

1.1 moves to amend H.F. No. 136 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2012, section 10A.01, subdivision 35, is amended to
1.4 read:

1.5 Subd. 35. **Public official.** "Public official" means any:

1.6 (1) member of the legislature;

1.7 (2) individual employed by the legislature as secretary of the senate, legislative
1.8 auditor, chief clerk of the house of representatives, revisor of statutes, or researcher,
1.9 legislative analyst, or attorney in the Office of Senate Counsel and Research or House
1.10 Research;

1.11 (3) constitutional officer in the executive branch and the officer's chief administrative
1.12 deputy;

1.13 (4) solicitor general or deputy, assistant, or special assistant attorney general;

1.14 (5) commissioner, deputy commissioner, or assistant commissioner of any state
1.15 department or agency as listed in section 15.01 or 15.06, or the state chief information
1.16 officer;

1.17 (6) member, chief administrative officer, or deputy chief administrative officer of a
1.18 state board or commission that has either the power to adopt, amend, or repeal rules under
1.19 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

1.20 (7) individual employed in the executive branch who is authorized to adopt, amend,
1.21 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

1.22 (8) executive director of the State Board of Investment;

1.23 (9) deputy of any official listed in clauses (7) and (8);

1.24 (10) judge of the Workers' Compensation Court of Appeals;

1.25 (11) administrative law judge or compensation judge in the State Office of
1.26 Administrative Hearings or unemployment law judge in the Department of Employment
1.27 and Economic Development;

- 2.1 (12) member, regional administrator, division director, general counsel, or operations
 2.2 manager of the Metropolitan Council;
- 2.3 (13) member or chief administrator of a metropolitan agency;
- 2.4 (14) director of the Division of Alcohol and Gambling Enforcement in the
 2.5 Department of Public Safety;
- 2.6 (15) member or executive director of the Higher Education Facilities Authority;
- 2.7 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 2.8 (17) member of the board of directors or executive director of the Minnesota State
 2.9 High School League;
- 2.10 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 2.11 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 2.12 (20) manager of a watershed district, or member of a watershed management
 2.13 organization as defined under section 103B.205, subdivision 13;
- 2.14 (21) supervisor of a soil and water conservation district;
- 2.15 (22) director of Explore Minnesota Tourism;
- 2.16 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established
 2.17 in section 97A.056;
- 2.18 (24) citizen member of the Clean Water Council established in section 114D.30; ~~or~~
- 2.19 (25) member or chief executive of the Minnesota Sports Facilities Authority
 2.20 established in section 473J.07~~;~~;
- 2.21 (26) district court judge, appeals court judge, or supreme court justice; or
- 2.22 (27) county commissioner.

2.23 Sec. 2. Minnesota Statutes 2012, section 10A.07, is amended to read:

2.24 **10A.07 CONFLICTS OF INTEREST.**

2.25 Subdivision 1. **Disclosure of potential conflicts.** A public official or a local
 2.26 official elected to or appointed by a metropolitan governmental unit who in the discharge
 2.27 of official duties would be required to take an action or make a decision that would
 2.28 substantially affect the official's financial interests or those of an associated business,
 2.29 unless the effect on the official is no greater than on other members of the official's
 2.30 business classification, profession, or occupation, must take the following actions:

- 2.31 (1) prepare a written statement describing the matter requiring action or decision and
 2.32 the nature of the potential conflict of interest;
- 2.33 (2) deliver copies of the statement to the official's immediate superior, if any; and

3.1 (3) if a member of the legislature or of the governing body of a metropolitan
3.2 governmental unit, deliver a copy of the statement to the presiding officer of the body
3.3 of service.

3.4 If a potential conflict of interest presents itself and there is insufficient time to
3.5 comply with clauses (1) to (3), the public or local official must orally inform the superior
3.6 or the official body of service or committee of the body of the potential conflict.

3.7 Subd. 2. **Required actions.** If the official is not a member of the legislature or of the
3.8 governing body of a metropolitan governmental unit, the superior must assign the matter,
3.9 if possible, to another employee who does not have a potential conflict of interest. If there
3.10 is no immediate superior, the official must abstain, if possible, in a manner prescribed by
3.11 the board from influence over the action or decision in question. If the official is a member
3.12 of the legislature, the house of service may, at the member's request, excuse the member
3.13 from taking part in the action or decision in question. If the official is not permitted or is
3.14 otherwise unable to abstain from action in connection with the matter, the official must
3.15 file a statement describing the potential conflict and the action taken. A public official
3.16 must file the statement with the board and a local official must file the statement with the
3.17 governing body of the official's political subdivision. The statement must be filed within a
3.18 week of the action taken.

3.19 Subd. 3. **Interest in contract; local officials.** This section does not apply to a local
3.20 official with respect to a matter governed by sections 471.87 and 471.88.

3.21 Subd. 4. **Exception; judges.** Notwithstanding subdivisions 1 and 2, a public official
3.22 who is a district court judge, an appeals court judge, or a Supreme Court justice is not
3.23 required to comply with the provisions of this section.

3.24 Sec. 3. Minnesota Statutes 2012, section 10A.071, subdivision 1, is amended to read:

3.25 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this
3.26 section.

3.27 (b) "Gift" means money, real or personal property, a service, a loan, a forbearance or
3.28 forgiveness of indebtedness, or a promise of future employment, that is given and received
3.29 without the giver receiving consideration of equal or greater value in return.

3.30 (c) "Official" means a public official, an employee of the legislature, ~~a judge~~, or a
3.31 local official of a metropolitan governmental unit.

3.32 Sec. 4. Minnesota Statutes 2012, section 10A.08, is amended to read:

3.33 **10A.08 REPRESENTATION DISCLOSURE.**

