate over the entire territory of the state, or affect persons or things throughout the state, or operate on a subject in which the people of the whole state have an interest;*

(3) *The power to adjudicate contested cases or appeals;*

(d) *Executive director, director, executive secretary or chief administrator of a state agency or board which has at least one of the powers enumerated in clause (c);*

(e) *Commissioner, deputy commissioner or assistant commissioner of the state department of administration, agriculture, commerce, corrections, economic development, economic security, education, finance, health, human rights, labor and industry, military affairs, natural resources, personnel, public safety, public service, public welfare, revenue, transportation, veterans affairs, and their successor departments;*

(f) *Deputy attorney general, solicitor general, assistant attorney general in the office of attorney general;*

(g) *Hearing examiner in the office of the state hearing examiner;*

(h) *Executive secretary of the board of investment;*

(i) *Executive director of the Indian affairs intertribal board;*

(j) *Director of the bureau of mediation services;*

(k) *Workers' compensation judge or judge of the workers' compensation court of appeals;*

(l) *Chancellor of the state community college system or chancellor of the state university system;*

((D)) (m) *Person employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, (OR) researcher (OR) in senate research, attorney in the office of (LEGISLATIVE RESEARCH) senate counsel, or attorney or researcher in the house research office;*

((E)) (n) *Person (EMPLOYED BY) in the executive branch (IN ANY POSITION SPECIFIED IN SECTION 15A.081) authorized by law to make rules or adjudicate contested cases; and*

((F)) (o) *Member of the metropolitan council, metropolitan transit commission, metropolitan (SEWER) waste control board or metropolitan airports commission.*

Sec. 6. Minnesota Statutes 1976, Section 10A.01, is amended by adding a subdivision to read:

Subd. 20. "Immediate family" means:

(a) *A candidate's spouse, and any child, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate; and*

(b) *The spouses of the persons listed in clause (a).*

Sec. 7. Minnesota Statutes 1976, Section 10A.01, is amended by adding a subdivision to read:

Subd. 21. "Independent expenditure" means an expenditure which is made without authorization, cooperation or consultation with the candidate or any authorized committee or agent of the candidate and which is not made in concert with, or at the

request or suggestion of any candidate or any authorized committee or agent of a candidate.

Sec. 8. Minnesota Statutes 1976, Section 10A.02, Subdivision 11, is amended to read:

Subd. 11. Any hearing or action of the board concerning any complaint or investigation shall be confidential and all information obtained by the board shall be privileged until the board makes a finding that the board believes there is or is not probable cause to conclude that a violation of (LAWS 1974, CHAPTER 470) *chapter 10A* has occurred. (ANY PERSON, INCLUDING ANY MEMBER OR EMPLOYEE OF THE BOARD, VIOLATING THE CONFIDENTIALITY PROVISIONS OF THIS SUBDIVISION SHALL BE GUILTY OF A GROSS MISDEMEANOR) *Any member, agent or employee of the board disclosing information, other than to the parties involved, concerning any complaint or investigation before a probable cause determination is guilty of a misdemeanor. The board shall issue a public finding concerning its determination of the existence or lack of a probable cause. The (BOARD SHALL MAKE A) finding shall be issued within 30 days of receipt of a written complaint unless a majority of the board agrees to extend the time limit. The board may determine by vote of four members that the disclosure of information, statements, documents or records obtained during the course of investigation containing unevaluated, unsupported, spurious, or malicious charges would unfairly injure the reputation of an innocent person. In such circumstances, the board by vote of four members shall:*

(a) *Direct the maintenance of the records as private records for a period of one year after which the information shall be destroyed; or*

(b) *Return the information, statements, documents or records to a person or persons involved in the investigation at any time after a probable cause determination. After determination of its findings the board shall report any finding of probable cause to the appropriate law enforcement authorities.*

Sec. 9. Minnesota Statutes 1976, Section 10A.02, Subdivision 12, is amended to read:

Subd. 12. The board may issue and publish advisory opinions on the requirements of sections 10A.01 to 10A.34 based upon real or hypothetical situations. An application for an advisory opinion may be made (ONLY) by (THOSE WHO WISH TO) *a person for use (THE OPINION TO GUIDE THEIR) in guiding his own conduct or concerning the conduct of a public official. The board shall issue written opinions on all such questions submitted*

to it within 30 days after receipt of written application, unless a majority of the board agrees to extend the time limit.

Sec. 10. Minnesota Statutes 1976, Section 10A.04, Subdivision 2, is amended to read:

Subd. 2. Each report shall cover the time from the last day of the period covered by the last report to 15 days prior to the current filing date. The reports shall be filed with the board by the following dates:

(a) (FEBRUARY) *January 15*

((B) MARCH 15)

((C)) (b) April 15

((D) JUNE) (c) *July 15*

((E)) (d) October 15

Sec. 11. Minnesota Statutes 1976, Section 10A.04, Subdivision 4, is amended to read:

Subd. 4. The report shall include such information as the board may require from the registration form and the following information for the reporting period:

(a) The lobbyist's total disbursements on lobbying, *including those paid for a lobbyist by a lobbyist's employer or employee*, and a breakdown of those disbursements into categories specified by the board, 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, 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. 12. Minnesota Statutes 1976, Section 10A.04, Subdivision 5, is amended to read:

Subd. 5. The board shall notify by (REGISTERED) *certified* mail any lobbyist who fails (AFTER FIVE DAYS AFTER A FILING DATE IMPOSED BY SECTION 10A.03 OR THIS SECTION) to file a (REPORT OR) statement required by section 10A.03 (OR THIS SECTION). A lobbyist who knowingly fails to file such a report or statement within seven days after receiving notice from the board is guilty of a misdemeanor.

Sec. 13. Minnesota Statutes 1976, Section 10A.04, is amended by adding a subdivision to read:

Subd. 6. A lobbyist who fails to file a report within seven days after a filing date shall be subject to a late filing fee of \$10 per day, not to exceed \$200, commencing seven days after the filing date. The board shall bring an action in the district court in Ramsey county to impose the late filing fee. The late filing fee shall be deposited in the general account of the state elections campaign fund.

Sec. 14. Minnesota Statutes 1976, Section 10A.08, is amended to read:

10A.08 [REPRESENTATION DISCLOSURE.] *Subdivision 1. Any public official who represents a client for a fee before any board or commission which has rule making authority in a hearing conducted under chapter 15, shall disclose his participation in the action to the board within 14 days after this appearance.*

Subd. 2. A public official who fails to file a statement shall be subject to a late filing fee of \$10 per day, not to exceed \$200, commencing 14 days after the appearance. The board shall bring an action in the district court in Ramsey county to impose the late filing fee. The late filing fee shall be deposited in the general account of the state elections campaign fund.

Sec. 15. Minnesota Statutes 1976, Section 10A.09, Subdivision 4, is amended to read:

Subd. 4. (THE BOARD SHALL NOTIFY BY REGISTERED MAIL ANY CANDIDATE FOR ELECTIVE OFFICE WHO FAILS WITHIN 14 DAYS AFTER FILING FOR OFFICE TO SUBMIT A STATEMENT OF ECONOMIC INTEREST REQUIRED BY THIS SECTION. A CANDIDATE WHO KNOWINGLY FAILS TO SUBMIT A STATEMENT OF ECONOMIC INTEREST WITHIN SEVEN DAYS AFTER RECEIVING NOTICE FROM THE BOARD IS GUILTY OF A MISDEMEANOR) *The statement of economic interest of a legis-*

lative candidate required by this section shall be duplicated and filed by the board with the county auditor of each county in which the legislative district lies within 72 hours of the date the statement is required to be filed, or if the statement is delinquent, within 72 hours of the time the statement is filed.

Sec. 16. Minnesota Statutes 1976, 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 board. 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, *security interest arising from a mortgage, or which he is buying or selling on a contract for deed or an option to buy, whether direct or indirect, and which interest is valued in excess of \$2,500 or which property has a fair market value of \$50,000 or more.* The filing shall indicate the street address and the municipality or the section, township, range and approximate acreage, whichever applies, and the county wherein the property is located; *and*

(d) *A listing of gifts or honorariums received by a public official, the value of which is in excess of \$50. Contributions made to influence the nomination for election or election of a candidate to office shall not be deemed a gift to a public official under this clause nor shall a gift received by a public official from an immediate family member be deemed a gift reportable under this clause.*

Sec. 17. Minnesota Statutes 1976, Section 10A.09, Subdivision 7, is amended to read:

Subd. 7. (ALL PUBLIC OFFICIALS IN OFFICE ON APRIL 13, 1974 SHALL FILE WITH THE BOARD A STATEMENT OF ECONOMIC INTEREST WITHIN 60 DAYS AFTER THE DATE THE BOARD ISSUES STATEMENT OF ECONOMIC INTEREST FORMS) *The board shall notify by certified mail any candidate or officeholder for elective office who fails within the prescribed time to submit a statement of economic interest required by this section. A candidate or officeholder who fails to submit a statement of economic interest within seven days after receiving notice from the board shall be liable to the board for a late filing fee of \$10 per day, not to exceed \$200. The board shall bring an action in the district court in Ramsey county to im-*

pose a late filing fee. The late filing fee shall be deposited in the general account of the state elections campaign fund.

Sec. 18. Minnesota Statutes 1976, Section 10A.09, Subdivision 8, is amended to read:

Subd. 8. Any public official, except a member of the legislature or a constitutional officer, who is required to file a statement of economic interest and fails to do so (BY THE PRESCRIBED DEADLINE SHALL BE SUSPENDED WITHOUT PAY BY THE BOARD IN THE MANNER PRESCRIBED IN THE CONTESTED CASE PROCEDURES IN CHAPTER 15) *within seven days after receiving notice from the board shall be subject to a fine of up to \$10 per day not to exceed \$200. The board shall bring an action in the district court in Ramsey county to impose the fine. The late filing fee shall be deposited in the general account of the state elections campaign fund.*

Sec. 19. Minnesota Statutes 1976, Section 10A.09, is amended by adding a subdivision to read:

Subd. 9. Except for a member of the legislature or constitutional officer, the board in lieu of seeking imposition of a late filing fee may suspend a public official without pay by holding a contested case hearing in accordance with sections 15.0411 to 15.052. The board, department or agency of which the public official is a member shall pay all costs of the contested case hearing.

Sec. 20. Minnesota Statutes 1976, Section 10A.10, is amended to read:

10A.10 [PENALTY FOR FALSE STATEMENTS.] A report or statement required to be filed by sections 10A.02 to 10A.09 shall be signed and certified as true by the person required to file the report. Any person who signs and certifies to be true a report or statement which he knows contains false information or who knowingly omits required information is guilty of a (FELONY) *gross misdemeanor.*

Sec. 21. Minnesota Statutes 1976, Section 10A.11, Subdivision 6, is amended to read:

Subd. 6. Except for transfers of funds between political committees and transfers from the state election campaign fund, a political committee shall be financed solely through voluntary (DONATIONS) *contributions* by natural persons or political funds.

Sec. 22. Minnesota Statutes 1976, Section 10A.12, Subdivision 4, is amended to read:

Subd. 4. No (DONATIONS) *contributions* to the political fund shall be accepted and no expenditures from the political fund shall be made while the office of treasurer of the political fund is vacant.

Sec. 23. Minnesota Statutes 1976, Section 10A.12, is amended by adding a subdivision to read:

Subd. 4a. No transfer of funds shall be made between principal campaign committees.

Sec. 24. Minnesota Statutes 1976, Section 10A.13, Subdivision 1, is amended to read:

10A.13 [ACCOUNTS WHICH MUST BE KEPT.] Subdivision 1. It shall be the duty of the treasurer of a political committee or political fund to keep an account of:

(a) The sum of all contributions except any contribution in kind valued at \$20 or less (THAN \$20) made to or for the political committee or political fund;

(b) The name and address, if any, of any person making a contribution in excess of \$20, and the date and amount thereof; and

(c) All expenditures made by or on behalf of the committee or fund.

Any person who knowingly violates any provision of this subdivision is guilty of a misdemeanor.

Sec. 25. Minnesota Statutes 1976, Section 10A.14, Subdivision 4, is amended to read:

Subd. 4. The board 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 board (IS GUILTY OF A GROSS MISDEMEANOR) *shall be subject to a late filing fee of \$10 per day, not to exceed \$200. The board shall bring an action in the district court in Ramsey county to impose a late filing fee. The late filing fee shall be deposited in the general account of the state elections campaign fund.*

Sec. 26. Minnesota Statutes 1976, Section 10A.17, Subdivision 2, is amended to read:

Subd. 2. No person or persons acting in concert other than the candidate and the treasurer of the candidate's principal campaign committee may make expenditures of more than \$20 with

the authorization of or (CONSENT, EXPRESS OR IMPLIED, OF A) *in cooperation or consultation with any candidate, his principal campaign committee or his agent, or (UNDER THE CONTROL, DIRECT OR INDIRECT, OF A) in concert with or at the request or suggestion of any candidate, his principal campaign committee or his agent (ON BEHALF OF A CANDIDATE) without first receiving from the treasurer of that candidate's principal campaign committee (i) (PRIOR) written authorization and (ii) certification that the expenditures will not exceed the limits on expenditures as set forth in sections 10A.25 and 10A.27, when applicable to that candidate.* All such expenditures shall be counted against the spending limitations of the candidate.

Sec. 27. Minnesota Statutes 1976, 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. *A candidate shall register a principal campaign committee prior to receiving funds from the state elections campaign fund.*

Sec. 28. Minnesota Statutes 1976, Section 10A.20, Subdivision 2, is amended to read:

Subd. 2. The reports shall be filed with the board 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 the primary (OR SPECIAL PRIMARY) and general (OR SPECIAL) election, *and in the case of a special primary or special general election, seven days before the special primary and special general election, and 60 days after the special general 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. 29. Minnesota Statutes 1976, 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 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) Each loan to or from any person within the year in an aggregate amount or value in excess of \$100, together with the name and address, occupation and the principal place of business, if any, of the lender or any endorser and the date and amount of the loan;

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

(f) The total sum of all receipts by or for the political committee or political fund during the reporting period;

(g) The name and address 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, *and in the case of independent expenditures made in opposition to a candidate, the name, address and office sought for each such candidate;*

(h) The sum of individual expenditures not otherwise reported under clause (g);

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

(j) The amount and nature of any debt or obligation owed by or to the political committee or political fund, continuously reported until extinguished, and any written contract, promise or agreement to make a contribution or expenditure; and

(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. 30. Minnesota Statutes 1976, Section 10A.20, Subdivision 4, is amended to read:

Subd. 4. The reports shall cover the time from the last day of the period covered by the last report to seven days prior to the filing date, *except that the report due on January 31, shall cover the period from the last day of the period covered by the last report to December 31.*

Sec. 31. Minnesota Statutes 1976, Section 10A.20, Subdivision 6, is amended to read:

Subd. 6. Every (PERSON) *individual or association, other than a political committee or political fund, who makes independent expenditures, other than by contribution to a political committee or political fund, in an aggregate amount in excess of \$100 within a year shall file with the board a statement containing the information required of a political committee, political fund or candidate. Statements required by this subdivision shall be filed on the dates on which reports by committees are filed. In the case of independent expenditures by a political committee or fund, the treasurer of the political committee or fund shall, under penalty of perjury, certify that the expenditure was made without authorization, cooperation or consultation with the candidate or any authorized committee or agent of the candidate and was not made in concert with, or at the request of or suggestion of any candidate or any authorized committee or agent of the candidate.*

Sec. 32. Minnesota Statutes 1976, Section 10A.20, Subdivision 12, is amended to read:

Subd. 12. (THE BOARD 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 BOARD IS GUILTY OF A MISDEMEANOR) *A person who fails to file a report required by section 10A.20 within seven days after January 31, shall be subject to a late filing fee of \$20 per day, not to exceed \$400. A person who fails to file a report due ten days before a special primary or special election within 72 hours of the filing date shall be subject to a late filing fee of \$50 per day, not to exceed \$500. The board shall bring an action in the district court in Ramsey county to impose the late filing fee. The late filing fee shall be deposited in the general account of the state elections campaign fund.*

Sec. 33. Minnesota Statutes 1976, 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 board by the principal campaign committee of legislative candidates *and the statements of economic interest filed by the candidates* shall be duplicated and filed by the board 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. 34. Minnesota Statutes 1976, Section 10A.21, Subdivision 3, is amended to read:

Subd. 3. Statements and reports filed with the county auditor shall be available to the public in the manner prescribed by section 10A.02, subdivision 8, clause (e) (AND). *Statements and reports of principal campaign committees shall be retained until four years after the election to which they pertain. Economic interest statements shall be retained until the subject of the statement is no longer a candidate or an officeholder.*

Sec. 35. Minnesota Statutes 1976, Section 10A.24, is amended to read:

10A.24 [DISSOLUTION OR TERMINATION.] No political committee or political fund shall dissolve until it has settled all of its debts and disposed of all its assets in excess of \$100 and filed a termination report. The termination report may be made at any time and shall include all information required in periodic reports (AND A STATEMENT AS TO THE DISPOSITION OF ANY RESIDUAL FUNDS). *No political committee or political fund shall dispose of any assets except in any of the following manners:*

(a) *by refunding contributions to that political committee or political fund. No refunded contribution shall exceed the amount actually contributed.*

(b) *by transferring assets to a state political party.*

(c) *by transferring assets to the general account of the state elections campaign fund.*

Sec. 37. Minnesota Statutes 1976, Section 10A.25, Subdivision 7, is amended to read:

Subd. 7. On or before (JANUARY 15) *December 1* of each year, the state demographer shall certify to the board the estimated population of the state of Minnesota for the (LAST YEAR ENDING BEFORE THE DATE OF CERTIFICATION. IN DETERMINING THE PER CAPITA AMOUNTS FOR EACH OFFICE IN SUBDIVISION 2, THE BOARD SHALL USE) *next calendar year. On or before December 31 of each year the board shall determine and publish in the state register the expenditure and contribution limits for each office for the next calendar year as prescribed by subdivision 2 and section 10A.27, using the following estimated population figures:*

(a) (IN THE CASE OF THE ELECTIONS) For *the offices of 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 *the office of state senator, 1/67 of the total estimated population of the state;*

(c) (IN THE CASE OF ELECTIONS) For *the office of state representative, 1/134 of the total estimated population of the state.*

The expenditure and contribution limits shall be rounded off to the nearest \$100.

Sec. 38. Minnesota Statutes 1976, Section 10A.25, is amended by adding a subdivision to read:

Subd. 10. The expenditure limits established under section 10A.25 shall not apply if the candidate does not accept public financing.

Sec. 39. Minnesota Statutes 1976, Section 10A.26, is amended to read:

10A.26 [TRANSFERS OF FUNDS EXCEPTED.] Any transfer of funds or anything of pecuniary value from any political committee, political fund or political party to a principal campaign committee of a candidate shall not be considered to be an expenditure of funds on behalf of the candidate by the political committee, political fund or political party, but shall be reported as (REQUIRED BY LAWS 1974, CHAPTER 470) *a transfer by the political committee or fund and as a contribution to the principal campaign committee of the candidate as required by chapter 10A.*

Sec. 40. Minnesota Statutes 1976, Section 10A.27, is amended to read:

10A.27 [ADDITIONAL LIMITATIONS.] Subdivision 1. No political committee, political fund, or individual, except a political party or the principal campaign committee of a candidate shall make *contributions or authorized expenditures* on behalf or in opposition to the opponent of a candidate, or transfer funds to the principal campaign committee of a candidate, in an amount in excess of (TEN PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25) *the following:*

(a) For a candidate for governor and a candidate for lieutenant governor, running jointly, a total of 1.25 cents per capita or \$60,000, whichever is greater;

(b) For a candidate for attorney general, 0.25 cents per capita or \$10,000, whichever is greater;

(c) For a candidate for secretary of state, state treasurer, or state auditor, separately, 0.125 cents per capita or \$5,000, whichever is greater;

(d) For a candidate for state senator, 2 cents per capita or \$1,500, whichever is greater; and

(e) For a candidate for state representative, 2 cents per capita or \$750, whichever is greater.

The contribution limit shall apply to an individual, political committee, or political fund regardless of whether public financing is or is not accepted.

The contribution limitation shall apply to the candidate and his immediate family when the candidate accepts public financing. The contribution limitation shall not apply to the candidate or his immediate family if the candidate does not accept public financing.

The expenditure limit shall not apply if the candidate does not accept public financing.

Subd. 2. No political party shall make contributions to or authorized expenditures on behalf of a candidate (OR TRANSFER FUNDS TO THE PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) in an amount in excess of (50 PERCENT OF THE AMOUNT THAT MAY BE SPENT BY OR ON BEHALF OF THAT CANDIDATE AS SET FORTH IN SECTION 10A.25) the following:

(a) For a candidate for governor and a candidate for lieutenant governor, running jointly a total of 6.25 cents per capita or \$300,000, whichever is greater;

(b) For a candidate for attorney general, 1.25 cents per capita or \$50,000, whichever is greater;

(c) For a candidate for secretary of state, state treasurer or state auditor, separately, 0.625 cents per capita or \$25,000, whichever is greater;

(d) For a candidate for state senator, 10 cents per capita or \$7,500, whichever is greater; and

(e) *For a candidate for state representative, 10 cents per capita or \$3,750, whichever is greater.*

In a year in which an election does not occur for an office held or sought, no political party shall make contributions to or authorized expenditures on behalf of a candidate in excess of 20 percent of the amount otherwise authorized under this subdivision.

The contribution limitation shall apply regardless of whether or not the candidate accepts public financing. The expenditure limit does not apply if the candidate being supported does not accept public financing.

Subd. 3. (EXPENDITURES BY 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, POSTED, OR BROADCAST, OR ANY OFFICIAL PARTY SAMPLE BALLOT OR TELEPHONE CONVERSATION LISTING THREE OR MORE 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) *Independent expenditures shall not be allocated to any candidate nor subject to the limitations of section 10A.25, subdivision 2.*

Subd. 4. For the purposes of this section, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards (,) and precincts (, AND ANY LEGISLATIVE BODY).

Subd. 5. *No party legislative caucus shall make contributions to or authorized expenditures on behalf of a candidate in an amount in excess of the following:*

(a) *For a candidate for governor and a candidate for lieutenant governor, running jointly, a total of 1.25 cents per capita or \$60,000, whichever is greater;*

(b) *For a candidate for attorney general, 0.25 cents per capita or \$10,000, whichever is greater;*

(c) *For a candidate for secretary of state, state treasurer, or state auditor, separately, 0.125 cents per capita or \$5,000, whichever is greater;*

(d) *For a candidate for state senator, 2 cents per capita or \$1,500, whichever is greater; and*

(e) For a candidate for state representative, 2 cents per capita or \$750, whichever is greater.

In a year in which an election does not occur for an office held or sought, no party legislative caucus shall make contributions to or authorized expenditures on behalf of a candidate in excess of 20 percent of the amount otherwise authorized under this subdivision.

For the purpose of this subdivision a party legislative caucus means any organized or unorganized group of legislators in any legislative body who support the same political party.

The contribution limitation shall apply regardless of whether or not the candidate accepts public financing. The expenditure limit does not apply if the candidate being supported does not accept public financing.

Sec. 41. Minnesota Statutes 1976, Section 10A.28, is amended to read:

10A.28 [PENALTY FOR EXCEEDING LIMITS.] (ANY PERSON OR ASSOCIATION THAT MAKES EXPENDITURES IN EXCESS OF THE LIMITATIONS IMPOSED BY SECTIONS 10A.25 AND 10A.27 SHALL BE SUBJECT TO A FINE EQUAL TO FOUR TIMES THE AMOUNT BY WHICH ITS EXPENDITURE EXCEEDED THE LIMIT. IF THE BOARD OR COUNTY ATTORNEY HAS REASON TO BELIEVE THAT A PERSON OR ASSOCIATION HAS MADE SUCH EXCESS EXPENDITURES, THE BOARD OR COUNTY ATTORNEY SHALL BRING AN ACTION IN THE DISTRICT COURT OF RAMSEY COUNTY OR, IN THE CASE OF A LEGISLATIVE CANDIDATE, THE DISTRICT COURT OF A COUNTY WITHIN THE LEGISLATIVE DISTRICT, TO IMPOSE THIS PENALTY. ALL MONEYS RECOVERED PURSUANT TO THIS SECTION SHALL BE DEPOSITED IN THE GENERAL ACCOUNT OF STATE ELECTIONS CAMPAIGN FUND) Subdivision 1. The treasurer of the principal campaign committee of any candidate accepting public financing, who makes, incurs, or explicitly or implicitly authorizes expenditures in excess of those imposed by section 10A.25 shall be liable with the principal campaign committee for a civil fine of not less than the amount exceeding the expenditure limit but not to exceed four times the amount by which the expenditure exceeded the limit.

Subd. 2. Any individual, treasurer of a principal campaign committee, political committee or political fund who exceeds the contribution limit imposed by section 10A.27 shall be liable for a civil fine of not less than the amount exceeding the contribution limit but not to exceed four times the amount by which the contribution exceeded the limit. For purposes of this section, a con-

tribution is accepted when it is deposited in the principal campaign committee account as required by section 10A.15, subdivision 3. If a contribution is not returned or deposited in the original campaign committee account within 14 days of receipt, it shall be deemed accepted by the candidate.

Subd. 3. If the board or the county attorney has reason to believe that such excess expenditures or contributions have been made, the board or county attorney shall bring an action in the district court in Ramsey county or, in the case of a legislative candidate, the district court in a county within the legislative district to impose the penalty prescribed by this section. All moneys recovered shall be deposited in the general account of the state elections campaign fund.

Subd. 4. The board may enter into a stipulation settlement upon approval by the court at any time after it brings a legal action to impose a penalty pursuant to this section.

Sec. 42. Minnesota Statutes 1976, 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 LANGUAGE PREPARED BY THE COMMISSIONER WHICH PERMITS THE TAXPAYER TO DIRECT THE STATE TO ALLOCATE THE \$1 (OR \$2 IF FILING A JOINT RETURN) TO: (I) ONE OF THE MAJOR POLITICAL PARTIES; (II) ANY MINOR POLITICAL PARTY WHICH QUALIFIES UNDER THE PROVISIONS OF SUBDIVISION 3A; OR (III) ALL QUALIFYING CANDIDATES AS PROVIDED BY SUBDIVISION 7.)

Sec. 43. Minnesota Statutes 1976, Section 10A.31, Subdivision 5, is amended to read:

Subd. 5. In each calendar year the moneys in (EACH PARTY ACCOUNT) and the general account shall be allocated to candidates as follows:

((A)) (1) (16) 21 percent for the offices of governor and lieutenant governor jointly;

((B)) (2) (9.6) 3.6 percent for the office of attorney general;

((C)) (3) (4.8) 1.3 percent each for the offices of secretary of state, state auditor and state treasurer;

((D)) (4) In each calendar year during the period in which state senators serve a four year term, (20) $23 \frac{1}{3}$ percent for the office of state senator and (40) $46 \frac{2}{3}$ percent for the office of state representative.

((E)) (5) In each calendar year during the period in which state senators serve a two year term, (AND IN 1975 AND 1976, 30) 35 percent each for the offices of state senator and state representative;

((F)) (6) 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 *and whose party received five percent of the vote for governor at the last gubernatorial 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, $23 \frac{1}{3}$ PERCENT FOR THE OFFICE OF STATE SENATOR AND $46 \frac{2}{3}$ 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. 44. Minnesota Statutes 1976, Section 10A.31, Subdivision 7, is amended to read:

Subd. 7. Within two weeks after certification by the state canvassing board of the results of the (GENERAL) *primary* 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 allocations set forth in subdivision 5, in equal amounts to all candidates for each state-

wide 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 THEY WERE CANDIDATES) *whose party received five percent of the vote for governor at the last gubernatorial election.*

Sec. 45. Minnesota Statutes 1976, Section 10A.31, Subdivision 8, is amended to read:

Subd. 8. Within one week after certification by the state canvassing board of the results of the primary, the board 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. 46. Minnesota Statutes 1976, Section 10A.31, Subdivision 10, is amended 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 board on December 7 the amount accumulated (IN EACH ACCOUNT) since the previous certification. Within one week thereafter, the board 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. 47. Minnesota Statutes 1976, Section 10A.31, is amended by adding a subdivision to read:

Subd. 11. For purposes of section 10A.31, a write-in candidate is not a candidate unless he complies with the provisions of section 10A.32, subdivision 3.

Sec. 48. Minnesota Statutes 1976, Section 10A.32, Subdivision 1, 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 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.

Sec. 49. Minnesota Statutes 1976, Section 10A.32, Subdivision 3, is amended to read:

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 board 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 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, and the amount which 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) *general account of the state elections campaign fund*. 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) *allocated* as provided in *section 10A.31 subdivision (3A) 5, (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.

Sec. 50. Minnesota Statutes 1976, Section 10A.32, is amended by adding a subdivision to read:

Subd. 3b. A candidate may rescind a public financing agreement previously submitted in accordance with section 10A.32, subdivision 3, if the agreement is rescinded and the public moneys distributed to that date are returned by October 31.

Sec. 51. *The ethical practices board may exercise emergency rulemaking authority as provided in section 15.0412, subdivision 5, to implement the provisions of chapter 10A which are amended by this act. The board shall solicit information and opinions from*

outside the board as provided in section 15.0412, subdivision 6, before adopting these rules. Notwithstanding the provisions of section 15.0412, subdivision 5, any rules adopted pursuant to this section shall be effective until permanent rules are adopted pursuant to chapter 15 or until October 1, 1979, whichever occurs first. This section expires October 1, 1979.

Sec. 52. [REPEALER.] *Minnesota Statutes 1976, Sections 10A.12, Subdivision 5, 10A.30, Subdivision 2; 10A.31, Subdivisions 2, 3a, 6 and 9; and 10A.32, Subdivision 4, are repealed.*

Sec. 53. [EFFECTIVE DATE.] *This act is effective the day following its final enactment."*

Further, delete the title and insert:

"A bill for an act relating to public officials and candidates for public office; modifying disclosure requirements; clarifying and revising reporting requirements for lobbyists; clarifying and revising restrictions on campaign financing; providing a new allocation formula for public financing of election campaigns; modifying and prescribing penalties; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 7, 10, 18 and by adding a subdivision; 10A.02, Subdivisions 11 and 12; 10A.04, Subdivisions 2, 4, 5 and by adding a subdivision; 10A.08; 10A.09, Subdivisions 4, 5, 7, 8 and by adding a subdivision; 10A.10; 10A.11, Subdivision 6; 10A.12, Subdivision 4 and by adding a subdivision; 10A.13, Subdivision 1; 10A.14, Subdivision 4; 10A.17, Subdivision 2; 10A.19, Subdivision 1; 10A.20, Subdivisions 2, 3, 4, 6, and 12; 10A.21, Subdivisions 1 and 3; 10A.24; 10A.25, Subdivision 7 and by adding a subdivision; 10A.26; 10A.27; 10A.28; 10A.31, Subdivisions 3, 5, 7, 8, 10 and by adding a subdivision; 10A.32, Subdivisions 1, 3 and by adding a subdivision; repealing Minnesota Statutes 1976, Sections 10A.12, Subdivision 5; 10A.30, Subdivision 2; 10A.31, Subdivisions 2, 3a, 6, and 9; and 10A.32, Subdivision 4."

A roll call was requested and properly seconded.

Cummiskey moved to amend the Knickerbocker amendment to H. F. No. 404, as follows:

Page 26, line 23, delete "Ramsey" and insert "Washington".

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the adoption of the Knickerbocker amendment, as amended, and the roll was called. There were 32 yeas and 96 nays as follows:

Those who voted in the affirmative were:

Albrecht	Den Ouden	Friedrich	Niehaus	Searle
Anderson, D.	Erickson	Heinitz	Onnen	Wieser
Anderson, R.	Esau	Kaley	Peterson	Wigley
Biersdorf	Evans	Knickerbocker	Pleasant	Zubay
Carlson, A.	Ewald	Kvam	Redalen	
Carlson, D.	Fjoslien	Laidig	Rose	
Dean	Forsythe	McDonald	Savelkoul	

Those who voted in the negative were:

Abeln	Cohen	Kelly, R.	Nelsen, M.	Smogard
Adams	Corbid	Kelly, W.	Nelson	Spanish
Anderson, B.	Cummiskey	Kempe, A.	Norton	Stoa
Anderson, G.	Eckstein	Kempe, R.	Novak	Suss
Anderson, I.	Eken	King	Osthoff	Swanson
Arlandson	Ellingson	Kostohryz	Patton	Tomlinson
Battaglia	Enebo	Kroening	Pehler	Vanasek
Beauchamp	Fudro	Langseth	Petraleso	Voss
Begich	Fugina	Lehto	Reding	Waldorf
Berg	George	Lemke	Rice	Welch
Berglin	Gunter	Mangan	St. Onge	Wenstrom
Berkelman	Hanson	Mann	Samuelson	Wenzel
Birnstihl	Hokanson	McCarron	Sarna	White
Brandl	Jacobs	McCollar	Scheid	Williamson
Braun	Jaros	McEachern	Schulz	Wynia
Brinkman	Jensen	Metzen	Sherwood	Speaker Sabo
Byrne	Johnson	Moe	Sieben, H.	
Carlson, L.	Jude	Munger	Sieben, M.	
Clark	Kahn	Murphy	Simoneau	
Clawson	Kalis	Neisen	Skoglund	

The motion did not prevail and the amendment, as amended, was not adopted.

H. F. No. 404, A bill for an act relating to political activities; providing for their regulation; defining terms; revising certain filing and reporting requirements; clarifying language; imposing expenditure and contribution limits; revising distribution of moneys from the state elections campaign fund to legislative candidates; removing obsolete provisions; providing penalties; amending Minnesota Statutes 1976, Sections 10A.01, Subdivisions 2, 5, 7, 9, 10, 11, 13, 15, 16 and 18, and by adding subdivisions; 10A.02, Subdivisions 1, 2, 4, 8, 9, 11, 12 and 13, and by adding a subdivision; 10A.04, Subdivision 1; 10A.07; 10A.09, Subdivision 6; 10A.11, Subdivisions 1 and 6; 10A.12, Subdivisions 1, 4 and 5; 10A.13; 10A.14, Subdivisions 1 and 2; 10A.15; 10A.16; 10A.17; 10A.19, Subdivision 1; 10A.20, Subdivisions 3, 4, 5 and 6; 10A.22, Subdivisions 1, 3, 4, 5 and 7; 10A.24; 10A.25; 10A.27; 10A.28; 10A.29; 10A.31, Subdivisions 3a, 5, 6, 7, 10, and by adding a subdivision; 10A.32; 10A.33; and 210A.01, Subdivision 3; and Chapter 10A, by adding sections; repealing Minnesota Statutes 1976, Sections 10A.09, Subdivision 7; 10A.17, Subdivision 2; and 10A.26.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Saveikoul moved that those not voting be excused from voting. The motion prevailed.

There were 97 yeas and 32 nays as follows:

Those who voted in the affirmative were:

Abeln	Clawson	Kalis	Neisen	Skoglund
Adams	Cohen	Kelly, R.	Nelsen, M.	Smogard
Anderson, B.	Corbid	Kelly, W.	Nelson	Spanish
Anderson, G.	Cummiskey	Kempe, A.	Norton	Stanton
Anderson, I.	Eckstein	Kempe, R.	Novak	Suss
Arlandson	Eken	King	Osthoff	Swanson
Battaglia	Ellingson	Kostohryz	Patton	Tomlinson
Beauchamp	Enebo	Kroening	Pehler	Vanasek
Begich	Fudro	Langseth	Petrafaso	Voss
Berg	Fugina	Lehto	Reding	Waldorf
Berglin	George	Lemke	Rice	Welch
Berkelman	Gunter	Mangan	St. Onge	Wenstrom
Birnstihl	Hanson	Mann	Samuelson	Wenzel
Brandl	Hokanson	McCarron	Sarna	White
Braun	Jacobs	McCollar	Scheid	Williamson
Brinkman	Jaros	McEachern	Schulz	Wynia
Byrne	Jensen	Metzen	Sherwood	Speaker Sabo
Carlson, L.	Johnson	Moe	Sieben, H.	
Casserly	Jude	Munger	Sieben, M.	
Clark	Kahn	Murphy	Simoneau	

Those who voted in the negative were:

Albrecht	Den Ouden	Friedrich	Onnen	Stoa
Anderson, D.	Erickson	Heinitz	Peterson	Wieser
Anderson, R.	Esau	Kaley	Pleasant	Wigley
Biersdorf	Evans	Knickerbocker	Redalen	Zubay
Carlson, A.	Ewald	Kvam	Rose	
Carlson, D.	Fjoslien	McDonald	Saveikoul	
Dean	Forsythe	Niehaus	Searle	

The bill was passed and its title agreed to.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Munger, Voss, Hanson, Wynia and Dean introduced:

H. F. No. 2261, A bill for an act relating to energy; changing the powers of the Minnesota energy agency; providing for the confidentiality of proprietary data furnished to the energy agency; mandating certain residential energy efficiency standards; establishing insulation product and application standards; prescribing penalties; appropriating money; amending Minnesota Statutes 1976, Section 116H.08; Chapter 116H, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 116H.129, Subdivision 1, and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Battaglia, Begich, Fugina and Anderson, I., introduced:

H. F. No. 2262, A bill for an act relating to the metropolitan area; creating the metropolitan wilderness area.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Eckstein; Anderson, G.; Braun; Carlson, D., and Munger introduced:

H. F. No. 2263, A bill for an act relating to game and fish; leasing of state lands for feeding of deer and wild animals.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Battaglia; Anderson, I.; Begich and Murphy introduced:

H. F. No. 2264, A bill for an act relating to natural resources; outdoor recreation system; requiring public hearings prior to planning or developing units of the outdoor recreation system; amending Minnesota Statutes 1976, Section 86A.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Schulz, Munger, White and Johnson introduced:

H. F. No. 2265, A bill for an act relating to Independent School District No. 256 (Red Wing); appropriating money.

The bill was read for the first time and referred to the Committee on Appropriations.

Brinkman, Adams and Casserly introduced:

H. F. No. 2266, A bill for an act relating to intoxicating liquor; requiring wholesalers to maintain a warehouse stock; amending Minnesota Statutes 1976, Section 340.07, Subdivision 8.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Hanson, Murphy, Reding, Welch and Casserly introduced:

H. F. No. 2267, A bill for an act relating to emergency telephone systems; providing for the payment of certain costs of operating emergency telephone systems; amending Minnesota Statutes, 1977 Supplement, Section 403.11.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Hanson, Voss, Pehler and McCarron introduced:

H. F. No. 2268, A bill for an act relating to the state housing commission; substituting the state planning agency for the commission; substituting the director of planning for the director of housing; instructing the revisor; amending Minnesota Statutes 1976, Sections 462.425, Subdivision 4; 462.426, Subdivision 4; 462.631; repealing Minnesota Statutes 1976, Section 462.711.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Moe, Clark, Casserly, Kelly, R., and Sieben, H., introduced:

H. F. No. 2269, A bill for an act relating to commerce; restricting discontinuation of service by utilities and fuel distributors during winter; providing procedures for discontinuing service; providing claim procedures for disputed billings.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Lehto, Moe, McCarron, Berkelman and Jaros introduced:

H. F. No. 2270, A bill for an act relating to peace officers and constables; requiring training and licensing for all peace officers; requiring training and licensing for constables; establishing the position of deputy constable; amending Minnesota Statutes 1976, Sections 367.03, Subdivisions 1 and 3; 367.22; 382.28; 626.843, by adding a subdivision; Chapter 367, by adding sections; and Minnesota Statutes, 1977 Supplement, Sections 626.84; 626.843, Subdivisions 1 and 3; 626.845; 626.846, Subdivisions 1, 2 and 3, and by adding subdivisions; 626.847; 626.848; and 626.851, Subdivision 2; repealing Minnesota Statutes, 1977 Supplement, Section 626.853.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Voss and Neisen introduced:

H. F. No. 2271, A bill for an act relating to crimes; prescribing penalties for the possession of controlled substances on the premises of elementary, middle and secondary schools; amending Minnesota Statutes 1976, Section 152.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Anderson, G.; McCollar; Brinkman; Ewald and Abeln introduced:

H. F. No. 2272, A bill for an act relating to banks; open-end loan account arrangements; authorizing alternative finance charge for use of bank credit cards; amending Minnesota Statutes 1976, Section 48.185, Subdivision 3.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

McCarron, Birnstihl, Jacobs, Kostohryz and Waldorf introduced:

H. F. No. 2273, A bill for an act relating to veterans; commissioner of veterans affairs; providing for appeals from and enforcement of his decisions; amending Minnesota Statutes 1976, Section 197.481, Subdivision 6, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron, Hokanson, Jacobs, Kostohryz and Birnstihl introduced:

H. F. No. 2274, A bill for an act relating to veterans; providing for appeals from removals and disciplinary actions; amending Minnesota Statutes 1976, Sections 43.24, Subdivision 1; and 197.481, Subdivision 1.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

McCarron, Voss and Neisen introduced:

H. F. No. 2275, A bill for an act relating to military affairs; prohibiting certain activities by the department of military affairs in Anoka county.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Braun, Begich, Petrafeso, Moe and Biersdorf introduced:

H. F. No. 2276, A bill for an act relating to health; concerning smoking; providing for the designation of smoking and nonsmoking areas; amending Minnesota Statutes 1976, Section 144.415.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Hanson introduced:

H. F. No. 2277, A bill for an act relating to the department of administration; implementing a life cycle cost analysis.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson, Carlson, L., and Scheid introduced:

H. F. No. 2278, A bill for an act relating to the city of Brooklyn Center; firemen's relief association; amending Laws 1967, Chapter 815, Sections 1; 2; 3; 4; 5; 7; and 8, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Ellingson, Carlson, L., and Scheid introduced:

H. F. No. 2279, A bill for an act relating to the city of Brooklyn Center; police membership in public employees police and fire fund; repealing Laws 1967, Chapter 736.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Anderson, R.; Wenstrom; Beauchamp and Evans introduced:

H. F. No. 2280, A bill for an act relating to retirement; excluding certain part-time personnel from membership in the teachers retirement association; amending Minnesota Statutes, 1977 Supplement, Section 354.05, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Petrafeso introduced:

H. F. No. 2281, A bill for an act relating to conveyances; providing for the adoption of uniform conveyancing forms to replace certain forms in use; amending Minnesota Statutes 1976, Section 507.09.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heinitz introduced:

H. F. No. 2282, A bill for an act relating to the city of Plymouth; firemen's relief association benefits.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Reding introduced:

H. F. No. 2283, A bill for an act relating to the division of highway patrol; concerning salaries; increasing the salary of a corporal; amending Minnesota Statutes, 1977 Supplement, Section 299D.03, Subdivision 2.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Johnson, Vanasek, St. Onge and Sherwood introduced:

H. F. No. 2284, A bill for an act relating to courts; increasing the salary of certain judges; amending Minnesota Statutes, 1977 Supplement, Section 15A.083, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton, Moe, Reding, Biersdorf and Beauchamp introduced:

H. F. No. 2285, A bill for an act relating to retirement; refunds to surviving spouses of judges; amending Minnesota Statutes 1976, Section 490.124, Subdivision 12.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Kalis, Patton, Reding and Beauchamp introduced:

H. F. No. 2286, A bill for an act relating to retirement; increased benefits of former probate judges; payment by the Minnesota state retirement system; appropriating money; amending Minnesota Statutes 1976, Chapter 490, by adding a section.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Cohen introduced:

H. F. No. 2287, A bill for an act relating to retirement; judicial service credit for referees in juvenile court; amending Minnesota Statutes 1976, Section 490.121, Subdivision 4.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Moe; Tomlinson; Kelly, R.; Wynia and Hanson introduced:

H. F. No. 2288, A bill for an act relating to retirement; St. Paul teachers retirement fund association; post retirement adjustments for certain retirees and benefit recipients; retirement annuity computation for certain coordinated members; recomputation of disability benefits.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Petrafeso, Clark, Kaley, McCollar and McEachern introduced:

H. F. No. 2289, A bill for an act relating to medical assistance; nursing home rates; providing a definition for fixtures; amending Minnesota Statutes 1976, Section 256B.42, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Petrafeso, Clark, Kaley, McCollar and McEachern introduced:

H. F. No. 2290, A bill for an act relating to medical assistance; nursing home rates; modifying the definition of facility; amending Minnesota Statutes 1976, Section 256B.42, Subdivision 2.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Jaros, St. Onge, Forsythe, Metzen and Sarna introduced:

H. F. No. 2291, A bill for an act relating to labor; providing an exception of certain employees from the minimum wage requirement; amending Minnesota Statutes 1976, Section 177.23, Subdivision 7.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Berg; Petrafeso; Kelly, W.; Knickerbocker and Brandl introduced:

H. F. No. 2292, A bill for an act relating to cities; establishing requirements for financial statements, reports and audits; providing a time limit for submissions of certain reports to the state auditor; providing for enforcement of reporting requirements; amending Minnesota Statutes 1976, Chapter 471, by adding sections; repealing Minnesota Statutes 1976, Sections 412.281 and 412.291.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Patton, Lemke, Zubay, Samuelson and Brinkman introduced:

H. F. No. 2293, A bill for an act relating to taxation; sales tax; exempting newsprint and ink; amending Minnesota Statutes 1976, Sections 297A.14 and 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Begich and Murphy introduced:

H. F. No. 2294, A bill for an act relating to the city of Duluth; review of assessments by county assessor.

The bill was read for the first time and referred to the Committee on Taxes.

Kalis, McDonald, Mann, Birnstihl and Lemke introduced:

H. F. No. 2295, A bill for an act relating to taxation; property tax; delaying assessment of increased value due to certain improvements in buildings; amending Minnesota Statutes 1976, Section 273.11, Subdivision 1, and by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Vanasek, Petrafeso, Skoglund, Corbid and Kelly, W., introduced:

H. F. No. 2296, A bill for an act relating to taxation; providing a home heating credit; amending Minnesota Statutes 1976, Section 290A.07, Subdivision 1; Chapter 290A, by adding a section; and Minnesota Statutes, 1977 Supplement, Section 290A.06.

The bill was read for the first time and referred to the Committee on Taxes.

Fugina, Begich, Spanish, Battaglia and PrahI introduced:

H. F. No. 2297, A bill for an act relating to taxation; property tax; providing funds for the taconite property tax relief account; appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 298.293.

The bill was read for the first time and referred to the Committee on Taxes.

Clark, Neisen, Novak, Pleasant and Voss introduced:

H. F. No. 2298, A bill for an act relating to highway traffic regulation; change of course; clarifying requirement to signal a turn; amending Minnesota Statutes 1976, Section 169.19, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Fudro, Lemke, Birnstihl and Anderson, D., introduced:

H. F. No. 2299, A bill for an act relating to highways; county state-aid highway system; allocation of apportionments; authorizing money credited to the municipal account to be used on certain county state-aid highways; amending Minnesota Statutes 1976, Section 162.08, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Sherwood introduced:

H. A. No. 70, A proposal to review license fees for motor vehicles.

The advisory was referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee, consisting of 3 members of the Senate, on the amendments adopted by the Senate to the following House File:

H. F. No. 544, A bill for an act relating to highways; removing the construction moratorium on a certain interstate route, and extending it through the city of St. Paul; removing a certain route from the trunk highway system; amending Minnesota Statutes 1976, Sections 161.117; 161.12; and 161.123.

The Senate has appointed as such committee Messrs. Vega, Keefe, S., and Coleman.

House File No. 544 is herewith returned to the House.

PATRICK E. FLAHAVER, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1187, A bill for an act relating to retirement; membership of Hennepin county soil and water conservation district employees in the public employees retirement association; amending Minnesota Statutes 1976, Chapter 353, by adding a section.

PATRICK E. FLAHAVER, Secretary of the Senate

Jude moved that H. F. No. 1187 and the message from the Senate be laid on the table. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 405, A bill for an act relating to gambling; authorizing the operation of certain gambling devices by licensed organizations; providing a penalty; amending Minnesota Statutes 1976, Sections 325.54, Subdivision 1; 340.14, Subdivision 2; 609.75; 609.76; Chapters 349, by adding a section; and 609, by adding a section.

PATRICK E. FLAHAVER, Secretary of the Senate

Reding moved that the House refuse to concur in the Senate amendments to H. F. No. 405, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two Houses. The motion prevailed.

CONSENT CALENDAR

There being no objection, the bill on the Consent Calendar for today was continued on the Consent Calendar for one day.

GENERAL ORDERS

There being no objection, the bills on General Orders for today were continued on General Orders one day.

MOTIONS AND RESOLUTIONS

Anderson, I., moved that the name of Enebo be stricken and the name of Sieben, H., be added as an author on H. F. No. 2233. The motion prevailed.

Hokanson moved that H. F. No. 1738 be recalled from the Committee on Appropriations and be re-referred to the Committee on Governmental Operations. The motion prevailed.

McEachern moved that the name of Jude be added as an author on H. F. No. 1877. The motion prevailed.

Jensen moved that H. F. No. 2139 be recalled from the Committee on Environment and Natural Resources and be re-referred to the Committee on General Legislation and Veterans Affairs. The motion prevailed.

Nelson moved that the name of Byrne be added as an author on H. F. No. 1137. The motion prevailed.

McCarron moved that the name of Novak be added as an author on H. F. No. 2275. The motion prevailed.

George moved that the name of Haugerud be stricken and the names of Rice and Cummiskey be added as authors on H. F. No. 404. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Thursday, February 16, 1978.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

