

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the (David) Tomassoni for State Senate Committee (#15317);

Pursuant to Minn. Stat. §10A.28, subd. 3, the Campaign Finance and Public Disclosure Board and Senator Tomassoni hereby agree as follows:

1. During 2004, the (David) Tomassoni for State Senate Committee (“the Committee”) accepted \$2,275 in contributions from special sources. These sources include registered lobbyists from whom the Committee accepted \$250, and registered political committees and funds from which the Committee accepted \$2,025. The total amount of these contributions exceeded by \$85 the applicable limit on aggregate contributions from special sources, which for this candidate was \$2,190. The amount of the excess contributions was not returned to the contributors within 60 days as required by Minn. Stat. §10A.15, subd. 3.

2. In a letter received on March 14, 2005, Senator Tomassoni indicated that the error was “unintentional and inadvertent” and provided a copy of a check and accompanying letter returning the excess contribution.

3. Board records show that this is the first calendar year in which the Committee reported acceptance of contributions that exceeded the applicable aggregate contribution limit. The Committee registered with the Board on June 23, 2000.

4. The parties agree that the (David) Tomassoni for State Senate Committee accepted excessive contributions from special sources resulting in an inadvertent violation of Minn. Stat. §10A.27, subd. 11, in calendar year 2004.

5. The Board imposes a civil penalty of \$85, one times the amount by which the contributions exceeded the applicable limit, to be paid to the Board for deposit in the general fund of the state.

6. Senator Tomassoni hereby agrees to forward to the Board \$85 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 \$85, and this Conciliation Agreement will be a bar to any civil proceeding under Minn. Stat. §10A.28, subds. 3 & 4.

7. It is further understood and agreed, however, that if the civil penalty of \$85 is not paid within the time specified in paragraph 6 above, then Senator Tomassoni will be personally liable to pay a civil penalty, under Minn. Stat. §§10A.28 and 10A.34, subd. 1, in an amount calculated as follows:

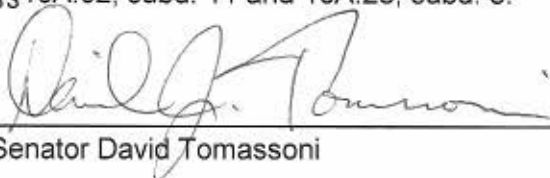
(a) \$170 or two times the amount by which the contributions exceeded the statutory limit, if payment is received 31 to 60 days after the date this Agreement is signed by the Board Chair;

(b) \$255 or three times the amount by which the contributions exceeded the statutory limit, if payment is received 61 to 90 days after the date this Agreement is signed by the Board Chair;

(c) \$340 or four times the amount by which the contributions exceeded the statutory limit, if payment is received 91 to 120 days after the date this Agreement is signed by the Board Chair.

8. It is further understood and agreed that this Agreement is confidential until signed by Senator Tomassoni 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.



Senator David Tomassoni

Dated: 5-1-05

Approved by the Campaign Finance and Public Disclosure Board

By 

Terri Ashmore, chair
Campaign Finance and Public Disclosure Board

Dated: 5-9-05