

**ETHICAL PRACTICES BOARD**

**First Floor South, Centennial Building . 658 Cedar Street . St. Paul, MN 55155-1603**

The following publication does not identify the requester of the advisory opinion, which is nonpublic data under Minn. Stat. § 10A.02, subd. 12(b)

**RE: Use of Ethical Practices Board Data**

**ADVISORY OPINION # 244**

**SUMMARY**

**The use of Ethical Practices Board data on a worldwide web site providing political information to citizens is related to political activity and is not prohibited under Minn. Stat. § 10A.02, subd. 8e.**

**FACTS**

As the representative of an organization, you request an advisory opinion from the Ethical Practices Board based on the following facts:

1. The organization you represent is considering the creation of an advertising-supported worldwide web site on the internet.
2. The site would include information relating to politics in Minnesota and would be free to visitors to the site.
3. Visitors to the proposed site could see advertisements from sponsors of the site and could follow links from those advertisements to the sponsors' sites for additional information.

4. Your organization would like to incorporate into your site information from reports or statements filed with the Board.
5. The data your organization wishes to use in its site may include data from reports and statements filed by lobbyists, lobbyist principals, political committees and funds (including candidate's principal campaign committees and party units), and others.

#### ISSUE

May you use data obtained from reports and statements filed with the Board on a free, advertising supported, internet site dedicated to presenting Minnesota political information?

#### OPINION

Yes, use on the described worldwide web site of data obtained from reports and statements filed with the Ethical Practices Board is a permitted use for a purpose related to political activity.

Minn. Stat. § 10A.02, subd. 8e, prohibits use for a "commercial purpose" of information copied from reports or statements filed with the Board. However, the statute provides that "commercial purpose does not include purposes related to . . . political activities. . . ."

Your use of Board data is to provide a source of Minnesota political information which may be accessed by all interested persons without charge. Use of Board data for this purpose is related to political activities and is not prohibited by Minn. Stat. § 10A.02, subd. 8e.

The Board requests that you include on your site appropriate notices that the commercial use of the data is prohibited by statute, so that visitors to your site do not inadvertently violate the law.

Issued: 10-12-96

  
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Carolyn D. Rodriguez, Chair  
Ethical Practices Board

**CITED STATUTES**

**10A.02 BOARD OF ETHICAL PRACTICES.**

. . . .

Subd. 8. The board shall:

. . . .

(e) Make the reports and statements filed with it available for public inspection and copying by the end of the second day following the day on which they were received. Any individual may copy a report or statement by hand or by duplicating machine and the board shall provide duplicating services at cost for this purpose. No information copied from reports and statements shall be sold or utilized by any individual or association for any commercial purpose. "Commercial purpose" does not include purposes related to elections, political activities, or law enforcement. Any individual or association violating the provisions of this clause may be subject to a civil penalty of up to \$1,000. An individual who knowingly violates this subdivision is guilty of a misdemeanor;