STATE OF MINNESOTA
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

CONCILIATION AGREEMENT

In the matter of the McNamar (Jay) for House committee (17491);

Pursuant to Minnesota Statutes section 10A.28, subdivision 3, the Campaign Finance and Public Disclosure Board and Representative Jay McNamar (the Candidate) agree as follows:

1. The McNamar for House committee (the Committee) is the principal campaign committee of Representative Jay McNamar. On its 2013 amended year-end Report of Receipts and Expenditures and its 2014 pre-primary-election Report of Receipts and Expenditures, the Committee reported that it had accepted $1,100 in total contributions from MAPE-PAC, a political committee registered with the Board, during the two year period. The total amount of these contributions exceeds the applicable political committee contribution limit during the 2013-2014 election cycle, which for a state representative candidate is $1,000. The $100 in excess contributions was not returned within 90 days, and thus, is deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.

2. In a letter to the Board dated January 2, 2015, the Committee's treasurer confirmed that the Committee had accepted the excess contributions. The treasurer explained that the Committee had returned the excess $100 to the political committee and the Candidate provided to the Board a copy of the check and the letter returning the excess contribution. The treasurer also explained the that first two checks received from the political committee did not contain the political committee's registration number and that a search of the Campaign Finance Reporter software's list of registered committees produced two similar committees (a political committee using the organization's acronym and a political fund using the organization's full name). The Committee inadvertently accepted the excess contributions by initially assigning one of the contributions to the political fund. When the mistake was discovered, the Committee amended its 2013 year-end report to list the contribution as coming from MAPE-PAC.

3. Board records show that this is the first instance in which the Committee reported acceptance of contributions that exceeded the contribution limits. The Committee registered with the Board on April 27, 2012.

4. The parties agree that the Committee accepted excessive contributions from a political committee resulting in a violation of Minnesota Statutes section 10A.27, subdivision 1(a)(5), in the 2013-2014 election cycle.

5. To resolve this matter informally, and to avoid these violations in the future, the Candidate and the Committee agree that they will continue to carefully match donor names to the Campaign Finance Reporter Software list and contact a donor when a match cannot be positively made.

6. The Candidate agrees that the Board's acceptance of this agreement constitutes the imposition of a civil penalty in the amount of $100 against the Candidate for accepting individual contributions in excess of the limit imposed by Minnesota Statutes section 10A.27, subdivision 1(a)(5). $25 of the penalty is due within 30 days of the date the agreement is signed by both parties. $75 of the penalty is, by the terms of this agreement, stayed until January 1, 2017. If the Candidate violates Minnesota Statutes section 10A.27, subdivision 1(a)(5) before January 1,

2017, the outstanding civil penalty is due immediately. If the Candidate does not violate Minnesota Statutes section 10A.27, subd. 1(a)(5) within that timeframe, the outstanding civil penalty is waived.

7. If the Candidate 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.

Dated: 2/9/15

Representative Jay McNamar

Dated: 2/4/15

Gary Goldsmith, Executive Director
Campaign Finance and Public Disclosure Board

Agreement approved by Board at meeting of 2/3, 2015

George A. Beck, Chair
Campaign Finance and Public Disclosure Board