

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the Minneapolis Firefighters Relief Association Political Fund (#30031):

Pursuant to Minnesota Statutes, section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and the Minneapolis Firefighters Relief Association Political Fund hereby agree as follows:

1. During calendar year 2009 the contribution limit from a political fund to a State Senate candidate was \$100 as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(4). In 2009 the Minneapolis Firefighters Relief Association Political Fund (the "Fund") made two contributions that cumulatively total \$200 to the Friends of (Michelle) Fischbach Committee. The cumulative contributions exceeded by \$100 the applicable limit. The amount of the excess contribution was not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes, section 10A.15, subdivision 3.

2. In a letter dated February 10, 2010, Walter Schirmer, treasurer, states, "As soon as this over contribution was discovered I contacted Michelle Fischbach and she returned \$100 to my committee on January 8, 2010. We have made changes to our record keeping procedure to ensure this type of error does not happen in the future."

3. Board records show that this is the first violation for the Minneapolis Firefighters Relief Association Political Fund of Minnesota Statutes, section 10A.27, subdivision 1(c), which prohibits a political fund from making an excess contribution to a principal campaign committee. The Fund registered with the Board on August 19, 1974.


4. The parties agree that the Minneapolis Firefighters Relief Association Political Fund made cumulative contributions in the amount of \$200 to the aforementioned principal campaign committee in calendar year 2009, resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1(c).

5. The Minneapolis Firefighters Relief Association Political Fund agrees to pay a civil penalty of \$100 to be paid to the Board for deposit in the general fund of the state. This civil penalty represents one times the amount by which the total contributions exceeded the applicable contribution limit.

6. Wallace Amundsen, treasurer, hereby agrees to forward to the Board \$100 by check or money order payable to the STATE OF MINNESOTA within thirty days after the date this Agreement is signed by both parties. It is agreed by the parties that the 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.

7. It is further understood and agreed, however, that if the civil penalty of \$100 is not paid within the time specified in paragraph 6 above, then the terms of this conciliation agreement will be violated and the Board may initiate civil action to resolve this matter.

8. It is further understood and agreed that this Agreement is confidential until signed by the Fund's treasurer 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: 3-3-10
Walter Schirmer,
Minneapolis Firefighters Relief Association Political Fund

Approved by the Campaign Finance and Public Disclosure Board

By  _____ Dated: March 2, 2010
Bob Milbert, Chair
Campaign Finance and Public Disclosure Board