

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the Tim Johnson for Senate Campaign Committee (#17009);

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

1. The Tim Johnson for Senate Campaign Committee (the Committee) is the principal campaign committee of Tim Johnson. The 2011 nonelection year contribution limit from an individual to a state senate candidate was \$100, as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(3). During 2011, the Committee reported that a married couple provided two joint contributions to the Committee; the first joint contribution was in the amount of \$100, the second joint contribution was in the amount of \$250. The total received from the couple was \$350. Therefore, each individual contributed \$175 to the Committee. The contributions both cumulatively and facially exceeded the \$100 limit. The second contribution was facially excessive by \$50. The combined total of both contributions was cumulatively excessive by \$150. 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. By letter dated February 17, 2012, Tim Johnson was notified of the potential violation.
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 February 1, 2010.
4. The parties agree that the Committee accepted cumulatively and facially excessive contributions from two individuals resulting in an inadvertent violation of Minnesota Statutes, section 10A. 27, subdivision 1(a)(3), in calendar year 2011.
5. The Candidate has returned \$75 to each contributor. A copy of the check used to return the excess amount was provided to the Board.
6. The Candidate agrees to pay a civil penalty of \$200 to be paid to the Board for deposit in the general fund of the state. This amount is derived by penalizing the facially excessive contribution at two times the amount the contribution exceeded the limit and penalizing the remaining cumulatively excessive amount at one times the amount that the contributions exceeded the limit.
7. The Committee 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 both parties. It is agreed by the parties that payment of the civil penalty of \$200 and this conciliation

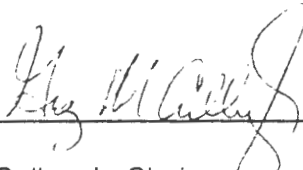
agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.

8. It is further understood and agreed, however, that failure to pay the civil penalty of \$200 within the time specified in paragraph 7 above is a violation of the terms of this conciliation agreement and the Board may declare this agreement to be null and void and 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.


_____ Dated: 4/13/12
Tim Johnson

Approved by the Campaign Finance and Public Disclosure Board

By 
_____ Dated: April 3, 2012
Greg McCullough, Chair

Campaign Finance and Public Disclosure Board