

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

**FINDINGS REGARDING THE
HRCC (HOUSE REPUBLICAN CAMPAIGN COMMITTEE)**

Procedural Background

On December 20, 2004, Representative Timothy Mahoney filed a complaint with the Campaign Finance and Public Disclosure Board (“the Board”) against the HRCC (House Republican Campaign Committee), a registered political party unit, alleging that certain individuals who contributed to the HRCC determined how the HRCC would spend the contributions it received.

Specifically, Representative Mahoney alleged that the HRCC potentially violated Minn. Stat. §10A.16, by soliciting or accepting contributions with the express or implied condition that the contribution or any part of it be directed to a particular candidate.

By letter dated December 21, 2004, the Board notified Speaker Steven Sviggum, Chair, HRCC, of the complaint and afforded him an opportunity to respond.

Speaker Sviggum responded by letter dated January 13, 2005. In response to an inquiry from the Board regarding the names of the individuals responsible for determining which candidates received contributions from the HRCC, Speaker Sviggum provided the names of the individuals that comprised the 2001-2002 and 2003-2004 HRCC Steering Committees.

In response to the Board’s inquiry regarding the process used to determine which candidates would receive contributions, and what amount they would receive, Speaker Sviggum stated “In determining allocation of resources the Committee considers such factors as incumbent protection, Republican Index in each district, feedback that a candidate is meeting expectations in the amount of personal effort applied to his/her campaign, and the candidate’s ability to raise funds and recruit volunteers. The Committee meets regularly to assess indicators of a successful campaign and moves resources around to ensure the best election outcome.”

In response to an inquiry from the Board regarding any expressed or implied conditions placed on the contributions referenced in Representative Mahoney’s complaint, Speaker Sviggum stated “Earmarking is a prohibition which the Committee is very conscious of and scrupulously avoids. All communications with members on solicitations are general in content.” Per the Board’s request, Speaker Sviggum provided a copy of a contribution solicitation letter sent to HRCC members.

The Board reviewed this matter in executive session at its meeting on January 25, 2005. The Board’s decision was based on the complaint, Speaker Sviggum’s response and the documents Speaker Sviggum provided in support of his response.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

There is no evidence that any express or implied conditions were placed on the contributions solicited or received from the legislators referenced in the complaint to the HRCC and thus no probable cause to believe that the HRCC violated Minn. Stat. §10A.16.

Based on the above Statement of the Evidence, the Board makes the following:

FINDINGS CONCERNING PROBABLE CAUSE

There is no probable cause to believe that the HRCC violated Minn. Stat. §10A.16, which prohibits a political party unit from accepting or soliciting contributions with the express or implied condition that the contribution or any part of it be directed to a particular candidate.

Based on the above Findings, the Board issues the following:

ORDER

The allegation that the HRCC violated Minn. Stat. §10A. 16 is dismissed in all respects and the Board's investigation of this matter is hereby made a part of the public records of the Board pursuant to Minn. Stat. §10A.02, subd. 11. Board staff is directed to forward copies of these Findings to Representative Mahoney and Speaker Sviggum.

Dated:

Jan. 25, 2005

Terri Ashmore

Terri Ashmore, Chair
Campaign Finance and Public Disclosure Board