

STATE OF MINNESOTA

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION

AGREEMENT

In the matter of the Sharon Marko for Senate Committee (#15599);

Pursuant to Minn. Stat. §10A.28, subd. 3, the Campaign Finance and Public Disclosure Board ("the Board") and Senator Sharon Marko hereby agree as follows:

1. During calendar year 2004, the Sharon Marko for Senate Committee accepted a \$200 contribution from the Minnesota CPA's Public Affairs Committee, a registered political committee. This contribution facially exceeded by \$100 the \$100 non-election year limit for a political committee contribution as set out in Minn. Stat. §10A.27, subd. 1(a)(4). The amount of the excess contribution was not returned by the committee within 60 days as required by Minn. Stat. §10A.15, subd. 3.

2. In a letter received on November 22, 2004, Senator Sharon Marko stated, "After reviewing my records from the beginning of the year, I discovered that indeed a check in the amount of \$200 from the MCPA had been deposited in my campaign account. Let me reassure you this was inadvertently done." Senator Marko provided the Board with a copy of the check returning \$100 to the Minnesota CPA's Public Affairs Committee on November 17, 2004.

3. The Sharon Marko for Senate Committee registered with the Board on March 22, 2002. This is the first calendar year in which the Sharon Marko for Senate Committee reported acceptance of a contribution that exceeded the applicable contribution limit.

4. The parties agree that the Sharon Marko for Senate Committee accepted a facially excessive contribution in calendar year 2004, resulting in an inadvertent violation of Minn. Stat. §10A.27, subd. 1(a)(4).

5. The Board imposes a civil penalty totaling \$200 to be paid to the Board for deposit in the general fund of the state. This civil penalty represents two times the amount by which the contribution exceeded the applicable contribution limit.

6. Senator Marko hereby agrees to forward to the Board \$200 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 \$200, and this Conciliation Agreement will be a bar to any civil proceeding under Minn. Stat. §10A.28, subds. 3 and 4.


7. It is further understood and agreed, however, that if the civil penalty of \$200 is not paid within 30 days, as specified in paragraph 6 above, then under Minn. Stat. §§10A.28 and 10A.34, subd. 1, Senator Marko will be personally liable to pay a civil penalty in an amount calculated as follows:

- a.) \$300, three times the amount by which the contribution exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;

b.) \$400, four times the amount by which the contribution exceeded the statutory limit, if payment is received 61 to 120 days after the date this agreement is signed by the Board Chair.

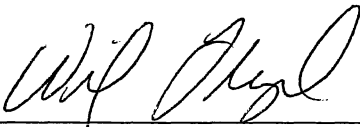
8. It is further understood that if the civil penalty is not paid as agreed, within the times specified in paragraph 7 above, the Board will proceed to enforce the provisions of Minn. Stat. §10A.28, subd. 4.

It is further understood and agreed that this Agreement is confidential until signed by Senator Marko and the Board Chair; the signed Agreement then shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minn. Stat. §§10A.02, subd. 11 and 10A.28, subd. 3.



Senator Sharon Marko
Approved by the Campaign Finance and Public Disclosure Board

Dated: 12/28/04

By 

Wil Fluegel
Chair, Campaign Finance and Public Disclosure Board

Dated: 1-6-05