

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
CONCILIATION
AGREEMENT

In the matter of the Committee to Elect Bill Kuisle;

Pursuant to Minn. Stat. §10A.28, subd. 3, the Campaign Finance and Public Disclosure Board (“the Board”) and Representative Bill Kuisle hereby agree as follows:

1. During calendar year 2003, the Committee to Elect Bill Kuisle accepted aggregate contributions totaling \$200 from the Minnesota Funeral Services PAC, a registered political committee. These contributions cumulatively 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)(5). The amount of the excess contribution was not returned by the committee within 60 days as required by Minn. Stat. §10A.15, subd. 3.

2. In a letter received February 25, 2004, Jane Himmer, treasurer, stated that the Minnesota Funeral Services PAC made two \$100 contributions in calendar year 2003 and further stated “Unfortunately this error wasn’t noticed because I deposited the first one and [Representative] Kuisle the second one.”

3. The Committee to Elect Bill Kuisle registered with the Board on August 13, 1996. This is the first calendar year in which the Committee to Elect Bill Kuisle reported acceptance of a contribution that exceeded the applicable contribution limit.

4. The parties agree that the Committee to Elect Bill Kuisle accepted a cumulatively excessive contribution in calendar year 2003, resulting in an inadvertent violation of Minn. Stat. §10A. 27, subd. 1(a)(5).

5. Having returned the contribution to the Minnesota Funeral Services PAC, Representative Kuisle agrees to provide the Board with a copy of the check returning the contribution within thirty days after the date this Conciliation Agreement is signed by the Board chair.

6. The Board imposes a civil fine totaling \$100 to be paid to the Board for deposit in the general fund of the state. This civil fine represents one times the amount by which the contribution exceeded the applicable contribution limit.

7. Representative Kuisle 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 a copy of the check returning the contribution, payment of the civil fine of \$100, 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 \$100 is not paid within the time specified in paragraphs 7 above, then Representative Kuisle will be personally liable to pay a civil fine, under Minn. Stat. §§10A.28 and 10A.34, subd. 1, in an amount calculated as follows:

(a) \$200, two times the amount by which the contribution exceeded the statutory limit, if payment is received 31-60 days after the date this Agreement is signed by the Board Chair;

(b) \$300, three times the amount by which the contribution exceeded the statutory limit, if payment is received 61-90 days after the date this Agreement is signed by the Board Chair;

(c) \$400, four times the amount by which the contribution exceeded the statutory limit, if payment is received 91-120 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 Representative Kuisle 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.

_____ Dated:
Representative Bill Kuisle
Approved by the Campaign Finance and Public Disclosure Board

By _____ Dated: June 23, 2004
Wil Fluegel
Chair, Campaign Finance and Public Disclosure Board