

Minnesota

Campaign Finance and Public Disclosure Board



DATE: November 23, 2010

TO:

Governor Tim Pawlenty
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1606

Senator Ray Vandever, Chair
Local Government and Elections Committee
107 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1206

Senator Mike Parry, Chair
State Government Innovation and Veterans Budget
115 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1206

Representative Joyce Peppin, Chair
Government Operations and Elections Committee
279 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155-1206

FROM: Gary Goldsmith, Executive Director

SUBJECT: Obsolete Rules Report Pursuant to Minnesota Statutes, section 14.05, subdivision 5.

Pursuant to Minnesota Statutes, section 14.05, subdivision 5, the Campaign Finance and Public Disclosure Board hereby informs you that:

The Board has determined that Minnesota Rules 4501.0500, subpart 2(A) is unnecessary because the Board has concluded that the rule imposes a filing requirement more stringent than that imposed by statute. Within the same rule the Board has also found that the requirements in subpart 2(C) regulating the release of electronic files to the public have been superseded by Minnesota Statutes, section 10A.20, subdivision 1b.

The Board has also determined that Minnesota Rules 4501.0700, which provides a standard for determining the late fee for a report filed with the Board past a statutory deadline, is too broad and inconsistent with some provisions of Chapter 10A.

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REVISOR OF STATUTES

A handwritten signature in black ink, appearing to read "Gary Goldsmith". The signature is fluid and cursive, written over the printed name in the "FROM" field.

The Board has further determined that Minnesota Rules 4503.0200, subpart 6, which requires depositories for political committees, is a redundant restatement of the requirements found in Minnesota Statutes, sections 10A.14 and 10A.15.

Additionally, Minnesota Rules 4503.0500, subpart 8, contains classification and reporting requirements for the use of an automobile by a political committees that are obsolete because of the provisions of Minnesota Statutes 10A.01, subdivision 9.

The Board has also determined that Minnesota Rules 4503.1400, subpart 8, contains filing deadlines for the submission of an affidavit of contributions at a special election that have been rendered obsolete by the provisions of Minnesota Statutes 10A.323.

Further, Minnesota Rules 4503.1450, subpart 3, which regulates notification given to candidates of the general account portion of the public subsidy payment, has been rendered obsolete because of changes in Minnesota Statutes 10A.321.

The Board has determined that Minnesota Rules 4503.1700, which required reporting of certain contributions to the Board within 48 hours is obsolete because of an amendment to the filing period and method found in Minnesota Statutes, section 10A.20, subdivision 5.

Minnesota Rules 4501.0500, subpart 2(A), and Minnesota Rules 4503.1700, were identified in last year's Obsolete Rules Report. The Board started an administrative rulemaking process that included the repeal of these two rules. However, the Board elected to terminate the rulemaking process in order to concentrate staff resources on the administration of Board programs during an election year.

The Board anticipates that it will start an administrative rulemaking process before the end of fiscal year 2011, and will repeal the obsolete and unnecessary rules at that time. The Board expects its rulemaking procedure to be completed in fiscal year 2012. Because the Board is undertaking its own rule making procedure it **does not** request that any of the rules identified in this report be included in the Revisor of Statutes bill on obsolete rules.