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Ethics and Conduct

Code of Conduct and Ethics

As members and employees of the Senate, we are to:

- Avoid actions that might impair independence of judgment or give the appearance of impropriety.
- Avoid actions that might improperly influence a state agency, court, or government body.
- Avoid situations that could be disrespectful of the institution and the public.
- Treat each other and the public fairly, equally, and with dignity and respect.
- Be courteous to the public and respectful of the institution.

Gift Ban

Minnesota Statutes 10A.071 prohibits a member or employee of the Legislature from accepting a gift from a lobbyist, or from a person or association that employs a lobbyist (a lobbyist principal), or any gift that is directed by a lobbyist or lobbyist principal. Senators and staff fall under the definition of “official” as defined by the law.

The law defines a gift as any of the following: money; real or personal property; a service; a loan; a forbearance or forgiveness of indebtedness; or a promise of future employment, *unless the recipient gives the lobbyist or lobbyist principal consideration of equal or greater value in return.*

For further explanation of the law, see “Gifts to Public Officials” in the Senate Counsel Treatise section on the Senate’s website.

Questions concerning the gift ban may be directed to Jeanne Olson, Executive Director of the Campaign Finance and Public Disclosure Board, at 296-1721; Peter Wattson, Senate Counsel, at 296-3812; or Tom Kukielka, Director of Senate Majority Research, at 296-9384.

Senate Discipline/Subcommittee on Ethical Conduct

Senators and staff are subject to discipline by the Senate. Complaints that members have violated the Open Meeting Law, Minnesota Statutes, section 3.055, are submitted to the Chair of the Committee on Rules and Administration, who forwards them to the Subcommittee on Ethical Conduct under Rule 12.2. Complaints of improper conduct are considered by the Subcommittee on Ethical Conduct under Senate Rule 55. Standards of ethical conduct are set forth in Senate Rule 56 and in the Code of Conduct and Code of Ethics.

The President of the Senate will receive written, signed complaints from any member or employee of the Senate or from the public regarding disrespectful treatment by a member of employee of the Senate or by another member of the public.

Conflicts of Interest

The procedures for disclosing and avoiding potential conflicts of interest are set forth in Minnesota Statutes, section 10A.07; Senate Rule 57; and Mason's Manual of Legislative Procedure, section 522.

In sum, they provide that, if you have a personal financial interest in a question that is greater than that of others in your business classification, profession, or occupation, you should disclose your potential conflict of interest to the presiding officer of the body that is about to decide the question and ask to be excused from voting on the question. Also you should not chair the meeting during discussion of the question nor offer any motion or discussion on the question. See Minnesota Rules, part 4515.0500. Under Senate Rule 41.2, your request to be excused must be made before the question is put.

If you vote on the question, you must file a written statement of your potential conflict of interest with the Campaign Finance and Public Disclosure Board within a week after the vote.

Legislative Immunity

Members and staff of the Minnesota Senate are absolutely immune from suitor subpoena in a court of law for anything said or done by them "within the sphere of legitimate legislative activity." If you are served with a summons or subpoena because of your legislative activity, please contact Senate Counsel immediately.

For further explanation see "Legislative Immunity in Minnesota" in the Senate Counsel Treatise section on the Senate's website.

Campaign Activity Policy

The following activities are prohibited:

- An employee of the Senate may not participate in campaign activity during hours the employee records as hours worked for the Senate.
- An employee may not solicit campaign contributions from or within the Capitol complex at any time.
- Senate equipment or supplies may not be used for campaign activities, including, but is not limited to, Senate telephones and Watts line system, computers and e-mails, including private e-mail accounts, if operated under the Senate's server system, Xerox machines and other copying facilities, and use of the computer system for tracking or scheduling political events.

Any questions concerning the use of Senate equipment should be directed to the Secretary of the Senate, at 296-0271, Senate Counsel, at 296-3812; or the Director of Senate Majority Research, at 296-9384.

Updated 11/16/07

FAQ – campaign activity

What if I receive a check from a lobbyist or PAC at work?

Ask the person to mail the check to your senator's home address or to the treasurer's home address. You can provide them with the information. If a check is left after hours, either mail it or give it to the senator as soon as possible.

Can I schedule district events at the Capitol for my senator?

Scheduling events in the district should be limited to business related to the Legislature. You cannot schedule any campaign activities at the Capitol.

Can I use Senate stamps to send out end-of-session legislative reports?

You should not use Senate stamps for any material that contains a disclaimer and is paid for by the candidate's principal campaign committee or is designed with the purpose of influencing the outcome of a nominating convention or election.

Are town meetings considered campaign events?

Town meetings are constituent informational meetings. It is okay to hand out flyers with legislative information. However, a town meeting would be considered campaign-related if it is held 60 or more days after sine die in a year the senator's name appears on the ballot. There should not be any campaign materials at town meetings.