

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

**CONCILIATION
AGREEMENT**

In the matter of the Jeff Hayden for Senate committee (17280);

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

1. The Jeff Hayden for Senate committee is the principal campaign committee of Senator Jeff Hayden. On October 18, 2014, the Candidate entered into a conciliation agreement with the Board to remedy a 2013 violation of the aggregate special source limit. In 2013, the committee accepted \$6,764 in contributions from special sources. This amount exceeded the \$6,000 aggregate special source limit for a state senate candidate for the 2013-2014 non-election segment by \$764. The committee returned \$800 in contributions to their source to reduce the total amount accepted from special sources to \$5,964.
2. In February 2015, a routine Board reconciliation audit of the committee's 2014 year-end Report of Receipts and Expenditures showed that the committee had accepted an additional \$350 in contributions from special sources in 2014. When the \$350 in special source contributions accepted in 2014 is added to the \$5,964 in contributions that the committee accepted from these sources in 2013, the committee exceeded the \$6,000 aggregate special source limit for the 2013-2014 non-election segment by \$314. The excess \$314 was not returned within 90 days and was therefore deemed accepted under Minnesota Statutes section 10A.15, subdivision 3.
3. In response to staff inquiries, the committee's former treasurer stated that the \$350 had been contributed by two political committees and that the last contribution had been deposited by the Candidate approximately three months before the Candidate had entered into the conciliation agreement. When the treasurer learned of the deposits, the treasurer issued checks returning the contributions but the 90-day return period had already passed. The committee provided the Board with copies of the checks used to return the excess contributions.
4. Board records show that this is the second instance in which the committee reported acceptance of contributions that exceeded the aggregate special source limit. The committee registered with the Board on August 1, 2011.
5. The parties agree that the committee accepted excessive contributions from special sources in violation of Minnesota Statutes section 10A.27 subdivision 11, for the second time in the 2013-2014 non-election segment.
6. The parties also agree that the committee's acceptance of the additional \$350 in special source contributions did not violate the terms of the October 18, 2014, conciliation agreement because the contributions were accepted before the Candidate entered into that agreement.
7. To resolve this matter informally, and to avoid these violations in the future, the Candidate and the committee agree that they will:
 - a. Refrain from personally depositing contributions. All contributions will be transferred to the committee's treasurer for deposit into the committee's account;

- b. Continue using the CFR reporting software provided by the Board for a period of 4 years; and
- c. Ensure that the committee's treasurer enters all contributions into the CFR reporting software within 60 days of receipt. Entering contributions within this timeframe will allow the software to detect violations of the campaign finance laws and also provide the committee with 30 days to return a contribution to its source before it is deemed accepted.

8. The Candidate agrees that the Board's acceptance of this agreement constitutes the imposition of a civil penalty in the amount of \$628 against the Candidate, two times the amount of the violation, for accepting contributions in excess of the limit imposed by Minnesota Statutes section 10A.27 subdivision 11. \$157 of the penalty is due within 30 days of the date the agreement is signed by both parties and the remaining \$471 is, by the terms of this agreement, stayed until January 1, 2017. If the Candidate violates Minnesota Statutes section 10A.27 subdivision 11, before January 1, 2017, the outstanding civil penalty is due immediately. If the Candidate does not violate Minnesota Statutes section 10A.27 subdivision 11, within that timeframe, the outstanding civil penalty is waived.

9. 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.

/s/ Jeff Hayden Dated: July 26, 2015
Senator Jeff Hayden
Jeff Hayden for Senate

/s/ Gary Goldsmith Dated: July 6, 2015
Gary Goldsmith, Executive Director
Campaign Finance and Public Disclosure Board

Agreement approved by Board at meeting of July 6, 2015

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