

1 MS. TAYLOR: We still don't have a copy of  
2 that.

3 COMMISSION MEMBER OVERHOLT: So did you  
4 receive other supplemental reports?

5 MS. THOMPSON: Yes, we did.

6 COMMISSION MEMBER OVERHOLT: Were they  
7 submitted by fax?

8 MS. THOMPSON: I believe so. These are all  
9 different ones we received.

10 SENATOR YOUNG: It was a busy season.

11 CHAIRMAN BENNETT: Do you know who actually  
12 sent the fax, submitted the fax?

13 SENATOR YOUNG: Well, I submitted the  
14 faxes, actually.

15 CHAIRMAN BENNETT: You operated the fax  
16 machine yourself?

17 SENATOR YOUNG: Yes, yes, yeah.

18 CHAIRMAN BENNETT: They were all sent?

19 MS. ASHIRA YOUNG: Yeah.

20 SENATOR YOUNG: Yeah. My wife gives it to  
21 me and says, "Fax it."

22 And, you know, it went through. Everything  
23 seemed to be fine. I had no knowledge of this  
24 until I got the notice from you all.

25 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,

1 Senator Young has been at this a long time and  
2 has a better record at campaign finance than I  
3 have. So I would like to give him the benefit  
4 of the doubt of the fax and move that we waive  
5 the penalties.

6 CHAIRMAN BENNETT: Dismiss the case?

7 VICE CHRMN PRO TEM CLAYTOR: Dismiss the  
8 case.

9 CHAIRMAN BENNETT: Is there a second?

10 COMMISSION MEMBER KLUTZ: I'll second.

11 CHAIRMAN BENNETT: We have a motion and a  
12 second. Further discussion?

13 (No response.)

14 CHAIRMAN BENNETT: Hearing none, all in  
15 favor say aye.

16 THE COMMISSION: Aye.

17 CHAIRMAN BENNETT: All opposed, nay.

18 (No response. Motion carried.)

19 CHAIRMAN BENNETT: Motion carried. Case  
20 dismissed. Thank you, Senator.

21 SENATOR YOUNG: Thank you.

22 MS. ASHIRA YOUNG: Could we have that?

23 VICE CHRMN PRO TEM CLAYTOR: They don't  
24 have a copy.

25 CHAIRMAN BENNETT: Can you get the

1 original? Do you have the original?

2 MS. ASHIRA YOUNG: I don't have the  
3 original. That's the only copy we have.

4 VICE CHRMN PRO TEM CLAYTOR: If we can send  
5 you a copy, Senator --

6 SENATOR YOUNG: That's fine.

7 MS. ASHIRA YOUNG: Sure. That would be  
8 fine.

9 SENATOR YOUNG: Thank you, Mr. Chairman,  
10 and members of the committee.

11 CHAIRMAN BENNETT: Thank you. Who's next?

12 MR. PARSLEY: Hi. Greg Parsley, G-R-E-G,  
13 P-A-R-S-L-E-Y. Administrative Cause No.  
14 2015-1376-121, Klinker for State Representative  
15 Committee.

16 MS. TAYLOR: It's on page 88.

17 MS. THOMPSON: Klinker for State  
18 Representative, Cause No. 2095-1376-121. This  
19 is another supplemental report.

20 This committee has been before the Board  
21 one time.

22 MR. PARSLEY: The situation was, she  
23 received two 900-dollar checks that were dated  
24 the same date. Until we filed the annual, we  
25 did not realize that that triggered a CFA-11.

1           Sheila, much like the longevity of Senator  
2 Young, has been in the General Assembly since  
3 1982. We're asking that you take notice of  
4 that, and are asking for a dismissal with regard  
5 to that.

6           We've been very transparent with her  
7 campaign. Always have. I do not live in  
8 Tippecanoe County. I live three hours away from  
9 her, so we oftentimes have to do things through  
10 the phone, and so forth.

11           The transparency of her campaign finance  
12 reports is somebody that gives as small as \$10  
13 to \$20. We know, in addition to any cash that's  
14 under the threshold, we even know who has given  
15 that. And we would ask that the Commission take  
16 leniency upon that.

17           I was not aware that her committee has been  
18 here before. I've been her treasurer for almost  
19 20 years, I believe.

20           CHAIRMAN BENNETT: Any questions from the  
21 Commission?

22           COMMISSION MEMBER KLUTZ: You said both  
23 checks were from the same donor?

24           MR. PARSLEY: They were, in the total of  
25 \$900, which should have triggered the CFA-11,

1 and simply did not catch that they both were  
2 dated October 29.

3 CHAIRMAN BENNETT: Why were there two  
4 checks?

5 MR. PARSLEY: They were from I-PACE, and  
6 they had issued -- and I think that's part of  
7 the problem in being in two different  
8 localities, her being in Tippecanoe County, me  
9 being in the southern part of the state. She  
10 was given the checks, and we did not realize.  
11 She normally does all of the depositing. I do  
12 all the entering.

13 COMMISSION MEMBER OVERHOLT: Do we have two  
14 separate causes here, then, or just one cause?

15 MS. TAYLOR: Just one cause.

16 COMMISSION MEMBER OVERHOLT: It's the total  
17 between the two.

18 CHAIRMAN BENNETT: Any motion proposed by  
19 the Commission?

20 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,  
21 this is a bit of a technical issue, and it's one  
22 I'm sure trips up a lot of people. But it is  
23 the law, and this is the second violation.

24 I would move that we do a 50 percent  
25 penalty in this case as the second violation for

1 this committee.

2 CHAIRMAN BENNETT: Is there a second?

3 COMMISSION MEMBER OVERHOLT: I second it.

4 CHAIRMAN BENNETT: We have a motion and a  
5 second. Any discussion?

6 (No response.)

7 CHAIRMAN BENNETT: Hearing none, all in  
8 favor of the motion say aye.

9 THE COMMISSION: Aye.

10 CHAIRMAN BENNETT: All opposed, nay.

11 (No response. Motion carried.)

12 CHAIRMAN BENNETT: Motion carried. Fine  
13 reduced by 50 percent.

14 MR. PARSLEY: Okay. Thank you.

15 CHAIRMAN BENNETT: Representative Friend?

16 MS. THOMPSON: It's on page 88, same page.  
17 Supplemental again.

18 REPRESENTATIVE FRIEND: Mr. Chairman and  
19 Members of the Commission, I'm State  
20 Representative Bill Friend, and I'm here on  
21 behalf of Bill Friend for State Representative  
22 Committee. The Administrative Cause No. is  
23 2015-3486-122, and it involves a supplemental  
24 contribution and the filing thereof.

25 I'm accompanied by my campaign treasurer,

1 Mr. Kevin Comerford of Peru, owner of Comerford  
2 & Company CPAs in Peru. Comerford,  
3 C-O-M-E-R-F-O-R-D, Kevin Comerford.

4 This involves a large contribution, as  
5 you've been talking about for some -- several  
6 cases. And I do recall making the deposit,  
7 taking the copies to Comerford & Company for  
8 their filing with the State Election Board  
9 within 48 hours.

10 And I would ask that Kevin -- he has more  
11 detailed information than I. But I certainly  
12 would ask for some leniency by the Commission  
13 concerning this case, because -- as the filing  
14 was late, but it was also corrected as time  
15 would allow.

16 So Kevin?

17 MR. COMERFORD: My name's Kevin Comerford.  
18 The filing in question was on a -- I believe  
19 it's a CF-4. It had to do with a -- I'm sorry,  
20 CFA-11. It had to do with a contribution over a  
21 thousand dollars, a thousand dollars or more,  
22 and the recording within a 48-hour period.

23 We had two contributions during that  
24 period. The first one was reported and filed  
25 properly. The second one, staff overlooked.

1           And, you know, not to make an excuse for  
2           somebody on our staff. But the individual that  
3           usually does those online was dealing with an  
4           elder issue, and she was out of town. And she  
5           had asked that the staff email her any  
6           information if it came in, and she would file it  
7           online, because it was easier for her to just  
8           file it online than to explain to somebody else  
9           who'd never done it before. And so she did file  
10          the first one.

11          And then another contribution came in  
12          approximately three or four days later. And the  
13          staff basically got confused, and they didn't  
14          send her the email.

15          I found -- when the contribution -- when  
16          doing the CFA-11 at the end of the year, we  
17          actually self-corrected and filed the CFA-4  
18          prior to the CFA-11 as soon as we found the  
19          contribution.

20          So I've done the report since 1999. And  
21          this is -- as far as I'm aware, this is the  
22          first, you know, error, or anything that we've  
23          overlooked.

24          In fact, when I went back through and  
25          looked at everything, we even filed one amended



1 form about five or six years ago for an in-kind  
2 contribution of approximately \$300 that somehow  
3 had not come through.

4 So staff is pretty efficient and pretty  
5 sincere about making sure we account for  
6 everything. And this was simply overlooked.  
7 And as soon as we found it, we filed the correct  
8 form.

9 CHAIRMAN BENNETT: Anything else to add?

10 REPRESENTATIVE FRIEND: Those are the facts  
11 as we know them, and I'm presenting them to you.

12 I would just take note that as soon as the  
13 oversight was detected, a corrected copy was  
14 filed with the State Election Board. And we  
15 would just ask for your favorable consideration.  
16 And thank you very much.

17 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman?

18 CHAIRMAN BENNETT: Yes?

19 VICE CHRMN PRO TEM CLAYTOR: I know  
20 Representative Friend never made a mistake while  
21 he was county auditor.

22 REPRESENTATIVE FRIEND: You're way too  
23 kind, Mr. Claytor.

24 VICE CHRMN PRO TEM CLAYTOR: I would move  
25 that we make this a 25 percent fine as a first

1 offense.

2 CHAIRMAN BENNETT: Is there a second?

3 COMMISSION MEMBER KLUTZ: I will second

4 that. It appears this is his first violation.

5 I do appreciate the self-correction, so I would

6 second that motion.

7 CHAIRMAN BENNETT: We have a motion and a

8 second. All in favor aye.

9 THE COMMISSION: Aye.

10 CHAIRMAN BENNETT: Opposed, nay.

11 (No response. Motion carried.)

12 CHAIRMAN BENNETT: Motion carried,

13 25 percent fined.

14 REPRESENTATIVE FRIEND: Which would be

15 \$250?

16 CHAIRMAN BENNETT: \$250. And, I guess, do

17 we throw in the mailing or not?

18 VICE CHRMN PRO TEM CLAYTOR: 49 cents.

19 REPRESENTATIVE FRIEND: Can I just put a

20 stamp on the envelope?

21 Thank you very much, Mr. Chairman,

22 Commissioners.

23 CHAIRMAN BENNETT: Thank you.

24 MR. COMERFORD: Thank you.

25 CHAIRMAN BENNETT: Who's next?

1 MR. HOLDEN: My name is Greg Holden,  
2 H-O-L-D-E-N. Two cause numbers, 15-162 and  
3 15-163. We're a private company. The company's  
4 name is Lawson-Fisher Associates.

5 MS. THOMPSON: That would be your red tab  
6 in the back behind the spreadsheet.

7 Mr. Chairman, Lawson-Fisher Associates P.C.  
8 has two corporation violations: A 2013 excess  
9 corporation, and a 2014 excess corporation,  
10 Cause No. 15-162 and Cause No. 15-163.

11 They contributed to the Republican State  
12 Central Committee and the Democrat State Central  
13 Committee in both cases. And Lawson-Fisher  
14 Associates self-reported this to the Indiana  
15 Election Division.

16 CHAIRMAN BENNETT: And the proposed civil  
17 penalty listed, \$15,000?

18 MS. THOMPSON: Each.

19 CHAIRMAN BENNETT: Your presentation?

20 MR. HOLDEN: I'm one of the engineering  
21 owners of Lawson-Fisher Associates in South  
22 Bend.

23 It came to our attention several months ago  
24 that we had misinterpreted that rule on  
25 allowable contributions. And as we stated, we

1 contributed \$5,000 to both the Republican and  
2 the Democratic State Committees in each of those  
3 years.

4 During those two years, the only other  
5 state level contributions we made were a couple  
6 hundred dollars to a golf sponsorship for one of  
7 the representatives.

8 So as we recognized our mistake, we  
9 self-reported that in March of this year, and we  
10 acknowledge our mistake and our ignorance of the  
11 law in that regard.

12 We received some bad advice, we operated  
13 out of assumptions, and we have nobody to blame  
14 but ourselves on the part of that.

15 To prevent further mistakes, what we've  
16 done is we've established new accounting methods  
17 to identify each political contribution that we  
18 make. We track those individually by all of  
19 those accounts.

20 As a firm doing business with the  
21 Department of Transportation, we have an outside  
22 accountant that comes in every year and does a  
23 full audit of all of our expenses. And they're  
24 aware of that now, also, and they've agreed to  
25 track that along with us to make sure that we

1 don't have any problem with that in the future.

2 In consideration of our small business  
3 status, our self-reporting, our implementation  
4 of corrective actions, and this being the first  
5 time in front of this Commission, we  
6 respectfully request that you would consider  
7 reducing or waiving this large penalty.

8 CHAIRMAN BENNETT: Any questions at this  
9 point?

10 COMMISSION MEMBER KLUTZ: The contributions  
11 were made in 2013, and it was just recently  
12 discovered in March of this year?

13 MR. HOLDEN: That's correct, yes.

14 COMMISSION MEMBER KLUTZ: How were they  
15 discovered with such a delay?

16 MR. HOLDEN: One of our employees is  
17 running for a council seat in one of the  
18 neighboring cities up there, and he had a friend  
19 who was a reporter.

20 And this reporter was doing investigative  
21 reporting on contributions, found this mistake,  
22 and he told him. And then he told us, and we  
23 reported it. He was going to take it to the  
24 newspaper. He gave the information to us right  
25 away before that even happened.

1 CHAIRMAN BENNETT: Any other questions?  
2 Any motion to reduce?

3 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,  
4 can I ask the Co-directors what has been the  
5 practice? I understand with political  
6 committees, and political committees are  
7 typically more conversant in the rules.

8 But has there been a practice with  
9 corporate violations in the past of treating  
10 them in a similar way or a different way than  
11 political committees?

12 MR. KING: Mr. Chairman, I can begin with  
13 addressing it, and I'll defer to my counsel to  
14 add or correct anything I have to say.

15 In previous matters, the Commission has  
16 taken into account whether the violation of an  
17 excess corporate or labor contribution was  
18 self-reported. And it has also taken into  
19 account what actions the entity has taken on its  
20 own to prevent further violations without  
21 prompting from the Election Division staff.

22 In many cases, I recollect the proposed  
23 case has been dismissed and the proposed fine  
24 not assessed.

25 In some other cases, if the evidence was

1 not as compelling on those points, typically,  
2 there was a 10 percent penalty, at a minimum,  
3 for the first offense.

4 And I'll ask my counsel if there's anything  
5 you would add.

6 MR. SIMMONS: I recall 10 percent. I don't  
7 recall much else, but I do remember  
8 self-reporting and testimony regarding fixing  
9 the issue being taken into consideration by the  
10 Commission.

11 CHAIRMAN BENNETT: Thank you. Anything  
12 else from the other Co-director?

13 MR. MANN: No.

14 CHAIRMAN BENNETT: All right. Any other  
15 questions?

16 (No response.)

17 CHAIRMAN BENNETT: Motion?

18 COMMISSION MEMBER KLUTZ: Mr. Chairman, I  
19 think the evidence is compelling. They did  
20 self-report. This was a first violation. It  
21 sounds like there's new accounting methods. It  
22 looks like they've updated their auditors with  
23 respect to looking at this, which I don't think  
24 an auditor would normally look at. And again,  
25 they self-reported it.

1           If this Commission in the past, and under  
2           these circumstances, has waived the fine and  
3           dismissed it, I think that's a proper action.  
4           And I make a motion that we dismiss this  
5           penalty, or proposed penalty.

6           VICE CHRMN PRO TEM CLAYTOR:   Second.

7           CHAIRMAN BENNETT:   We have a motion and a  
8           second.   Any further discussion?

9           (No response.)

10          CHAIRMAN BENNETT:   All in favor say aye.

11          THE COMMISSION:   Aye.

12          CHAIRMAN BENNETT:   All opposed, nay.

13          (No response.   Motion carried.)

14          CHAIRMAN BENNETT:   Motion carried.   The  
15          penalties are waived.

16          MR. HOLDEN:   Thank you very much.

17          CHAIRMAN BENNETT:   You're free to go.

18          (Pause.)

19          MR. COOKE:   Good afternoon, Mr. Chairman.

20          CHAIRMAN BENNETT:   Good afternoon.

21          MR. COOKE:   Mr. Chairman, and ladies and  
22          gentlemen, may I approach?   In talking with  
23          Mrs. Thompson, your material does not have  
24          exhibits that were attached to a letter --

25          CHAIRMAN BENNETT:   Could you state your



1 name?

2 MR. COOKE: My name is Jeff Cooke,  
3 C-O-O-K-E. I'm the treasurer for a RAP, R-A-P,  
4 PAC, standing for Responsible Assessing  
5 Practices, for an office in Tippecanoe County in  
6 the last election.

7 And a group of citizens got together and  
8 nominated me to be the treasurer. And I put the  
9 PAC papers together and did the report filing,  
10 et cetera.

11 And I believe that there's been a -- more  
12 or less a technical oversight in the process of  
13 the notice that was issued by the Commission.  
14 And I'd like to supplement, as I make a comment  
15 or two for you, this -- in particular, an email  
16 in this package that came from the Commission  
17 that should solve your dilemma in voting on  
18 whether to dismiss and waive any penalty for a  
19 late filing.

20 CHAIRMAN BENNETT: Could we get a  
21 cause number?

22 MS. THOMPSON: Yes, Mr. Chairman, it's on  
23 page 73.

24 This is RAP PAC, Cause No. 2015-6658-92.  
25 This committee has never been before the

1 Commission before. The proposed civil penalty  
2 is \$350.49, and the committee is closed now.

3 CHAIRMAN BENNETT: The committee is ...

4 MS. THOMPSON: Closed now. And there is a  
5 letter in your packet, but he had additional  
6 exhibits he wanted to present.

7 MR. COOKE: May I approach?

8 CHAIRMAN BENNETT: Yes.

9 MR. COOKE: I have copies for the  
10 Co-directors and all the Commission members.

11 MR. KING: This is the original?

12 MR. COOKE: No. These are copies of the  
13 original.

14 And the Commission has the original of my  
15 letter and the exhibits, I assume. And ladies  
16 and gentlemen, along the way I dealt with  
17 Co-commissioner Deckard, who I understand is no  
18 longer here. And he and his staff were  
19 enormously helpful to me as a neophyte in this  
20 process. I'm not a political person, and I've  
21 not done this before, except just when we  
22 started this process, we dealt with the  
23 Commission and its members frequently.

24 As you will see, I have ear-tagged in this  
25 packet that I just handed to you what I think is

1 a relevant and important document. And it's an  
2 email from the Commission back to my office as  
3 we were considering the very filing which is the  
4 subject of whether we are going to be fined or  
5 not. It's several pages down, and it's just  
6 before the green sheet.

7 And of relevance and importance, you can  
8 see from this email -- and this is one of  
9 numerous emails between myself and Mr. Deckard  
10 and the Commission along the way. And this is  
11 Mrs. Gardiner, who did the paperwork out of my  
12 office. She's a paralegal in my office and  
13 helped me understand that enormous manual that  
14 we are all bound by, et cetera.

15 While I plead to be ignorant of some of the  
16 things, I also understand as a neophyte that I'm  
17 bound by the rules and regulations, which is  
18 fine with me. I don't mind that at all.

19 And if you'll look at this email that is  
20 dated October 16, which is the day before the  
21 mandatory date of filing on the 17th, we were  
22 told where to file. And that is the Tippecanoe  
23 County Election Board.

24 We did. You've got a copy in your  
25 paperwork of our file-marked documents with the

1 Tippecanoe County Board.

2 And then we get a letter from the  
3 Commission, the very people who sent us this  
4 email, dated October 20. We got it on the 23rd.  
5 It says we were delinquent.

6 We said, "Well, we have an email."

7 They said, "Well, file it anyhow."

8 So on October 23, when we got the notice  
9 from the Commission, we filed.

10 So it's my feeling that while, in a very  
11 technical argument that we didn't file on the  
12 17th, we didn't have to file it with the state  
13 because it was a local office. And we, in fact,  
14 did everything we thought was reasonable and  
15 prudent to comply with the rules of the  
16 Commission and the Board.

17 So we're asking that you give us the  
18 opportunity to have commonsense, reasonable  
19 interpretation of the rules adopted, and you  
20 dismiss and waive the \$350, which is a five-day  
21 at \$50 a day -- seven days, excuse me, at \$50 a  
22 day, however, the calculations are made -- and  
23 waive that amount.

24 There was never any intent to violate the  
25 rules. We were not trying to game the system.

1 We were just merely, as citizens, trying to do  
2 what we thought was proper to comply with the  
3 rules that this Board has to interpret and  
4 enforce.

5 So thank you for listening.

6 CHAIRMAN BENNETT: Thank you. Any response  
7 from the Division staff?

8 MS. TAYLOR: I believe the email was from  
9 me, that they filed with the County Election  
10 Board. They asked where to file.

11 I said, "What are you?"

12 They said, "Local PAC."

13 I said, "County Election Board."

14 I did not ask any further questions about  
15 what the name of the PAC was to determine that  
16 they'd actually filed with the state.

17 Since they opened their committee at the  
18 state level, they were then required to file  
19 with the state. I think, in retrospect, they  
20 didn't want to file with the state in the first  
21 place.

22 I confused them. They confused me. But I  
23 absolutely told them that he didn't -- he filed  
24 with the County Election Board because I thought  
25 it was a local PAC, and local PACs file with

1 their County Election Boards.

2 MR. COOKE: We have apologized to the state  
3 staff. We didn't mean to confuse them.

4 As we started down the road and read that  
5 enormous manual, we thought no matter, because  
6 it was a PAC, we had to file with the state. So  
7 we did.

8 And along the way we corrected. And the  
9 staff was helpful along the way in setting us on  
10 the proper path.

11 And I'll tell you what. We won't do it  
12 ever again. We are closed properly. We are  
13 done with the process, ladies and gentlemen. We  
14 will never be back. I promise you.

15 CHAIRMAN BENNETT: Questions from any  
16 Commissioners?

17 COMMISSION MEMBER KLUTZ: Mr. Chairman, I'd  
18 make a motion that we waive and dismiss this  
19 matter without penalty.

20 CHAIRMAN BENNETT: Is there a second?

21 VICE CHRMN PRO TEM CLAYTOR: Second.

22 CHAIRMAN BENNETT: We have a motion and a  
23 second. Any further discussion?

24 (No response.)

25 CHAIRMAN BENNETT: Hearing none, all in

1 favor say aye.

2 THE COMMISSION: Aye.

3 CHAIRMAN BENNETT: All opposed say nay.

4 (No response. Motion carried.)

5 MR. COOKE: Thank you all. And staff,  
6 thank you for helping.

7 Good to see you, Bryce.

8 CHAIRMAN BENNETT: Thank you.

9 MR. COOKE: Thank you.

10 CHAIRMAN BENNETT: Next?

11 MS. RIORDAN: Good afternoon, Members of  
12 the Commission. I'm Sarah Riordan, and I'm here  
13 on behalf of the International Chiropractors  
14 Association of Indiana.

15 I have four cause numbers. I have 2014 --  
16 1828-21; 2014-1828-89; I have 2013-1828-94;  
17 2013-1828-26.

18 MS. THOMPSON: Mr. Chairman, you can find  
19 that on the start of page 13.

20 This is International Chiropractors  
21 Association of Indiana, Cause No. 2013-1828-26,  
22 on page 13. Again, on page 15, Cause No. 94.  
23 Page 18, Cause No. 21. And page 74 -- 73 has  
24 the Cause No., and that's 2014-1828-89.

25 CHAIRMAN BENNETT: The last one is page 23

1 did you say?

2 MS. THOMPSON: 73.

3 CHAIRMAN BENNETT: 73, Okay. Anything else  
4 from the Commission, the Division?

5 MS. THOMPSON: Mr. Chairman, this committee  
6 has been before our Election Commission more  
7 than six times.

8 CHAIRMAN BENNETT: Okay. Ms. Riordan?

9 MS. RIORDAN: Mr. Chairman, thank you. My  
10 client, the Chiropractors Association of  
11 Indiana, did not -- until this fall, did not  
12 file any campaign finance reports, going back  
13 all the way to 2007 annual report, which would  
14 have been due in 2008. Haven't filed any of  
15 them.

16 And 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12  
17 orders of penalty have been issued by this  
18 Commission in that time, because my client never  
19 showed up and never responded to any notices of  
20 deficiency or of delinquency.

21 As a matter of fact, I think that while I  
22 was a member of this Commission, I may have  
23 signed off on one of those orders.

24 Needless to say, my client has never made  
25 an appearance before you and is in a significant



1 hole. And I'm here to try to explain the  
2 circumstance and bring to your attention,  
3 perhaps, a reason for looking with favor upon  
4 them.

5 Specifically, I'm here today on four orders  
6 asking you to reconsider them, that were issued  
7 sometime late last year for the association's  
8 failure to file its 2012 preelect, 2012 annual,  
9 2013 annual, and 2014 preprimary. Those are its  
10 four most recent deficiencies. Like I said, the  
11 previous 12 have already been sent to the  
12 attorney general's office for collection.

13 In order to explain the circumstances, I  
14 have to go back a few years. The Chiropractors  
15 Association hired a woman named Susan L. Ellis  
16 as its executive director back in 2007. At the  
17 time she was affiliated and owned -- affiliated  
18 with and owned a business known as WorkPoint,  
19 and a couple of others as well, that served as  
20 consulting firms to a number of nonprofits  
21 across the state of Indiana.

22 The chiropractors contracted with her in  
23 2007. She filed the 2007 -- no elections in  
24 2007, so she didn't file -- she filed one  
25 report, I believe, perhaps the 2006 annual. And

1 after that, she didn't file any at all.

2 Her responsibilities obviously included  
3 PAC compliance. And she filed -- I believe she  
4 filed the proper preelect in 2007, but after  
5 that, she didn't file any CFAs at all.

6 In fact, during those times, political  
7 contributions to the PAC were taken into the  
8 PAC's general -- or to the association's general  
9 account, and not into the PAC account. And  
10 contributions from the organization were issued  
11 from the general account, as opposed to the PAC  
12 account. All wrong, every single bit of it.

13 In 2009, the chiropractors terminated their  
14 association with Ms. Ellis based on some  
15 financial irregularities about their concern  
16 that she had misappropriated funds.

17 The chiropractors were not the only  
18 organization in the state that terminated their  
19 relationship with her. Several others did as  
20 well. And I have some media reports that I  
21 would be happy to share with you if the  
22 Commission would like to see them.

23 After she was terminated in 2009, they  
24 appointed a new treasurer, who was one of the  
25 members of the association, a chiropractor, who

1 had a full-time practice. She, in turn,  
2 delegated all of the compliance responsibilities  
3 to the association's accountant.

4 Now, we have been two years at this  
5 point with no papers filed. Presumably, the  
6 Commission staff is -- Campaign Finance staff is  
7 sending notices of these deficiencies to  
8 somebody. But no one who was affiliated with  
9 the organization at that time ever received  
10 anything, not in 2009, not until all the way to  
11 2014.

12 At that time, Janelle Bottorff, who lives  
13 in Plymouth, Indiana, and was president of the  
14 organization some 10, 15 years ago, received a  
15 notice from the attorney general's office dated  
16 November 5, one of the efforts by the attorney  
17 general to collect on the preceding 12 orders  
18 issued by this Commission, indicating that the  
19 organization was under penalty of \$1,000.44.

20 Ms. Bottorff knew nothing about this. And  
21 it's not clear why she received that notice from  
22 the attorney general, but she picked up the  
23 phone, and she contacted the new administration  
24 of the organization and said, "I think we have a  
25 problem."

1           At that point the organization realized,  
2       "Well, if we have a problem with this, we'd  
3       better take a look and see what else is wrong."  
4       And at that time they discovered that they had  
5       some 14, 15, 16 failures to file required  
6       campaign finance reports.

7           But I'm here to say, and my client's  
8       representative, Glenna Shelby, who is prepared  
9       to confirm under oath, no one affiliated with  
10      the organization after Ms. Ellis received proper  
11      notice of any of these violations.

12          After receiving the November notice and  
13      deciding to take some sort of reparative action,  
14      the organization has filed campaign finance  
15      reports for every single year. We did that in  
16      March -- I'm sorry -- on April 17 of this year.

17          So essentially, what the organization did  
18      is, it went through all of its financial records  
19      and re-created everything that it believed  
20      occurred from 2007 through the present, and  
21      prepared reports and filed them at the same  
22      time.

23          And I think perhaps the staff can confirm  
24      that the most recent reports for 2014 have  
25      properly been filed. So they are back on track,

1 the noncompliance ended with the 2014  
2 preprimary. But they're back on track and are  
3 filing as they are required to now.

4 What we believe is at the heart of this is  
5 not an organization that doesn't have regard for  
6 these rules, but an organization that made a bad  
7 hiring decision. And when that employee was  
8 terminated, she really left the organization in  
9 a lurch, without any records at all concerning  
10 compliance, campaign finance compliance, but  
11 also with no direction to her successors.

12 The organization went for a very long time  
13 without knowing what its obligations were in  
14 this regard, which is evidenced by the fact that  
15 they were making contributions out of their  
16 personal account -- or their organizational  
17 account. Nobody knew what to do.

18 But it seems worth considering that once  
19 the organization discovered that, they went to  
20 great lengths to replicate everything so that  
21 their transactions and their campaign finance  
22 contributions and receipts can all be seen by  
23 the people of Indiana now. If you were to  
24 review these reports that have been filed back  
25 to 2007, not a significant amount of money has

1 gone in and out of the account at any time  
2 during any of those years.

3 Finally, I would say with respect to the  
4 issue of notice -- and Abbey Taylor has worked  
5 with me on this and has been nothing but  
6 helpful. But I've had an appearance on file in  
7 this matter since last fall, and I didn't get  
8 notice that my client was on the agenda today  
9 because the notices of hearing were sent to an  
10 address at 10 West Market Street, Suite 1720, in  
11 Indianapolis. And that's not my address. And  
12 that's not the address, if I may, of the  
13 Chiropractors Association (indicating).

14 So I don't know what addresses they have  
15 had on file and where notices to this  
16 organization have been sent over the years. But  
17 it's possible that inadvertently, mistakes can  
18 be made, as they were made in this case.

19 I only found out that we were on the agenda  
20 today by happenstance, by another client  
21 contacting me to let me know that campaign  
22 finance was on the agenda today. And I called  
23 Abbey to find out where we were, and that's the  
24 first time I knew, last Wednesday, that I would  
25 need to be here today.

1           So with all of that in mind, I would ask  
2           the Commission to consider the exceptional  
3           circumstances here, and reconsider the orders  
4           previously issued under those four cause  
5           numbers, waive those penalties, and allow the  
6           committee to go forward in compliance with the  
7           election laws.

8           CHAIRMAN BENNETT: Thank you. Any reply  
9           from the Division?

10          MS. THOMPSON: Other than the address on  
11          there is probably the only address we have of  
12          record on that committee.

13          COMMISSION MEMBER KLUTZ: If I may ask,  
14          Mr. Chairman, what's on your statement of  
15          organization with the Indiana Secretary of  
16          State?

17          MS. RIORDAN: I don't think it says --

18          MS. SHELBY: That's never been --

19          MS. RIORDAN: The address of the  
20          organization is in Elkhart, Indiana. But we  
21          think it's possible that -- well, in any event,  
22          if this is the only address on file, that's not  
23          correct.

24          What we've sort of surmised is that the  
25          previously terminated executive director may

1 have been receiving those notices. You may have  
2 given her address of her business as the filing  
3 address, as the address of the organization, and  
4 that she'd received all of those notices, and we  
5 didn't.

6 But in any event, if this is the address  
7 that's on file, that's not affiliated with the  
8 organization.

9 COMMISSION MEMBER KLUTZ: Do you know who  
10 the registered agent is?

11 MS. RIORDAN: I do not. But that person  
12 didn't receive notice either.

13 COMMISSION MEMBER OVERHOLT: So what do the  
14 records that are in the possession of the  
15 Commission, what do they show?

16 So the address that was on file was 10 West  
17 Market Street. Do you have a -- I'm just  
18 wondering if you have a document that was  
19 submitted by the association, what addresses, or  
20 what address that --

21 MS. TAYLOR: I don't know that we have  
22 anything that goes back that far for that  
23 committee.

24 MS. THOMPSON: Yeah.

25 VICE CHRMN PRO TEM CLAYTOR: Do they have a



1 current CFA-2?

2 CHAIRMAN BENNETT: While you're looking for  
3 that, let me ask you this. What assurances do  
4 you have that the information used to prepare  
5 the CFRs from the past is accurate?

6 MS. RIORDAN: Well, the organization hired  
7 an accountant to go through, basically, the  
8 checkbook, and all the files that are  
9 organization files, as opposed to PAC files,  
10 because there were none.

11 And based upon that, she went through every  
12 political contribution and every contribution in  
13 from a doctor that seemed to be in the manner  
14 of -- intended for the PAC, and made the numbers  
15 true-up, and prepared the reports on that basis.

16 CHAIRMAN BENNETT: Okay. Were there ever  
17 any criminal charges brought against the  
18 executive director? You mentioned some  
19 misappropriation of funds.

20 MS. RIORDAN: Well, what's interesting is  
21 that there's another Susan Ellis who was  
22 convicted of tax fraud. I don't know if it's  
23 the same Susan Ellis or not. But they have the  
24 same name, she's in the state of Indiana, and it  
25 was in the same time frame, so ...

1 MS. THOMPSON: Now, they have updated their  
2 records. The last report they filed was the  
3 Market Street address.

4 CHAIRMAN BENNETT: When did the  
5 International Chiropractors Association move  
6 from Market Street address?

7 MS. RIORDAN: I'm sorry. What is the --  
8 when was that -- when was that filed?

9 CHAIRMAN BENNETT: October 2007, there's a  
10 report of receipts and expenditures of a  
11 political committee filed by the International  
12 Chiropractors Association of Indiana showing the  
13 address 10 West Market Street.

14 MS. RIORDAN: We -- that would have been  
15 the report that was last filed by Ms. Ellis.  
16 And that may well have been the address of her  
17 business at that time, WorkPoint.

18 But that is not an address of the  
19 Chiropractors Association.

20 COMMISSION MEMBER OVERHOLT: The issue of  
21 the address goes to the notice, the issue  
22 regarding the hearing, right? The address --  
23 whether the address that the Commission has is  
24 the accurate address goes to your argument  
25 regarding notices for these hearings?

1 MS. RIORDAN: Well, what I would submit is  
2 that if the organization received proper notice  
3 back in 2007, that it -- or 2008, that it failed  
4 to file the proper documents and was subjected  
5 to a fine, then it would be known to them that  
6 they were required to do that for every single  
7 election thereafter.

8 So the answer to that is yes.

9 CHAIRMAN BENNETT: Any other questions by  
10 the Commission?

11 VICE CHRMN PRO TEM CLAYTOR: I'd just like  
12 to know if the -- when the organization has  
13 changed -- or changed treasurers, if a CFA-2 has  
14 been filed with -- most recently, or whenever  
15 one was filed.

16 MS. RIORDAN: I believe so, yes. And, you  
17 know, all of that either has been updated or  
18 will be updated, given that we've filed all of  
19 the forms that we've been required to.

20 COMMISSION MEMBER OVERHOLT: Do you have in  
21 the files anything since 2007 reflecting any  
22 change of address, or changes --

23 MS. TAYLOR: With this latest round -- and  
24 we missed changing the address in the online  
25 system. We did get an updated address. We do

1 not have a new CFA-2.

2 MS. RIORDAN: We'll file one immediately.

3 CHAIRMAN BENNETT: Any motion?

4 COMMISSION MEMBER KLUTZ: What's the total  
5 amount of the four orders you're asking us to  
6 reconsider?

7 MS. THOMPSON: I think they're all \$1,000.

8 MS. TAYLOR: I'm sure they're all \$1,000.

9 MS. THOMPSON: They're all \$1,000.49.

10 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,  
11 would you mind if I ask a small clarifying  
12 question?

13 CHAIRMAN BENNETT: Sure. Go ahead.

14 VICE CHRMN PRO TEM CLAYTOR: I believe  
15 you've asked not only for some relief from  
16 these, but a reconsideration of previous  
17 Commission orders?

18 MS. RIORDAN: Well, technically, the first  
19 thing I have to do -- and counsel can correct me  
20 if I'm wrong -- is that these four orders have  
21 already been issued. There's been a finding  
22 that we violated. Have not been sent to the AG  
23 for collection.

24 So what I'm asking is that you reconsider  
25 those four orders because we weren't here. We

1 didn't have notice of them to defend ourselves  
2 at that time.

3           Additionally, for everything that has  
4 already been sent to the attorney general, I'm  
5 trying to coordinate with that office to find  
6 out exactly what's out there and what they're  
7 pursuing and what they're not pursuing. And  
8 frankly, I'm having a really difficult time.

9           But certainly, we would also like to ask  
10 that the Commission consider those previous  
11 orders, and perhaps counsel could give us  
12 recommendation about what authority the  
13 Commission may have as far as those are  
14 concerned.

15           CHAIRMAN BENNETT: I'd be curious about  
16 that. I mean once orders go to the attorney  
17 general, is there anything we can do about that?

18           MR. SIMMONS: I don't think we -- well, I'm  
19 not sure we have.

20           I know we have -- the Commission has  
21 reconsidered orders and changed, but I don't  
22 know if we've done any that have been at the  
23 attorney general's --

24           MS. THOMPSON: I don't think so.

25           MR. SIMMONS: I don't know why there would

1 be any particular reason why you couldn't do  
2 that, since they are your orders.

3 MR. KOCHEVAR: I concur.

4 COMMISSION MEMBER KLUTZ: I guess I still  
5 don't know how to handle them. Are we dealing  
6 with violations that have not gone to order, and  
7 also a request to reconsider orders that have  
8 been issued?

9 Set aside the ones that have been sent to  
10 the attorney general. Let's just set those  
11 aside. You said there's 16, 12 that have been  
12 sent to the attorney general, 4 orders issued?

13 MS. TAYLOR: Yes.

14 MS. RIORDAN: Yes.

15 COMMISSION MEMBER KLUTZ: For \$1,000 each.

16 And then are there pending violations that  
17 we're considering now?

18 MS. RIORDAN: No. We're back on track.

19 COMMISSION MEMBER KLUTZ: So you're just  
20 here with respect to four orders that were  
21 issued but not yet sent to the attorney general?

22 MS. RIORDAN: That's correct.

23 CHAIRMAN BENNETT: So you're not asking us  
24 for any relief with regard to the matters that  
25 are with the attorney general now; is that

1 correct.

2 MS. RIORDAN: Well, I don't frankly know  
3 what authority the Commission has. I think that  
4 Dale has indicated that maybe you do have the  
5 ability to rescind those.

6 But I would be willing to -- you know,  
7 certainly that would be relief we would request  
8 if the Commission believes it has the authority  
9 to do that.

10 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,  
11 I'm not -- being the rookie on this Board and  
12 not knowing practice, you may not like the  
13 motion, and I'll withdraw it.

14 But I wonder if we can hold this matter in  
15 abeyance and ask Ms. Riordan to work with our  
16 Co-directors and Co-counsels to put together a  
17 proposal on this matter which may include both  
18 these current pending orders, and the matters  
19 that have been turned over to the attorney  
20 general for collection, and have a  
21 recommendation for us at the next meeting.

22 CHAIRMAN BENNETT: Is that a motion?

23 VICE CHRMN PRO TEM CLAYTOR: That may be in  
24 the form of a motion.

25 CHAIRMAN BENNETT: I will take that as a

1 motion.

2 Is there a second to that motion?

3 COMMISSION MEMBER OVERHOLT: I'll second.

4 CHAIRMAN BENNETT: Motion and a second.

5 COMMISSION MEMBER KLUTZ: For purposes of  
6 reconsidering the options at the next meeting?

7 Is that ...

8 CHAIRMAN BENNETT: Well, as I understand  
9 the motion, we would continue this hearing and  
10 allow some discussions to occur within the  
11 Division, both Co-directors, and maybe have a  
12 recommendation at the next meeting to deal with  
13 the situation. Is that fair enough?

14 VICE CHRMN PRO TEM CLAYTOR: Yes, uh-huh.

15 CHAIRMAN BENNETT: And we have a second to  
16 that motion?

17 COMMISSION MEMBER OVERHOLT: Right.

18 CHAIRMAN BENNETT: Any further discussion  
19 on that?

20 Any input about the legality of the pending  
21 motion from either counsel?

22 MR. SIMMONS: No.

23 CHAIRMAN BENNETT: All in favor say aye.

24 THE COMMISSION: Aye.

25 CHAIRMAN BENNETT: All opposed say nay.



1 (No response. Motion carried.)

2 CHAIRMAN BENNETT: Motion carried. So we  
3 will look into this and put it back on the  
4 agenda.

5 MS. RIORDAN: Great. Thank you very much.

6 CHAIRMAN BENNETT: Thank you. Next?

7 MR. MELCHER: Good afternoon. I'm Stephen  
8 Melcher, S-T-E-P-H-E-N, M-E-L-C-H-E-R. This is  
9 my wife, Anna Melcher, A-N-N-A, M-E-L-C-H-E-R.

10 I'm here --

11 CHAIRMAN BENNETT: Let's get a cause number  
12 first. Oh, I'm sorry. I was just looking at it  
13 and started talking.

14 Cause No. 2015-6566-2. There's another  
15 one, 2015-6566-160. And the last one is  
16 2015-6566-161. These are all a few days apart.

17 MS. THOMPSON: Mr. Chairman, that's on  
18 page 23, 24, and ...

19 MS. TAYLOR: 85.

20 MR. MELCHER: First I have to say thanks to  
21 the staff for helping my wife out when she was  
22 trying to do this.

23 September 7 -- no, September 20 I had a  
24 triple cardiac arrest. So I've been doing  
25 finance campaign for going on 23 years. I was a

1 city councilman, commissioner, still a  
2 commissioner. And I ran for the state rep  
3 because a lot of people asked me to run for it,  
4 so I did.

5 But I've never had a violation. In fact,  
6 Susie Kurt, the treasurer -- excuse me -- the  
7 clerk always thought my campaign came on in  
8 early, and me help other people do theirs. So  
9 we've never really missed.

10 But what happened, when I went down, I was  
11 in the hospital for, what, two, three weeks.  
12 She might have to adjust me because my memory  
13 goes. Then I went into rehab for a long time.

14 Probably I didn't get back in the race  
15 until about four days before the election. By  
16 that time, I was passed up in the polls by that  
17 time. I was ahead until then.

18 But she did everything she could. And the  
19 staff really worked with her well. In fact, she  
20 got to the point where she would fax it up and  
21 ask them to email her back so they would know  
22 that they got it.

23 And the mistake I think my wife said she  
24 made, she used the date of the check instead of  
25 the date that she received it. You know, I was

1 trying to talk to her and tell her, you know,  
2 how it should be, and she's never done that  
3 before.

4 So I think it's just a big  
5 misunderstanding. She used the wrong date.  
6 That's all that was done.

7 And like I said, for 23 years, I haven't  
8 had a violation. If I would have been healthy  
9 at that time, probably we would have got it done  
10 right. But I might have made that mistake too.

11 So I'm going to ask you to dismiss it.  
12 This is something that shouldn't happen again,  
13 unless I don't make the next one. So we would  
14 like to have it dismissed, if possible.

15 I don't really have anything to prove to  
16 you. But I know our faxes -- we know they got  
17 them because the only problem we had during the  
18 fax season, when you fax reports up, when I  
19 faxed up my primary one, somehow a page got  
20 missing. And a Republican chairman, not the  
21 Democrat, called me and told me I'd better check  
22 it because he knows I was missing one page  
23 because of that, because he couldn't add up the  
24 numbers. He said I was off.

25 So I checked it, and that's true. That was

1 the case. So I faxed up that page to make it  
2 complete.

3 So as far as I know, we -- my wife kept  
4 faxing everything, and everything went -- but we  
5 still -- you know, once you get on a list,  
6 you're on a list for a while. That's why we  
7 just kept getting them.

8 But we're here today to plead for some  
9 help.

10 CHAIRMAN BENNETT: Okay. Any reply from  
11 the Division staff?

12 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,  
13 on this it shows that two of the three  
14 supplementals are still unfiled; is that  
15 correct?

16 MS. TAYLOR: Two of the four.

17 VICE CHRMN PRO TEM CLAYTOR: Oh, I'm sorry.

18 MR. MELCHER: I thought they were all  
19 filed. What are we missing?

20 MS. TAYLOR: There was a contribution from  
21 I-PACE that's not on the 11 yet, and one from  
22 local 104 PAC that's not on the 11 yet. We  
23 caught those two on the annual report. The  
24 other two we got --

25 MR. MELCHER: Those were -- those were on

1 the annual report?

2 MS. TAYLOR: Yes.

3 MS. THOMPSON: Right.

4 MR. MELCHER: Okay. I was kind of involved  
5 in the end, but can you tell us which ones? We  
6 should have copies here.

7 Have you got a date?

8 MS. TAYLOR: There was a contribution from  
9 I-PACE, and the 11 was due October 16. So the  
10 date was October 14.

11 And then there was one from Local 104. And  
12 the due date was October 22, so the receipt was  
13 October 20.

14 MR. MELCHER: Well, I actually thought that  
15 we had everything filed.

16 MRS. MELCHER: I have I-PACE on the report.  
17 Do you have that?

18 MS. TAYLOR: Yes.

19 MR. MELCHER: That's a CAF-4 [sic].

20 MRS. MELCHER: Okay, that's a CAF-11 [sic].  
21 that was on a --

22 MR. MELCHER: Oh, we put on there, "See  
23 CAF-11," so we must have did one.

24 MS. TAYLOR: We did not ever receive that  
25 one.

1 MRS. MELCHER: Okay. Do you see this right  
2 here (indicating)?

3 MS. THOMPSON: Yeah. We never received  
4 that.

5 MRS. MELCHER: You never got that C portion  
6 right there (indicating)?

7 MS. THOMPSON: Right, right.

8 MRS. MELCHER: Okay. And was the --

9 MR. MELCHER: Whenever I did my annual --

10 MRS. MELCHER: -- other one --

11 CHAIRMAN BENNETT: One at a time.

12 MS. THOMPSON: We have that one. It's  
13 Local 104. Those (indicating) are the two we do  
14 not have.

15 MRS. MELCHER: You do not have a CAF-11 for  
16 these?

17 MS. THOMPSON: Right.

18 MRS. MELCHER: That's what you're needing?

19 MS. THOMPSON: Yes.

20 MRS. MELCHER: Okay. Would you go ahead  
21 and put a check there so I remember to do this?

22 MR. MELCHER: So is this something that we  
23 probably still have to do?

24 MS. TAYLOR: Yes.

25 CHAIRMAN BENNETT: Let me ask Campaign

1 Finance what you learned from this discussion in  
2 terms of the status of the --

3 MS. THOMPSON: She didn't realize she  
4 hadn't filed. And on her report she has  
5 written, "See CFA-11." But we never received  
6 them. We found them when she filed her annual  
7 report.

8 MR. MELCHER: That's what I always did my  
9 whole career. I'd always -- if I did one, I  
10 wrote on there so they knew I did one, because  
11 even in a county they could lose some.

12 MRS. MELCHER: And I enjoyed this so well  
13 that I decided to run for office myself.

14 So I should get these reports in to you,  
15 Abbey? Is that how you --

16 MS. TAYLOR: Yes.

17 MS. THOMPSON: Yes. So two of them were  
18 filed, and two of them were not filed of the  
19 four.

20 MR. MELCHER: Okay. So we'll file the  
21 reports.

22 CHAIRMAN BENNETT: The ones that have not  
23 been filed are late, though?

24 MS. THOMPSON: They are late, yes.

25 CHAIRMAN BENNETT: So there will be an

1 additional --

2 MS. THOMPSON: And they're on your  
3 spreadsheet.

4 CHAIRMAN BENNETT: They're on the  
5 spreadsheet here, okay.

6 So we need to resolve today what fine and  
7 penalty there's going to be based on --

8 MR. MELCHER: Well, I'd like to, if you  
9 could -- because of the sickness, it was tough  
10 for us. I don't -- we don't -- we zeroed out  
11 our account too. It's all -- it's -- I guess I  
12 did that right because they called me and told  
13 me about it.

14 But I know my campaign account's cleared  
15 out. So I'd ask if you could waive the fines.  
16 We'll get the reports in, and then we should be  
17 done.

18 CHAIRMAN BENNETT: Any comments or motions  
19 from the Commission?

20 COMMISSION MEMBER KLUTZ: In the past, have  
21 we -- I don't want to keep continuing things,  
22 but continued things until people get their  
23 reports in? I mean if we fine them now and the  
24 report is still not turned in, would we just  
25 address it again? I'm kind of posing a question



1 because I'm not quite sure.

2 CHAIRMAN BENNETT: My recollection is that  
3 we have done that. We've continued cases to ask  
4 people to get their reports in order, and then  
5 come back and talk about final resolution once  
6 the account is closed.

7 So I'd make a motion to continue this.

8 MR. MELCHER: Let me ask this. My wife  
9 says I talk too much, but I've got to ask this.  
10 If we didn't get -- I guess we didn't know. I  
11 mean did you send us something saying that we  
12 didn't turn that in?

13 MS. THOMPSON: You would have got a  
14 settlement agreement on the two. Well,  
15 actually, on all four.

16 MR. MELCHER: We never got a settlement  
17 agreement on -- I guess I'm confused. If two of  
18 them come in, did we get a settlement agreement  
19 for the two that you know you got?

20 MS. TAYLOR: You probably got four  
21 settlement agreements: Two at one time in  
22 November, and then two again in late February or  
23 early March.

24 MR. MELCHER: And those two said we were  
25 good, or ...

1 MS. TAYLOR: The two in March, February or  
2 March, said they had not been filed. And the  
3 proposed civil penalty was \$1,000 for each.

4 MRS. MELCHER: And I made a phone call to  
5 find out what to do. And I was under the  
6 impression that they were all sent in. So ...

7 MR. MELCHER: And I was at rehab that whole  
8 -- I didn't get out of rehab until about April.

9 CHAIRMAN BENNETT: Okay. We have a motion.  
10 Do any of the Commissioners --

11 COMMISSION MEMBER OVERHOLT: Yeah. I'd  
12 move that we continue this to allow the  
13 required -- the missing reports to be filed, and  
14 then we can resolve it at a hearing after those  
15 reports are filed.

16 MR. MELCHER: Will that be next month?

17 CHAIRMAN BENNETT: Is there a second?

18 COMMISSION MEMBER KLUTZ: Second.

19 CHAIRMAN BENNETT: We have a motion and a  
20 second. Any discussion from the Commissioners?

21 (No response.)

22 CHAIRMAN BENNETT: All in favor say aye.

23 THE COMMISSION: Aye.

24 CHAIRMAN BENNETT: All opposed, nay.

25 (No response. Motion carried.)