

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

**CONCILIATION
AGREEMENT**

In the Matter of Jim Nash for Minnesota (17709);

1. The Jim Nash for Minnesota committee is the principal campaign committee of Jim Nash (the candidate). On its year-end reports of receipts and expenditures, the committee reported accepting \$7,188.31 in contributions from lobbyists, political committees and funds, and unregistered associations in 2015 and an additional \$6,400 from these sources in 2016. The total amount of contributions that the committee accepted from special sources exceeded the \$12,600 limit on aggregate special source contributions for the 2015-2016 election cycle segment by \$988.31. The \$988.31 that exceeded the limit was not returned within 90 days and was therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. During the routine reconciliation audit of the 2016 year-end reports, Board staff discovered that the Nash committee had not reported a \$1,000 contribution from a political committee. In a letter to Board staff, Jim Sanborn, the committee treasurer, explained that although the contribution had been received and deposited into the committee's bank account, it had not been entered into the Campaign Finance Reporter software due to human error. Mr. Sanborn stated that the committee believed that this error had occurred when he was traveling out of state and someone else was making the committee's deposits. When the committee learned of the contribution, it immediately returned \$1,000 to the donating political committee and filed an amended 2016 year-end report disclosing the contribution. The committee returned the entire \$1,000 contribution to ensure that it was below the aggregate special source limit.
3. Board records indicate that this is the first instance in which the committee reported the acceptance of contributions that exceeded the special source limit. The committee registered with the Board on February 10, 2014.
4. The parties agree that the committee accepted excessive contributions from special sources in violation of Minnesota Statutes section 10A.27, subdivision 11, during the 2015-2016 election cycle segment.
5. To resolve this matter informally, and to avoid these violations in the future, the candidate and the committee agree that they will:
 - a. Have the committee treasurer alone makes deposits;
 - b. Have the committee treasurer follow his usual practice of first recording each contribution into the Campaign Finance Reporter software, then endorsing the check and adding it to the deposit slip;
 - c. Run a batch compliance report after each time contributions are entered into the software and take steps to remedy any violations the software identifies so that problems may be resolved within the 90 days statutorily provided for the return of a contribution before it is deemed accepted; and

- d. Update the Campaign Finance Reporter software whenever the software notifies the user that an update is available.

6. The candidate agrees that the Board's acceptance of this agreement constitutes the imposition of a civil penalty in the amount of \$988.31 against the candidate for accepting contributions in excess of the limit imposed by Minnesota Statutes section 10A.27, subdivision 11. Of this penalty, \$250 is due within 30 days of the date the agreement is signed by both parties and the remaining \$738.31 is, by the terms of this agreement, stayed until January 1, 2019, for this violation. If the committee violates Minnesota Statutes section 10A.27, subdivision 11, before January 1, 2019, the outstanding civil penalty is due immediately and the Board may impose such other penalties as may be appropriate. If the committee does not violate Minnesota Statutes section 10A.27, subdivision 11, within that timeframe, the outstanding civil penalty is waived.

7. If the candidate or the committee does not comply with the provisions of this agreement, this matter may be reopened by the Board and the Board may take such actions as it deems appropriate.

/s/ Jim Nash
Jim Nash
Jim Nash for Minnesota

Dated: October 28, 2017

/s/ Daniel N. Rosen
Daniel N. Rosen, Chair
Campaign Finance and Public Disclosure Board

Dated: October 4, 2017