

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (Chris) Gerlach for Senate Committee (#16115);

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

1. The 2007 non-election year contribution limit from individuals for a Senate candidate was \$100, as set out in Minnesota Statutes, section 10A.27, subdivision 1, clause a(4). During 2007, the (Chris) Gerlach for Senate Committee ("the Committee") accepted a contribution from a couple on one check in the amount of \$250. A contribution from a couple is actually two contributions from individuals; therefore the donation exceeded the contribution limit by \$50. The amounts of the excess contributions were not returned within 60 days as required by Minnesota Statutes, section 10A.15, subdivision 3.

2. In a letter dated February 25, 2008, Jerry Norsby, treasurer, states, "...we acknowledge that our campaign erroneously accepted an over the limit contribution... This was...done openly and without intent to circumvent state statues... We have reimbursed the [contributors] \$50 which represents the appropriate overage..."

3. Board records show that this is the first calendar year in which the Committee reported acceptance of an excessive contribution that exceeded the applicable contribution limit. The Committee registered with the Board on June 1, 2004. The parties recognize that the subject contribution was excessive on its face.

4. The parties agree that the Committee accepted excessive contributions from two individuals resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1 (a), clause 4, in calendar year 2007.

5. The Committee has returned \$50 to the individuals who made the excess contributions. Copies of the check and the accompanying letter returning the excess amount must be forwarded to the Board within 30 days after the date this Conciliation Agreement is signed by the Board chair.

6. The Board imposes a civil penalty of \$100, two times the amount by which the contribution 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 \$100 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 copies of the check and accompanying letter returning the contributions, payment of the civil penalty of \$100, and this Conciliation Agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.

8. It is further understood and agreed, however, that if the civil penalty of \$100 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:

