

Rules and Administration Subcommittee on Ethical Conduct

Wednesday, October 22, 2014

2:00 PM, Room 112, Capitol

Minutes

Present: Senator Sandra L. Pappas - Chair, Senator Michelle L. Fischbach, Senator Bill Ingebrigtsen, Senator Tony Lourey

Absent: No Members Absent

Senator Sandra L. Pappas called the meeting to order at 2:01 pm

Probable Cause Hearing regarding complaint filed by Senator Hann and others regarding Senator Jeff Hayden.

If you have questions please contact Catherine Ryan at catherine.ryan@senate.mn or 651-297-5393.

Senate Subcommittee on Ethical Conduct

Senator Sandra L. Pappas

Wednesday, October 22, 2014

2:00 PM

Room 112 Capitol

1. Call to Order

1. Meeting began at 2:01 pm on Wednesday, October 22 2014
2. Senator Pappas had members of the Subcommittee and others introduce themselves.
 1. Mr. David Zoll – Attorney from Lockridge Grindal Nauen
 2. Mr. Charlie Nauen – Attorney from Lockridge Grindal Nauen
 3. Senator David Hann
 4. Senator Jeff Hayden
3. Senator Pappas stated that she had received the complaint and the subcommittee is meeting within 30 days of the receipt of complaint.

2. Discussion of procedure for probable cause hearing

1. Senator Pappas called for those planning on testifying to stand before the committee and Senator Pappas swore in the testifiers.
3. Presentation of complaint #1 by Senator Hann and others
 1. Senator Hann had additional documents for reference passed out for the review of the Subcommittee.
 2. Senator Hann presented the complaint asking for an investigation of the complaint.
 3. Mr. Nauen asked questions of Sen.Hann in response to the complaint.
4. Response to complaint #1 from Senator Hayden
 1. Mr. Nauen provided the response to the complaint asking for the complaint to be dismissed due to lack of probable cause
 2. Mr. Nauen provided documents for the subcommittee.
 3. Senator Hayden provided a statement to the Subcommittee.
 4. Senator Ingebrigtsen asked questions of Mr. Nauen regarding the complaint.
 5. Senator Lourey defined the purpose for the probable cause hearing.
 6. Senator Hann asked for an investigation.
 7. Mr. Nauen asked that the Subcommittee determine no probable cause for the complaint.
5. Subcommittee deliberation and consideration of complaint #1 under Senate Rule 55.4
 1. Senator Lourey moved that on complaint #1 regarding Senator Jeff Hayden the subcommittee find no probable cause. Senator Pappas took a voice vote on the motion and motion did not prevail.
 2. Senator Pappas moved for a brief recess at 3:51 pm.
 3. Senator Pappas reconvened the subcommittee at 4:02 pm.
 4. Senator Pappas laid the motion of Senator Lourey on complaint #1 on the table.
 5. Senator Pappas stated that Senator Hann would ask the Minneapolis School Board to clarify their actions with regard to complaint #1.
 6. Senator Ingebrigtsen moved to defer action on complaint #1 and complaint #2 until Wednesday November 5 at noon. Motion prevailed on a voice vote.

6. Presentation of complaint #2 by Senator Hann and others

1. Senator Hann presented complaint #2.
2. No questions for Senator Hann.

7. Response to complaint #2 from Senator Hayden

1. Mr. Nauen presented the response to Senator Hann.
2. Senator Hayden provided a statement to the Subcommittee.
3. Senator Pappas asked for Counsel to provide background on Data Practices Act and how that is applicable to this situation. Counsel provided information.

8. Subcommittee deliberation and consideration of complaint #2 under Senate Rule 55.4

1. Senator Lourey moved that the subcommittee find no probable cause on complaint #2 against Senator Hayden. Senator Pappas took the motion on a voice vote and the motion did not prevail.
2. Senator Pappas stated that she would request Department of Commerce and Department of Human Services appear before the Subcommittee regarding complaint #2.
3. Senator Ingebrigtsen moved to defer action on complaint #1 and complaint #2 until Wednesday November 5 at noon. Motion prevailed on a voice vote.

9. Adjournment

1. Senator Pappas adjourned the meeting at 5:17 pm.

The meeting was adjourned at 5:17 pm

Senator Sandra L. Pappas, Chair

Katie Gasper, Legislative Assistant