

1 CHAIRMAN BENNETT: Where did the money go?

2 MR. WHEELER: It was reimbursed -- the  
3 remaining money in the account was reimbursed to  
4 the chiropractor's association for their legal  
5 fees because they were paying the legal fees out  
6 of the association.

7 CHAIRMAN BENNETT: Okay. Any questions?

8 (No response.)

9 CHAIRMAN BENNETT: We'll close the hearing  
10 portion and ask if there is any motions.

11 MR. CLAYTOR: Mr. Chairman, I would move  
12 that we dismiss the current matter before us and  
13 request the attorney general to return the  
14 matter that has been referred to them.

15 CHAIRMAN BENNETT: Is there a second?

16 MR. KLUTZ: Second.

17 CHAIRMAN BENNETT: Motion and a second.  
18 Any discussion?

19 (No response.)

20 CHAIRMAN BENNETT: Hearing none, all in  
21 favor say "Aye."

22 THE COMMISSION: Aye.

23 CHAIRMAN BENNETT: All opposed say "Nay."

24 (No response.)

25 CHAIRMAN BENNETT: The motion carries.

1 MR. WHEELER: Thank you.

2 CHAIRMAN BENNETT: Case dismissed and we'll  
3 recall -- call off the dogs.

4 MR. WHEELER: Thank you.

5 CHAIRMAN BENNETT: Who is next? We've got  
6 one more in the front row. Are you waiting?

7 MS. BELL: I've been here since before  
8 12:30. That's why I moved up because I didn't  
9 know you sat in the front to go sooner. I sat  
10 in the back like a dummy so --

11 CHAIRMAN BENNETT: Anybody sitting closer  
12 than her longer? Go ahead.

13 MS. BELL: My name is Renda Bell, and I'm  
14 executive officer for Home Builders of Howard  
15 County. And I received a letter dated -- I  
16 don't see the date on it. Here we go, on the  
17 envelope. June 16th, that -- it's for a notice  
18 of hearing, that they did not receive my  
19 financial report for the end of the year.

20 And so I pulled my file out and I called  
21 the election department and explained to them  
22 that it showed -- and this is the only way I  
23 have to show because we have a very old fax  
24 machine and it doesn't spit out a receipt. It  
25 just has a little digital readout that it went

1 successful.

2 MS. THOMPSON: Mr. Chairman, it's on  
3 page 29.

4 CHAIRMAN BENNETT: Thank you.

5 MS. BELL: Oh, I'm sorry. But according to  
6 my records, I did fax that -- that on January  
7 the 7th at 10:35 A.M. So when I received the  
8 letter, the summons, I did call the election  
9 department. And I do not have record of who I  
10 spoke to, but they said, well, to fax that right  
11 away.

12 So on March 22nd -- yeah, March 22nd, I  
13 re-faxed it at 10:52 A.M. with a cover letter  
14 that I faxed it previously on the 7th of  
15 January.

16 CHAIRMAN BENNETT: Can you present that  
17 written evidence to Mr. Simmons to put that in  
18 the record?

19 MS. BELL: Sure. I didn't make copies of  
20 the paperwork so I might keep the paperwork  
21 unless you need it.

22 MR. SIMMONS: We can make copies for you  
23 and send it to you.

24 MS. BELL: Okay. That would be great.

25 MR. SIMMONS: You want to submit that?

1 MS. BELL: Sure, sure.

2 CHAIRMAN BENNETT: Any further oral  
3 testimony that you would like to present?

4 MS. BELL: No, that's all I have. I mean,  
5 I've done this for four years now. And the  
6 first couple times I used the old fax machine I  
7 would call even though I had the, you know, it  
8 told me that it was sent and make sure they  
9 received it; and there was no problems. So this  
10 time, you know, from there on I just assumed it  
11 was going through.

12 CHAIRMAN BENNETT: Any response to that  
13 testimony from the division?

14 MS. THOMPSON: No.

15 CHAIRMAN BENNETT: Do you have any reason  
16 to believe this wasn't originally faxed on  
17 January 7th at 10:30 A.M.?

18 MS. THOMPSON: We didn't receive it.

19 CHAIRMAN BENNETT: When did you put this  
20 sticker on there with the --

21 MS. BELL: The date I sent it. See, if you  
22 look at the bottom there, it's dated when I  
23 filled the paperwork out.

24 CHAIRMAN BENNETT: That was your habit  
25 of -- you did that because your fax machine

1 didn't automatically --

2 MS. BELL: Right. Every one I do have has  
3 a Post It note on it just like that.

4 CHAIRMAN BENNETT: Further questions from  
5 the commissioners? What was the deadline date  
6 for that report?

7 MS. TAYLOR: January 20th.

8 CHAIRMAN BENNETT: It was after the 7th?

9 MS. THOMPSON: Yes, yes.

10 MS. BELL: January 20th, yeah.

11 CHAIRMAN BENNETT: Okay. Any further  
12 questions?

13 MS. TAYLOR: January 20th.

14 CHAIRMAN BENNETT: Okay. Hearing no  
15 further questions, I'll declare the hearing in  
16 the matter closed and ask if there are any  
17 motions -- any motions to be made by one of the  
18 commissioners. You were here and under oath?

19 MS. BELL: Yes, yes, yes.

20 MR. CLAYTOR: Mr. Chairman, I move that we  
21 waive the fine in this matter.

22 CHAIRMAN BENNETT: Is there a second?

23 MR. KLUTZ: Second.

24 CHAIRMAN BENNETT: Motion and a second.  
25 Any discussion?

1 (No response.)

2 CHAIRMAN BENNETT: Hearing none, all in  
3 favor say "Aye."

4 THE COMMISSION: Aye.

5 CHAIRMAN BENNETT: All opposed say "Nay."

6 (No response.)

7 CHAIRMAN BENNETT: The fine is waived.

8 MS. BELL: Thank you very much.

9 CHAIRMAN BENNETT: I guess this is the  
10 feeding system now. Good afternoon.

11 MR. DOADES: Good afternoon. My name's  
12 Corbin Doades, C-o-r-b-i-n, last name  
13 D-o-a-d-e-s. We are here for the Indiana  
14 Veterans Party of America, Cause  
15 No. 2016-6690-95.

16 CHAIRMAN BENNETT: Thank you. Be seated.

17 MS. TAYLOR: On page 53. Indiana Veterans  
18 Party of America, Cause No. 2016-6690-95,  
19 proposed civil penalties of \$1,000.49, and has  
20 not been before the commission before.

21 CHAIRMAN BENNETT: Okay. Very well. You  
22 may proceed.

23 MR. DOADES: This is for the annual report  
24 that was due on March 1st of 2016. For this  
25 report our state treasurer, who was unable to

1 attend today due to a medical issue, he suffered  
2 a family emergency around the time of the filing  
3 and he was not able to get the report to me to  
4 be faxed in in a timely manner. I'm not really  
5 sure exactly how late we were. I think we were  
6 only a day or two late.

7 We also want to bring up the fact that the  
8 April filing we were also late on filing that as  
9 well; but we do not have a notice for that yet.

10 CHAIRMAN BENNETT: Is that matter before  
11 the commission today?

12 MS. TAYLOR: I'm going to pull his file.  
13 This one gets a little tricky.

14 We checked in a report that we received  
15 March 22nd. Okay. The report we received  
16 March 28th we checked in as the preprimary  
17 report, which may be our fault. And then we  
18 received a report on April 18th and checked that  
19 one in as the annual. So what we've done in the  
20 system, they only have the one delinquency and  
21 looking at it after the fact, they actually have  
22 two delinquencies. We only caught the one. It  
23 might be that we were being nice at the time. I  
24 don't know where to start. There's two reports  
25 this one was received March 28th.

1 MR. KLUTZ: The report's received  
2 March 28th, but when was it due?

3 MS. TAYLOR: This one was due March 1st.

4 MR. KLUTZ: Okay.

5 MS. TAYLOR: We checked it in as the one --  
6 yeah, as the one due April 15th. And then the  
7 one filed one April 18th, and we took that as  
8 the one due March 1st. We just -- we got them  
9 crossed.

10 CHAIRMAN BENNETT: But they were both  
11 delinquent?

12 MS. TAYLOR: They were both delinquent, but  
13 we didn't catch it at the time because we  
14 flipped which one was which. So I guess we were  
15 being nice. This one was filed March 28th  
16 should have been filed March 1st. And then was  
17 filed April 18th, it should have been  
18 April 15th.

19 CHAIRMAN BENNETT: Okay.

20 MS. TAYLOR: This was their annual on  
21 March 28th.

22 MR. DOADES: They both occurred about the  
23 same time. His son got into -- it was a  
24 domestic issue between him and his son. And  
25 because of that incident, he had to go to family



1 court to get his son evicted out of Treasurer's  
2 house that his son was renting. And because of  
3 that, he missed the deadline.

4 CHAIRMAN BENNETT: Because he was in court?

5 MR. DOADES: Correct, but I don't have any  
6 documentation at the present to show that; but  
7 we ask the board, because of the -- because of  
8 that incident, that any penalties be forgiven  
9 since this is our first offense.

10 CHAIRMAN BENNETT: What is the total  
11 penalty then for both -- there's two or just  
12 one?

13 MS. THOMPSON: Just one is what we have in  
14 the system, and that's \$1,000.49.

15 CHAIRMAN BENNETT: So we're not dealing  
16 with the second one?

17 MS. THOMPSON: We are not dealing with the  
18 second one.

19 CHAIRMAN BENNETT: Just dealing with the  
20 first one?

21 MS. THOMPSON: Right. Correct.

22 MR. BOHANON: May I chime in?  
23 Bradford Bohanon, vice chairman for Veterans  
24 Party of America.

25 Kind of when this situation popped we found

1 out about it, my honest comment to him was  
2 "heads will roll," because I didn't want to come  
3 to this. But we have manifested a way to be  
4 more efficient. We have a crosscheck system  
5 we're going use in the future emails.

6 And Pete Waller, the secretary -- I'm  
7 sorry -- the treasurer is no longer going to be  
8 the secretary or treasurer. He moved to  
9 Georgia, so we are going to be making a staff  
10 switch as well. So I want you guys to know  
11 we're trying to make some kind of adjustments so  
12 that we don't have this problem again.

13 CHAIRMAN BENNETT: Any other questions?

14 MR. CLAYTOR: I'm not sure I followed how  
15 being in court caused this to be 28 days late.

16 MR. DOADES: It was kind of an oversight on  
17 the filing date. He was kind of wrapped up in  
18 the whole situation. He forgot to check his  
19 calendar, and I forgot to the doublecheck it as  
20 well. So it's both on us. And we've made --  
21 made corrections, like my vice chairman has  
22 stated.

23 I do have a printed copy of the filing  
24 dates now. I've got it posted up next to my  
25 personal computer. I also have it saved on my

1 phone, so it has reminders so we won't be late  
2 again.

3 CHAIRMAN BENNETT: Anything else?

4 MR. CLAYTOR: No.

5 CHAIRMAN BENNETT: I'm going to declare the  
6 hearing closed and see if there are any motions.  
7 As a practicing trial lawyer, I can't really  
8 excuse people for not getting their work done  
9 because they have to be in court. It's just one  
10 of those things we all have to schedule around.

11 But my thought is that it should be a  
12 reduction to 25 percent. That would be  
13 appropriate had the deal been taken; but since  
14 it wasn't, I'm not sure there's a lot of reason  
15 to reduce it at all. I guess with those  
16 comments, I ask if anyone has a motion.

17 MR. KLUTZ: Mr. Chairman, I would agree. I  
18 think the circumstances you described were the  
19 circumstances that that reduction and that  
20 settlement offer are meant for.

21 The penalties you've seen reduced recently  
22 are for our mistakes, documentation where they  
23 show they faxed it and we didn't receive the  
24 documentation or evidence submitted that we  
25 didn't -- we didn't change the address when the

1 committee did that.

2 This is -- this is tailored -- that  
3 settlement that we offered at the beginning was  
4 tailor made for this situation. So I agree. I  
5 don't have -- I don't think a reduction of  
6 25 percent is appropriate. I would reduce it to  
7 50 percent and that would be my motion, that the  
8 fine be reduced to 50 percent of the proposal  
9 amount.

10 CHAIRMAN BENNETT: I will second that. Any  
11 discussion?

12 (No response.)

13 CHAIRMAN BENNETT: Hearing no discussion,  
14 we have a motion and a second. All in favor of  
15 a 50 percent reduction say "Aye."

16 THE COMMISSION: Aye.

17 CHAIRMAN BENNETT: All opposed say "Nay."

18 (No response.)

19 CHAIRMAN BENNETT: The fine is reduced by  
20 50 percent. Tell them to schedule around those  
21 court hearings the next time.

22 MR. DOADES: We will.

23 MR. GARRETT: My name is William Billy D.  
24 Garrett. And my committee's name, Committee to  
25 elect William Billy D. Garrett. And we had

1 filed a report on the correct date, and I had  
2 talked to Mr. King.

3 CHAIRMAN BENNETT: Do you have a cause  
4 number?

5 MR. GARRETT: 2016-6740-153.

6 MS. TAYLOR: It's on page 81. Cause  
7 No. 2016-6740-153, proposed civil penalty of  
8 \$550.47. And this is their first violation.

9 MR. GARRETT: I had faxed them a copy of  
10 the copy that we had. And my treasurer brought  
11 it to me, and this says official certified copy  
12 true and complete. So we had no reason to  
13 understand that -- to suspect that, in fact,  
14 this was the right note, because when we faxed  
15 it, they told us that it was all we had to do.

16 And we was assuming it was going to be  
17 forwarded to where it needed to go, but we was  
18 on time. And the one before that we was on  
19 time, but I don't know how -- they were telling  
20 us to fax it to the local clerk, and we took it  
21 there. And I have a copy of that, and it's  
22 stamped by the clerk.

23 CHAIRMAN BENNETT: Can you give that to  
24 Mr. Simmons?

25 MR. GARRETT: Well, this is my original. I

1 gave them a copy -- I faxed them a copy of it.

2 CHAIRMAN BENNETT: Do we have a copy in our  
3 records?

4 MR. GARRETT: And I faxed a letter with it  
5 to Mr. King.

6 CHAIRMAN BENNETT: Do we have it in our  
7 books?

8 MR. GARRETT: Yeah, I faxed it to him.  
9 This has the red stamp on it from the clerk's  
10 office, the original.

11 CHAIRMAN BENNETT: Can we look at it?

12 MR. GARRETT: Has the date it was stamped  
13 and completed and ...

14 CHAIRMAN BENNETT: Is there any response to  
15 the testimony by the division? Have you seen  
16 the document he just provided to us?

17 MS. TAYLOR: Yes.

18 CHAIRMAN BENNETT: Can you explain why the  
19 division didn't get it on April 15th?

20 MS. TAYLOR: The county is not at all  
21 required to send us a copy, nor do they  
22 typically send us a copy. It looks like  
23 Mr. Garrett filed it with his county clerk on  
24 April 15th, the due date; but we did not receive  
25 that copy.

1 CHAIRMAN BENNETT: It wasn't filed?

2 MS. TAYLOR: It was not filed with the  
3 division.

4 CHAIRMAN BENNETT: Okay.

5 MR. GARRETT: We had asked them, "Is that  
6 all we need to do?"

7 They said, "That's all you need to do."

8 I wasn't made aware of ten days -- but if  
9 you can look on there, there is very little  
10 money. And so I want to -- I didn't want to let  
11 it go to \$500.

12 That's why I called Mr. King because what  
13 he told us the first time we filed -- this is  
14 how the confusion came about.

15 The first time we filed the first report  
16 was on time. They said, "Well, our fax machines  
17 are busy," clerk's office. They said file in  
18 Indianapolis.

19 CHAIRMAN BENNETT: Who is "they"?

20 MR. GARRETT: At the clerk's office. We  
21 went to two offices. We went to the election  
22 office and the clerk's office.

23 CHAIRMAN BENNETT: The county clerk's  
24 office?

25 MR. GARRETT: Right. And they said their

1 fax machine was busy both places. On time, my  
2 treasurer went there on time. I'm running all  
3 over the place. So they say fax it to  
4 Indianapolis because their fax machines are  
5 busy. We said okay, we'll fax this to  
6 Indianapolis.

7 Then they came back the second time -- we  
8 faxed it with them. They didn't tell us to fax  
9 it here. We had assumed that since the fax  
10 machine was not busy the second time, it was  
11 okay. And they stamped it showing complete.

12 CHAIRMAN BENNETT: I don't know who "they"  
13 are.

14 MR. GARRETT: The clerk's office. It's on  
15 there. She stamped it.

16 CHAIRMAN BENNETT: The county clerk's  
17 office?

18 MR. GARRETT: Right.

19 CHAIRMAN BENNETT: You're talking to the  
20 county clerk's office?

21 MR. GARRETT: We went to the county clerk's  
22 office and the election office. We went to both  
23 offices to make sure that we did everything  
24 completely. And they said, "You don't to do  
25 anything else."



1 CHAIRMAN BENNETT: Who said that? What  
2 office?

3 MR. GARRETT: Both offices, the clerk's  
4 office and the election office. We went to both  
5 of them. I went to both of them. They said  
6 that's all we need to do, and they stamped it  
7 complete.

8 CHAIRMAN BENNETT: Well, you -- I believe  
9 you're testifying that both the county clerk's  
10 office and the election division office told  
11 you --

12 THE COMMISSION: No, no. He's saying the  
13 county election board.

14 MS. OVERHOLT: Can I see the form again?

15 CHAIRMAN BENNETT: Sure.

16 MR. GARRETT: It was just an honest  
17 mistake, because we was just faxing it on time.  
18 No one told me we had to fax it -- and we kind  
19 of assumed that if we faxed it there and it  
20 needed to go somewhere else, they would send us  
21 somewhere else. But they never told us they  
22 needed to go in one of these things. Just bring  
23 it down by 12:00 noon, and we did that. We took  
24 it down there that day before 12:00 noon, faxed  
25 it and filed it and they stamped it.

1 As a matter of fact, she hand delivered it.  
2 She didn't fax it. I mean, she left work to do  
3 that for me.

4 CHAIRMAN BENNETT: Okay. Anything else?  
5 Any other testimony you would like to provide?

6 MS. OVERHOLT: Well, just out of curiosity,  
7 we don't have the back -- I'm sorry. You can  
8 finish your question for the staff. Sorry.

9 CHAIRMAN BENNETT: No. Go ahead.

10 MS. OVERHOLT: Well, I was just -- I was  
11 wondering if we had the -- I'm just curious  
12 about that because we've heard a lot today about  
13 people not knowing about deadlines and where to  
14 send things and all this staff, so the front of  
15 the form references instructions on the back of  
16 the form for filing. We have the front page,  
17 and I don't -- we don't have the back page. So  
18 I'm wondering if staff have --

19 MR. GARRETT: That's another thing. On the  
20 form it doesn't have --

21 MS. OVERHOLT: On the very bottom. So I'm  
22 wondering if the staff have the -- the way the  
23 form actually looks.

24 CO-DIRECTOR NUSSMEYER: You want a blank  
25 copy of the form?

1 MS. OVERHOLT: Yes. That's another way to  
2 put it, yes, a blank copy of the form. Do we  
3 have --

4 MS. THOMPSON: I don't have a blank copy.

5 MR. GARRETT: I have the front page. It  
6 doesn't have a fax number on it nowhere.

7 MS. OVERHOLT: Yeah. I know there's not a  
8 fax number on the front.

9 CHAIRMAN BENNETT: The question is: Are  
10 there instructions on the back?

11 MS. OVERHOLT: Right, right. Because I  
12 think we need to hold people to at least reading  
13 the instructions and following them. I just --  
14 I don't know. I'm getting a little --

15 CHAIRMAN BENNETT: This is why you should  
16 take the deal early.

17 MR. CLAYTOR: Yeah, that's true.

18 MS. OVERHOLT: And I thought actually we  
19 had one in here that had the -- okay. Thank  
20 you.

21 MS. THOMPSON: It's double sided.

22 MS. OVERHOLT: Yes, it is double sided. So  
23 it does on the back -- I mean, it does say this  
24 form must be filed electronically with the  
25 election division. Contact the division at --

1 and there's an 800 number for more information.

2 CHAIRMAN BENNETT: All right. I do think  
3 if the laws in our ruling are to have any  
4 effect, we need to expect that people are going  
5 to read the forms and file them in the  
6 appropriate places. Unless there's any other  
7 questions, I want to declare the hearing on this  
8 matter closed and ask if there is a motion from  
9 any of the commissioners. Any motions?

10 MS. OVERHOLT: Well, could I ask you one  
11 more question? I'm sorry.

12 CHAIRMAN BENNETT: Ask your question.

13 MS. OVERHOLT: So is this committee still  
14 active?

15 MR. GARRETT: Yes. The account is still  
16 open, yeah. And he told us that we have to keep  
17 on filing the forms until the -- as long as the  
18 account is open. But I guarantee they'll be  
19 faxed to Indianapolis from now on now that we  
20 are clear with that. Because I want to -- I  
21 wouldn't have let it went ten days. I would  
22 have did it immediately if I would have known.

23 CHAIRMAN BENNETT: I'm going to make a  
24 motion that we would reduce the fine to  
25 50 percent. It appears to have been a good

1 faith mistake, but it was a mistake that could  
2 have been avoided by reading the form. So I  
3 don't think that it's appropriate to waive the  
4 fine.

5 MR. GARRETT: Does say on there to fax it  
6 that number? I don't have a back copy of that.

7 CHAIRMAN BENNETT: The original would have  
8 that on it.

9 MR. GARRETT: Okay.

10 CHAIRMAN BENNETT: So that's my motion,  
11 that the fine be reduced by 50 percent.

12 MR. CLAYTOR: I'll second.

13 CHAIRMAN BENNETT: We have a motion and a  
14 second. All in favor say "Aye."

15 THE COMMISSION: Aye.

16 CHAIRMAN BENNETT: All opposed say "Nay."

17 (No response.)

18 CHAIRMAN BENNETT: The motion carries.  
19 Fine reduced to 50 percent.

20 MR. GARRETT: That would be \$250; right? I  
21 want to make sure I get it right.

22 MS. OVERHOLT: \$275.

23 CHAIRMAN BENNETT: You'll get a notice in  
24 the mail.

25 MR. GARRETT: I'll get a notice in the

1 mail? Okay. I appreciate that.

2 MR. PEEBLES: My name is David Peebles,  
3 P-e-e-b-l-e-s. And with me is Nellie Thompson.  
4 And we are with 6455-145, Montgomery County  
5 Democrats for Progressive Action.

6 MS. TAYLOR: Page 79, Cause  
7 No. 2016-6455-145.

8 MR. PEEBLES: And we're here for a  
9 delinquent filing of a preprimary, but we'd like  
10 to call the commission's attention -- and I  
11 handed Mr. Simmons there -- in January we filed  
12 an annual that had the box checked off "final  
13 disbanded." And in there the certified mail was  
14 not signed by the commission but had a  
15 commission -- or a division stamp on the green  
16 card. So we'd ask -- or what we're asking for  
17 then is that the fine for not filing preprimary,  
18 because the account was closed at the end of --  
19 the end of '15, we're asking that the 2016  
20 preprimary be --

21 MS. TAYLOR: This is their first  
22 delinquency, and the committee is closed.

23 MR. PEEBLES: That was the exhibit we  
24 showed closed in January. And I guess it didn't  
25 register with the commission then. That's why

1 we're here today. Or the division. Sorry.

2 CHAIRMAN BENNETT: Closed in January and  
3 you got a notice that you had missed what  
4 deadline?

5 MR. PEEBLES: The preprimary for this year.

6 CHAIRMAN BENNETT: Which would have been  
7 when?

8 MR. PEEBLES: April 15th. And we did  
9 file -- we shouldn't have had to, but just to  
10 protect ourselves we filed a preprimary.

11 CHAIRMAN BENNETT: Any response from the  
12 division on that?

13 MS. TAYLOR: Their annual report filed  
14 January 19th, 2016, had all zeros; but they did  
15 not close the committee.

16 MS. THOMPSON: Then there was an amended  
17 copy.

18 MR. PEEBLES: I think the one we presented  
19 Mr. Simmons was an amended dated --

20 MS. TAYLOR: We have an amendment received  
21 April 21st where they checked the box, but we  
22 did not receive that until after the preprimary  
23 report was due.

24 CHAIRMAN BENNETT: Okay. Any reply?

25 MS. THOMPSON: Pardon?

1 CHAIRMAN BENNETT: Any reply to that?  
2 They're saying that the box was not checked to  
3 close the committee until April 21st, and the  
4 form was due on April 15th.

5 MS. THOMPSON: Well, when you discover an  
6 error, you amend the report.

7 CHAIRMAN BENNETT: And you anticipated that  
8 amendment would relate somehow to before the  
9 filing deadline.

10 MS. THOMPSON: Pardon? I'm sorry. I  
11 talked with Abbey Taylor. I went ahead and sent  
12 the first one in so that it wouldn't be late,  
13 the year end. And then by the time I got the  
14 answer to my question, that that was what you  
15 had to do to close it out, it was the -- it was  
16 mailed the very next day then.

17 CHAIRMAN BENNETT: Anything else that you  
18 want to present or any testimony you want to  
19 offer?

20 MR. PEEBLES: No. I guess in the  
21 alternative, if the commission doesn't waive the  
22 fine, we'd ask for 25 percent. It's only \$350  
23 fine, but we would ask for 25 percent.

24 CHAIRMAN BENNETT: Okay. Any questions by  
25 the commission?



1 MR. KLUTZ: When was the amendment  
2 received?

3 MS. TAYLOR: April 21st.

4 MR. KLUTZ: And what was the date that it  
5 was signed?

6 MS. TAYLOR: January 14th.

7 MR. KLUTZ: So you signed it January 14th  
8 and then filed it.

9 MS. THOMPSON: There's the certified mail  
10 things that shows it was stamped the 15th at the  
11 post office in Crawfordsville.

12 MR. PEEBLES: There is a clarification.  
13 Nellie, you signed that dated January 2015. It  
14 should be 2016, which is clear from the  
15 reporting period.

16 MS. THOMPSON: I know someone said they  
17 couldn't find that. Is that --

18 MS. TAYLOR: We -- the one we have is from  
19 April 21st. We never got an amendment in  
20 January.

21 MS. THOMPSON: Oh, okay.

22 MS. TAYLOR: So the report filed in January  
23 and on time had all zeros, but it did not have  
24 the box checked closing the committee. We never  
25 received an amendment until April 21 after the

1 preprimary report was due.

2 MS. THOMPSON: Well, that we just emailed  
3 or faxed -- emailed, I think. But yeah, the  
4 copy that we had sent in with the postal proof  
5 and it was received here. No one had signed  
6 that green card, but it had the stamp on it  
7 saying Indiana Election Board or whatever.

8 I went to the post office and asked them  
9 how that happened, you know, that they let it go  
10 through without it being signed; but they did.

11 And it just happened like that.

12 CHAIRMAN BENNETT: Anything else? Anybody  
13 have any other questions or comments? I will  
14 declare the hearing closed and asked if there is  
15 any motion by any of the commissioners.

16 MR. CLAYTOR: Mr. Chairman?

17 MR. KLUTZ: Mr. Chairman?

18 MR. CLAYTOR: I'm sorry. Go ahead.

19 MR. KLUTZ: It looks like they appear to  
20 have closed the committee but just simply did  
21 not do it either timely or properly so they  
22 tried to comply, but they did not. To me this  
23 would be something that they should have availed  
24 themselves of for the 25 percent penalty, so I  
25 would recommend a penalty of 50 percent of the

1 proposal.

2 MS. THOMPSON: Could I make one more  
3 statement or have you closed the hearing?

4 CHAIRMAN BENNETT: The hearing is closed,  
5 but I'm going to second the motion and open it  
6 up for discussion by the commission. And if you  
7 have something omitted that you would like to  
8 say, go ahead.

9 MS. THOMPSON: I know a couple years ago I  
10 had the same situation where I was contacted.  
11 This report wasn't filed. And then they said  
12 they couldn't find it, although I sent them  
13 copies of it. And it was discovered at that  
14 time that it was the county party whose report  
15 was late because of change in -- in treasurers,  
16 I think. And so we got that cleared up, because  
17 it was here and I had the proof it was here.

18 CHAIRMAN BENNETT: Well, we have a motion  
19 and a second. Any discussion on the motion for  
20 50 percent reduction for the fine?

21 (No response.)

22 CHAIRMAN BENNETT: Hearing none, all in  
23 favor say "Aye."

24 THE COMMISSION: Aye.

25 CHAIRMAN BENNETT: All opposed say "Nay."

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1 (No response.)

2 CHAIRMAN BENNETT: Motion carries.

3 MS. THOMPSON: Thank you.

4 UNIDENTIFIED MALE: They were here first,  
5 Mr. Chairman. I'm happy to let most of that  
6 side go, to be honest. Most of them were here  
7 before I was.

8 MR. MELCHER: Yes, my name is Stephen,  
9 S-t-e-p-h-e-n, middle initial R, last name  
10 Melcher, M-e-l-c-h-e-r. This is my wife Anna,  
11 A-n-n-a. Her name, of course, is Melcher. I've  
12 got four in front of me. So I don't know which  
13 case number you want. But --

14 MS. TAYLOR: 8, 9, 17.

15 MR. MELCHER: What happened is I've been  
16 before you before on October 16th, 2014. And we  
17 came in at that time when we found out what the  
18 mistake was. I had a heart coronary -- or my  
19 heart stopped. What was it September 20th?

20 MRS. MELCHER: Yes.

21 MR. MELCHER: September 20th, so I didn't  
22 even get back out on the election -- election  
23 thing at that year until two days before the  
24 election. So my wife had to pick up all --  
25 never did this stuff before, so she was just

1 trying to copy from other ones on what to do.

2 And she used the date of the check that she  
3 got in, not the date that she received it. And  
4 I think that was all taken care of. The ladies  
5 over here helped her a lot. So we filed  
6 everything, and we came before you then on three  
7 of these. And we was asking for forgiveness in  
8 that because she just did it wrong, which was --  
9 I'm glad she did it trying to watch out for me,  
10 but the only thing she did was she used the date  
11 that was on the check. And we know most of  
12 those checks are later.

13 Well, when we got here, we found out there  
14 was another one that same day. So I asked the  
15 board to vote on it and they said no, they want  
16 to vote them all the same time.

17 MS. TAYLOR: Yep.

18 MR. MELCHER: So I said, well, tomorrow  
19 morning you'll have the revised one, the one  
20 they just gave us of the meeting. And we did  
21 that. The very next morning we sent that in and  
22 they received it, because she always called them  
23 and faxed.

24 So as far as I know as of, I guess that  
25 would be the 17th of October this was settled,

1 so it was just a matter of voting. And I ran  
2 into Tony Long and I said, "They never called me  
3 back up here again. Can you find out what's  
4 going on here?"

5 The next thing I know I got a letter from  
6 them. I don't know if it's because of him or we  
7 haven't had one since then, so I don't know.

8 MS. TAYLOR: You haven't had one since  
9 then?

10 MR. MELCHER: Well, or we'd of this done a  
11 long time ago, because it was just a matter of a  
12 date that threw all this off.

13 MS. THOMPSON: Mr. Chairman, these were  
14 tabled at the last meeting for Mr. Melcher to  
15 get these filed and close his committee; and he  
16 has done that.

17 CHAIRMAN BENNETT: Okay. Anything else?

18 MR. MELCHER: I'm just asking for  
19 forgiveness. The committee, like she said, is  
20 closed. She knows what to do now, but hopefully  
21 I won't be there anymore.

22 CHAIRMAN BENNETT: Okay. Any questions by  
23 the commissioners?

24 (No response.)

25 CHAIRMAN BENNETT: Declare the hearing on

1 the matter closed. I'll ask if there are any  
2 motions. I'll move to dismiss this matter.

3 MR. MELCHER: Thank you.

4 CHAIRMAN BENNETT: We need a second,  
5 though.

6 MR. CLAYTOR: Second.

7 CHAIRMAN BENNETT: We have a motion and a  
8 second. All in favor say "Aye."

9 THE COMMISSION: Aye.

10 CHAIRMAN BENNETT: All opposed say "Nay."

11 (No response.)

12 CHAIRMAN BENNETT: Motion carries.

13 MR. MELCHER: Thank you very much.

14 Mr. Chairman, members of the committee, my name  
15 is Parvin Gillim. That is P-a-r-v-i-n, G -- as  
16 in "golf" -- i-l-l-i-m as in "Mike." I'm here  
17 representing the Parvin for 32 Committee,  
18 Administrative Cause No. 2015-6599-94.

19 MS. THOMPSON: Mr. Chairman, these are on  
20 page 14 and 15.

21 CHAIRMAN BENNETT: Thank you.

22 MS. THOMPSON: Mr. Chairman, these were  
23 also tabled from the last meeting for him to  
24 file these supplemental reports and close his  
25 committee -- and close his committee. And he

1 has done that.

2 CHAIRMAN BENNETT: Very well. Anything  
3 else you would like -- you would like to say?

4 MR. GILLIM: Mr. Chairman, I have listened  
5 this committee. And I understand you have to,  
6 you know, you have very strict rules to abide  
7 by. And I appreciate what you must go through  
8 to -- to handle this.

9 And I thought I was following the book  
10 correctly, but I missed that one report. And  
11 for that I apologize, but I ask for -- that the  
12 penalty be waived and to dismiss this cause.

13 CHAIRMAN BENNETT: And your committee is  
14 closed?

15 MR. GILLIM: The committee is closed.

16 CHAIRMAN BENNETT: All right. Any  
17 questions?

18 MR. KLUTZ: Mr. Chairman, just so -- we  
19 heard this in a prior meeting and --

20 MS. TAYLOR: Yes.

21 MR. KLUTZ: -- said was there a conditional  
22 waiver. I just don't remember.

23 MR. GILLIM: My understanding was, at the  
24 time -- and I was told that was not the case.

25 My understanding at the time was if I filed the



1 report, that the case would be closed; but that  
2 was, I guess, not the case after speaking to  
3 staff here. That was -- they thought it was and  
4 then said it's not.

5 MS. THOMPSON: When we went back and  
6 checked, the question was did he have to come  
7 back today if he took care of the paperwork and  
8 closed his committee. We did not, at the last  
9 meeting, say they did not have to come back. So  
10 I told him that he ought to be here today.

11 MR. KLUTZ: My recollection of it would be  
12 that it was likely if we made the waiver  
13 conditional upon him taking certain action, and  
14 it sounds like he did it.

15 MS. THOMPSON: Yes, he did.

16 MR. KLUTZ: I make a motion to waive the  
17 penalty.

18 MR. CLAYTOR: Section.

19 CHAIRMAN BENNETT: A motion and a second.  
20 Any discussion?

21 (No response.)

22 CHAIRMAN BENNETT: Hearing none, all in  
23 favor say "Aye."

24 THE COMMISSION: Aye.

25 CHAIRMAN BENNETT: All opposed "Nay."

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1 (No response.)

2 CHAIRMAN BENNETT: Motion granted.

3 MR. GILLIM: Thank you.

4 MS. BOYCE-CANFIELD: Hello. I'm here on

5 the committee for Tim Canfield,

6 No. 2016-6722-88. My name is Jennifer

7 Boyce-Canfield, B-o-y-c-e-C-a-n-f-i-e-l-d.

8 MS. TAYLOR: Mr. Chairman, page 49.

9 CHAIRMAN BENNETT: Um-hum.

10 MS. TAYLOR: Committee to Elect Timothy

11 Canfield, Cause No. 2016-6722-88, first time

12 before the commission; and the committee is

13 closed with a proposed civil penalty of \$300.49.

14 CHAIRMAN BENNETT: \$350?

15 MS. TAYLOR: \$300.49.

16 MS. THOMPSON: It's on page 50. I'm sorry.

17 CHAIRMAN BENNETT: Okay.

18 MS. BOYCE-CANFIELD: We got the notice that

19 we were delinquent. Apparently the state had

20 had Timothy running as state treasurer. He did

21 not run for state treasurer. He ran for the

22 clerk treasurer of Burns Harbor, which is in

23 Porter County. We filed all of our documents

24 with the county on time, and I have copies of

25 all this information.

1           Apparently when I did the application, the  
2 original CFA form online, there was a drop-down  
3 for the position. And the only thing that  
4 looked similar to what he was running for was  
5 state treasurer because the only options are  
6 governor, lieutenant governor, secretary of  
7 state, attorney general, the auditor, state  
8 treasurer, clerk of the Supreme Court,  
9 superintendent of public instruction, state  
10 senator, and state representative.

11           When we gave the form to our county. She  
12 asked me to correct it, which we did. I did not  
13 know that the state still had him running as  
14 state treasurer, which was in 2014, not in 2015.

15           So there was no committee, and there is no  
16 money. And we did file the reports that -- was  
17 it Taylor? I think it was you that I talked to  
18 on the phone. She asked me to file it anyway,  
19 showing 0, which we did. So I don't know  
20 exactly what else to do, but our report with the  
21 county was filed on time.

22           CHAIRMAN BENNETT: Okay. The committee is  
23 closed now?

24           MS. BOYCE-CANFIELD: It's closed.

25           CHAIRMAN BENNETT: Anything else you would

1 like to say?

2 MS. BOYCE-CANFIELD: No.

3 CHAIRMAN BENNETT: Anything from the  
4 division?

5 MS. TAYLOR: I think that they -- I mean,  
6 they were running for a local office. And  
7 our -- our online system is only -- only used by  
8 state candidates, so statewide candidates or  
9 state legislative candidates. I think they  
10 intended to run for local treasurer and that's  
11 not an option on our system, but treasurer is an  
12 option on our system. I think it was just a big  
13 mistake that wasn't corrected until it was too  
14 late for us.

15 MS. BOYCE-CANFIELD: I was just looking for  
16 a form online to type it in rather than  
17 handwriting it, using a typewriter. That's when  
18 I came across the form. So I was like, oh, this  
19 is a good form. So I just filled out online.

20 CHAIRMAN BENNETT: Any questions?

21 (No response.)

22 CHAIRMAN BENNETT: Hearing none, we'll  
23 close the hearing and ask for a motion from the  
24 commissioners.

25 MR. CLAYTOR: Mr. Chairman, I move we

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1 dismiss this action.

2 CHAIRMAN BENNETT: Is there a second?

3 MR. KLUTZ: Second.

4 CHAIRMAN BENNETT: Motion and second. Any  
5 discussion?

6 (No response.)

7 CHAIRMAN BENNETT: Hearing none, all in  
8 favor say "Aye."

9 THE COMMISSION: Aye.

10 CHAIRMAN BENNETT: All opposed, "Nay."

11 MS. BOYCE-CANFIELD: Thank you so much.

12 CHAIRMAN BENNETT: Case dismissed. Thank  
13 your co-counsel for his fine work.

14 MS. BOYCE-CANFIELD: He's learning a lesson  
15 today too. Thank you.

16 MS. MUSGRAVE: Hello. I am  
17 Cheryl Musgrave, C-h-e-r-y-l, M-u-s-g-r-a-v-e.  
18 The cause number is 2016-5904-44. I am  
19 unfamiliar with the workings of this board. And  
20 had I understood your offer of 25 percent at the  
21 beginning, I would have taken it. I apologize  
22 for wasting your time. My committee and I  
23 simply did not comprehend that we had to  
24 close -- close an account and file a report that  
25 was final.

1           The interpretation at our level was that  
2           because the campaign account bank account still  
3           existed and there was a transformation to a  
4           different office, that -- that a final report  
5           wasn't required. After multiple conversations  
6           with your staff, multiple emails over a period  
7           of this, the fact was finally pounded home.

8           So we apologize for the complete lack of  
9           understanding that a final report at the state  
10          level was required so that your computer could  
11          drop this. And we ask that we be treated no  
12          worse than if we had we come up with the  
13          25 percent deal.

14          CHAIRMAN BENNETT: Do we have a page number  
15          on this?

16          MS. THOMPSON: I'm sorry. Page 29.

17          CHAIRMAN BENNETT: Were you any -- well,  
18          let me ask you this: Were you here when I gave  
19          the instructions about the 25 percent deal?

20          MS. MUSGRAVE: But I didn't really  
21          understand. This is my first time at your  
22          board. I was here, but I didn't understand the  
23          rules that you were applying. I've never  
24          studied your board's actions. I didn't know  
25          what you -- what you would be doing. And I

1 thought that, I guess, I would be no worse off  
2 in the case; but having listened to the  
3 testimony, I understand that you get penalized  
4 for it. So I apologize for that.

5 CHAIRMAN BENNETT: Okay. Any questions  
6 from anyone?

7 (No response.)

8 CHAIRMAN BENNETT: Okay. I declare the  
9 hearing closed, and I'll make a motion that --

10 MS. OVERHOLT: I'm sorry. I've got a  
11 question for staff. It looks like this is a  
12 third --

13 MS. THOMPSON: Yes.

14 MS. OVERHOLT: This is the third violation.

15 MS. MUSGRAVE: This is the first time I've  
16 ever been here. I was not aware there was any  
17 violation.

18 MS. TAYLOR: Looks like the 2010 annual was  
19 late and the 2014 annual was late as well.

20 MS. MUSGRAVE: In 2014 -- 2014 was filed at  
21 the local level on the same misunderstanding  
22 that since there was no state office being  
23 sought, no state report was required.

24 I did not receive any notices about that.  
25 The P.O. Box that had been used for 2010

1 campaign had long since been closed. The  
2 forwarding thing for the P.O. Box has long since  
3 expired. The post office simply didn't send it.  
4 No one -- I never got it.

5 When I began to run for commissioner having  
6 started a campaign at the end of 2015 for local  
7 commissioner, I opened up a new P.O. Box with a  
8 new P.O. Box number. And the post office stuck  
9 the notice for this hearing in the new P.O. Box,  
10 but they -- I don't know what they did with the  
11 one they received before. I never got it. I  
12 wasn't aware.

13 MS. THOMPSON: The 2010 she paid a  
14 settlement agreement.

15 MS. TAYLOR: The 2010 annual.

16 MS. MUSGRAVE: And I think that was --  
17 somebody told me, "Here. You have to pay this,"  
18 and sent me something in the mail; and I paid  
19 it.

20 MS. THOMPSON: You got a settlement  
21 agreement in the mail?

22 MS. MUSGRAVE: I would have paid a  
23 settlement agreement in the mail had I got one  
24 for this hearing.

25 MS. TAYLOR: There is the '14.



1 MS. MUSGRAVE: The reports were all filed  
2 at the local level. There was no office being  
3 sought.

4 Should anyone have been interested in the  
5 amount that the account had, those records were  
6 available with the clerk. No money essentially  
7 came in, and no money essentially came out.  
8 Maybe there was \$100 donation out of the account  
9 to somebody else's campaign. But for all  
10 intents and purposes it sat dormant this entire  
11 time filing the required reports with the local  
12 office; but I did not know I had to file  
13 something that said final with a zero balance  
14 because there was never actually a time that  
15 there was zero balance in the account.

16 I understand that that's a requirement of  
17 your computer system to, to get rid of it off  
18 your records. Now I understand that after three  
19 weeks of schooling from your staff, but I did  
20 not.

21 MS. THOMPSON: I don't see that the 2014  
22 annual was filed --

23 MS. MUSGRAVE: I can give you a copy.

24 MS. THOMPSON: -- with us. It might have  
25 been at the local level, but I don't see it with

1 us.

2 MS. MUSGRAVE: I can give that to you now.

3 CHAIRMAN BENNETT: Based on the division's  
4 records, there's two prior violations.

5 MS. THOMPSON: Correct.

6 MS. MUSGRAVE: My email correspondence with  
7 your staff member -- and I can give this to you  
8 now where I filed the required report for the  
9 entity. I asked, "Does it take care of  
10 everything?" And she said yes. She did not  
11 alert me to a need to give you a 2014 filing.

12 CHAIRMAN BENNETT: All right. Any other --  
13 any other questions? Any questions on this?

14 (No response.)

15 CHAIRMAN BENNETT: At this point I would --  
16 does that raise any questions?

17 MR. CLAYTOR: This is just -- this is a  
18 single committee, at the state-level committee.

19 MS. MUSGRAVE: Right.

20 MS. OVERHOLT: But there is another  
21 committee too; right?

22 MS. MUSGRAVE: The Friends of Musgrave has  
23 existed since 1994.

24 MS. OVERHOLT: But you have -- you have two  
25 committees; right?

1 THE WITNESS: In your view, I have two  
2 committees. In my view, I have one committee,  
3 if that makes sense.

4 CHAIRMAN BENNETT: Okay. I'm going to  
5 declare the hearing in the matter closed. It  
6 appears there are two violations. And to the  
7 extent that my instructions weren't clear, I  
8 think it's not inappropriate to allow for the  
9 same deal that would have been taken had my  
10 instructions been abundantly clear, so I would  
11 make a motion for a 50 percent reduction in the  
12 fine.

13 MR. CLAYTOR: Mr. Chairman, before I so  
14 appropriately second your motion, can I ask:  
15 Has everything been filed now?

16 MS. THOMPSON: Yes. She has closed it out  
17 on the state level and moved over down to the  
18 local.

19 MR. CLAYTOR: So but all outstanding  
20 reports have been filed?

21 MS. THOMPSON: Yes.

22 MR. CLAYTOR: Then I would second your  
23 motion.

24 CHAIRMAN BENNETT: Okay. A motion and  
25 second. Any discussion?

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1 (No response.)

2 CHAIRMAN BENNETT: Hearing none, all in  
3 favor say "Aye."

4 (No response.)

5 CHAIRMAN BENNETT: All opposed say "Nay."

6 (No response.)

7 CHAIRMAN BENNETT: The ayes have it.

8 Reduction of the fine by 50 percent.

9 MR. CLAYTOR: And no one is still mad about  
10 their property taxes going up?

11 MS. MUSGRAVE: They are extremely angry.  
12 Officials are angry. Taxpayers are angry. You  
13 can't win on taxes.

14 MR. CLAYTOR: All right.

15 MR. SKORDOS: Mr. Chairman, members of the  
16 commission, my name is Christian Skordos,  
17 C-h-r-i-s-t-i-a-n, S-k-o-r-d-o-s. I am here as  
18 the chair, candidate, treasurer, and sole staff  
19 member of Christian Skordos for State  
20 Representative. Cause No. 2016-6853-161. I'll  
21 give you a moment to find that.

22 MS. THOMPSON: Page 84.

23 MS. TAYLOR: Cause No. 2016-6853-161.  
24 Proposed civil penalty of the \$400.47. And  
25 this is their first delinquency.

1 MR. SKORDOS: Could you tell me what  
2 document you have there? I haven't been here  
3 very long but --

4 MS. TAYLOR: I can pull your file.

5 MR. SKORDOS: What happened was my  
6 preprimary report I attempted to file it on the  
7 15th via fax. And it sounds like I'm not the  
8 only one who had this issue, but apparently it  
9 didn't arrive. I did not discover the issue  
10 until April 21st in the evening when I got home  
11 from work, and I had a letter notifying me of  
12 the delinquency.

13 The next morning, as soon as I had access  
14 to fax machine, I promptly corrected the issue  
15 and sent my preprimary report over. It wasn't  
16 until May 3rd that I got confirmation it had  
17 been received. I attempted to email and call  
18 the election division. Eventually I got an  
19 answer.

20 There was an issue of promptness. I did  
21 not receive notice that I was delinquent until  
22 seven days, well, six, seven days later, which  
23 creates an issue of the extent of the fine. But  
24 I would also like to add my report shows that I  
25 accepted no contributions, I made no

1 expenditures. I don't believe I ever even  
2 opened a campaign account of any sort.

3 And at this point, any fine that is levied  
4 is going to be borne personally by myself. I  
5 made the decision to withdraw from the race  
6 because, quite frankly, I bit off more than I  
7 could chew. I have a six-month-old child, and  
8 you don't realize the time a child takes up  
9 until you have one. So I'd appreciate if you  
10 take all of that into consideration.

11 CHAIRMAN BENNETT: Okay. Thank you. Any  
12 response from the division? Any additional  
13 information that we should be aware of?

14 MS. THOMPSON: The report shows all zeros,  
15 and the committee is not closed at this time.

16 CHAIRMAN BENNETT: Is there any reason why  
17 you have not closed the committee?

18 MR. SKORDOS: I haven't decided whether I  
19 am going to attempt to run again at some point,  
20 but I anticipate I'll likely close that  
21 committee in the near future.

22 CHAIRMAN BENNETT: Questions by the  
23 commissioners?

24 MS. OVERHOLT: I'm just going to ask, you  
25 said you tried to fax it and it didn't go

1 through. Do you have any transmittal receipt or  
2 anything?

3 MR. SKORDOS: No. Our fax machine is  
4 really on and off about that. It's old as can  
5 be; but, quite frankly, I was relying on my  
6 apartment complex's fax machine. And they're  
7 not exactly shelling out the big bucks for  
8 top-of-the-line technology so ...

9 CHAIRMAN BENNETT: Well, I'll declare the  
10 hearing of the matter closed and ask if there  
11 are any motions from any of the commissioners?

12 MR. KLUTZ: You should have taken the  
13 settlement agreement because, again, this seems  
14 tailor fit for your situation. I wish you could  
15 show us a fax that shows a time stamp; and it  
16 was our fault that we didn't receive it, but you  
17 don't have any of that. I would propose that  
18 the fine be reduced by 50 percent.

19 MR. CLAYTOR: Second.

20 CHAIRMAN BENNETT: Motion and a second.  
21 Any discussion?

22 (No response.)

23 CHAIRMAN BENNETT: All in favor say "Aye."

24 THE COMMISSION: Aye.

25 CHAIRMAN BENNETT: All oppose say "Nay."

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1 (No response.)

2 CHAIRMAN BENNETT: Ayes have it. Fine  
3 reduced.

4 MR. SKORDOS: Thank you.

5 MR. GIESLER: Cause No. 2016-6208-59. My  
6 name is Bart Giesler, B-a-r-t, G-i-e-s-l-e-r,  
7 with John Crick and Associates representing the  
8 Motion Picture Association.

9 MS. THOMPSON: Mr. Chairman, page 36 at the  
10 very bottom and top of 37. This is Motion  
11 Picture Association of Indiana Illinois PAC,  
12 Cause No. 2016-6208-59, has a proposed civil  
13 penalty of \$1,000.49 and has not been before our  
14 commission before.

15 CHAIRMAN BENNETT: Thank you. You may  
16 proceed.

17 MR. GIESLER: Thank you. Before you is a  
18 letter from the motion picture -- I'm here to  
19 appear for them as well as an affidavit from  
20 Sarah Walsh who faxed in the report. In the  
21 affidavit, it includes the report and then,  
22 under Exhibit B, the transmittal verification  
23 report that the fax did go through of the three  
24 pages. The fax was sent on January 15th. I  
25 believe the report was due January 20th.



1           Upon notification from the election  
2           division, the fax on March -- excuse me --  
3           February 18th, the report -- and that report is  
4           there. The fax numbers on the report are  
5           consistent with each other; so, once again, we  
6           faxed in the report and have -- that's the way  
7           they have historically done so. Somewhere the  
8           report must have gotten lost, so we request all  
9           fees be waived.

10           CHAIRMAN BENNETT: Any response from the  
11           division?

12           MS. THOMPSON: No.

13           CHAIRMAN BENNETT: Any questions by the  
14           commissioners?

15           (No response.)

16           CHAIRMAN BENNETT: Hearing none, I'll  
17           declare the hearing in the matter closed and ask  
18           if there is a motion by any of the  
19           commissioners.

20           MR. CLAYTOR: Mr. Chairman, I would move  
21           that we waive the fine in this matter.

22           CHAIRMAN BENNETT: Is there a second?

23           MR. KLUTZ: Second.

24           CHAIRMAN BENNETT: Motion and a second.  
25           Any discussion?

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1 (No response.)

2 CHAIRMAN BENNETT: All in favor of the  
3 motion say "Aye."

4 THE COMMISSION: Aye.

5 CHAIRMAN BENNETT: All opposed say "Nay."

6 (No response.)

7 CHAIRMAN BENNETT: Motion carried. Fine  
8 waived.

9 MR. FEARS: Mr. Chairman and members of the  
10 commission, I'm Ken Fears on behalf of Thompson  
11 Thrift Development, Cause No. 2016-175.

12 MS. THOMPSON: Mr. Chairman, that would be  
13 your little yellow tab.

14 MR. FEARS: My name is Ken Fears,  
15 F-e-a-r-s. And I did file an appearance with  
16 the commission last week --

17 MS. THOMPSON: He did.

18 MR. FEARS: -- so I should be on file.

19 MS. THOMPSON: Mr. Chairman, this is an  
20 excess corporation, Thompson Thrift Development  
21 contributed to Bob Heaton for State  
22 Representative in the amount of \$5,000 on  
23 October 24th. Bob Heaton for State  
24 Representative refunded the \$5,000 on  
25 February 2nd when he caught it. This committee

1 has been -- or I'm sorry. This corporation has  
2 never been before our commission before. And  
3 the proposed civil penalty is three times the  
4 excess amount, which is \$9,000.

5 CHAIRMAN BENNETT: Okay. Thank you.

6 MR. FEARS: Mr. Chairman, obviously this  
7 was unintentional on behalf of the corporation  
8 as well as, I believe, Representative Heaton.  
9 He contacted one of the principals of the  
10 company and asked for a donation. The company  
11 is active in the community as well as the state  
12 of Indiana and made the contribution, as staff  
13 stated, in October of 2015.

14 It was self-corrected by Mr. Heaton and his  
15 staff in February. At that point, the company  
16 felt that there was no other action to be taken.  
17 They received notice June of this year,  
18 June 22nd is the date of the letter, indicating  
19 that there was a corporation audit conducted by  
20 the commission when they caught the error. We  
21 responded immediately and said yes, we agree  
22 that the check had been written, but that it had  
23 been refunded or self-corrected by Mr. Heaton at  
24 that time.

25 That's when the proposed settlement was

1 presented. Three times the amount seemed  
2 excessive and almost punitive when the company  
3 had no knowledge or information at the time they  
4 wrote the check in 2015 of the contribution  
5 limits.

6 Since that point, so within the last month,  
7 we have informed the principals and the  
8 accounting staff of the statute and the policy  
9 on contribution limits. We've also implemented  
10 a policy that no corporate checks will be  
11 written for contributions without approval of  
12 the principal and the CFO. So happy to answer  
13 any questions at this point but would ask for  
14 forgiveness for the first violation in the fact  
15 it was unknown at the time and self-corrected  
16 prior to any action by the commission.

17 CHAIRMAN BENNETT: Very good. Thank you.  
18 Any rebuttal from the division? Any questions?

19 MS. THOMPSON: No.

20 CHAIRMAN BENNETT: Any questions from the  
21 commissioners? So the excess was \$3,000?

22 MS. TAYLOR: Yes.

23 MR. CLAYTOR: Mr. Chairman, I believe that,  
24 consistent with what we did previously, that we  
25 could commit to \$750 which would be 25 percent

1 of the excess contribution.

2 CHAIRMAN BENNETT: Yes.

3 MR. CLAYTOR: And I would move -- I would  
4 make that motion.

5 CHAIRMAN BENNETT: Okay. Is there a second  
6 for that motion?

7 MR. KLUTZ: Second.

8 CHAIRMAN BENNETT: Motion and second. Any  
9 discussion? I will just say that it is  
10 consistent with what we've done before and seems  
11 to be appropriate. So I will call for a vote.  
12 All in favor say "Aye."

13 THE COMMISSION: Aye.

14 CHAIRMAN BENNETT: All opposed say "Nay."

15 (No response.)

16 CHAIRMAN BENNETT: The motion carries. The  
17 fine is reduced to 25 percent of the \$3,000.

18 MR. FEARS: Thank you for your time.

19 CHAIRMAN BENNETT: Thank you. Is there  
20 anyone else for campaign finance?

21 MS. BURKETT: My name is Linda Burkett. I  
22 was not here for the oath at the beginning. So  
23 I need to be sworn.

24 (All parties intending to testify were  
25 sworn in.)

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1 MS. BURKETT: Linda Burkett, for the  
2 Committee to Elect Bob Burkett for state senate.

3 CHAIRMAN BENNETT: Do you know the cause  
4 number?

5 MS. BURKETT: The cause number is -- yes, I  
6 do. The cause number is 2016-6638-76.

7 MS. THOMPSON: Page 45.

8 MS. TAYLOR: Mr. Chairman, Committee to  
9 Elect Bob Burkett for state senate, Cause  
10 No. 2016-6638-76, has a proposed civil penalty  
11 of \$800.49. This committee has never been  
12 before our commission before, and it's also  
13 closed.

14 CHAIRMAN BENNETT: Thank you. You may  
15 proceed.

16 MS. BURKETT: I have a written paper if you  
17 want to see that. I just -- the only thing I  
18 know is that I sent my final report on  
19 January 15th, 2015, to Al Silver at IDEM.org.  
20 I -- then we went and told the bank to close the  
21 account.

22 I didn't receive any more statements from  
23 them. There was \$1.41 left in it. I'm stupid.  
24 I thought \$1.41 would go to processing fees  
25 because other savings accounts we had had had

1 done the same thing. So when we received  
2 nothing back from the bank, I just figured that  
3 was closed.

4 Then I received notification that I was to  
5 give a report for January. So I did so quickly,  
6 but I sent it to the same email address.

7 Evidently that was no longer a valid address.

8 CHAIRMAN BENNETT: You said you sent it to  
9 IDEM.

10 MS. BURKETT: Yeah, Al Silvers at IDEM.org.  
11 And evidently that was no longer a valid email  
12 because I could not even find the email in all  
13 my mess of old emails. So I couldn't even find  
14 it. I mean, I was looking for a bounce back, so  
15 I could just copy it.

16 So we went ahead -- we went ahead and then  
17 sent you the paper copy. That's probably what's  
18 why it was so late.

19 CHAIRMAN BENNETT: Anything else?

20 MS. BURKETT: That's it. That's all I  
21 know.

22 CHAIRMAN BENNETT: Any response from the  
23 division? Were you here when I talked about the  
24 deal we were offering?

25 MS. BURKETT: No, I wasn't.

1 CHAIRMAN BENNETT: The 25 if you waive the  
2 hearing?

3 MS. BURKETT: No, I wasn't in the room, I  
4 guess.

5 CHAIRMAN BENNETT: Okay. Any --

6 MS. BURKETT: If I would have been, I would  
7 have and left at that time --

8 CHAIRMAN BENNETT: Yeah.

9 MS. BURKETT: -- and not wasted anyone's  
10 time.

11 CHAIRMAN BENNETT: You were late; right?

12 MS. BURKETT: I was here. I just couldn't  
13 find a place to park, and then I went to the  
14 wrong building.

15 CHAIRMAN BENNETT: But you weren't in the  
16 room?

17 MS. BURKETT: I wasn't in the room. I was  
18 walking to the room.

19 MR. KLUTZ: I would add that when I recused  
20 myself for the first two, she was out there,  
21 although I guess we had started; but it's not  
22 like she came in an hour late. I was out there  
23 standing with her, and I thought you were out  
24 there because there wasn't room.

25 MS. BURKETT: No. I think I was five



1 minutes late and just about was having a heart  
2 attack. I'm from a small, small town.

3 CHAIRMAN BENNETT: Okay. Any other  
4 questions?

5 (No response.)

6 CHAIRMAN BENNETT: Hearing none, I would  
7 declare the hearing in the matter closed and ask  
8 if there are any motions from any of the  
9 commissioners.

10 MR. CLAYTOR: Mr. Chairman, I'd move we  
11 remit this to 25 percent.

12 CHAIRMAN BENNETT: Is there a second?

13 MR. KLUTZ: Second.

14 CHAIRMAN BENNETT: Any discussion?

15 (No response.)

16 CHAIRMAN BENNETT: Hearing none, all in  
17 favor say "Aye."

18 THE COMMISSION: Aye.

19 CHAIRMAN BENNETT: All opposed say "Nay."

20 (No response.)

21 CHAIRMAN BENNETT: The motion carries. The  
22 \$800.49 is remitted to 25 percent of that  
23 amount. Thank you.

24 MS. BURKETT: Thank you.

25 MR. KING: I think we have one more.

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1 CHAIRMAN BENNETT: Okay. Could this be our  
2 final hearing? Come on up, please.

3 MS. FINLEY: I haven't been sworn in.  
4 Okay?

5 (All parties intending to testify were  
6 sworn in.)

7 MS. FINLEY: I'm Phyllis Finley. I'm with  
8 the Monroe County Republican Women. And I'm  
9 from Monroe County, Indiana.

10 CHAIRMAN BENNETT: Do you have a cause  
11 number for us?

12 MS. FINLEY: I'm sorry?

13 CHAIRMAN BENNETT: Do you have a cause  
14 number?

15 MS. FINLEY: I don't know if I have it with  
16 me or not.

17 CHAIRMAN BENNETT: Give us a minute, and  
18 we'll find it. The division staff will -- if  
19 you have it, you can tell us.

20 MS. FINLEY: If my secretary ...

21 MS. TAYLOR: What report was late? Do you  
22 know?

23 UNIDENTIFIED FEMALE: The annual.

24 MS. TAYLOR: The annual?

25 MS. FINLEY: Yes, the annual report filing

1 that's due January 20 in 2016. And our  
2 treasurer at that time --

3 CHAIRMAN BENNETT: Ma'am, can you introduce  
4 yourself, please.

5 MS. WARREN: Yes. I'm Jean Warren, the  
6 secretary. I was trying to get the information  
7 so I didn't come for the pledge or the oath.

8 MS. FINLEY: Do you need the letter that  
9 you sent to us? Is that what you need?

10 CHAIRMAN BENNETT: We just need to find  
11 your cause number. We have several here, and  
12 the cause number helps us identify your case.

13 MS. TAYLOR: It's on page 47.

14 MS. FINLEY: Here is the form that was not  
15 filed.

16 CHAIRMAN BENNETT: Do you want to make this  
17 a part of the record?

18 MS. FINLEY: Yes, sir.

19 CHAIRMAN BENNETT: Okay.

20 MS. FINLEY: Ann Collins was treasurer at  
21 that time. And we were having difficulty with  
22 her taking care of the financial business of the  
23 club. Actually, here is a document.

24 CHAIRMAN BENNETT: When you say "the club,"  
25 you're talking about the Monroe County

1 Republican Women?

2 MS. FINLEY: Yes. And here is a document  
3 of the time line of events in 2015-2016 and also  
4 documents confirming some of the activity that  
5 she failed to perform.

6 CHAIRMAN BENNETT: These -- what you handed  
7 me is --

8 MS. FINLEY: A timeline of activities that  
9 the club incurred from about mid 2015 up until  
10 April in 2016.

11 CHAIRMAN BENNETT: And also the minutes of  
12 meetings of the club?

13 MS. FINLEY: Yes, yes.

14 CHAIRMAN BENNETT: And also some emails you  
15 received?

16 MS. FINLEY: Yes.

17 CHAIRMAN BENNETT: Okay.

18 MS. FINLEY: Ann was not paying the bills  
19 on time. I had confronted her several times  
20 about paying the storage unit fee that she let  
21 lapse six months. And I handed her, on  
22 November 30, the bill for the post office box  
23 where we received our mail and told her that it  
24 needed to be paid.

25 She did not pay that, so I went to the post

1 office mid December to pick up the mail and  
2 couldn't get into the box because she did not  
3 pay for the post office box. And therefore, the  
4 box was locked down.

5 I confronted her about it at a business  
6 meeting, at a board meeting. And she acted like  
7 she didn't know anything about it. I had given  
8 her the bill. And the bill -- a copy of the  
9 bill is actually in that paperwork.

10 CHAIRMAN BENNETT: What was your position  
11 with the club?

12 MS. FINLEY: I am the president. I was the  
13 president then.

14 CHAIRMAN BENNETT: And you are now?

15 MS. FINLEY: Yes. I've been the president  
16 since 2014.

17 We had talked about how to file with the  
18 state and how to file with the county as far as  
19 physical financial things. And she understood  
20 that.

21 In October on the 15th she filed with the  
22 county and the state. In 2014, our county  
23 actually declared that we were a PAC. We  
24 weren't a PAC prior to that, but we had paid for  
25 some brochures in 2014 that had state reps on

1 it, their bio. And so our county election board  
2 said that because of that, we were a PAC and we  
3 would have to file as a PAC. So from that time  
4 on in 2014, we did.

5 And when Ann become treasurer in June of  
6 2015, I described to her the forms we would need  
7 to fill out. I showed her how to fill them out,  
8 and she did so in October and sent it to the  
9 opportunity and the state.

10 However, when she filed the January filing,  
11 she only filed with the county. She did not  
12 file with the state. I was unaware of that. At  
13 the business meeting I asked her for hard  
14 copies. And she said, well, she would send it  
15 to me electronically; and she never did.

16 We were having some real difficulties with  
17 her as I said before, because she was not paying  
18 the bills on time. We actually had our -- our  
19 equipment in the storage unit that we decorated  
20 fairs and venues and parades with. And had it  
21 not been for a wonderful Republican man who  
22 owned the unit and let the bill lapse for six  
23 months, I'm sure he would have sold everything  
24 to pay the bill.

25 But finally in January, at the end of

1 January, I sent her an email -- and a copy of  
2 the email is in those documents -- sent her an  
3 email and told her the price, that it was  
4 delinquent -- I think it was \$280 -- and please  
5 send the owner of the storage unit a check for  
6 \$280. She sent the gentleman a check for \$840,  
7 which I was unaware of until I heard from him.

8 CHAIRMAN BENNETT: Let me just say we have  
9 a five-minute limit on presentations. I get the  
10 point. She's negligent.

11 THE WITNESS: She did finally pay the post  
12 office box fee. The post office box was locked  
13 down. She finally did pay that. She kept the  
14 keys and would not give us the keys, so we had  
15 no keys to the post office box.

16 I had no idea that the file had not been --  
17 the form had not been filed with the state in  
18 January until we went to file the preprimary  
19 form.

20 By that time, she was no longer treasurer.  
21 We had appointed a new treasurer for the club.  
22 She would not return our checkbook. She would  
23 not return our keys. She would not return any  
24 of our records and still has not done so and has  
25 no longer been treasurer of the club for months.

1 She did finally return the keys in April.

2 We -- I called up here to Brad King's  
3 office, and I don't know which one of you are  
4 Brad but I -- I talked to you on the phone.  
5 Sorry, Brad. Anyway, that's been about a year  
6 ago.

7 But we -- in filing the April form on the  
8 14th, I called and talked to Michelle Thompson.  
9 And she said, "Well, you didn't file the form in  
10 January." I was unaware of that. I had no clue  
11 that form had not been filed with the state.  
12 Being president of the club, I would have  
13 certainly seen to it.

14 We were having difficulty with our  
15 treasurer at the time, and she was not complying  
16 with the rules of the club. And the rules of  
17 the club say 10 days after you're no longer  
18 treasure, you turn in all records for the  
19 treasury; and she had refused do that.

20 Anyway, we had no keys. She finally turned  
21 in the keys to the post office box around -- a  
22 little bit after April 4, I believe it was.

23 Anyway, when I called Michelle and talked  
24 to her, I rushed to the post office. And there  
25 was the letter from the election board saying



1 that we were delinquent and there would be a  
2 fine.

3 And so I immediately, you know, tried to  
4 resolve that situation. And I really apologize  
5 that this ever happened. It's not something  
6 that the club is used to dealing with. And we  
7 pay our bills on time, and we try to be a  
8 respectful club and represent the Republican  
9 party. So we're proud of the work that we do in  
10 Monroe County, and it's been an established club  
11 for many years. But I really apologize that it  
12 wasn't done.

13 When we did finally get the keys to the  
14 box, as I say, I went and there were the  
15 records. I -- I -- I just -- I was shocked. I  
16 apologize the bill wasn't -- the file wasn't --  
17 it wasn't filed, the form wasn't filed. And I  
18 think I just handed it there. I don't know if  
19 anyone has ever sent you a form for the filing  
20 for the end of the fiscal year in 2015 or not.

21 CHAIRMAN BENNETT: Okay. Any response,  
22 comments from the division?

23 MS. THOMPSON: No.

24 CHAIRMAN BENNETT: Any -- anything else?  
25 Any other documents you want to give us?

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1 MS. FINLEY: We would like to get our -- we  
2 would like to get our records and our checkbook  
3 and our debit card back.

4 CHAIRMAN BENNETT: I'm not sure we can help  
5 you with that.

6 MS. FINLEY: We had to change our bank  
7 account. We had to change all of our  
8 financial --

9 CHAIRMAN BENNETT: Was she bonded? Was she  
10 bonded?

11 MS. OVERHOLT: What do you think?

12 MS. FINLEY: She is running for treasurer  
13 in Monroe County this year, if that helps.

14 CHAIRMAN BENNETT: Any questions?

15 MR. CLAYTOR: Ms. Finley, if I could ask:  
16 Were you here when the chairman made an offer of  
17 a reduced fine for settlements?

18 MS. FINLEY: No. I don't know anything  
19 about that.

20 MR. CLAYTOR: Okay.

21 MS. FINLEY: I've not heard -- no one has  
22 contacted me about that at all.

23 MR. CLAYTOR: Well, we kept -- I know you  
24 were not sworn in. I assume you were not in the  
25 room when that offer was made.

1 MS. FINLEY: And I'm not real sure what  
2 you're referring to.

3 CHAIRMAN BENNETT: Well, we have a practice  
4 of offering, at the beginning of the  
5 proceedings, for people, committees to take a  
6 deal and not wait all afternoon for the hearing  
7 and agree to accept 25 percent of the fine if  
8 it's the first offense. And that deal would  
9 have been open to you because this is a --

10 MR. CLAYTOR: This was their first.

11 CHAIRMAN BENNETT: This was the first  
12 offense of the Monroe County Republican Women,  
13 but you weren't here. So any other questions  
14 from the commissioners?

15 (No response.)

16 CHAIRMAN BENNETT: I will declare the  
17 hearing on the matter closed at this time and  
18 ask if there is a motion from any of the  
19 commissioners.

20 MR. CLAYTOR: Mr. Chairman, I would move  
21 that we reduce the fine to 25 percent for this  
22 particular instance.

23 CHAIRMAN BENNETT: Is there a second?

24 MR. KLUTZ: Second.

25 CHAIRMAN BENNETT: Any discussion? I will

1 offer this: I think it's appropriate because  
2 you weren't aware that that deal could be taken.  
3 On the other hand, you were late and I haven't  
4 really asked you why you were late to the  
5 hearing. You said parking problems. Was  
6 that --

7 MS. FINLEY: I'm sorry?

8 MR. CLAYTOR: No, that was the previous  
9 lady.

10 CHAIRMAN BENNETT: That was the previous  
11 lady. I'm sorry.

12 MS. FINLEY: Oh, no, we -- there was road  
13 construction between Bloomington and  
14 Martinsville. And the traffic was almost at a  
15 standstill for a long time, and we did have  
16 parking problems also.

17 CHAIRMAN BENNETT: I know that route.  
18 Okay. So we have a motion and a second. Any  
19 further discussion?

20 (No response.)

21 CHAIRMAN BENNETT: All in favor say "Aye."

22 THE COMMISSION: Aye.

23 CHAIRMAN BENNETT: All opposed say "Nay."

24 (No response.)

25 CHAIRMAN BENNETT: Motion carries. Fine

1 will be reduced to 25 percent of the proposed  
2 fine and you will be getting a notice in the  
3 mail to that.

4 MS. FINLEY: Okay. Thank you.

5 CHAIRMAN BENNETT: Okay. All right. That  
6 is that last of the hearings of those who are  
7 present. Appreciate everyone's patience and  
8 courtesy throughout that.

9 We can now move on to the continuances, and  
10 I would ask the campaign finance staff to  
11 identify any matters for which a motion for  
12 continuance was received for today's meeting.

13 MS. TAYLOR: There are 10 committees that  
14 asked for a continuance. I don't know if you  
15 need their cause number or just the name of the  
16 committee. What is best? I can give you  
17 either.

18 CHAIRMAN BENNETT: They've all filed a --  
19 timely filed motion for continuance?

20 MS. TAYLOR: Yes.

21 CHAIRMAN BENNETT: Do you believe any of  
22 the requests are fraudulent or inappropriate?

23 MS. TAYLOR: No. I think -- I think all of  
24 them were by email before 12:30 today.

25 CHAIRMAN BENNETT: So they're timely filed?

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1 MS. TAYLOR: Yes.

2 CHAIRMAN BENNETT: Okay. Well, as long as  
3 you have the list, I guess does anyone have  
4 any -- does anyone want to hear the list?

5 MR. CLAYTOR: No.

6 MS. TAYLOR: No.

7 CHAIRMAN BENNETT: Then I would ask if  
8 there is a motion to grant the requests.

9 MR. CLAYTOR: So moved.

10 CHAIRMAN BENNETT: Is there a second?

11 MR. KLUTZ: Second.

12 CHAIRMAN BENNETT: Any discussion?

13 (No response.)

14 CHAIRMAN BENNETT: All in favor of the  
15 motion say "Aye."

16 THE COMMISSION: Aye.

17 CHAIRMAN BENNETT: All opposed say "Nay."

18 (No response.)

19 CHAIRMAN BENNETT: Motion granted. The  
20 continuances granted.

21 At this time I'd like to recognize Abbey  
22 and Michelle to present information regarding  
23 administrative dissolution of certain campaign  
24 finance committees.

25 MS. THOMPSON: Mr. Chairman, the list under

1 your tab administratively dissolved there, these  
2 committees will be administratively dissolved.  
3 They have not filed a report in three years, and  
4 they have a balance less than \$1,000. Of these  
5 committees, both chairman and treasurer have  
6 been notified of the -- of this hearing today.

7 CHAIRMAN BENNETT: Can the campaign finance  
8 staff confirm that none of these committees  
9 filed a report of expenditures during three  
10 previous calendar years and last reported cash  
11 on hand was in amount not and exceeding \$1,000?

12 MS. THOMPSON: Correct.

13 MS. TAYLOR: Correct.

14 CHAIRMAN BENNETT: Then I move the  
15 commission do the following, No. 1., make a  
16 finding that there's no evidence that any of  
17 these committees continues to receive  
18 contributions, make expenditures, or otherwise  
19 function as a committee; 2, make a finding that  
20 according to the best evidence available to the  
21 commission, the dissolution of these committees  
22 will not impair any contract or impede the  
23 collection of any debt or judgment by any  
24 person; 3, make a finding that the prudent use  
25 of public resources makes further efforts to

1 collect any outstanding civil penalty imposed  
2 against these committee wasteful or unjust, and  
3 therefore that any such penalty be waived and  
4 that these committees be administratively  
5 dissolved. Is there a second for that motion?

6 MR. CLAYTOR: Second.

7 CHAIRMAN BENNETT: Any discussion?

8 (No response.)

9 CHAIRMAN BENNETT: Then all in favor of the  
10 motion say "Aye."

11 THE COMMISSION: Aye.

12 CHAIRMAN BENNETT: All opposed say "Nay."

13 (No response.)

14 CHAIRMAN BENNETT: The motion carries. Is  
15 anyone present to testify in any remaining  
16 campaign finance hearings scheduled for today?  
17 If not, I declare that the hearings on all  
18 remaining campaign finance matters scheduled for  
19 today are closed.

20 MS. TAYLOR: Time out. Time out.

21 MS. THOMPSON: Time out.

22 THE COMMISSION: We have two little  
23 cleanups. First was page 54, Eighth District  
24 Democrat Committee, Cause No. 2016-1782-97.  
25 Michelle and I recommend that the commission



1 dismiss this fine. We found the report in the  
2 late voter registration application tub. It was  
3 missed as we were checking the mail, and we  
4 didn't get it until two months later; but it was  
5 in that tub. And we have every reason to  
6 believe it was on time.

7 CHAIRMAN BENNETT: I would move to dismiss  
8 that. Is there a second?

9 MR. KLUTZ: Second.

10 CHAIRMAN BENNETT: Motion and a second.  
11 Any discussion?

12 (No response.)

13 CHAIRMAN BENNETT: All in favor say "Aye."

14 THE COMMISSION: Aye.

15 CHAIRMAN BENNETT: All opposed say "Nay."

16 (No response.)

17 CHAIRMAN BENNETT: Ayes have it. The  
18 motion carries. They're dismissed.

19 MS. TAYLOR: Then one more on page 15 and  
20 16, Gregory W. Porter for State Representative  
21 District 96. He had three causes. These were  
22 tabled at the hearing in June of last year to  
23 give him a chance to file. They filed all of  
24 those reports the next day. And I don't know if  
25 the commission said at the time that they had to

1 appear again or not. We couldn't remember. We  
2 didn't find it in the minutes, so it's up to  
3 you.

4 CHAIRMAN BENNETT: I'll move that those be  
5 dismissed as well.

6 MR. KLUTZ: Second.

7 CHAIRMAN BENNETT: A motion and a second.  
8 Any discussion?

9 (No response.)

10 CHAIRMAN BENNETT: All in favor say "Aye."

11 THE COMMISSION: Aye.

12 CHAIRMAN BENNETT: All opposed say "Nay."

13 (No response.)

14 CHAIRMAN BENNETT: The ayes have it.  
15 Dismissed.

16 MS. TAYLOR: Now we're done.

17 CHAIRMAN BENNETT: Okay. No one else is  
18 here to testify, so I have declared the hearings  
19 closed. Is there a motion to impose the entire  
20 amount of the proposed penalty plus mailing  
21 costs in all remaining campaign finance  
22 enforcement actions?

23 MR. CLAYTOR: So moved, Mr. Chairman.

24 CHAIRMAN BENNETT: We have a motion. Is  
25 there a second?

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1 MR. KLUTZ: Second.

2 CHAIRMAN BENNETT: Any further discussion?

3 (No response.)

4 CHAIRMAN BENNETT: All in favor of the  
5 motion say "Aye."

6 THE COMMISSION: Aye.

7 CHAIRMAN BENNETT: All opposed, "Nay."

8 (No response.)

9 CHAIRMAN BENNETT: The motion carries, and  
10 the penalties are imposed.

11 We are surprisingly only 9 minutes past our  
12 3:45 --

13 MR. KING: Six minutes.

14 CHAIRMAN BENNETT: Oh, my watch is fast.

15 MS. OVERHOLT: Six minutes.

16 CHAIRMAN BENNETT: So I think it's  
17 appropriate to take a quick recess for the  
18 commission. Is there any objection to that?

19 MS. OVERHOLT: No.

20 CHAIRMAN BENNETT: All right. Let's take a  
21 five-minute recess and we'll be back for the  
22 Voting System Technical Program report.

23 (A recess was taken between 3:51 P.M. and  
24 3:59 P.M.)

25 CHAIRMAN BENNETT: We'll call the meeting