

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 2008 election year contribution limit from a political fund to a House of Representatives candidate is \$500, as set out in Minnesota Statutes, section 10A.27, subdivision 1, clause a (5). During 2008, the (Kathy) Brynaert for State Representative Committee ("the Committee") accepted cumulative contributions that total \$600 from the Inter Faculty Organization Lobby Fund, a registered political fund. The contributions exceed 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 dated September 29, 2008, Mark Halverson, treasurer, states, "The apparently undisputed facts are that the Brynaert campaign received a total of \$600.00...from the Inter Faculty Organization Lobby Fund (IFO) in three different installments prior to the 2008 primary. \$100 was received in both January and February and another \$400.00 in June. \$100 was returned...The timing of the return of \$100.00 appears to be the crux of the matter... My records indicated the \$400 contribution...was deposited on June 13...and a \$100 refund was sent to IFO on August 15, 2008."

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

4. The parties agree that the Committee accepted excessive contributions from a political committee resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1 (a), clause 5, in calendar year 2008.

5. The Committee has returned \$100 to the political committee that made the excess contribution. A copy of the check and letter used to return the excess amount was forwarded to the Board on October 1, 2008.

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

7. The Candidate 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 the Board chair. 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.

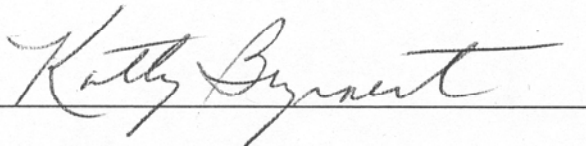
8. It is further understood and agreed, however, that if the civil penalty of \$100 is not paid within the time specified in paragraph 7 above, then the Candidate will be personally liable to pay a civil penalty, under Minnesota Statutes, sections 10A.28 and 10A.34, subdivision 1, in an amount calculated as follows:

(a) \$200 which is two 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) \$300 which is three times the amount by which the contributions exceeded the statutory limit, if payment is received 61 to 90 days after the date this Agreement is signed by the Board Chair;

(b) \$400 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.

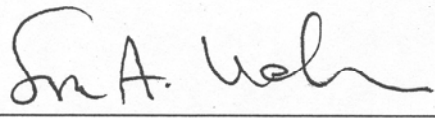
9. It is further understood and agreed that this Agreement is confidential until signed by the Candidate and the Board Chair. Once signed, the Agreement shall become a matter of public record, and the statutory requirement of confidentiality shall no longer apply. Minnesota Statutes, section 10A.02,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



Representative Kathy Brynaert

Dated: 11/2/08

Approved by the Campaign Finance and Public Disclosure Board

By 

Sven A. Wehrwein, Chair

Dated: 11/2/08

Campaign Finance and Public Disclosure Board