

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

CONCILIATION AGREEMENT

In the matter of the Simon (Steve) for Secretary of State committee (17653);

1. Simon (Steve) for Secretary of State is the principal campaign committee of Secretary of State Steve Simon. The aggregate special source contribution limit, which includes contributions from lobbyists, political committees and funds, and associations not registered with the Board, was \$96,800 for candidates for secretary of state during the 2021-2022 election cycle segment. The committee's 2021 and amended 2022 year-end reports of receipts and expenditures disclosed a combined total of \$98,725.77 in special source contributions. \$500 of that amount was returned to a lobbyist in 2022 prior to the committee exceeding the aggregate special source limit. \$1,425.77 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, Patrick Sellner, explained that in 2022 the committee received a \$1,500 payment made electronically by a political committee registered with the Board, Open Democracy PAC-Minnesota, and mistakenly attributed it to a vendor that processes contributions made electronically by individuals. Mr. Sellner stated that there was also confusion regarding a \$436.66 in-kind contribution made by the same committee, resulting in that contribution being omitted from the Simon committee's original 2022 pre-general and year-end reports. As a result, the Simon committee initially believed that it had not exceeded the aggregate special source contribution limit. After being contacted by Board staff regarding a discrepancy between the reports of the two committees, the Simon committee filed an amended 2022 year-end report in May 2023.
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 segment. The committee registered with the Board in 2013 and this is the committee's first violation of the aggregate special source limit.
4. To avoid a similar violation in the future, the committee agrees that it will carefully review the name of each contributor and any Board registration number provided with a contribution.
5. The committee agrees to the imposition of a civil penalty of \$1,425.77, one 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, \$350 is due within 30 days of the date the agreement is signed by both parties. The remaining \$1,075.77 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. The committee also agrees to provide to the Board, within 60 days of the date the agreement is signed by both parties, copies of deposited checks or other documentation showing that \$1,425.77 was refunded to special source contributors who contributed to the Simon committee during the 2021-2022 election cycle segment.

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.

/s/ Steve Simon
Secretary of State Steve Simon
Simon (Steve) for Secretary of State

Dated: June 24, 2023

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

Dated: June 7, 2023