

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

**CONCILIATION AGREEMENT**

In the matter of the Voegeli (Dwayne) 4 House committee (19065);

1. Voegeli (Dwayne) 4 House is the principal campaign committee of Dwayne Voegeli, a candidate for House District 26A. On March 2, 2024, the Board received a complaint submitted by Amber Buysman alleging that the committee violated Minnesota Statutes section 211B.04, which regulates the use of disclaimers on campaign material. On April 10, 2024, the Board found that there was probable cause to believe that a violation of the disclaimer requirement occurred with respect to a handout disseminated during precinct caucuses on February 27, 2024. The Board directed the Board's executive director to open a staff review to conclude the investigation.
2. Minnesota Statutes section 211B.04 generally requires the inclusion of a disclaimer on written campaign material that is printed in at least 8-point font. The Voegeli committee has acknowledged that it failed to include a disclaimer on the handout that was printed in at least 8-point font. The Board may impose a civil penalty of up to \$3,000 for a violation of Minnesota Statutes section 211B.04.
3. Copies of the handout were disseminated to individuals attending precinct caucuses at two locations. The vast majority were picked up at the Voegeli committee's table at the precinct caucuses held at Winona Senior High School, and the rest were distributed by a volunteer wearing a "Voegeli for House 26A" button at a different location. The front side of the handout is written in the first-person perspective of the candidate, the handout includes multiple references to the candidate's first and last names, and the handout includes large text on each side stating "Voegeli for House 26A." The committee stated that it spent \$190 to produce 400 copies of the handout and approximately 170 copies were disseminated.
4. 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.<sup>1</sup>
5. The Voegeli committee has acknowledged the violation. The violation was not self-reported and came to the attention of the Board through a complaint. The handout includes multiple references to the candidate's name and the office he is seeking, the handout identifies the House district the candidate seeks to represent, and one side of the handout was written from the first-person perspective of the candidate. Copies of the handout were disseminated in person on a single evening at precinct caucuses and individuals who received the handout had

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<sup>1</sup> See [Minn. Stat. § 14.045, subd. 3.](#)

the opportunity to ask who was responsible for the handout. Therefore, it is unlikely that individuals who received the handout were confused as to who was responsible for its production and dissemination. This is the committee's first violation of the disclaimer requirement. There is no evidence that the violation was willful.

6. The parties agree that the Voegeli (Dwayne) 4 House committee inadvertently violated the disclaimer requirement under Minnesota Statutes section 211B.04. The committee agrees to the imposition of a civil penalty of \$100. Payment is due within 30 days of the date the agreement is signed by both parties.

7. 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/ Dwayne A. Voegeli  
Dwayne Voegeli  
Voegeli (Dwayne) 4 House

Dated: May 5, 2024

/s/ David Asp  
David Asp, Chair  
Campaign Finance and Public Disclosure Board

Dated: May 1, 2024