

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

CONCILIATION AGREEMENT

In the matter of Joint Council 32 DRIVE (30013);

1. Joint Council 32 DRIVE is a political fund. The fund's 2019 year-end report of receipts and expenditures disclosed a \$500 contribution made to Patricia Torres Ray for State Senate, the principal campaign committee of Senator Patricia Torres Ray. The fund's 2020 first quarter report disclosed a second contribution of \$1,000 made to the Torres Ray committee in January 2020. The fund's September 2020 report disclosed a \$500 receipt from the Torres Ray committee received in July 2020. The total amount contributed to the Torres Ray committee exceeded the individual contribution limit during the 2019-2020 election cycle segment, which for a candidate for state senate was \$1,000. The amount that the fund contributed in excess of the limit was not returned within 90 days of deposit and is therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. Joint Council 32 DRIVE Executive Administrator Linda Hoidahl stated that the excess contribution was made due to an oversight. Ms. Hoidahl explained that a different computer was used to enter contributions into the Board's Campaign Finance Reporter software in 2020 without restoring data pertaining to contributions made in 2019. The individual contribution limit applies to a two-year period and because the software was operating in the absence of any contribution data from 2019, it would not have displayed a compliance warning when the 2020 contribution was entered. The Torres Ray committee provided documentation showing that Joint Council 32 DRIVE deposited a check refunding the \$500 excess in August 2020.
3. The parties agree that the fund made contributions in excess of the individual contribution limit in violation of Minnesota Statutes section 10A.27, subdivision 1, during the 2019-2020 election cycle segment. This is the fund's first violation of the individual contribution limit.
4. To avoid similar violations in the future, Joint Council 32 DRIVE agrees that it:
 - a. Will ensure that its installation of the Campaign Finance Reporter software contains all data entered into the software for both the odd-numbered and even-numbered year that comprise the current election segment; and
 - b. Will ensure that the committee's treasurer reviews and enters contributions into the Campaign Finance Reporter software within 60 days of being made.
5. Joint Council 32 DRIVE agrees to the imposition of a civil penalty of \$500, the amount of the violation, for making contributions in excess of the individual contribution limit. 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, 2023. If the fund

violates Minnesota Statutes section 10A.27, subdivision 1, before January 1, 2023, the outstanding civil penalty is due immediately. If the fund does not violate Minnesota Statutes section 10A.27, subdivision 1, before January 1, 2023, the outstanding civil penalty is waived.

6. 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/ Tom Bucher
Tom Bucher, Treasurer
Joint Council 32 DRIVE

Dated: January 26, 2021

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

Dated: January 8, 2021