

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (Dick) Day Volunteer Committee (#12495);

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

1. During nonelection year 2003, the (Dick) Day Volunteer Committee, “the Committee” made campaign expenditures of \$10,982.17, which exceeded the applicable \$10,950 nonelection year expenditure limit, as set forth in Minnesota Statutes, sections 10A.25, subdivision 2, by \$32.17.

2. Board records show that this is the first calendar year in which the Committee reported campaign expenditures that exceeded the applicable annual spending limit. The Committee registered with the Board on July 17, 1990.

3. The parties agree that the Committee made excessive campaign expenditures resulting in an inadvertent violation of Minnesota Statutes, section 10A.25, subdivision 2, in calendar year 2003.

4. The Board imposes a civil penalty of \$32.17. This number represents one times the amount by which the campaign expenditures exceeded the spending limit in 2003, to be paid to the Board for deposit in the general fund of the state.

5. The Committee hereby agrees to forward to the Board \$32.17 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 \$32.17, and this Conciliation Agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.

6. It is further understood and agreed, however, that if the civil penalty of \$32.17 is not paid within the time specified in paragraph 5 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) \$64.34 which is two times the amount by which the expenditures exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair.

(b) \$96.51 which is three times the amount by which the expenditures exceeded the statutory limit, if payment is received 61 to 90 days after the date this Agreement is signed by the Board Chair.

(c) \$128.68 which four times the amount by which the expenditures exceeded the statutory limit, if payment is received more than 90 days after the date this Agreement is signed by the Board Chair.

7. It is further understood that if the civil penalty is not paid as agreed within the times specified in paragraphs 5 and 6 above, the Board will proceed to enforce the provisions of Minnesota Statutes, section 10A.28, subdivision 4.

8. It is further understood and agreed that this Agreement is confidential until signed by the Candidate 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. Minnesota Statutes, sections 10A.02, subdivision 11, and 10A.28, subdivision 3.

Dick Day Dated: 7/07/06
Senator Dick Day

Approved by the Campaign Finance and Public Disclosure Board

By Felicia Boyd Dated: 7/13/06
Felicia Boyd, Vice Chair