

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION

AGREEMENT

In the matter of the Lipman (Eric) for State Representative Committee (#15081);

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

1. During 2004, the Lipman (Eric) for State Representative Committee (“the Committee”) accepted \$5,950 in contributions from special sources. Specifically, the Committee accepted \$5,950 from political committees or political funds. The total amount of these contributions exceeded by \$250 the applicable limit on aggregate contributions from special sources, which for this candidate was \$5,700. The amount of the excess contributions was reported as returned to a single contributor on the Committee’s Report of Receipts and Expenditures for calendar year 2004. However, for reasons unknown to the parties, the refunded contribution was never deposited.

2. In a document from Eric Lipman received August 1, 2005, Mr. Lipman acknowledged that he did not detect that the returned contribution has not been deposited. Since that time, the Committee has terminated its registration with the Board and disposed of its remaining funds.

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 December 29, 1998, and terminated on July 21, 2005.

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

5. Eric Lipman hereby agrees to return \$250 to political committees or political funds that contributed to his campaign in calendar year 2004. Copies of the check(s) and the accompanying letter(s) returning the excess amount must be forwarded to the Board within 30 days after the date this Conciliation Agreement is signed by the Board chair.

6. The Board imposes a civil penalty of \$250, 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.

7. Mr. Lipman hereby agrees to forward to the Board \$250 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 the copies of the check(s) and the accompanying letter(s) returning the contributions, payment of the civil penalty of

\$250, 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 excess amount is not returned as specified in paragraph 6 above, or the civil penalty of \$250 is not paid within the time specified in paragraph 7 above, then Mr. Lipman 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) \$500 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) \$750 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) \$1,000 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.

9. It is further understood and agreed that this Agreement is confidential until signed by Mr. Lipman 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: 9-23-05
Eric Lipman

Approved by the Campaign Finance and Public Disclosure Board

By  _____ Dated: 9/28/05
Terri Ashmore, Chair
Campaign Finance and Public Disclosure Board