

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

CONCILIATION AGREEMENT

In the matter of the AFSCME Council 5 PEOPLE Fund (30686);

1. The AFSCME Council 5 PEOPLE Fund is a political fund. The maximum total amount a political fund could contribute to a candidate for state representative during the 2017-2018 election cycle was \$1,000. The fund's 2017 and 2018 year-end reports of receipts and expenditures disclosed contributions of \$500 given on December 4, 2017, and \$1,000 given on August 9, 2018, respectively, to Erin (Koegel) for Minnesota, the principal campaign committee of Representative Erin Koegel. The \$500 that the fund gave that exceeded the limit was not returned within 90 days of being deposited and is therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. The fund has provided documentation showing that a check for \$500 from the Koegel committee was deposited in July 2019, returning the excess amount.
3. The fund's deputy treasurer, Jon Grebner, explained that the \$1,000 contribution check sent in 2018 was accompanied by a letter asking the Koegel committee to return the \$500 it had received from the fund in 2017, but none of the \$1,500 total was returned.
4. The parties agree that the fund gave contributions in excess of the \$1,000 individual contribution limit in violation of Minnesota Statutes section 10A.27, subdivision 1, during the 2017-2018 election cycle segment. This is the fund's first violation of the individual contribution limit.
5. To avoid a similar violation in the future, the fund agrees that it:
 - a. Will not give a contribution to a candidate that, in order to comply with the individual contribution limit, would require the candidate to return any portion of a previous contribution given by the fund;
 - b. Ensure that the fund's treasurer reviews and enters contributions given by the fund into the Campaign Finance Reporter software within 60 days; and
 - c. Run a batch compliance report after each time contributions are entered and take steps to remedy any violations the software identifies so that problems may be resolved within the 90 days provided by statute for the return of a contribution before it is deemed accepted.

6. The fund agrees to the imposition of a civil penalty of \$500, the amount of the violation, for giving contributions in excess of the limit imposed by Minnesota Statutes section 10A.27, subdivision 1. Of this amount, \$125 is due within 30 days of the date the agreement is signed by both parties. The remaining \$375 of the penalty is, by the terms of this agreement, stayed until January 1, 2021. If the fund violates Minnesota Statutes section 10A.27, subdivision 1, before January 1, 2021, the outstanding civil penalty is due immediately. If the fund does not violate Minnesota Statutes section 10A.27, subdivision 1, before January 1, 2021, the outstanding civil penalty is waived.

7. If the fund 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/ Nickson Nyankabaria
Nickson Nyankabaria, Treasurer
AFSCME Council 5 PEOPLE Fund

Dated: October 31, 2019

/s/ Margaret Leppik
Margaret Leppik, Chair
Campaign Finance and Public Disclosure Board

Dated: October 3, 2019