

**STATE OF MINNESOTA**

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**CONCILIATION**

**AGREEMENT**

In the matter of the (Geoffrey) Michel for Senate Committee (#15436);

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

1. During 2007, the (Geoffrey) Michel for Senate Committee ("the Committee") deposited a contribution from a political committee in the amount of \$250. The contribution exceeded by \$150 the applicable non-election year limit for a senate candidate on contributions that can be accepted from a political committee, set out in Minnesota Statutes, section 10A.27, subdivision 1(a), clause 4. The amount of the excess contribution was not returned within 60 days as required by Minnesota Statutes, section 10A.15, subdivision 3.

2. Brian Wood, treasurer, responded to staff inquiries in letters dated June 10, and July 21, 2008. Mr. Wood states "...at a fundraiser..., a check made payable directly to the 41<sup>st</sup> Senate District Republicans was included in the grouping of other checks made payable specifically for Michel for Senate. There were several checks collected during that fundraiser." The \$250 check was deposited into the Committee account along with several other checks. The contribution was returned to the donor at the end of May 2008, and a copy of the check in the amount of \$250 and letter used to return the contribution to the political committee was provided with the June 10 letter.

3. Board records show that the Committee has not previously accepted a contribution that exceeded the applicable contribution limit. The Committee registered with the Board on November 27, 2000. The parties recognize that the subject contribution was excessive on its face.

4. The parties agree that the Committee inadvertently accepted and deposited the contribution intended for the 41<sup>st</sup> Senate District Republican Party resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1(a), clause 4, in calendar year 2007.

5. The Committee has issued a check for \$250 to the political committee that originally made the contribution. Copies of the check and the accompanying letter returning the contribution were provided to the Board.

6. The Board imposes a civil penalty of \$300, two times the amount by which the contribution 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 matter involved a facially excessive contribution.

7. The Candidate hereby agrees to forward to the Board \$300 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 the copy of the check and accompanying letter returning the contribution, payment of the civil penalty of \$300, 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 if the civil penalty of \$300 is not paid within the time specified in paragraph 7 above, then the Candidate will be personally liable to pay a civil penalty, under Minnesota Statutes, sections 10A.28 and 10A.34, subdivision 1, in an amount calculated as follows:

- (a) \$450 which is three times the amount by which the contributions exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;
- (b) \$600 which is four times the amount by which the contributions exceeded the statutory limit, if payment is received more than 60 days after the date this Agreement is signed by the Board Chair.

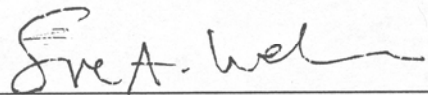
9. It is further understood and agreed that this Agreement is confidential until signed by the Candidate and the Board Chair. Once signed, the Agreement shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes, section 10A.02, subdivision 11 and section 10A.28, subdivision 3.

  
\_\_\_\_\_

Senator Geoffrey Michel

Dated: 8/26/08

Approved by the Campaign Finance and Public Disclosure Board

By   
\_\_\_\_\_

Sven A. Wehrwein, Chair

Dated: 9/10/08

Campaign Finance and Public Disclosure Board