

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (David) Tomassoni for State Senate Committee (#15317);

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

1. The (David) Tomassoni for State Senate Committee ("the Committee") is the principal campaign committee of Senator David Tomassoni. During 2010, the Committee accepted \$13,070 in contributions from special sources. These sources include large givers from whom the Committee accepted \$1,000, registered lobbyists from whom the Committee accepted \$3,170, and political committees or political funds from which the Committee accepted \$8,900. The total amount of these contributions exceeded by \$170 the applicable limit on aggregate contributions from special sources, which for a state senate candidate was \$12,900. The \$170 in excess contributions was not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes, section 10A.15, subdivision 3.

2. In correspondence received March 3, 2011, Charles Olson, treasurer, states "After review of our records I find that we returned \$70 to the [political fund] on October 20, 2010. At that time I

believed that our report had complied with the aggregate limit. It appears that there was an unintentional mathematical error and another \$100 should have been refunded.” The Board received additional documentation from Mr. Olson on April 11, 2011, that the Committee returned \$100 to a lobbyist who had contributed to the Committee in order to reduce the special source contributions and bring the Committee into compliance.

3. Board records show that this is the second calendar year in which the Committee reported acceptance of contributions that exceeded the applicable aggregate contribution limit. The Committee registered with the Board on June 23, 2000.

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 2010.


5. The Committee has returned \$170 to contributors described in paragraph 1. Copies of the checks used to return the excess were forwarded to the Board.

6. The Candidate agrees to pay a civil penalty of \$340, two 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. The assessment of a penalty of two times the amount of the violation recognizes that this is the second year in which the Committee accepted contributions that exceeded the applicable aggregate contribution limit.

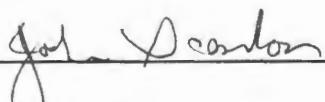
7. The Committee hereby agrees to forward to the Board \$340 by check or money order payable to the State of Minnesota within 30 days after the date this Agreement is signed by both parties. It is agreed by the parties that payment of the civil penalty of \$340 and this Conciliation Agreement will be 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 failure to pay the civil penalty of \$340 within the time specified in paragraph 7 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.

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: 4-26-11
Senator David Tomassoni

Approved by the Campaign Finance and Public Disclosure Board

By  Dated: April 19, 2010
John Scarlion, Chair

Campaign Finance and Public Disclosure Board