

STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION
AGREEMENT

In the matter of the Margaret (Kelliher) for Governor Committee (#16924);

Pursuant to Minnesota Statutes, section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Margaret Kelliher (hereinafter referred to as "the Candidate") hereby agree as follows:

1. The Margaret (Kelliher) for Governor Committee ("the Committee") is the principal campaign committee of Margaret Kelliher. The 2010 election year contribution limit from a political committee to the principal campaign committee of a candidate for governor is \$2,000, as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(1). During 2010, the Committee accepted cumulative contributions that totaled \$2,119.80 from the TRIAL-PAC Political Committee. The contributions exceeded the applicable contribution limit by \$119.80. The amount of the excess contributions 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, 2011, Jaime Tincher, treasurer, acknowledged receipt of the excess contribution. Ms. Tincher stated that at the time the excess contribution was received the committee believed it was from an organization other than the TRIAL-PAC political committee.

3. Board records show that this is the first calendar year in which the Committee reported acceptance of cumulative contributions that exceeded the applicable contribution limit. The Committee registered with the Board on August 13, 2009.
4. The parties agree that the Committee accepted excessive contributions from a political committee resulting in an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1(a)(1), in calendar year 2010.
5. The Candidate hereby agrees to return \$119.80 to the TRIAL-PAC Political Committee. A copy of the check and the accompanying letter returning the excess amount must be forwarded to the Board within 30 days after the date this Conciliation Agreement is signed by both parties
6. The Committee further agrees to pay a civil penalty of \$119.80, 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. The Committee hereby agrees to forward to the Board \$119.80 by check or money order payable to the State of Minnesota within 30 days after the date this Agreement is signed by both parties. It is agreed by the parties that payment of the civil penalty of \$119.80, the return of the excess contribution to the TRIAL-PAC Political Committee, and this Conciliation Agreement will be a bar to any civil proceeding under Minnesota Statutes, section 10A.28, subdivisions 3 and 4.
8. It is further understood and agreed, however, that failure to return the excess contribution as provided in paragraph 5, or failure to pay the civil penalty of \$119.80 within the time specified in

paragraph 7 above, is a violation of the terms of this conciliation agreement and the Board may declare this agreement to be null and void and may take further action to resolve this matter.

9. It is further understood and agreed that this Agreement is confidential until signed by the Candidate 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.26, subdivision 3.

Margaret Anderson Kelliher

Margaret Kelliher

Dated: *5/19/2011*

Day it was notified to issue.

Approved by the Campaign Finance and Public Disclosure Board

By *John Scanlon*

Dated: April 19, 2011

John Scanlon, Chair

Campaign Finance and Public Disclosure Board