

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

CONCILIATION AGREEMENT

In the matter of the Neighbors for Liz Boldon committee (18901);

1. Neighbors for Liz Boldon is the principal campaign committee of Senator Liz Boldon, a candidate for Minnesota Senate District 25. On November 3, 2022, the Board received a complaint submitted by Diana Friemann alleging that the committee violated Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. On November 18, 2022, the Board chair determined that the complaint alleged a prima facie violation of the disclaimer requirement. On December 15, 2022, the Board found that there was probable cause to believe that a violation of the disclaimer requirement occurred and directed the Board's executive director to open a staff review to conclude the investigation.
2. Minnesota Statutes section 211B.04, subdivision 1, requires the inclusion of a disclaimer on campaign material that prominently states "Prepared and paid for by the . . . committee, . . . (address)." "The address must be either the committee's mailing address or the committee's website, if the website includes the committee's mailing address." Campaign material is defined in Minnesota Statutes section 211B.01, subdivision 2, as "any literature, publication, or material that is disseminated for the purpose of influencing voting at a primary or other election, except for news items or editorial comments by the news media." The Board may impose a civil penalty of up to \$3,000 for a violation of Minnesota Statutes section 211B.04.
3. The Boldon committee ran an advertisement twice in the *Rochester Post Bulletin* that included references to the Boldon committee's Twitter, Instagram, and Facebook accounts and the Boldon committee's website address. However, the disclaimer required by Minnesota Statutes section 211B.04 was not provided in the advertisement.
4. The Boldon committee stated that it ran many advertisements over the course of the campaign with the correct disclaimer, and expressed regret over the "human error" that led to the omission of the disclaimer on the advertisement in question. The committee stated that the average daily circulation of the *Rochester Post Bulletin* is 41,000 and that the committee paid a total of \$1,175 for the advertisement.
5. In determining the appropriate penalty for a violation of the disclaimer requirement the Board considers multiple factors such as whether it was clear who was responsible for the campaign material and how to contact them, whether the violation has been remedied, whether there were prior violations of the disclaimer requirement, the cost of the campaign material and how widely it was disseminated, whether the violation was self-reported, and whether the violation was willful.

6. The Boldon committee has acknowledged the violation, but the violation was not self-reported and came to the attention of the Board through a complaint. The advertisement included references to the Boldon committee's Twitter, Instagram, and Facebook accounts, and the committee's website address. Therefore, it is unlikely that the public was confused as to who was responsible for the advertisement. The committee stated that the average daily circulation of the Rochester Post Bulletin is 41,000, and that this advertisement ran twice. The cost of the campaign material referenced in the complaint was \$1,175. This is the committee's first violation of the disclaimer requirement. There is no evidence that the violation was willful.

7. The parties agree that the Neighbors for Liz Boldon committee inadvertently violated the disclaimer requirement under Minnesota Statutes section 211B.04. Based on the factors listed above, the committee agrees to the imposition of a civil penalty of \$250. Payment is due within 30 days of the date the agreement is signed by both parties.

8. If the 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/ Liz Boldon

Senator Liz Boldon
Neighbors for Liz Boldon

Dated: 1/8/23

/s/ George Soule

George Soule, Chair
Campaign Finance and Public Disclosure Board

Dated: 1/4/23