

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the Citizens for Paul Rosenthal Committee (#16469);

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

1. The Citizens for Paul Rosenthal Committee ("the Committee") is the principal campaign committee of Paul Rosenthal for House District 41B. During 2008, the Committee accepted \$6,435.28 in contributions from special sources. These sources include from large givers whom the Committee accepted \$2,500, and from political committees or political funds from which the Committee accepted \$3,935.28. The total amount of these contributions exceeded by \$135.28 the applicable limit on aggregate contributions from special sources, which for a state representative candidate was \$6,300. The amount of \$135.28 in excess contributions was not returned within 60 days as permitted by Minnesota Statutes, section 10A.15, subdivision 3.

2. In correspondence dated March 13, 2009, Timothy O'Brien, treasurer states "I want to stress to the Board that the acceptance of contributions in excess of the aggregate limits was solely my responsibility and mistake. ...I was generally cognizant of the \$6,300 aggregate limit and, in fact, returned a check of \$500...on November 3, 2008... Unfortunately, when I accepted the \$150 contribution, I was focusing on the aggregate cash contributions and inadvertently neglected to include in-kind donor donations..."

3. Board records show that this is the first calendar year in which the Committee reported acceptance of contributions that exceeded the applicable aggregate contribution limit. The Committee registered with the Board on May 9, 2006.

4. 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 2008.

5. The Committee has returned \$150 to a special source contributor. A copy of the check and accompanying letter used to return the contribution was provided to the Board on March 26, 2009.

6. The Board imposes a civil penalty of \$135.28, 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.

7. The Candidate hereby agrees to forward to the Board \$135.28 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 \$135.28 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 \$135.28 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) \$270.56 which is two times the amount by which the contributions exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;

(b) \$405.84 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;

(c) \$541.12, four times the amount by which the contributions exceeded the statutory limit, if payment is received more than 90 days after the date this Agreement is signed by the Board Chair.

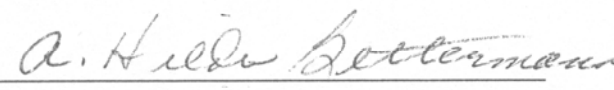
9. It is further understood and agreed that this Agreement is confidential until signed by the Candidate and the Board Chair. Once signed, the Agreement shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes, section 10A.02,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



Dated: 4/17/09

Representative Paul Rosenthal

Approved by the Campaign Finance and Public Disclosure Board

By  Dated: 4-23-09

A. Hilda Bettermann, Chair

Campaign Finance and Public Disclosure Board