

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

CONCILIATION AGREEMENT

In the matter of the DFL Senate Caucus (20011);

1. The DFL Senate Caucus is a political party unit registered with the Board. The party unit's September 2018 report of receipts and expenditures first disclosed a \$400 incoming contribution from Minnesota State College Faculty (MSCF), a labor union that does not have a political committee or fund registered with the Board.
2. Minnesota Statutes section 10A.27, subdivision 13, prohibits a party unit 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. If an unregistered association gives a contribution in excess of \$200, the recipient is required to provide the disclosure statement to the Board when filing the report of receipts and expenditures that first discloses the contribution. MSCF did not provide the required disclosure statement to the DFL Senate Caucus. A contribution that is not returned within 90 days of being deposited is deemed to be accepted under Minnesota Statutes section 10A.15, subdivision 3.
3. Mark Grant, chair of the MSCF's Legislative Committee, explained that the \$400 contribution should have been given via a political fund registered with the Board with which the MSCF is affiliated, but was mistakenly made directly by MSCF. The DFL Senate Caucus has provided a photocopy of a check showing that the \$400 contribution was returned to MSCF in August 2019.
4. The parties agree that the DFL Senate Caucus accepted a contribution in excess of \$200 from an association not registered with the Board without the required disclosure statement in violation of Minnesota Statutes section 10A.27, subdivision 13. This is the DFL Senate Caucus's first violation of the disclosure requirement regarding contributions from unregistered associations.
5. To avoid a similar violation in the future, the DFL Senate Caucus agrees that 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 DFL Senate Caucus agrees to the imposition of a civil penalty in the amount of \$200 for accepting a contribution in excess of \$200 without the disclosure statement required by Minnesota Statutes section 10A.27, subdivision 13. The civil penalty is the amount of the contribution that exceeded \$200. Of this amount, \$50 is due within 30 days of the date the agreement is signed by both parties. The remaining \$150 of the penalty is, by the terms of this agreement, stayed until

January 1, 2021. If the DFL Senate Caucus violates Minnesota Statutes section 10A.27, subdivision 13, before January 1, 2021, the outstanding civil penalty is due immediately. If the DFL Senate Caucus does not violate Minnesota Statutes section 10A.27, subdivision 13, before January 1, 2021, the outstanding civil penalty is waived.

7. If the DFL Senate Caucus 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/ Thomas Kukielka Dated: October 18, 2019
Thomas Kukielka, Treasurer
DFL Senate Caucus

/s/ Margaret Leppik Dated: October 2, 2019
Margaret Leppik, Chair
Campaign Finance and Public Disclosure Board