

Danny Tarkanian: Sue Lowden breaking campaign law by accepting donated RV

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Sue Lowden, a leading Republican contender to challenge Sen. Harry Reid, is being accused by a chief competitor of breaking campaign finance law for accepting a luxury campaign bus as a campaign contribution.

A campaign contributor is “leasing” to Lowden the RV she is using as her campaign bus, according to her campaign. But Lowden’s name is on the title along with the name of the supporter, Carl Giudici, seemingly indicating they co-own the bus.

Campaign finance rules allow in-kind contributions of \$2,400 — equal to the cash limit. The contribution of a luxury RV, which commonly costs more than \$100,000, would be a violation of the law.

Danny Tarkanian, who narrowly trails Lowden according to polling of the Republican U.S. Senate primary field, has called into question whether Lowden is breaking the law.

“Like a typical insider, Sue Lowden doesn’t think the rules apply to her,” said Brian Seitchik, a Tarkanian spokesman, who referred to the bus as a “free ride.”

The tan 2001 Monaco, complete with kitchen, shower and bed, was bought by Giudici, a former casino owner, in May 2009 from a Montana dealer, according to a public database of vehicle registrations.

A few months later, Lowden entered the race and became the front-runner, a status assured in part by the big bus that the campaign had wrapped in a colorful advertisement for her.

In a recent TV appearance, Lowden said a supporter had donated it to her.

For Lowden, the controversy comes at a bad time, just days before early voting and after a rough several weeks in which her lead in public polls has narrowed sharply. She only recently had tried to put behind her provocative remarks in which she defended the idea of bartering — trading goods and services — as a way for people to obtain health care.

Lowden specifically mentioned trading chickens or house painting services for health care; the idea was openly mocked by humorists and politicians alike.

The campaign has offered shifting explanations for the bus’s ownership.

Charles Spies, an attorney for the campaign, wrote in an e-mail last week: “The RV is titled in its owner’s name (not Sue Lowden or Lowden for Senate).”

In response to a records request, however, the DMV confirmed that Lowden is a titleholder with Giudici, indicating co-ownership status.

Later, the Lowden attorney sent a follow-up e-mail: “Although (Lowden) is not the owner of the vehicle (but instead is using it through a private lease agreement), (Lowden) and the owner are on the registration for insurance purposes.”

By law, from the start of the campaign last year until the June 8 primary, Lowden may accept no more than \$2,400 in free use of the vehicle from Giudici, who gave a \$2,200 in-kind vehicle donation last year; he gave another \$200, meaning he is at his limit.

Elsie Giudici has given at least \$2,360 in in-kind vehicle donations since last year, meaning she is also near if not at her limit.

Spies said Lowden is in full compliance with campaign law.

He said the campaign is paying Giudici fair-market value on the days they actually drive the vehicle, though not on the days when it sits at headquarters as a roadside billboard for the Lowden campaign. Later, the Lowden campaign said it is in fact paying fair-market value for days when it sits in the parking lot, but declined to give a dollar amount.

The lowest-priced Monaco model last week on the website privatemotorhomerental.com was available for \$400 a night. Spies said any consideration of fair-market value would have to include the Lowden model's decade of wear and tear.

The campaign paid to have it registered and wrapped in the Lowden banner.

The campaign also paid for significant maintenance, including one disbursement of \$9,496.86 to a Reno RV dealer. The campaign is calling this maintenance "capital improvements" to the vehicle, thus entitling Lowden to more use of the RV as compensation for the money spent on repairs.

Given the \$2,400 that Carl and Elsie Giudici can each give, plus the maintenance credit, the campaign could use the bus for 30 days, assuming \$475 per day, a typical rate for a used, luxury RV.

Campaign finance disclosure reports show the campaign paid nearly \$6,800 to a Las Vegas company that specializes in vehicle signs, \$1,664 for vehicle registration and significant outlays for gasoline.

Melanie Sloan, a former prosecutor and now executive director of Citizens for Responsibility and Ethics in Washington, took a dim view of the transaction. She said a bus donation would be a clear campaign finance violation.

"He gave it to her. She owns it. She's on the title, and it's in her custody and control. It's an excessive campaign contribution," she said.

The Lowden campaign said the lease agreement states that Lowden in no way owns the vehicle, and that the Giudicis are in fact the owners. A copy of part of the lease agreement provided to the Sun states Sue Lowden for U.S. Senate acknowledges that Carl Giudici owns the vehicle.

"The lease agreement supersedes any implication drawn from the title or registration," Spies said. "From an FEC's (Federal Election Commission) legal perspective, the key point is that she is paying fair-market value for use of the vehicle."

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