

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION

AGREEMENT

In the matter of the Timothy Utz Campaign Committee for Constitutional Republicans (#16777);

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

1. The Timothy Utz Campaign Committee for Constitutional Republicans ("the Committee") is the principal campaign committee of Timothy Utz. 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). During 2009, the Committee accepted two contributions from one individual aggregating \$124.95 and two contributions from another individual aggregating \$125. The contributions from the two individuals exceeded the applicable contribution limit by a total of \$49.95. 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 February 12, 2010, Nadine Utz, treasurer, states "I took over the treasurer duties on April 9, 2009. At that time I thought all money information was entered into Campaign Finance Reporter. When I tried reconciling 2009 Campaign Finance I discovered that [two individual contributions made] through Paypal in the beginning of 2009...were never entered into Campaign Finance Reporter."

3. 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 3, 2008.

4. The parties agree that the Committee accepted cumulatively excessive contributions from two individuals resulting in two inadvertent violations of Minnesota Statutes, section 10A.27, subdivision 1(a)(5), in calendar year 2009.

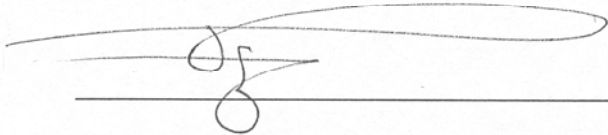
5. The Candidate agrees to return to the individuals that made the excess contributions the amount in excess of \$100, a total of \$49.95. Copies of the checks and accompanying letters used to return the excess contributions must be forwarded to the Board within 30 days.

6. The Candidate agrees to pay a civil penalty of \$49.95, one 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.

7. The Candidate hereby agrees to forward to the Board \$49.95 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 \$49.95 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 \$49.95 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 action to resolve this matter.

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.



Timothy Utz

Dated: 4-16-10

Approved by the Campaign Finance and Public Disclosure Board

By Bob Milbert

Dated: April 6, 2010

Bob Milbert, Chair

Campaign Finance and Public Disclosure Board