

**STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

CONCILIATION AGREEMENT

In the Matter of the Burt Johnson for Minnesota House Committee (18160);

1. In February 2018 the Campaign Finance and Public Disclosure Board conducted a routine compliance review of the Burt Johnson for Minnesota House Committee's 2017 year-end report of receipts and expenditures. The review disclosed that on September 27, 2017, the Johnson committee received a \$250 contribution from Asbestos Workers Local 34, which is formally known as the International Association of Heat and Frost Insulators and Allied Workers (HFIAW) Local 34. HFIAW Local 34 is an association that, on the date of the contribution, was not registered with the Board as a political committee or political fund.
2. Minnesota Statutes section 10A.27, subdivision 13, prohibits a principal campaign committee from accepting a contribution that exceeds \$200 from an association not registered with the Board, unless the contribution is accompanied by a written disclosure statement satisfying the requirements of Minnesota Statutes section 10A.20, and that statement is filed with the recipient's next report of receipts and expenditures. The required statement was not filed with the Johnson committee's 2017 year-end report.
3. By email dated June 5, 2018, Mr. Johnson informed Board staff that his committee had issued a refund check for \$250 dated February 12, 2018, to HFIAW Local 34. In a telephone conversation on November 21, 2018, Mr. Johnson stated that he has no record of the refund check being deposited. In a telephone conversation on December 3, 2018, Albert Byers III, business agent for HFIAW Local 34, stated that the refund check was never received. In a telephone conversation on December 12, 2018, Mr. Johnson stated that he would hand-deliver a check to Mr. Byers. Mr. Byers emailed Board staff on December 13, 2018, to report that the refund check for \$250 had been deposited. Mr. Byers provided a copy of the deposit slip dated December 12, 2018. However, because the contribution was not returned within 90 days, it is deemed accepted pursuant to Minnesota Statutes section 10A.15, subdivision 3.
4. The parties agree that the Johnson committee accepted a contribution in excess of \$200 from an unregistered association in violation of Minnesota Statutes section 10A.27, subdivision 13. This is the Johnson committee's first violation of this statute.
5. To avoid a similar violation in the future, the Johnson committee agrees that its treasurer will not accept a contribution in excess of \$200 from an association without also obtaining the association's Board registration number, a disclosure statement in the form required by statute if the association is not registered with the Board, or advice from Board staff.

6. The Johnson committee also agrees to the imposition of a civil penalty in the amount of \$50 for accepting a contribution without the disclosure required by Minnesota Statutes section 10A.27, subdivision 13. This civil penalty is the amount of the contribution that exceeded \$200. Payment of the penalty is due within 30 days of the date the agreement is signed by both parties.

7. If the Burt Johnson for Minnesota House Committee does not comply with the provisions of this agreement, this matter may be reopened by the Board, and the Board may take such actions as it deems appropriate.

/s/ Burt Johnson Dated: January 8, 2019
Burt Johnson
Burt Johnson for Minnesota House Committee

/s/ Margaret Leppik Dated: January 3, 2019
Margaret Leppik, Chair
Campaign Finance and Public Disclosure Board