

**STATE OF MINNESOTA**  
**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

**CONCILIATION**  
**AGREEMENT**

In the matter of the Kelliher (Margaret A) Volunteer Committee (#14860);

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

1. During 2004, the Kelliher (Margaret) Volunteer Committee (the "Committee) accepted \$7,000 in contributions from special sources. These sources include registered lobbyists from whom the Committee accepted \$1,000, political committees or political funds from which the Committee accepted \$5,500, and a \$500 contribution from an individual. The total amount of these contributions exceeded by \$1,300 the applicable limit on aggregate contributions from special sources, which for this candidate was \$5,700. 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. By letter dated October 7, 2005, Gregory Lecker, treasurer, indicated that the Committee accepted two \$500 and one \$300 from political committees, "...but inadvertently did not record these amounts, due to my file organization... ."

3. Board records show that this is the first calendar year in which the Kelliher (Margaret) Volunteer Committee reported acceptance of contributions which exceeded the applicable aggregate contribution limit. The Kelliher (Margaret) Volunteer Committee registered with the Board on December 3, 1997.

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

5. Representative Margaret Kelliher hereby agrees to return \$800 to political committees or political funds that contributed to her campaign in calendar year 2004, and \$250 to an individual large contributor. 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 \$1,300, 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. Representative Margaret Kelliher hereby agrees to forward to the Board \$1,300 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 checks and the accompanying letters returning the contributions, payment of

the civil penalty of \$1,300, 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 that if the civil penalty of \$1,300 is not paid within the time specified in paragraph 7 above, then Representative Kelliher 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) \$2,600 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) \$3,900 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) \$5,200 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 that if the civil penalty is not paid as agreed within the times specified in paragraphs 6 and 7 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 Kelliher 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.

Margaret A. Kelliher Dated: 12/9/2005  
Representative Margaret A. Kelliher

Approved by the Campaign Finance and Public Disclosure Board

By Terri Ashmore Dated: 12/15/05  
Terri Ashmore, chair

Campaign Finance and Public Disclosure Board