

**STATE OF MINNESOTA**  
**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**CONCILIATION**  
**AGREEMENT**

In the matter of the Citizens for (Michelle) Gatz Committee (#16898);

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

1. The Citizens for (Michelle) Gatz Committee ("the Committee") is the principal campaign committee of Michelle Gatz. The 2009 non-election year contribution limit from an individual to a state representative candidate is \$100, as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(5). In 2009 the Committee reported accepting four facially excessive contributions from individuals. The total excess amount of the contributions exceeded the applicable contribution limit by \$1,000. The amount of the excess contribution was not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes, section 10A.15, subdivision 3.
  
2. On February 19, 2010, the Candidate and treasurer of the Committee were notified by letter of the potential violation. On March 10, 2010, Carolyn Heib, treasurer, responded by filing an amended report. In the amended report, one facially excessive contribution of \$200 was revised to show the transaction as a joint contribution from a husband and wife, resulting in two individual \$100 contributions which did not violate the limit. Two other contributions were revised from \$500 individual contributions to joint contributions of \$250 from each of the four individuals involved.

Each of these contributions still exceeded the limit by \$150. The remaining individual contribution of \$200 was not revised. The result is that on the amended report, the Committee reports five facially excessive contributions which, in total, exceed the limit by \$700.

3. After telephone contact by Board staff, Ms. Heib responded by letter received on March 29, 2010. Ms. Heib indicates that she was a first-time treasurer and was not aware of the non-election-year contribution limits. She also states that the donors believed they were making a one-time contribution to cover both the 2009 and 2010 years of the election cycle. The Board notes that contribution limits are established based on a calendar year and each contribution is counted in the calendar year it is received.

4. 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 June 8, 2009.

5. The parties agree that the Committee accepted and deposited facially excessive contributions from individuals resulting an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1(a)(5), in calendar year 2009.

6. The Committee hereby agrees to return to contributors who made the excess contributions a sufficient amount to bring the committee into compliance. Copies of the checks and the accompanying letters returning the excess amount must be forwarded to the Board within 30 days.

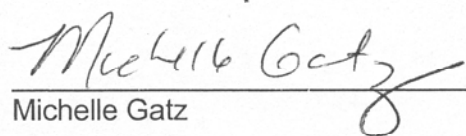
7. The Committee agrees to pay a civil penalty of \$1,400, two times the amount by which the contribution exceeded the applicable limit, to be paid to the Board for deposit in the general fund

of the state. The assessment of a penalty of two times the amount of the violation recognizes that this matter involved facially excessive contributions.

8. The Committee hereby agrees to forward to the Board \$1,400 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 \$1,400 and this Conciliation Agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.


9. It is further understood and agreed, however, that if the civil penalty of \$1,400 is not paid within the time specified in paragraph 7 above, the terms of this conciliation agreement will be violated and the Board may take further civil action to resolve this matter.

10. 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.

  
Michelle Gatz

Dated: 4/20/10

Approved by the Campaign Finance and Public Disclosure Board

By 

Bob Milbert, Chair  
Campaign Finance and Public Disclosure Board

Dated: April 6, 2010