

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

**CONCILIATION**  
**AGREEMENT**

In the matter of the Paul Gardner for Minnesota House Committee (#15983);

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

1. On February 19, 2008, the Paul Gardner for Minnesota House Committee ("the Committee") filed an amended 2004 Report of Receipts and Expenditures and disclosed that the Committee accepted \$6,835 in contributions from special sources. These sources include registered lobbyists from whom the committee accepted \$385, political committees or political funds from which the Committee accepted \$3,950, and large givers from whom the Committee accepted \$2,500. The total amount of these contributions exceeded by \$1,135 the applicable limit on aggregate contributions from special sources, which for a state house of representatives candidate was \$5,700. The amount of \$1,135 in excess contributions was not returned within 60 days as permitted by Minnesota Statutes, section 10A.15, subdivision 3.

2. The February 19, 2008, amendment was filed because the treasurer, Jennifer Percy, reviewed the Committee records to reconcile the 2007 cash balance with the committee's bank records. Ms. Percy's reconciliation identified receipts that were not reported on the original filing by the former treasurer. The

amended report disclosed an additional lobbyist contribution of \$200 that was not identified with a registration number. Ms. Percy provided a copy of the check.

3. Board records show that this is the first calendar year in which the Committee reported acceptance of contributions that exceeded the applicable aggregate contribution limit. The Committee registered with the Board on June 30, 2003.

4. The parties agree that the Committee accepted excessive contributions from special sources resulting in an inadvertent violation of Minnesota Statutes, section 10A. 27, subdivision 11, in calendar year 2004.

5. The Candidate hereby agrees to return to contributors described in paragraph 1 a sufficient amount to bring the Committee into compliance. Copies of the check(s) and the accompanying letter(s) returning the excess amount must be forwarded to the Board within 30 days after the date this Conciliation Agreement is signed by the Board Chair.

6. Because of the unique facts of this matter, the Board imposes no civil penalty.

7. It is agreed by the parties that providing the copies specified in paragraph 5, 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 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, sections 10A.02, subdivision 11 and 10A.28, subdivision 3.

Paul D. Gardner

Dated: 28-May 2008

Representative Paul Gardner

Approved by the Campaign Finance and Public Disclosure Board

By Sven A. Wehrwein

Dated: 6/2/08

Sven A. Wehrwein, Chair

Campaign Finance and Public Disclosure Board