

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

**CONCILIATION**

**AGREEMENT**

In the matter of the Friends for Kirk Stensrud Committee (#17069);

Pursuant to Minnesota Statutes section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Representative Kirk Stensrud (hereinafter referred to as “the Candidate”) hereby agree as follows:

1. The Friends for Kirk Stensrud Committee (“the Committee”) is the principal campaign committee of Representative Kirk Stensrud. During 2011, the Committee reported accepting \$400 from lobbyists and \$1,200 from political committees and funds, for a total of \$1,600 from special source contributors. The total amount of these contributions exceeded by \$300 the applicable limit on aggregate contributions from special sources, which for a state representative candidate was \$1,300. The \$300 in excess contributions was returned but not within 60 days, and thus, deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.

2. The Committee uses the Campaign Finance Reporter software to file required campaign finance reports. The software is provided by the Board and has built in compliance checks to alert users of potential violations, including the special source limit. In a letter dated February 20, 2012,

and an e-mail dated March 5, 2012, Paul Hocker, treasurer, described the manner in which the committee entered data into the software, and stated that the software failed to give compliance warning on contributions from lobbyists. Mr. Hocker speculated that the committee did not receive a warning of the special source violation because the committee was not running the latest version of Campaign Finance Reporter during 2011. Mr. Hocker further provided that the committee returned contributions to lobbyists in an amount sufficient to clear the special source violation.

3. Board testing of the version of Campaign Finance Reporter used by the committee in 2011 did not identify any problem with the feature that calculates special source contributions accepted by the committee. The software includes a list of registered lobbyists which should be used when recording a contribution from a lobbyist. Failure to do so will prevent the software from properly including lobbyist contributions in the calculation of special source contributions received by the committee.

4. Board records show that this is the first calendar year in which the Committee reported acceptance of contributions that exceeded the aggregate special source contribution limit. The Committee registered with the Board on March 17, 2010.

5. The parties agree that the Committee accepted excessive contributions from special sources resulting in an inadvertent violation of Minnesota Statutes section 10A. 27, subdivision 11, in calendar year 2011.

6. The Committee has returned a sufficient amount to special source contributors mentioned in paragraph 1 to bring the committee into compliance. Copies of the checks returning the excess amount must be forwarded to the Board within 30 days.

7. The Candidate agrees to pay a civil penalty of \$300, one times the amount by which the contributions exceeded the applicable limit, to be paid to the Board for deposit in the general fund of the state.

8. The Committee hereby agrees to forward to the Board \$300 by check or money order payable to the State of Minnesota within 30 days after the date this agreement is signed by both parties. It is agreed by the parties that payment of the civil penalty of \$300, providing copies of the checks used to return the excess contributions, and this conciliation agreement will be a bar to any civil proceeding under Minnesota Statutes section 10A.28, subdivisions 3 and 4.

9. It is further understood and agreed, however, that failure to pay the civil penalty of \$300 or to provide a copies of the checks used to return the excess contributions within the time period specified in paragraphs 6 and 8 above is a violation of the terms of this conciliation agreement and the Board may declare this agreement to be null and void and may take further action to resolve this matter.

10. It is further understood and agreed that this agreement is confidential until signed by the Candidate and the Board Chair. Once signed, the agreement shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes section 10A.02, subdivision 11, and section 10A.28, subdivision 3.

Kirk Stensrud Dated: 8-7-12

Representative Kirk Stensrud

Approved by the Campaign Finance and Public Disclosure Board

By Greg McCullough Dated: July 13, 2012

Greg McCullough, Chair

Campaign Finance and Public Disclosure Board