

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

**CONCILIATION**  
**AGREEMENT**

In the matter of the Melissa Hortman Campaign Committee (#15677);

Pursuant to Minnesota Statutes, section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Representative Melissa Hortman (hereinafter referred to as “the Candidate”) hereby agree as follows:

1. The Melissa Hortman Campaign Committee (“the Committee) is the principal campaign committee of Representative Melissa Hortman. The 2009 non-election year contribution limit from an individual to a state representative candidate is \$100, as provided in Minnesota Statutes, section 10A.27, subdivision 1(a)(5). During 2009, the Committee accepted a contribution from a couple on one check in the amount of \$250, resulting in two \$125 contributions. The contributions facially exceeded the applicable contribution limit by \$50. The amount of the excess contributions were not returned within 60 days, and thus, is deemed accepted under Minnesota Statutes, section 10A.15, subdivision 3.
  
2. In a letter dated February 1, 2010, that accompanied the 2009 Report of Receipts and Expenditures Representative Hortman states “On June 22, 2009 I received a joint contribution...of \$250. ... I deposited the check and transmitted the paperwork to my Treasurer, and I was unaware that the individual contribution limit for 2009 was \$100. On December 16, 2009...I

discovered the lower individual contribution limit and wrote a check...for \$50 to return the excess contribution.”

3. Board records show that this is the first calendar year in which the Committee reported acceptance of a contribution that facially exceeded the applicable contribution limit. The Committee registered with the Board on April 17, 2002.

4. The parties agree that the Committee accepted and deposited excessive contributions from two individuals resulting an inadvertent violation of Minnesota Statutes, section 10A.27, subdivision 1(a)(5), in calendar year 2009.

5. The Committee has returned \$50 to the individuals who made the contributions. A copy of the check and letter used to return the excess amount must be forwarded to the Board within 30 days.

6. The Committee agrees to pay a civil penalty of \$100, two 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. The assessment of a penalty of two times the amount of the violation recognizes that this matter involved a facially excessive contribution.

7. The Committee hereby agrees to forward to the Board \$100 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 \$100 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 if the civil penalty of \$100 is not paid within the time specified in paragraph 7 above, the terms of this conciliation agreement will be violated and the Board 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.28, subdivision 3.

Melissa Hortman Dated: 4/28/10

Representative Melissa Hortman

Approved by the Campaign Finance and Public Disclosure Board

By Bob Milbert Dated: April 6, 2010

Bob Milbert, Chair

Campaign Finance and Public Disclosure Board