

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

**CONCILIATION AGREEMENT**

In the matter of the Bakk (Thomas) for Senate committee (17140);

1. The Bakk (Thomas) for Senate committee is the principal campaign committee of Senator Tom Bakk. The Minnesota Horsemen's Benevolent & Protective Association, Inc. (MNHBP) is a horsepersons' organization that is organized as a nonprofit corporation under section 501(c)(6) of the Internal Revenue Code. The MNHBPA does not have a political committee or fund registered with the Board. In August 2019 the MNHBPA gave the Bakk committee a contribution of \$500 via check.
2. Minnesota Statutes section 10A.27, subdivision 13, prohibits a principal campaign committee 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, and that statement is filed with the recipient's next report of receipts and expenditures. The MNHBPA did not provide the required disclosure statement with its contribution and the Bakk committee did not disclose the contribution in its 2019 year-end report. 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. Tom Kukielka, the Bakk committee's deputy treasurer, explained that the committee believed the MNHBPA was registered with the Board at the time the contribution was given. Mr. Kukielka stated that the contribution was omitted from the committee's 2019 year-end report in error. Mr. Kukielka provided a copy of the front of a check from the committee returning \$500 to the MNHBPA in January 2020.
4. The parties agree that the Bakk committee accepted a contribution in excess of \$200 without the required disclosure statement in violation of Minnesota Statutes section 10A.27, subdivision 13. This is the committee's first violation of the disclosure requirement regarding contributions from unregistered associations.
5. To avoid a similar violation in the future, the Bakk committee agrees that it 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 Bakk committee agrees to provide to the Board, within 90 days of the date the agreement is signed by both parties, a copy of the deposited check or other documentation showing that the check returning \$500 to the MNHBPA was deposited.

7. The Bakk committee agrees to the imposition of a civil penalty in the amount of \$300 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, \$100 is due within 30 days of the date the agreement is signed by both parties. The remaining \$200 of the penalty is, by the terms of this agreement, stayed until January 1, 2023. If the committee violates Minnesota Statutes section 10A.27, subdivision 13, before January 1, 2023, the outstanding civil penalty is due immediately. If the committee does not violate Minnesota Statutes section 10A.27, subdivision 13, before January 1, 2023, the outstanding civil penalty is waived.

8. The Bakk committee also agrees to file, within 10 days of the date the agreement is signed by both parties, an amended 2019 year-end report that includes the \$500 contribution from the MNHBPA.

9. If the Bakk 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/ Tom Bakk  
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Senator Tom Bakk  
Bakk (Thomas) for Senate

Dated: June 10, 2020

/s/ Gary Haugen  
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Gary Haugen, Vice Chair  
Campaign Finance and Public Disclosure Board

Dated: June 3, 2020