

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

CONCILIATION AGREEMENT

In the matter of the House Republican Campaign Committee (HRCC) (20010);

1. The House Republican Campaign Committee (HRCC) is the Republican legislative party unit organized in the House of Representatives. On August 8, 2024, the Board was notified by R. Reid LeBeau II, legal counsel for the HRCC, that the party unit was self-reporting a violation of the disclaimer requirement in Minnesota Statutes section 211B.04. The violation occurred when a mailer in support of Representative Brian Johnson was distributed with a disclaimer stating that:

This is an independent expenditure prepared and paid for by the Republican Party of Minnesota and the HRCC. It is not coordinated with or approved by any candidate nor is any candidate responsible for it. www.mngop.org www.mnhrcc.com.

The mailing was an independent expenditure. However, as explained by Mr. LeBeau, the disclaimer was inaccurate: “Unfortunately, through inadvertent error of the vendor and HRCC staff, the final approved mailing piece was sent out claiming to be a joint I.E. of the Republican Party of Minnesota and the HRCC. This was incorrect. The I.E. was wholly prepared and paid for by the HRCC.”

2. By separate email on August 8, 2024, Mr. LeBeau notified the Board that the HRCC had identified another mailer that contained the same disclaimer error. The mailer was in support of Representative Ron Kresha.

3. Based on the notifications of the disclaimer violations, the Executive Director opened a staff review to determine if the disclaimer violations could be resolved through a conciliation agreement.

4. In response to a staff inquiry, Mr. LeBeau provided that the mailer supporting Representative Johnson was distributed on July 23, 2024, the mailing consisted of 4,557 pieces, and the cost of the mailing was \$3,975.68. The mailer supporting Representative Kresha was distributed on July 25, 2024, the mailing consisted of 5,176 pieces, and the cost of the mailing was \$4,546.26.

5. Minnesota Statutes section 211B.04, subdivision 2, requires the inclusion of a disclaimer on independent expenditures. The wording of the disclaimer provided on the two mailers complies with the statutory requirement but was inaccurate in that it identified the Republican Party of Minnesota as being jointly responsible for the mailers. The Board may impose a civil penalty of up to \$3,000 for a violation of Minnesota Statutes section 211B.04.

6. In determining the appropriate penalty for a violation of the disclaimer requirement the Board considers multiple factors such as whether it was clear who was responsible for the campaign material and how to contact them, whether the violation has been remedied, whether there were

