

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

CONCILIATION AGREEMENT

In the matter of the Elect Albright (Tony) Committee (17468);

1. The Elect Albright (Tony) Committee is the principal campaign committee of Representative Tony Albright. 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 MNHBP does not have a political committee or fund registered with the Board. In August 2019 the MNHBP gave the Albright 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 MNHBP did not provide the required disclosure statement with its contribution and the Albright 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. Michael Punt, the Albright committee's treasurer, explained that the committee did not realize it was prohibited from accepting the contribution until it began completing its 2019 year-end report. Mr. Punt stated that the contribution was not included in that report because the committee knew the contribution would be returned. Mr. Punt provided a copy of the front of a check from the committee returning \$500 to the MNHBP in February 2020.
4. The parties agree that the Albright 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 Albright committee agrees:
 - a. To ensure that the committee's treasurer reviews and enters contributions into the Campaign Finance Reporter software within 60 days of receipt; and
 - b. 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 Albright 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 Albright 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 Albright 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 Albright 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/ Tony Albright
Representative Tony Albright
Elect Albright (Tony) Committee

Dated: June 16, 2020

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

Dated: June 3, 2020