

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

**CONCILIATION AGREEMENT**

**In the matter of the Murray Smart for State Representative committee (18308)**

1. The Murray Smart for State Representative committee is the principal campaign committee of candidate Murray Smart for a seat in the Minnesota House of Representatives. The committee registered with the Board on April 17, 2018. On its year-end report of receipts and expenditures, the committee reported receiving \$10,450 in contributions from political party units and terminating candidate committees in 2018. This amount exceeded by \$450 the \$10,000 limit on contributions from these sources for a house candidate in the 2017-2018 election cycle segment. The \$450 that exceeded the limit was not returned within 90 days and therefore was deemed to be accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. In an email to Board staff, the treasurer of the Smart committee explained that in December 2018, he received notice of a \$450 in-kind contribution from the Minnesota DFL State Central Committee for voter file access. This in-kind contribution put the committee over the party unit limit. The treasurer did not refund any contributions to other party unit contributors in December 2018 because the committee had wound down by then, Christmas was approaching, and he incorrectly believed that the 90-day period for returning excess contributions already had expired.
3. The parties agree that the committee accepted excessive contributions from party units and terminating candidate committees in violation of Minnesota Statutes section 10A.27, subdivision 2, during the 2017-2018 election cycle segment. This is the committee's first violation of the party unit limit.
4. To avoid a similar violation in the future, the committee agrees to take the following actions:
  - a. Ensure that the committee's treasurer reviews and enters all in-kind contributions into the Campaign Finance Reporter software within 60 days of receipt;
  - b. Run a batch compliance report after each time that contributions are entered; and
  - c. Take steps to remedy any violations identified by the software including returning contributions whose date of deposit is still within the 90-day grace period.
5. The committee also agrees to return \$450 to party unit contributors within 30 days of the date that this agreement is signed by both parties. The committee must provide proof of the returned contributions to the Board.
6. The committee further agrees to the imposition of a civil penalty in the amount of \$450 for accepting contributions in excess of the limit imposed by Minnesota Statutes section 10A.27,

subdivision 2. This amount is one times the amount of the excess contributions. Of the \$450, \$115 is due within 30 days of the date that this agreement is signed by both parties. The remaining \$335 of the penalty is, by the terms of this agreement, stayed until January 1, 2021. If the committee violates Minnesota Statutes section 10A.27, subdivision 2, before January 1, 2021, the outstanding civil penalty is due immediately. If the committee does not violate Minnesota Statutes section 10A.27, subdivision 2, before January 1, 2021, the outstanding civil penalty is waived.

7. 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.

Murray R. Smart Dated: May 2, 2019  
Murray Smart  
Murray Smart for State Representative

/s/ Margaret Leppik Dated: May 1, 2019  
Margaret Leppik, Chair  
Campaign Finance and Public Disclosure Board