

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the Committee for (Carolyn) McElfrick (#16806);

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

1. The Committee for (Carolyn) McElfrick (“the Committee”) is the principal campaign committee of Representative Carolyn McElfrick. 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 accepted cumulative contributions totaling \$200 from an individual. The contributions exceeded the applicable contribution limit by \$100. 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 received February 16, 2012, Representative McElfrick states “I don’t dispute that [the individual] unknowingly contributed \$100 too much or that we cashed and deposited that money into my campaign treasury. However, it was an innocent mistake on the part of my

treasurer and it was corrected immediately when we discovered it. We have worked extremely hard to comply with all the rules.”

3. Board records show that this is the first calendar year in which the Committee reported acceptance of contributions that exceeded the applicable contribution limit. The Committee registered with the Board on July 3, 2008.

4. The parties agree that the Committee accepted excessive cumulative contributions from an individual resulting in an inadvertent violation of Minnesota Statutes, section 10A. 27, subdivision 1(a)(4), in calendar year 2011.

5. The Committee has returned \$100 to the individual who made the excess contribution. A copy of the check returning the excess amount was provided to the Board.

6. The Candidate agrees to pay a civil penalty of \$100, 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.

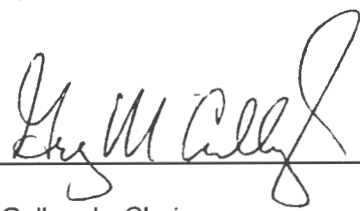
7. The Committee hereby agrees to forward to the Board \$100 by check or money order payable to the State of Minnesota within 30 days after the date this agreement is signed by both parties. It is agreed by the parties that payment of the civil penalty of \$100 and this conciliation agreement will be 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 failure to pay the civil penalty of \$100 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: 3/14/12
Representative Carolyn McElfatrick

Approved by the Campaign Finance and Public Disclosure Board

By  Dated: March 6, 2012
Greg McCullough, Chair

Campaign Finance and Public Disclosure Board