

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

**CONCILIATION**  
**AGREEMENT**

In the matter of the Volunteers for (Kurt) Zellers Committee (#15969);

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

1. During 2004, the Volunteers for (Kurt) Zellers Committee ("the Committee") accepted \$5,900 in contributions from special sources. These sources include registered lobbyists from whom the Committee accepted \$200, and political committees or political funds from which the Committee accepted \$5,700. The total amount of these contributions exceeded by \$200 the applicable limit on aggregate contributions from special sources, which for this candidate was \$5,700. The amount of the excess contributions was not returned to the contributors within 60 days as required by Minn. Stat. §10A.15, subd. 3.

2. In a letter received on February 15, 2005, Michelle Bassett, treasurer, indicated that the committee exceeded the contribution limit by \$200 and stated, "I mistakenly made the assumption that the \$5,700.00 total contributions limit was for Political Committees and Political Funds only." In a letter received March 18, 2005, Michelle Basset provided the Board with copies of the checks and accompanying letters returning the excess contributions.

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 January 24, 2003.

4. The parties agree that the Volunteers for Kurt Zellers Committee accepted excessive contributions from special sources resulting in an inadvertent violation of Minn. Stat. §10A. 27, subd. 11, in calendar year 2004.

5. The Board imposes a civil penalty of \$200, 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.

6. Representative Zellers hereby agrees to forward to the Board \$200 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 the copies of the checks and the accompanying letters returning the contributions, payment of the civil penalty of \$200, and this Conciliation Agreement will be a bar to any civil proceeding under Minn. Stat. §10A.28, subds. 3 & 4.

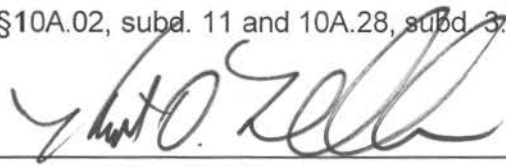
7. It is further understood and agreed, however, that if the excess amount is not returned as specified in paragraph 5 above, or the civil penalty of \$200 is not paid within the time specified in paragraph 6 above, then Representative Zellers will be personally liable to pay a civil penalty, under Minn. Stat. §§10A.28 and 10A.34, subd. 1, in an amount calculated as follows:

(a) \$400 or two times the amount by which the contributions exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;

(b) \$600 or 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;

(c) \$800 or four times the amount by which the contributions exceeded the statutory limit, if payment is received 91 to 120 days after the date this Agreement is signed by the Board Chair.

8. It is further understood and agreed that this Agreement is confidential until signed by Representative Zella<sup>e</sup> 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.

  
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Representative Kurt Zellars

Dated: 4/23/05

Approved by the Campaign Finance and Public Disclosure Board

By   
\_\_\_\_\_  
Terri Ashmore, chair

Dated: 6/7/05

Campaign Finance and Public Disclosure Board