

STATE OF MINNESOTA

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION

AGREEMENT

In the matter of the (Gene) Pelowski Volunteer Committee (#11763);

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

1. The 2008 election year contribution limit from a political committee to a House of Representative candidate is \$500, as set out in Minnesota Statutes, section 10A.27, subdivision 1, clause a (5). During 2008, the (Gene) Pelowski Volunteer Committee ("the Committee") accepted cumulative contributions that total \$550 from the Principals' Action League, a registered political committee. The contributions exceed the applicable contribution limit by \$50. 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 August 26, 2008, Susan Edel, treasurer, states, "The Pelowski Volunteer Committee inadvertently accepted \$550 from the Principals' Action League, \$50 over the limit allowed. This PAC moved offices...and the person who writes the checks normally puts a sticker on the check with the new address; in this case she did not... ..in June when we received the second contribution of \$250... I assumed that ...they were two different PACs as the addresses were different."

3. Board records show that this is the second calendar year in which the Committee reported acceptance of a contribution that exceeded the applicable contribution limit. The Committee registered with the Board on August 3, 1984.

4. The parties agree that the Committee accepted excessive contributions from a political committee resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1 (a), clause 5, in calendar year 2008.

5. The Committee has returned \$50 to the political committee that made the excess contribution. A copy of the check returning the excess amount was forwarded to the Board on October 1, 2008.

6. The Committee agrees to pay a civil penalty of \$100, two times the amount by which the contribution exceeded the applicable limit, to be paid to the Board for deposit in the general fund of the state.

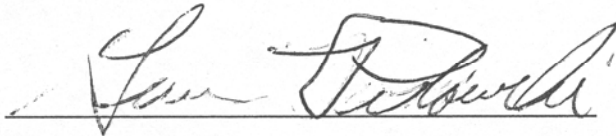
7. The Candidate hereby agrees to forward to the Board \$100 by check or money order payable to the STATE OF MINNESOTA within 30 days after the date this Agreement is signed by the Board chair. It is agreed by the parties that payment of the civil penalty of \$100, and this Conciliation Agreement will 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 \$100 is not paid within the time specified in paragraph 7 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) \$150 which is three 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) \$200 which is four times the amount by which the contributions exceeded the statutory limit, if payment is received more than 60 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. 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.



Dated: Oct 24, 2008

Representative Gene Pelowski

Approved by the Campaign Finance and Public Disclosure Board

By Sven A. Wehrwein

Dated: 11/2/08

Sven A. Wehrwein, Chair

Campaign Finance and Public Disclosure Board