

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

**CONCILIATION AGREEMENT**

In the matter of the Jim Nash for Minnesota committee (17709);

1. The Jim Nash for Minnesota committee is the principal campaign committee of Representative Jim Nash. The aggregate special source contribution limit, which includes contributions from lobbyists, political committees and funds, and associations not registered with the Board, was \$13,100 for House candidates during the 2017-2018 election cycle. The committee's 2017 and 2018 year-end reports of receipts and expenditures disclosed a combined total of \$13,550 in special source contributions. A \$200 special source contribution received December 29, 2018, was returned to the contributor within 90 days of being deposited. The remaining \$250 that the committee received that exceeded the limit was not returned within 90 days of being deposited and is therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
2. The committee's treasurer, James Sanborn, stated that \$250 was returned to a special source contributor in March 2019.
3. Mr. Sanborn stated that he did not receive a warning when entering special source contributions in 2018 using the Board's Campaign Finance Reporter software. Mr. Sanborn also stated that the software's batch compliance function did not detect any violation. Board staff and Mr. Sanborn determined that the software was installed on a new computer in 2018 without restoring data pertaining to contributions received in 2017. Because the special source limit applies to a two-year period and the software was operating in the absence of any contribution data from 2017, the software could not detect the committee's violation of the special source limit.
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 2017-2018 election cycle. This is the committee's second violation of the special source limit. The committee exceeded the special source limit by \$988.31 during the 2015-2016 election cycle.
5. To avoid a similar violation in the future, the committee agrees to ensure that the committee's installation of the Campaign Finance Reporter software contains all data entered into the software for both the odd-numbered and even-numbered year that comprise the current election cycle.
6. On October 28, 2017, the committee entered into a conciliation agreement with the Board to remedy the committee's prior violation of the special source limit. That agreement imposed a \$988.31 civil penalty, \$738.31 of which was stayed and was to be waived if the committee refrained from violating the special source limit a second time before January 1, 2019. By the terms of that agreement, the amount of \$738.31 came due immediately upon the subsequent

violation of the special source limit. However, because the committee was acting in good faith in attempting to abide by the agreement, the Board waives the remaining civil penalty of \$738.31.

7. The committee agrees to the imposition of a civil penalty of \$250, the amount of the violation during the 2017-2018 election cycle, for accepting contributions in excess of the limit imposed by Minnesota Statutes section 10A.27, subdivision 11. Payment is due within 30 days of the date the agreement is signed by both parties. The Board acknowledges that the committee believed that it was in compliance with the special source limit because it entered contributions received in 2018 in a timely manner and believed that the Campaign Finance Reporter software contained the information needed to trigger compliance warnings. The Board therefore will not fine the committee two times the amount of the violation as is typical for a second violation of the special source limit.

8. The committee also agrees to provide to the Board, within 30 days of the date the agreement is signed by both parties, a copy of the deposited check or other documentation showing that \$250 was received by the special source contributor to which it was returned.

9. If 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 Dated: May 13, 2019  
Representative Jim Nash  
Jim Nash for Minnesota

/s/ Margaret Leppik Dated: May 1, 2019  
Margaret Leppik, Chair  
Campaign Finance and Public Disclosure Board