

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (Paul) Gazelka Volunteer Committee (#16103);

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

1. During 2005, the (Paul) Gazelka Volunteer Committee ("the Committee") accepted facially excessive contributions from two individuals. Each individual contributed \$200, which exceeds the \$100 nonelection year limit on contributions from individuals, set out in Minnesota Statutes, section 10A.27, subdivision 1, clause a (5). The excess contributions were not returned within 60 days as required by Minnesota Statutes, section 10A.15, subdivision 3.

2. In a letter dated May 4, 2006, Jay Bock, treasurer states, "...They actually did make contributions exceeding the statutory limits. These funds were received and deposited in error. The timeframe to return them according to campaign rules has passed and as such we are in violation of campaign statutes. ...The Gazelka campaign regrets the mistake and apologizes for the inconvenience caused by our actions".

3. Board records show that this is the first calendar year in which the Committee reported acceptance of facially excess contributions that exceeded the applicable contribution limit. The Committee registered with the Board on May 13, 2004.

4. The parties agree that the Committee accepted facially excessive contributions from individuals, resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1, clause a (5), in calendar year 2005.

5. The Board imposes a civil penalty of \$400, two 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.

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

7. The Committee agrees to return \$100 to each individual who made a facially excessive contribution. Copies of the checks and the accompanying letters returning the excess amount to the individuals must be forwarded to the Board within 30 days after the date this Conciliation Agreement is signed by the Board chair.

8. It is further understood and agreed, however, that if the civil penalty of \$400 is not paid within the time specified in paragraph 6 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) \$600 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) \$800 which is four times the amount by which the contributions exceeded the statutory limit, if payment is received after 90 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, the signed Agreement then 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.

Paul Gazelka

Dated: 7/10/06

Representative Paul Gazelka

Approved by the Campaign Finance and Public Disclosure Board

By Felicia Boyd

Dated: 7/13/06

Felicia Boyd, Vice Chair

Campaign Finance and Public Disclosure Board