

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (Kathy) Brynaert for State Representative Committee (#16508);

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

1. The (Kathy) Brynaert for State Representative Committee (“the Committee”) is the principal campaign committee of Representative Kathy Brynaert. The 2011 nonelection year contribution limit from an individual to a state representative candidate was \$100, as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(4). During 2011, the Committee reported accepting facially excessive contributions from two individuals, one in the amount of \$200 and one in the amount of \$125. In total the two donations exceeded the applicable contributions limit by \$125. The amount of the excess contributions was not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes, section 10A.15, subdivision 3.

2. In a letter dated February 22, 2012, Mark Halverson, treasurer, states, “I must confirm the contributions were in that amount and do appear to exceed the limit. This was not discovered until early in 2012 when the Board report for 2011 was being prepared. The excess amount of

both contributions was promptly returned at that point... I can only surmise that both the person initially receiving and initially logging the contributions for the campaign and myself for some reason had the \$500.00 individual contribution limit that was in effect during 2010 ... still in mind.”

3. Board records show that this is the second calendar year in which the Committee reported acceptance of contributions that exceeded the applicable contribution limit. The Committee registered with the Board on June 19, 2006.

4. The parties agree that the Committee accepted two facially excessive contributions from individuals resulting in inadvertent violations of Minnesota Statutes, section 10A. 27, subdivision 1(a) (4), in calendar year 2011. The parties recognize that each subject contribution was excessive on its face.

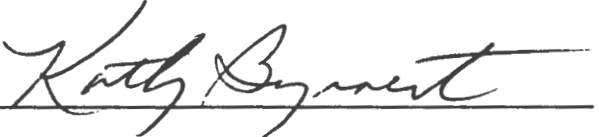
5. The Committee has returned \$100 and \$25 to the individuals who made the excess contributions. Copies of the checks used to return the excess amount have been forwarded to the Board.

6. The Committee agrees to pay a civil penalty of \$375, three 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 three times the amount of the violation recognizes that this matter involved facially excessive contributions and it was the second calendar year in which the committee accepted excess contributions.

7. The Committee hereby agrees to forward to the Board \$375 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 \$375 and this conciliation agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.

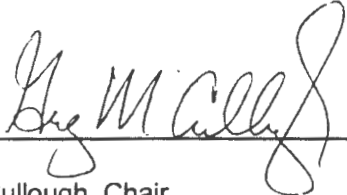
8. It is further understood and agreed, however, that failure to pay the civil penalty of \$375 within the time specified in paragraph 7 above is a violation of the terms of this conciliation agreement and the Board may declare this agreement to be null and void and may take further action to resolve 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: 3/10/12

Representative Kathy Brynaert

Approved by the Campaign Finance and Public Disclosure Board

By  Dated: March 6, 2012
Greg McCullough, Chair

Campaign Finance and Public Disclosure Board