

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (Michelle) Benson for Senate Committee (#17027);

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

1. The (Michelle) Benson for Senate Committee (“the Committee”) is the principal campaign committee of Senator Michelle Benson. During 2010, the Committee accepted \$13,900 in contributions from special sources. These sources include large givers from whom the Committee accepted \$9,350, and political committees or political funds from which the Committee accepted \$4,550. The total amount of these contributions exceeded by \$1,000 the applicable limit on aggregate contributions from special sources, which for a state senate candidate was \$12,900. The \$1,000 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 April 11, 2011, Jeffery Bartels, treasurer, states “When submitting the report I misapplied the aggregate contribution limit rule.”

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 February 16, 2011.

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 \$250 each to two individual contributors who each gave \$500. Reducing a \$500 contribution to \$250 removes the entire contribution from the special source total because contributions of \$250 or less from individuals are not included in the special source limit. Copies of the checks and the accompanying letters returning the excess amount were provided to the Board.

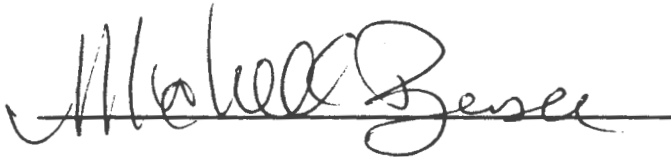

6. The Candidate agrees to pay a civil penalty of \$1,000, one times the amount by which the contributions exceeded the applicable limit, to be paid to the Board for deposit in the general fund of the state.

7. The Committee hereby agrees to forward to the Board \$1,000 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 \$1,000 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 \$1,000 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: 

Senator Michelle Benson

Approved by the Campaign Finance and Public Disclosure Board

By  Dated: May 31, 2011

John Scanlon, Chair

Campaign Finance and Public Disclosure Board