

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

**CONCILIATION
AGREEMENT**

In the Matter of the 66th Senate District DFL (20446);

1. By email dated July 5, 2018, Morgan Carr-Markel, treasurer of the 66th Senate District DFL, self-reported to the Campaign Finance and Public Disclosure Board that she had deposited a check for \$100 from Green Rock Apartments LLC on March 24, 2018. A staff review was initiated as the contribution appeared to constitute a violation of Minnesota Statutes section 211B.15.
2. Corporations that do business in Minnesota are prohibited from making contributions to political parties under Minnesota Statutes section 211B.15, subdivision 2. Political parties and individuals are likewise prohibited from accepting such contributions. Corporations are defined to include limited liability companies pursuant to Minnesota Statutes section 211B.15, subdivision 1.
3. An examination of business filings on the Minnesota Secretary of State's website indicates that Green Rock Apartments LLC is a limited liability company formed under Minnesota Statutes chapter 322C.
4. In emails to Board staff, Treasurer Carr-Markel explained that when she deposited the check, she did not realize that the check was drawn on an account of an LLC. She did not realize the error until more than 90 days had passed after depositing the check. In an email dated July 14, 2018, Treasurer Carr-Markel stated that she mailed a refund check for \$100 to Green Rock Apartments LLC on July 6, 2018. In an email dated November 21, 2018, Treasurer Carr-Markel provided a copy of the refund check showing that it was deposited on July 24, 2018. However, because the contribution was not returned within 90 days, it is deemed accepted pursuant to Minnesota Statutes section 10A.15, subdivision 3.
5. The parties agree that the 66th Senate District DFL accepted a corporate contribution in violation of Minnesota Statutes section 211B.15, subdivision 2. This is the 66th Senate District DFL's first violation of this statute.
6. To avoid a similar violation in the future, the 66th Senate District DFL agrees that it will refrain from accepting corporate contributions, including contributions from limited liability companies. The 66th Senate District DFL will carefully review contribution checks to determine the account from which the contribution is drawn in order to comply with this requirement.
7. The 66th Senate District DFL agrees to the imposition of a civil penalty in the amount of \$100, the amount of the contribution, for accepting a contribution prohibited by Minnesota

Statutes section 211B.15, subdivision 2. Of this amount, \$25 is due within 30 days of the date the agreement is signed by both parties. The remaining \$75 of the penalty is, by the terms of this agreement, stayed until January 1, 2021. If the 66th Senate District DFL violates Minnesota Statutes section 211B.15, subdivision 2, before January 1, 2021, the outstanding civil penalty is due immediately. If the 66th Senate District DFL does not violate Minnesota Statutes section 211B.15, subdivision 2, before January 1, 2021, the outstanding civil penalty is waived.

8. If the 66th Senate District DFL 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/ Morgan Carr-Markel
Morgan Carr-Markel, Treasurer
66th Senate District DFL

Dated: December 7, 2018

/s/ Carolyn Flynn
Carolyn Flynn, Chair
Campaign Finance and Public Disclosure Board

Dated: December 5, 2018