

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION

AGREEMENT

In the matter of the Betsy Wergin for Senate Volunteer Committee (#15690);

Pursuant to Minnesota Statutes, section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Betsy Wergin (hereinafter referred to as "the Candidate") hereby agree as follows:

1. During 2005, the Betsy Wergin for Senate Volunteer Committee ("the Committee") accepted a contribution which facially exceeded the \$100 nonelection year contribution limit from a political committee as set out in Minnesota Statutes, section 10A.27, subdivision 1(a), clause (4). The contribution exceeded by \$100 the applicable contribution limit. Minnesota Statutes, section 10A.15, subdivision 3(a), prohibits a treasurer from depositing a contribution that on its face exceeds the limit unless at the time of deposit, the treasurer issues a check to the source for the amount of the excess. The \$100 in excess contribution was not returned within 60 days as required by Minnesota Statutes, section 10A.15, subdivision 3.

2. In a letter dated February 7, 2006, Senator Wergin states, "In filing my campaign finance report for 2005 which was due on January 31, 2006 I discovered an error made during the year. After my fund raising picnic in July of 2005 I made a deposit of all of the checks from the event. I deposited a check from the Motorcycle PAC of Minnesota for \$200. I should have caught the fact that the check was for \$200 and I am only able to accept \$100 during a non-campaign year. The error was caught well after the 60 day allowable time for correction. The error is completely mine."

3. Board records show that this is the (first) calendar year in which the Committee reported acceptance of contributions that facially exceeded the applicable aggregate contribution limit. The Committee registered with the Board on April 19, 2002.

4. The parties agree that the Committee accepted an excessive contribution resulting in an inadvertent violation of Minnesota Statutes, sections 10A. 27, subdivision 1(a), clause (4), and 10A.15, subdivision 3(a), in calendar year 2005.

5. The Candidate has returned \$200 to the political committee that contributed to her campaign in calendar year 2005. Copies of the check and the accompanying letter returning the excess amount were forwarded to the Board.

6. The Board imposes a civil penalty of \$200, two times the amount by which the contribution facially exceeded the applicable limit, to be paid to the Board for deposit in the general fund of the state.

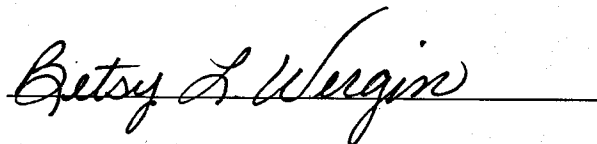
7. The Candidate hereby agrees to forward to the Board \$200 by check or money order payable to the STATE OF MINNESOTA within 30 days after the date this Agreement is signed by the Board chair. It is agreed by the parties that payment of the civil penalty of \$200, and this Conciliation Agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subds. 3 and 4.

8. It is further understood and agreed, however, that if the civil penalty of \$200 is not paid within the time specified in paragraph 7 above, then the Candidate will be personally liable to pay a civil penalty, under Minnesota Statutes, sections 10A.28 and 10A.34, subdivision 1, in an amount calculated as follows:

(a) \$300 which is three times the amount by which the contributions exceeded the statutory limit, if payment is received 61 to 90 days after the date this Agreement is signed by the Board Chair;

(b) \$400 which is four times the amount by which the contributions exceeded the statutory limit, if payment is received 91 to 120 days after the date this Agreement is signed by the Board Chair.

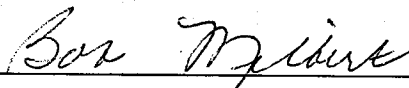
9. It is further understood and agreed that this Agreement is confidential until signed by the Candidate and the Board Chair; the signed Agreement then shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes, sections 10A.02,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



Senator Betsy Wergin

Dated: 3/30/06

Approved by the Campaign Finance and Public Disclosure Board

By 

Bob Milbert, Chair

Campaign Finance and Public Disclosure Board

Dated: 4/5/06

