

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

CONCILIATION AGREEMENT

In the matter of the Neighbors for Dan (Wolgamott) committee (18168);

1. Neighbors for Dan (Wolgamott) is the principal campaign committee of Representative Dan Wolgamott. The aggregate special source contribution limit, which includes contributions from lobbyists, political committees and funds, and associations not registered with the Board, was \$14,500 for candidates for state representative during the 2021-2022 election cycle. The committee's amended 2021 year-end and 2022 pre-primary reports of receipts and expenditures disclosed a combined total of \$15,500 in special source contributions. \$1,000 in excess special source contributions was not returned within 90 days of deposit and is therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. The committee's treasurer, Tom Hergert, explained that the committee inadvertently began to exceed the aggregate special source limit in January 2022 as a result of problems with the committee's compliance and reporting software, which did not properly classify certain contributors as lobbyists. Mr. Hergert stated that the committee discovered the issue in June 2022 and promptly issued a total of \$1,000 in refunds to four special source contributors. Mr. Hergert said that one of the refund checks that it issued, for \$200, was not deposited and the committee has issued a replacement for that check. Mr. Hergert stated that the committee intends to begin using the Board's reporting software and intends to obtain a different treasurer for the new election cycle.
3. The parties agree that the committee inadvertently accepted excessive contributions from special source contributors in violation of Minnesota Statutes section 10A.27, subdivision 11, during the 2021-2022 election cycle. This is the committee's second violation of the aggregate special source limit. The committee exceeded the same contribution limit by \$1,400 during the 2019-2020 election cycle.
4. To avoid a similar violation in the future, the committee agrees that it:
 - a. Will ensure that lobbyists are classified as lobbyists within the committee's reporting software; and
 - b. Will not accept a contribution from a special source contributor without first calculating the total amount of contributions accepted from those sources over the course of the two-year election cycle.
5. The committee agrees to the imposition of a civil penalty of \$2,000, two times the amount of the violation, for accepting contributions in excess of the limit imposed by Minnesota Statutes section 10A.27, subdivision 11. Of this amount, \$500 is due within 30 days of the date the

agreement is signed by both parties. The remaining \$1,500 of the penalty is, by the terms of this agreement, stayed until January 1, 2025. If the committee violates Minnesota Statutes section 10A.27, subdivision 11, before January 1, 2025, the outstanding civil penalty is due immediately. If the committee does not violate Minnesota Statutes section 10A.27, subdivision 11, before January 1, 2025, the outstanding civil penalty is waived.

6. Pursuant to the conciliation agreement signed by Representative Wolgamott on November 23, 2021, the committee must pay an additional \$1,050, the amount of the civil penalty that was stayed following the violation that occurred during the 2019-2020 election cycle. Payment of that amount must be made within 30 days of the date this agreement is signed by both parties.

7. The committee also agrees to provide to the Board, within 60 days of the date the agreement is signed by both parties, a copy of the deposited check or other documentation showing that the \$200 refund check referenced above has been deposited by the contributor.

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/ Daniel Kirk Wolgamott
Representative Dan Wolgamott
Neighbors for Dan (Wolgamott)

Dated: February 20, 2023

/s/ George W. Soule
George W. Soule, Chair
Campaign Finance and Public Disclosure Board

Dated: February 8, 2023