

CF 505

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
CONCILIATION AGREEMENT

In the matter of the Minnesota CPA's Public Affairs Committee (#70005):

Pursuant to Minn. Stat. §10A.28, subd. 3, the Campaign Finance and Public Disclosure Board and, Mike Casserly, treasurer, hereby agree as follows:

1. During calendar year 2004, the Minnesota CPA Public Affairs Committee contributed \$200 to five principal campaign committees which facially exceeded by \$100 the \$100 non-election year limit for a political committee contribution as set out in Minn. Stat. §10A.27, subd. 1(a) (4) and resulted in violations of Minn. Stat. §10A.28, subd. 2. On January 12, 2004, the committee made contributions to the following principal campaign committees: the Senator Debbie Johnson Volunteer Committee, the Sharon Marko for Senate Committee, the Eastsiders for (Mee) Moua Volunteer Committee, the Prettner Solon Volunteer Committee, and the (Dallas) Sams for Senate Committee. These excess contributions were not returned by these parties within 60 days as required by Minn. Stat. §10A.15, subd. 3.

2. In correspondence received on September 29, 2004, Laura Fenstermaker, Government Relations Director, Minnesota CPA Public Affairs Committee, confirmed that the five Senators did not return the excess amounts within the sixty-day period.

3. The Minnesota CPA's Public Affairs Committee registered with the Board on September 28, 1978. Prior to August 1, 2002, there was no penalty for a political committee that made contributions in excess of the applicable limits.

4. The parties agree that the Minnesota CPA Public Affairs Committee made facially excessive contributions to the five aforementioned principal campaign committees in calendar year 2004, resulting in an inadvertent violation of Minn. Stat. §10A.28, subd. 2.

5. Mike Casserly, treasurer, Minnesota CPA Public Affairs Committee, hereby agrees to provide the Board with copies of the checks and accompanying letters received from the five aforementioned committees returning the excess amounts. The copies should be received within thirty days after the date this Conciliation Agreement is signed by the Board chair.

6. The Board imposes a civil fine totaling \$1,000 to be paid to the Board for deposit in the general fund of the state. This civil fine represents two times the amount by which the contributions exceeded the applicable contribution limit.

7. Mike Casserly hereby agrees to forward to the Board \$1,000 by check or money order payable to the STATE OF MINNESOTA within thirty days after the date this Agreement is signed by the Board chair. Mike Casserly also agrees to forward copies of the checks received from the five aforementioned principal campaign committees within thirty days after the date this Agreement is

signed by the Board chair. It is agreed by the parties that copies of the checks, the payment of the civil fine of \$1,000, and this Conciliation Agreement will be a bar to any civil proceeding under Minn. Stat. §10A.28, subds. 3 and 4.

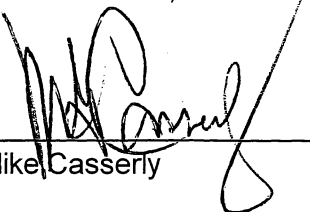
8. It is further understood and agreed, however, that if the civil fine of \$1,000 is not paid within the time specified in paragraph 7 above, then Mike Casserly, treasurer, will be personally liable to pay a civil fine, under Minn. Stat. § 10A.34, subd. 1, in an amount calculated as follows:

(a) \$1,500, three times the amount by which the contribution exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;

(b) \$4,000, four times the amount by which the contribution exceeded the statutory limit, if payment is received 61 to 120 days after the date this agreement is signed by the Board chair;

9. It is further understood that if the civil fine is not paid as agreed, within the times specified in paragraphs 7 and 8 above, the Board will proceed to enforce the provisions of Minn. Stat. §10A.28, subd. 4.


10. It is further understood and agreed that this Agreement is confidential until signed by Mike Casserly 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. Minn. Stat. §§10A.02, subd. 11 and 10A.28, subd. 3.



Mike Casserly

Dated: 12/29/04

Approved by the Campaign Finance and Public Disclosure Board

By 

Wil Fluegel
Chair, Campaign Finance and Public Disclosure Board

Dated: 1-6-05