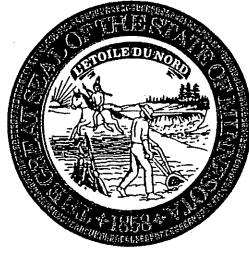


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Minnesota House of Representatives

February 5, 2005

TO: House Ethics Committee Members

FROM: Deborah K. McKnight, Legislative Analyst (651-296-5056)

RE: History of House Codes of Conduct

In 1961 the legislature passed a statutory code of conduct that applied to all members. Laws 1961, chapter 59. No action was ever taken against any legislator under this code. In 1971 the House created a Special Ethics Committee, which held hearings and prepared a report that included a proposal for a detailed code of conduct for House members. That code was adopted by the House. 1971 Journal, page 1490. These early code efforts were replaced by Minn. Stat., Chapter 10A in 1974. Because that statute deals with economic interest disclosure and conflict of interest, it was deemed to replace the need for conduct codes.

In 1995 the House adopted the following rule:

Rule 9.01: Code of Conduct. The Committee on Rules and Legislative Administration, after receiving the recommendation of the Committee on Ethics, must establish and maintain a code of conduct for members, officers, and employees of the House.

The version of a House Code of Conduct you have before you was first adopted by the Rules Committee in 1995 in consultation with Ethics Committee members. I have no record of either the Rules Committee or the Ethics Committee taking any action on this issue in 1997. In 1999 and 2001 the Ethics Committee referred the current document to Rules Committee, where it was adopted again. Last biennium neither the Ethics Committee nor the Rules Committee took any action regarding a Code of Conduct. The code does remain on the House Intranet site at this time under "policies for members."

In 1996 Speaker-designate Carruthers had some research done to consider a more detailed conduct code than what is before you. No action was ever taken on that idea.

You will notice that the Code does not mention officers or employees of the House, although Rule 9.05 provided for their inclusion in a code. The initial work on the code in 1995 was done by Rules Committee members and staff. Since I did not staff that committee, I do not know why they omitted officers and employees. I do not recall any questions in the years that I staffed the Ethics Committee about why employees and officers were left out. Until the issue was raised recently, no member had suggested including officers and employees.

DKM/jb

CODE OF CONDUCT

MINNESOTA HOUSE OF REPRESENTATIVES, MEMBERS, OFFICERS, AND
EMPLOYEES

A State Representative and an officer or employee of the House of Representatives shall:

~~Accept public office as a public trust and endeavor to be worthy of that trust—by~~
~~respecting~~ Respect the principles of representative democracy, by exemplifying good citizenship
and high personal integrity, and by observing the letter and spirit of laws, the Minnesota
Constitution, ~~State~~ state laws, and House Rules.

Promote the health of democracy—by fostering openness in government, full public
understanding of government actions, and public participation in governmental processes.

Treat everyone with respect, fairness, and courtesy.

Exercise sound judgment ~~by deciding issues on their merits.~~

Be respectful of the House of Representatives as a fundamental institution of civil
government.

Use the power and facilities of ~~office~~ the House of Representatives only to advance the
common good.

Respect and maintain confidential information obtained as a public official or an officer
or employee.