

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

CONCILIATION AGREEMENT

In the matter of the David Dill for MN District 3A Committee (#15676)

Pursuant to Minnesota Statutes section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Representative David Dill (hereinafter referred to as the Candidate) hereby agree as follows:

1. The David Dill for MN District 3A Committee (the Committee) is the principal campaign committee of Representative David Dill. During 2012, the Committee accepted \$8,230 in contributions from special sources. These sources include large givers from whom the Committee accepted \$3,350, registered lobbyists from whom the Committee accepted \$650, and political committees or political funds from which the Committee accepted \$4,230. The total amount of these contributions exceeded by \$1,330 the applicable limit on aggregate contributions from special sources, which for a state representative candidate was \$6,900. The \$1,330 in excess contributions was not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.

2. In a letter dated March 14, 2013, Representative Dill explained that during the latter part of 2012, his treasurer was ill but that he was unaware of the severity of her illness. In subsequent conversations with Board staff, Representative Dill explained that he later learned that his treasurer had advanced stage cancer which prevented her from concentrating on outside duties, including being his treasurer. She died in July of 2013 of complications from her cancer.

3. Representative Dill acknowledged that on October 24 and 25, 2012, the Committee received contributions from several large givers but the treasurer did not take into account how these contributions would affect the aggregate special source limit until she was preparing the Committee's year-end report. On December 31, 2012, the treasurer issued partial refund checks to three of the large givers. After the refunds, the three contributors no longer qualified as large donors. However, because the refunds were made later than the 60 days within which a refund will cure a violation, the violation still exists.¹ Additionally, the Committee still exceeded the limit

¹ The Board notes that the 2013 legislature increased the time within which a contribution may be returned to cure a violation to 90 days.

on aggregate contributions from special sources by \$142.50. Representative Dill was not aware that there was still a problem until Board staff contacted him in February of 2013. On March 24, 2013, the Committee issued a refund check to another large donor, which brought the amount of that donor's aggregate contributions below the large donor threshold. After this refund check was issued, the Committee no longer retained funds that exceeded the aggregate special source limit.

4. Board records show that this is the second calendar year in which the Committee reported acceptance of contributions that exceeded the applicable aggregate contribution limit. The committee had the same treasurer at the time of the first violation, which occurred in 2006. The Committee registered with the Board on April 17, 2002. The civil penalty that is typically paid by a committee that exceeds the aggregate special source limit in two separate years is two times the amount by which the committee exceeded the limit.

5. After this matter came to his attention Representative Dill secured a new treasurer for his committee. The new treasurer worked with Board staff to resolve other outstanding questions and Board staff is satisfied that the Committee's records are in order.

6. The parties agree that the Committee accepted excessive contributions from special sources resulting in an inadvertent violation of Minnesota Statutes section 10A.27, subdivision 11, in calendar year 2012.

7. The Committee has returned \$962.50 to contributors described in paragraph 1. These refunds have reduced the amount received from large donors to \$2,020, which brings the committee into compliance with the aggregate special source limit. Copies of the checks used to return the excess contributions were forwarded to the Board.

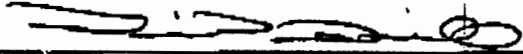
8. The Candidate agrees to pay, and the Board agrees to accept in settlement of this matter, a civil penalty of \$500 for the violations. The Board recognizes that the amount that would typically be assessed for this violation would be \$2,660, which is two times the amount by which the contributions exceeded the applicable limit. The Board agrees to the lower civil penalty because of the mitigating circumstances surrounding the committee's treasurer's health in 2012 and the remedial actions taken by Representative Dill when he became aware of the problems.

9. The civil penalty specified in paragraph 8 must be delivered to the Board within 30 days from the date that the Board accepts this agreement. Payment must be the form of a check or money order payable to the State of Minnesota for deposit in the general fund of the state.

10. It is agreed by the parties that payment of the civil penalty of \$500, the return of the excess contributions, and this conciliation agreement will be a bar to any civil proceeding under Minnesota Statutes section 10A.28, subdivisions 3 and 4.

11. It is further understood and agreed, however, that failure to pay the civil penalty of \$500 within the time specified in paragraph 9 above is a violation of the terms of this conciliation agreement and the Board may declare this agreement to be null and void and may take further action to resolve this matter.


12. It is further understood and agreed that this agreement is confidential until signed by the Candidate and the Board Chair. Once signed, the agreement shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes section 10A.02, subdivision 11, and section 10A.28, subdivision 3.



Representative David Dill

Dated: 8/20/13

Approved by the Campaign Finance and Public Disclosure Board

By 

~~Andrew M. Luger, Chair~~ DEANNA WIENER, CHAIR
Campaign Finance and Public Disclosure Board

Dated: 9/10/13