



REPUBLICAN PARTY OF MINNESOTA

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Tony Sutton
State Chair

December 11, 2009

Mr. Gary Goldsmith, Executive Director
Campaign Finance & Public Disclosure Board
190 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155-1603

Dear Mr. Goldsmith,

We are writing to file a formal complaint regarding DFL gubernatorial candidate and Speaker of the House Margaret Anderson Kelliher.

News accounts from the St. Paul *Pioneer Press* and Minnesota Public Radio raise deeply troubling questions about Speaker Kelliher's campaign finance activities and potentially illegal campaign coordination.

Minnesotans deserve a full and complete accounting of the following outstanding questions:

- When were the donations referenced by the *Pioneer Press* and Minnesota Public Radio made to Speaker Kelliher?
- By whom were the donations made?
- What were the amounts of said donations?

According to the *Pioneer Press*, "At issue are donations made on behalf of Kelliher, apparently after her campaign reached its limit for nonelection-year donations. Money was given to the DFL, bypassing Kelliher to help buy a pricey database — called a Voter Activation Network, or VAN — of Democratic voters for her campaign's use."

"Under state campaign finance rules, candidates in non-election years can raise \$500 each from lobbyists, political action committees and individuals. Once they reach \$95,800, however — and Kelliher and several other DFL candidates appear to have hit that mark — they can no longer accept donations from lobbyists and PACs. However, candidates may still raise donations from individuals of up to \$250 apiece. The Kelliher campaign asked individuals to help buy the VAN, which one source said costs \$13,000. [DFL Chair Brian] Melendez wouldn't confirm that figure but said it was 'in the ballpark.' Such coordinated donations should count against a candidate's fundraising cap," the *Pioneer Press* further reported.

You were also quoted telling the *Pioneer Press*: "If there's a coordination like that, it would still be considered a contribution to a candidate."

"The donations also may run afoul of state rules against 'earmarked' donations, or donations made to a campaign committee with the express or implied purpose of being redirected to a specific candidate," the *Pioneer Press* added.

Speaker Kelliher's fellow DFL gubernatorial candidates have raised concerns regarding potential illegality. "I think there's some questions to be asked. Number one, I don't think it's legal. But also it seems like one candidate is getting preferential treatment," state Senator Tom Bakk told the *Pioneer Press*.

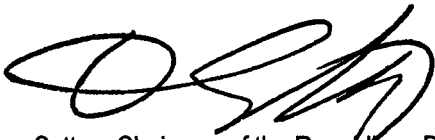
"If the allegations are true it's really upsetting. The issue would be the party playing favorites, but also it's apparently a campaign violation. ... Why in the heck would somebody think that that's OK to do?" state Senator John Marty told the paper.

Senator Marty further told Minnesota Public Radio: "I can't think of any reason you would say 'If you want to help me give it to somebody else.' The only reason I can think one wants to do that is if they're approaching the limits on how much we can accept from that source of money. In other words, to circumvent the contribution limits and that's what I'd be extremely concerned about."

"It's the responsibility of both Speaker Kelliher and the party to play by the rules. I hope going forward that we have a fair process because that's what the people deserve," State Representative State Rep. Paul Thissen told MPR.

Thank you for your attention to this very serious matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tony Sutton', with a large, stylized initial 'T'.

Tony Sutton, Chairman of the Republican Party of Minnesota

A handwritten signature in black ink, appearing to read 'Michael Brookhoff', with a large, stylized initial 'M'.

Michael Brookhoff, Deputy Chairman of the Republican Party of Minnesota