

1 CHAIRMAN BENNETT: The ayes have it. We'll
2 continue this and give you an opportunity to
3 work with the Commission and get your reports on
4 file, and then we'll look and see where we are
5 at that point.

6 MR. MELCHER: Okay. Thank you very much.

7 MRS. MELCHER: Thank you.

8 (Pause.)

9 MS. WALTON: Patricia Walton, Cause No.
10 2014-5832-41, for Indiana State Building Trades.
11 Actually, you have it as Citizens for Better
12 Schools.

13 MS. THOMPSON: Oh, okay.

14 MS. TAYLOR: It's on page 20.

15 MS. THOMPSON: Mr. Chairman, this is
16 Citizens for Better Schools, 2014-5832-41. This
17 is one that was tabled from the last meeting to
18 continue to close, and they did close it.

19 CHAIRMAN BENNETT: Very well. Anything
20 you'd like to add?

21 MS. WALTON: Just that this has been total
22 zeros on every report I've filed for the last --
23 well, since 2010. It's been totally inactive.
24 There's no money in it. Nothing has happened
25 with it since 2010.

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1 So we're asking that the fine be waived.

2 CHAIRMAN BENNETT: Any questions from the
3 Commission?

4 (No response.)

5 CHAIRMAN BENNETT: Any motions?

6 VICE CHRMN PRO TEM CLAYTOR: I would move
7 that we waive the fine.

8 CHAIRMAN BENNETT: Is there a second?

9 COMMISSION MEMBER KLUTZ: Second.

10 CHAIRMAN BENNETT: Motion and a second.
11 All in favor say aye.

12 THE COMMISSION: Aye.

13 CHAIRMAN BENNETT: All opposed, nay.

14 (No response. Motion carried.)

15 CHAIRMAN BENNETT: Motion carried. Fine
16 waived. You're free to go.

17 MS. WALTON: Thank you.

18 (Pause.)

19 MR. FOLEY: Ralph Foley, Foley Campaign,
20 Administrative Case No. 2015-3549-34.

21 We -- I stopped -- I retired from the
22 Indiana General Assembly, and, in 2013, got rid
23 of any money left in the account. And I talked
24 to my secretary, who was kind of inexperienced,
25 to help me with these things.

1 CHAIRMAN BENNETT: Can I ask --

2 MR. FOLEY: Yes, sir?

3 CHAIRMAN BENNETT: -- what page number?

4 MS. THOMPSON: Page 27.

5 MR. FOLEY: Oh, I apologize.

6 MS. THOMPSON: This is the Foley Campaign.

7 CHAIRMAN BENNETT: Okay. Now we can follow
8 along with you.

9 MR. FOLEY: Thank you, Mr. Chairman,
10 Members of the Commission.

11 So in 2013 I thought we filed a final
12 report. And apparently there was not a final --
13 that was not designated as a final report.

14 All of my records dealing with campaign
15 matters were boxed up. That particular office
16 was vacated, and -- in our building. And I
17 can't even find our copies of the last filing,
18 so I had to go online to get those.

19 I haven't been able to locate the box, the
20 storage box. I don't know if it's in the musty
21 basement of that building or in the musty
22 basement of my home, or in the ether.

23 But nevertheless, in 2013, I had -- I took
24 in no money, spent -- I got rid of any money and
25 had a zero balance. We were supposed to have

1 labeled it "final." We did not.

2 And it was a surprise in 2015 to learn that
3 we were supposed to have filed a report in 2014,
4 an annual report, because we thought that we had
5 completed our duties.

6 Again, there is no money. We took in no
7 money, we expended no money, and I retired from
8 politics. And the only thing I can tell you is
9 that it was inadvertence and inexperience.

10 It's my responsibility, absolutely. But
11 there is no purpose. I thought we had disbanded
12 after the election of 2011 and finally got rid
13 of the balance of the money.

14 CHAIRMAN BENNETT: Account closed, balance
15 zero?

16 MR. FOLEY: Pardon?

17 CHAIRMAN BENNETT: Account closed, balance
18 zero?

19 MR. FOLEY: Oh, absolutely.

20 CHAIRMAN BENNETT: Anything else?

21 MR. FOLEY: No. Thank you, Mr. Chairman.

22 CHAIRMAN BENNETT: Any questions?

23 (No response.)

24 CHAIRMAN BENNETT: Anyone have any motions?

25 VICE CHRMN PRO TEM CLAYTOR: I move we

1 dismiss.

2 CHAIRMAN BENNETT: We have a motion to
3 dismiss. Is there a second?

4 COMMISSION MEMBER KLUTZ: Second.

5 CHAIRMAN BENNETT: Motion and a second.
6 All in favor say aye.

7 THE COMMISSION: Aye.

8 CHAIRMAN BENNETT: All opposed say nay.

9 (No response. Motion carried.)

10 CHAIRMAN BENNETT: Case dismissed.

11 MR. FOLEY: Thank you, thank you, thank
12 you, Commissioners.

13 CHAIRMAN BENNETT: Thank you.

14 MR. FOGLESONG: My name is Kelly,
15 K-E-L-L-Y, Foglesong, F-O-G-L-E-S-O-N-G. I'm
16 the treasurer for the Greene County Republicans.
17 And this is Chairman Paul Clark.

18 MR. CLARK: Paul Clark, common spelling,
19 Chairman for the Greene County Republican Party.

20 We have two separate cause numbers:
21 2014-5507-83 and 2015-5507-74.

22 MS. THOMPSON: The first one's on page 22.
23 The next one's on page 62. And there's a third
24 one on page 74. That's 101.

25 CHAIRMAN BENNETT: Anything else from the

1 Division?

2 MS. THOMPSON: So that would be
3 Cause Nos. 2014-5507-83, 74, and 101.

4 CHAIRMAN BENNETT: Can you give us a brief
5 description of those?

6 MS. THOMPSON: This was a motion to
7 reconsider, and the committee is also closed.

8 And all three of these are a motion to
9 reconsider.

10 CHAIRMAN BENNETT: Okay. Proceed.

11 MR. FOGLESONG: Again, my name is Kelly
12 Foglesong. This is my first time here. I sort
13 of inherited this position. The prior
14 treasurer's wife found him deceased in his home
15 of natural causes, and I agreed to finish until
16 his term was up.

17 I didn't have anybody I could go back to
18 and ask questions from a lot of the things that
19 he had. We have no idea where they are, notes,
20 and so on.

21 But the reason I believe we're here today
22 is we did not file the CFA-4s with the state.
23 We sort of look to our elders for guidance. We
24 don't have that. Our previous chairman, which
25 has been involved with politics probably 50

1 years, now has Alzheimer's.

2 I'm not here to throw a sob story with you
3 on people that have passed away or are ill, but
4 we have gone by the Indiana Campaign Finance
5 Manual that's published by the Indiana Election
6 Division. And if we go deep into it, it gives a
7 checklist on where we're to file. And the way
8 we interpret it, we're not required to file with
9 the state.

10 The part where we read that says, "A
11 committee that supports circuit, county, city,
12 or town candidates must file with the County
13 Election Board." And we do that. We have done
14 that, and we always have.

15 It says, "However, if a committee proposes
16 to influence the election of any candidate for
17 statewide or legislative office, or the outcome
18 of a public question that's on the ballot
19 statewide," which we haven't, and haven't for
20 30-some years, "then the committee must file
21 with the Indiana Election Division."

22 Then it goes on and says, "The committee
23 must file" -- it's also required to file with
24 the county.

25 We've also filed them with the county. And

1 usually, before we leave, the clerk says, "I'll
2 go ahead and send this to the state. You don't
3 have to, but we always do it anyway."

4 We don't feel that we've done anything to
5 mislead anybody. We've told everybody, "Anybody
6 wants to look at our books, they're here.
7 You're welcome to see anything that's in them."

8 We didn't not file something with the state
9 to hide anything. We didn't know we were
10 supposed to. We were going by what the Indiana
11 Campaign Finance Manual says we were to do.

12 CHAIRMAN BENNETT: Anything else you'd like
13 to add?

14 MR. FOGLESONG: Paul, do you have anything?

15 MR. CLARK: No. We have one order that had
16 been sent to the attorney general's office
17 already for collections. We would like to see
18 if you guys could reconsider that as well.

19 MR. FOGLESONG: We have had some mail go to
20 a prior county chairman, or two prior county
21 chairmen. And then they, like months later,
22 have gotten them to us.

23 We later learned that there was a hearing.
24 Of course, we would have been here, but we were
25 unaware of those. They were sent to prior

1 county chairmen. And I've got those envelopes
2 here, if you want to see those.

3 But basically, we didn't file anything with
4 the state because the manual says we weren't
5 supposed to.

6 MR. CLARK: And we haven't given any money
7 to any state candidates in 30-some years.

8 MR. FOGLESONG: 30-some years.

9 COMMISSION MEMBER KLUTZ: So what prompted
10 you to file with the state?

11 MR. FOGLESONG: We've never filed anything
12 with the state. The clerk's office has faxed
13 them up here.

14 COMMISSION MEMBER KLUTZ: Oh, I see.

15 MR. FOGLESONG: In fact, they would email
16 us and say, "We have sent this on to the state."
17 I don't know whether the other party does and
18 they think they're supposed to, or what.

19 COMMISSION MEMBER KLUTZ: I was trying to
20 figure out what triggered a notice to you that
21 you'd failed to file if you haven't filed in the
22 past.

23 MR. FOGLESONG: Don't know.

24 MS. THOMPSON: We're looking to see when
25 they filed a statement of organization with us.

1 COMMISSION MEMBER KLUTZ: You're saying the
2 committee is closed?

3 MR. FOGLESONG: No. We're still --

4 COMMISSION MEMBER KLUTZ: Oh, okay.

5 MS. THOMPSON: They're closed on the state
6 level.

7 COMMISSION MEMBER KLUTZ: Closed at the
8 state level, I see.

9 MR. FOGLESONG: We've sent letters saying
10 that we don't give to state or federal
11 candidates, or other than local candidates, and
12 maybe that's ...

13 CHAIRMAN BENNETT: Let me ask counsel now
14 while we're looking for some records. Do you
15 agree with the interpretation of the Election
16 Code that you heard here?

17 MR. SIMMONS: Yes. We certainly advise
18 committees that if you are going to give to
19 statewide or state legislative candidates, that
20 they would need to file with us. And if you're
21 totally going to give to local candidates, you
22 file locally with the county.

23 We don't tell them what to file, though.
24 We -- you know, you have that advice. And it is
25 committees that tell us who they purport or what

1 offices they purport to support.

2 And so it has happened often, and I'm sure
3 you all remember cases where a committee may
4 have -- years ago a county committee wanted to
5 support a state legislator. So they thought,
6 "Okay, now we have to open a state committee."
7 And they started filing in both places. And
8 then they got out of that business, and that
9 remained. As far as we know, what we have on
10 file is they opened a committee, so we expect a
11 report.

12 CHAIRMAN BENNETT: Okay.

13 MR. FOGLESONG: We don't not support state
14 candidates. We -- oh, I'm sorry. Go ahead.

15 MR. KOICHEVAR: No, I have nothing. I have
16 nothing to add.

17 MR. FOGLESONG: We support them by voting
18 for them, or whatever.

19 But if you look at our last CFA-4, it's
20 kind of embarrassing. I think we have \$18.37 in
21 there. We don't have the money to support state
22 candidates. Times have changed. We don't have
23 a lot of supporters.

24 CHAIRMAN BENNETT: Let me go back to the
25 Division. Have you found anything in the

1 paperwork?

2 MS. THOMPSON: Their CFA-2?

3 CHAIRMAN BENNETT: Yes.

4 MS. THOMPSON: Yeah. They started -- or,
5 excuse me, three. They filed back in 2006, is
6 when they originally --

7 Is that '06?

8 MS. TAYLOR: Yeah.

9 MS. THOMPSON: -- filed their statement of
10 organization with us. Since then, some were
11 faxed. Some were mailed reports.

12 CHAIRMAN BENNETT: Can you tell where it
13 came from.

14 MS. THOMPSON: No.

15 MR. FOGLESONG: Does it give a phone
16 number?

17 MS. THOMPSON: This one wasn't faxed.

18 (Inaudible discussion off the record.)

19 CHAIRMAN BENNETT: Do we have a motion from
20 any of the Commissioners?

21 COMMISSION MEMBER KLUTZ: Mr. Chairman, it
22 appears, even though they started filing in
23 2006, it may have been that they were not
24 required to do so.

25 The testimony is that they do not actively

1 support statewide candidates for state house or
2 state senate, and -- which would trigger the
3 state filing.

4 They've since closed their state accounts,
5 so I would make a motion to dismiss the proposed
6 charges or fines.

7 CHAIRMAN BENNETT: Is there a second? Do
8 you --

9 COMMISSION MEMBER KLUTZ: Or this is a
10 motion to reconsider. Sorry, a --

11 CHAIRMAN BENNETT: Motion to reconsider the
12 past -- the past --

13 COMMISSION MEMBER KLUTZ: -- my motion.

14 CHAIRMAN BENNETT: Did your party get
15 involved in referendums on property tax?

16 MR. FOGLESONG: No.

17 COMMISSION MEMBER KLUTZ: Mr. Chairman, I
18 want to amend my motion.

19 I'd make a motion that we reconsider the
20 prior orders and dismiss the prior causes giving
21 rise to those orders.

22 CHAIRMAN BENNETT: Very good. Is there a
23 second to that motion?

24 VICE CHRMN PRO TEM CLAYTOR: I will second
25 it, if I can ask a question immediately.

1 CHAIRMAN BENNETT: Second for purposes of
2 discussion. Very well.

3 VICE CHRMN PRO TEM CLAYTOR: Did I
4 understand they have a collection matter pending
5 before the attorney general as well?

6 MR. FOGLESONG: That's 101, I believe.

7 MS. THOMPSON: No.

8 MR. FOGLESONG: That's not it?

9 MS. THOMPSON: That's one of the three that
10 are before the Commission today.

11 MR. FOGLESONG: Okay. I don't know.

12 MS. THOMPSON: I don't know about --

13 MR. FOGLESONG: That might have been some
14 of them that we are later finding out about that
15 were sent other places.

16 MR. CLARK: To answer your question, yes,
17 we do. It doesn't say which campaign finance
18 report that it ordered -- the letter we have
19 from the attorney general. It has their
20 office -- or their file number.

21 But it was ordered November 5. The letter
22 we got from the attorney general was November 5,
23 2014.

24 COMMISSION MEMBER OVERHOLT: So should we
25 just say we should address -- or make it clear

1 we're addressing the ones before us today, as
2 opposed to what's been referred to the attorney
3 general?

4 COMMISSION MEMBER KLUTZ: Yeah. Let me
5 restate the motion that it would not include any
6 order that has previously been sent to the
7 attorney general. I think we're looking at that
8 issue for other candidates to see how that's
9 going to be for the rest of them.

10 VICE CHRMN PRO TEM CLAYTOR: I'll accept
11 that change with my second.

12 CHAIRMAN BENNETT: Okay. So we have a
13 motion and a second. All in favor say aye.

14 THE COMMISSION: Aye.

15 CHAIRMAN BENNETT: All opposed, nay.

16 (No response. Motion carried.)

17 CHAIRMAN BENNETT: Motion carried. We will
18 reconsider and release the previous orders.

19 MR. CLARK: The three cause numbers that
20 were read at the beginning of this hearing?

21 CHAIRMAN BENNETT: Yes, but not the
22 attorney general's --

23 MR. CLARK: This one (indicating) still
24 stands?

25 CHAIRMAN BENNETT: Yes.

1 MR. FOGLESONG: Do we have a separate
2 hearing for that, or how does that -- I've never
3 been here before. I don't know what --

4 CHAIRMAN BENNETT: Well, I'm not sure we do
5 either.

6 MR. FOGLESONG: We've been trying to learn
7 as we go along.

8 CHAIRMAN BENNETT: We're looking into the
9 issue with regard to the attorney general, and
10 we will notify you of any action that we take,
11 or that we will consider taking.

12 MR. FOGLESONG: Thank you all very much.

13 MR. CLARK: Thank you.

14 CHAIRMAN BENNETT: Thank you.

15 (Pause.)

16 MR. GILLIM: Good afternoon, Members of the
17 Commission, Chairman Bennett, Directors and
18 Staff, this is -- I'm here before you regarding
19 Cause No. 2015-6599-94. Parvin for 32 is the
20 name of the -- former name of the committee.
21 It's been disbanded.

22 My name is Parvin Gillim. That is
23 P-A-R-V-I-N, G-I-L-L-I-M.

24 CHAIRMAN BENNETT: Give us a minute to find
25 your case.

1 MS. TAYLOR: It's on page 76 and 77. The
2 first is Cause No. 2015-6599-94. It's a
3 proposed civil penalty of \$1,000.49.

4 And the second is Cause No. 2015-6599-95,
5 with a proposed civil penalty of \$1,000.49.

6 And the third is 2015-6599-96, with a
7 proposed civil penalty of \$1,000.69.

8 All three of these are late CFA-11
9 supplemental records for a thousand dollars or
10 more.

11 CHAIRMAN BENNETT: And what are the page
12 numbers?

13 MS. TAYLOR: 76 and 77.

14 CHAIRMAN BENNETT: Mr. Gillim?

15 MR. GILLIM: I will just plead my case
16 saying that this is a matter of ignorance and
17 naivety on my part.

18 When I received the notices -- and frankly,
19 I didn't even realize there were three causes.
20 I just thought there was the one. She was kind
21 enough to explain to me that this was because I
22 had had some campaign contributions in excess of
23 a threshold that I -- honestly, I wasn't aware
24 of. It wasn't as if I was trying to cover
25 anything up, or anything like that. This was my

1 first foray into this type of political
2 endeavor, and it was a huge educational
3 experience, and obviously one that I didn't
4 completely understand.

5 And I thought I'd read through the manual,
6 and I thought I was submitting the proper forms.
7 But clearly I missed some important ones.

8 And with that, I guess I'm just asking for
9 leniency for a newcomer that probably will never
10 deal with this again, because -- just -- it's
11 obviously something that I'm not really cut out
12 to do.

13 CHAIRMAN BENNETT: Did you have a
14 treasurer?

15 MR. GILLIM: I did not. I ran it all
16 myself.

17 VICE CHRMN PRO TEM CLAYTOR: And these are
18 still unfiled?

19 MS. TAYLOR: Correct.

20 MR. GILLIM: And I only learned today from
21 listening, if I'm understanding this right, that
22 I actually should also submit those forms. I
23 didn't realize that once the committee is
24 closed, that I would still need to submit those
25 forms.

1 And after hearing all this, I apologize. I
2 didn't even understand that I needed to resubmit
3 those. It's just a matter -- I -- since it was
4 disclosed on the final form, I didn't realize I
5 needed to continue to submit new forms.

6 CHAIRMAN BENNETT: Do you intend to close
7 the campaign accounts?

8 MR. GILLIM: It's been closed. Everything
9 has been closed.

10 MS. THOMPSON: We'll check and see if it's
11 closed.

12 MR. GILLIM: Oh, okay. I think I checked
13 that box.

14 MS. THOMPSON: You may have.

15 CHAIRMAN BENNETT: Is there a motion from
16 anybody?

17 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
18 I'd move that we hold this in abeyance until
19 forms are filed and make sure that the account
20 for the committee is properly closed.

21 MS. TAYLOR: It's closed.

22 VICE CHRMN PRO TEM CLAYTOR: Okay, it is
23 closed?

24 MS. THOMPSON: It is closed.

25 VICE CHRMN PRO TEM CLAYTOR: But those are

1 unfiled?

2 MS. THOMPSON: Yes. The committee is
3 closed, but the CFA-11s are still not filed.

4 CHAIRMAN BENNETT: So your motion is to
5 continue this matter and see that the forms are
6 filed?

7 VICE CHRMN PRO TEM CLAYTOR: That the forms
8 are filed, yes, sir.

9 CHAIRMAN BENNETT: Is there a second?

10 COMMISSION MEMBER KLUTZ: Second.

11 CHAIRMAN BENNETT: We have a motion and a
12 second. Any 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 MR. GILLIM: Are these in the manual or are
20 these online, those forms?

21 MS. TAYLOR: Both.

22 MR. GILLIM: Both, all right. Thank you.

23 CHAIRMAN BENNETT: The Commission staff,
24 I'm sure, will help you if you have any
25 questions.

1 MR. GILLIM: They've been very helpful.

2 Thank you.

3 CHAIRMAN BENNETT: Representative Porter?

4 REPRESENTATIVE PORTER: Good afternoon,
5 Mr. Chairman.

6 CHAIRMAN BENNETT: Good afternoon.

7 REPRESENTATIVE PORTER: Ladies and
8 gentlemen, I'm Gregory W. Porter. I don't have
9 any cause numbers. I apologize. I don't have
10 them with me. It's Gregory W. Porter for State
11 Representative.

12 CHAIRMAN BENNETT: Can you give us just a
13 second to try to locate your file?

14 REPRESENTATIVE PORTER: Yes, sir.

15 MS. THOMPSON: Page 79 and page 80.

16 CHAIRMAN BENNETT: Does the Division have
17 anything else to say?

18 MS. THOMPSON: Yes. Mr. Chairman, these,
19 again, are supplemental reports.

20 Gregory Porter for State Representative,
21 Cause No. 2015-3546-100, 101, and 102.

22 CHAIRMAN BENNETT: Representative Porter?

23 REPRESENTATIVE PORTER: Yes, sir. Been in
24 the General Assembly for about 20-plus years,
25 and never been in front of the Commission.

1 We did sign it and submit it. However, it
2 got hung up in some other paperwork with some
3 other candidates, and it did not get filed.

4 I know subsequently there was one
5 supplemental filed after that from someone, and
6 so I signed them. They just didn't get filed.
7 There was a lot going on, and that's where we
8 are right now.

9 I do understand that. I've never had it
10 before. And I even -- if it's -- if somebody
11 gives me \$10, a 10-dollar check, I file it on
12 the report. I try to be totally transparent.

13 CHAIRMAN BENNETT: This has never happened
14 in years and years. Was there something in
15 particular that occurred that caused it this
16 time?

17 REPRESENTATIVE PORTER: There was some
18 issues going on that -- I was moving through --
19 doing some things in there. I kind of do my own
20 also. My treasurer's been deceased for a while,
21 so -- but I never had this happen before.

22 And I did try to get it to you, but it
23 just -- it just didn't happen. It just didn't
24 happen.

25 CHAIRMAN BENNETT: All right. Any

1 questions?

2 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
3 these don't show that they have been filed yet.

4 MS. TAYLOR: That's correct. We do not
5 have these CFA-11s.

6 CHAIRMAN BENNETT: What is the status of
7 those, from your perspective, Representative
8 Porter?

9 REPRESENTATIVE PORTER: They will be filed.
10 I thought they were filed, but obviously, if you
11 say they weren't, they're not. But they will be
12 filed expeditiously.

13 VICE CHRMN PRO TEM CLAYTOR: I think,
14 Mr. Chairman, what we've been doing is holding
15 these in abeyance until the reports are actually
16 filed. And I would so move.

17 CHAIRMAN BENNETT: Is your campaign
18 committee still --

19 REPRESENTATIVE PORTER: Yes, sir, active.

20 CHAIRMAN BENNETT: Still active?

21 REPRESENTATIVE PORTER: Yes, it is, sir.

22 CHAIRMAN BENNETT: Is there a second to the
23 motion?

24 COMMISSION MEMBER KLUTZ: Second.

25 CHAIRMAN BENNETT: We have a motion and a

1 second. Any discussion?

2 (No response.)

3 CHAIRMAN BENNETT: Hearing none, all in
4 favor say aye.

5 THE COMMISSION: Aye.

6 CHAIRMAN BENNETT: All opposed say nay.

7 (No response. Motion carried.)

8 CHAIRMAN BENNETT: Motion carried. We will
9 continue this hearing and ask that you get your
10 paperwork filed, and we'll revisit this after
11 that.

12 REPRESENTATIVE PORTER: Thank you, ladies
13 and gentlemen.

14 CHAIRMAN BENNETT: Thank you.

15 MR. TATGENHORST: Good afternoon,
16 Mr. Chairman, ladies and gentlemen of the
17 Commission. My name is Karl Tatgenhorst.
18 That's K-A-R-L, T-A-T-G-E-N-H-O-R-S-T.

19 And this is in the matter of
20 Cause No. 2015-6511-56.

21 CHAIRMAN BENNETT: Just give us a second
22 and we'll get the file up here.

23 MR. TATGENHORST: Yes, sir.

24 MS. TAYLOR: It's on page 51. Cause No.
25 2015-6511-56. It's the first time before the

1 Commission, and it's a proposed civil penalty of
2 \$50.49.

3 CHAIRMAN BENNETT: You may proceed.

4 MR. TATGENHORST: I'd like to move that
5 this -- or ask that this be dismissed. I don't
6 have 25 years of previous elections to point to,
7 and my good behavior, but I will say that in my
8 first campaign, I spoke quite often with
9 Michelle and Abbey and made every effort to keep
10 current.

11 On the day that the filing was due, I tried
12 to log in around 9:00 a.m. and was unable. And
13 I called the secretary's office, and I believe
14 on that date I spoke with Michelle. And she
15 helped me get in, but I got in a little late,
16 and my filing was 15 minutes late.

17 I think that I could show that my attempt
18 was to have filed on time, and I would ask for
19 your leniency on that.

20 CHAIRMAN BENNETT: Any comments from the
21 Division?

22 (No response.)

23 CHAIRMAN BENNETT: Any questions from the
24 Commissioners?

25 COMMISSION MEMBER KLUTZ: The comment here

1 says at 12:15.

2 MS. THOMPSON: Yes.

3 COMMISSION MEMBER KLUTZ: Is that when you
4 talked with him?

5 MS. THOMPSON: No. That's when he filed
6 the report.

7 COMMISSION MEMBER KLUTZ: Okay. I know it
8 was late, but it does appear that there was a
9 substantial attempt to comply here. And I know
10 sometimes on filing deadlines online, there can
11 be a backup.

12 I'd make a motion that we waive any fine.

13 CHAIRMAN BENNETT: We have a motion. Is
14 there a second?

15 VICE CHRMN PRO TEM CLAYTOR: Second.

16 CHAIRMAN BENNETT: A motion and a second.

17 All in favor say aye.

18 THE COMMISSION: Aye.

19 CHAIRMAN BENNETT: All opposed say nay.

20 (No response. Motion carried.)

21 CHAIRMAN BENNETT: Motion carried. Fine
22 waived. You may go.

23 MR. TATGENHORST: Thank you very much.

24 MR. HAUPTMANN: Good afternoon. This is in
25 regards to 2015-6648-33. My name is Joe

1 Hauptmann, H-A-U-P-T-M-A-N-N. I'm the state
2 chair of the Libertarian party appearing for
3 Terry Burch in this matter.

4 It is customary in our party for -- when a
5 member requests it, that the party send a
6 representative. Most of our candidates are
7 working people who find it difficult to get down
8 here, especially if they're not in the Metro
9 area.

10 CHAIRMAN BENNETT: Could we wait and let us
11 find the page number?

12 MR. HAUPTMANN: Yes. I'm sorry.

13 MS. THOMPSON: Mr. Chairman, that's on
14 page 54. Committee to Elect Terry Burch,
15 2015-6648-33.

16 CHAIRMAN BENNETT: Anything from the
17 Division?

18 MR. HAUPTMANN: I would ask that you
19 consider waiving the fine on this. Terry tried
20 to make the deadline. He went under the old
21 idea of the mailbox rule, which apparently
22 doesn't exist anymore with regard to this. He
23 mailed it prior to the deadline. He paid
24 additional at the post office to try to get it
25 there. It arrived the day after the deadline.

1 Most of our people are citizens trying to
2 exercise their civic duty. They don't have a
3 lot of experience in politics.

4 Terry didn't even make it onto the ballot
5 due to a residency. And it just seems a little
6 unfair to put a fine on him under these
7 conditions.

8 CHAIRMAN BENNETT: Is the account closed at
9 this point?

10 MR. HAUPTMANN: I do not know. I was not
11 chair at the time that he ran. I was just
12 appointed chair, or elected chair, so I was
13 asked to appear for him in this matter.

14 I will also see that our 2016 candidates
15 are informed that you can't count on the post
16 office.

17 MS. THOMPSON: It's not closed.

18 MR. HAUPTMANN: Okay. I will see that it
19 gets closed.

20 CHAIRMAN BENNETT: Counsel, could you
21 clarify whether or not the post office mailbox
22 rule applies in this matter.

23 MR. SIMMONS: We have, Mr. Chairman, our
24 own definition of filing. In 3-5-2-4.5, that
25 includes both the concept of receipt by Election

1 Division and recording the date and time of
2 receipt. But that's come up often in the past
3 hearings.

4 CHAIRMAN BENNETT: Thanks. Receipt by the
5 Election Division. And you concur with that?

6 MR. KOCHEVAR: Yes.

7 CHAIRMAN BENNETT: Generally, we like to
8 see accounts closed. But does anyone have a
9 motion to make?

10 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
11 as a first offense, we would be looking at
12 reducing it to 25 on request. But -- well, in
13 fact, I will make that motion, that we reduce
14 the fine to one-quarter as a first offense, to
15 be \$25.49.

16 CHAIRMAN BENNETT: Is there any second to
17 that motion?

18 COMMISSION MEMBER KLUTZ: Second.

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

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. Motion carried.)

2 CHAIRMAN BENNETT: Motion carries, fine
3 reduced, 25 percent -- to 25 percent.

4 MR. HAUPTMANN: Thank you.

5 MS. MURPHY: My name is Leslie Murphy,
6 L-E-S-L-I-E, M-U-R-P-H-Y, with the Indiana
7 Amusement & Music Operators Association,
8 Administrative Cause No. 2014-5203-31.

9 CHAIRMAN BENNETT: Thank you. Do we have a
10 page number?

11 MS. THOMPSON: That would be on page 19.

12 CHAIRMAN BENNETT: Any comments from the
13 Division staff?

14 MS. THOMPSON: It's the Indiana Amusement &
15 Music Operators Political Action Committee,
16 2014-5203-31. This is a motion to reconsider,
17 and the committee is closed. You may proceed.

18 MS. MURPHY: Thank you very much, sir. We
19 did have a prior settlement from situations of
20 not filing a 2013 annual report, a 2014
21 preprimary report, and a 2014 preelection
22 report. Once we were notified of that, we took
23 care of those actions very quickly. We thought
24 we had done everything to actually close our --
25 the committee, and found out that we hadn't

1 filed the paperwork correctly to do that.

2 So once we were notified, we quickly filed
3 those reports. We've paid the penalty. We
4 worked with the -- the staff, who were very
5 helpful in making sure that we had that account
6 closed.

7 So when we got this most recent
8 notification, we were surprised, because
9 obviously, this predates the other reports that
10 we said hadn't been filed. We would have
11 thought that would have happened at the same
12 time.

13 And also, this past January, we had tried
14 to work with staff because they've always been
15 very responsive and very helpful -- and were in
16 this case -- to say, "We just want to make sure.
17 Because we screwed up before, we just really
18 want to make sure that we've done everything we
19 should to make sure that this is closed and
20 we've done everything we need to do." We were
21 told we had.

22 So when we found out that we hadn't filed
23 the January 2014 report, we were surprised by
24 that.

25 So what we're asking is to waive a penalty,

1 either allow us to file a report or waive the
2 report, since it is now closed.

3 COMMISSION MEMBER KLUTZ: We have a motion
4 to reconsider. Can you explain what that is?
5 And then we also have something that says a
6 proposed fine. So are we looking at a proposed
7 fine as well as a past fine, or ...

8 MS. TAYLOR: The motion to reconsider is
9 for the 2013 annual that was due in January of
10 2014. You held that hearing in September of
11 2014, so this is a motion to reconsider that
12 order.

13 The proposed fine is just wording on the
14 forms. We can't -- it's a text box --

15 MS. MURPHY: Because we'd already paid
16 those fines, so it's really the new -- I just
17 want to make sure I understand. The new is for
18 the January 2014 annual report, is the issue.

19 The reason I bring up the prior, which
20 included the motion to reconsider is -- just so
21 you know, something happened. We thought we
22 fixed it. We paid the fines. Realized that
23 we'd screwed up.

24 And now we, then, have subsequently gotten
25 an additional report notification for the

1 January 2014 annual report, right? Am I missing
2 that?

3 MS. THOMPSON: You paid the fines on the
4 2014.

5 MS. TAYLOR: The preprimary --

6 MS. MURPHY: And '13.

7 MS. TAYLOR: -- and preelect.

8 MS. MURPHY: And '13. It was all part of
9 the reconsideration.

10 MS. TAYLOR: We're just reconsidering the
11 '13 annual.

12 MS. MURPHY: The '14 is what's on the
13 hearing report. It's the January '14 that's on
14 the hearing notification.

15 MS. TAYLOR: Right. That was the 2013
16 annual that was due in January of 2014.

17 MS. MURPHY: Oh, I see what you're saying.

18 MS. THOMPSON: So it's the 2013.

19 MS. MURPHY: Okay. That was -- because the
20 other two, we've already paid the penalty?

21 MS. TAYLOR: Yes.

22 MS. THOMPSON: Right.

23 MS. MURPHY: Why weren't they -- I'm sorry.
24 Why weren't all three together? Was there a
25 reason? I'm sorry. I really thought all three

1 were together, and that this was some new
2 report.

3 MS. THOMPSON: No, this isn't a new report.
4 This is an old one. You paid two fines -- you
5 had three reports, you paid two fines.

6 MS. MURPHY: Which we have filed and are
7 attached.

8 MS. THOMPSON: Right. And this is why this
9 one's still on the agenda.

10 CHAIRMAN BENNETT: So there's one more fine
11 to be paid and a report that has never been
12 filed?

13 MS. MURPHY: No. It's right there.

14 MS. TAYLOR: It's been filed.

15 MS. MURPHY: Everything was filed at the
16 same time. All notifications for all three
17 reports came to us at the same time, where we
18 clarified after the notifications what was
19 needed. We filed it all, paid our penalties.

20 So my mistake. I thought it was all -- all
21 the penalties were for all three of those, the
22 filling of all three of those reports for '13
23 and '14.

24 CHAIRMAN BENNETT: There's one penalty that
25 remains unpaid?

1 MS. MURPHY: Apparently so.

2 MS. TAYLOR: That's what we're --

3 MS. MURPHY: That's --

4 MS. TAYLOR: -- reconsidering --

5 MS. MURPHY: -- unknown to us.

6 CHAIRMAN BENNETT: Any questions?

7 VICE CHRMN PRO TEM CLAYTOR: I'm confused.

8 MS. MURPHY: Yeah, so am I. I'm sorry. I
9 am too.

10 CHAIRMAN BENNETT: There were three fines
11 to be paid on three reports that weren't filed.

12 All three reports have now been filed, but
13 two of the fines have been paid. One fine
14 remains unpaid.

15 MS. MURPHY: I will say that I believed --
16 because all three reports -- we found out about
17 all three reports at the same time, that the --
18 and filed all three of those reports
19 subsequently at that time, and I believed that
20 the penalty was for all three reports.

21 COMMISSION MEMBER KLUTZ: Doesn't appear
22 that's the case.

23 MS. MURPHY: Doesn't appear that's the
24 case.

25 COMMISSION MEMBER KLUTZ: So what do we

1 have for the outstanding 2013 fine? \$1,000?

2 MS. MURPHY: That we've not been notified
3 of yet.

4 CHAIRMAN BENNETT: Did you pay the other
5 two in full?

6 MS. MURPHY: Yes. \$2,000.95 for the
7 postage, right. Yes, we did, as soon as we
8 knew.

9 CHAIRMAN BENNETT: Is there anything that
10 the Division did or we did that confused you on
11 the third fine?

12 MS. MURPHY: Once again, we made the
13 filing. Once again, when we got the
14 notification, we contacted the office. We said,
15 "What do we need to do?" Make sure I had the
16 right forms. Took them, got them hand-stamped,
17 and did all of that once.

18 So for whatever mistaken reason, I believed
19 that then the penalty we got was for all things
20 we were dealing with at the same time. So I was
21 tying time of getting clear with the reports
22 with the penalties.

23 So it seems -- doesn't that seem -- it
24 seems odd to me that I would have penalties for
25 something, for the 2014 reports that were due,

1 actually, later than the January 2014 reports.

2 Does that not seem odd to you?

3 CHAIRMAN BENNETT: Is there an invoice?

4 Do we send out an invoice with the penalties on
5 them?

6 MS. TAYLOR: We send out the order.

7 MS. MURPHY: Sent out the order, right,
8 which we signed and sent back and paid the
9 penalty January 16, I believe, somewhere in that
10 time frame.

11 MS. THOMPSON: That I don't have on here.
12 You paid the settlement agreements?

13 MS. MURPHY: Yeah. We paid what we
14 received, yeah.

15 MS. THOMPSON: Those I don't have down
16 here.

17 MS. MURPHY: Yeah. We paid what we
18 received.

19 MS. THOMPSON: Two of the three settlement
20 agreements were sent back.

21 CHAIRMAN BENNETT: And the third was not?

22 MS. THOMPSON: Right.

23 CHAIRMAN BENNETT: Okay. So that --

24 MS. MURPHY: And I've not seen the -- I've
25 not seen the third. It's all the same address,

1 and I've never seen the third.

2 So that's why I thought -- I'm sorry.

3 That's why I thought this notification was for
4 something new, a new report that I was unaware
5 we hadn't filed.

6 COMMISSION MEMBER KLUTZ: What did the
7 settlement agreement say that didn't get
8 returned? What was the proposed settlement? Do
9 we know?

10 MS. THOMPSON: I can't remember.

11 COMMISSION MEMBER KLUTZ: Would it --

12 MS. MURPHY: And I'm sorry, I do not
13 remember.

14 COMMISSION MEMBER KLUTZ: -- have been a
15 percentage of this thousand dollars?

16 MS. THOMPSON: No. It would have been for
17 a thousand dollars.

18 COMMISSION MEMBER KLUTZ: For the full
19 thousand?

20 MS. THOMPSON: Yeah. Three of them for
21 \$1,000.

22 CHAIRMAN BENNETT: Plus 49 cents.

23 MS. THOMPSON: Right.

24 MS. TAYLOR: Right.

25 MS. MURPHY: And we got the settlement

1 notification for \$2,000.95, and paid it right
2 away. We filed the reports right away. We
3 paid the payment right away. Same address, no
4 change of address, no difference in who is
5 handling it.

6 So that's why I'm sorry, my confusion, that
7 I thought this hearing notice was for something
8 new that I was unaware of, even though the
9 account's now closed.

10 CHAIRMAN BENNETT: Does anybody --

11 MS. MURPHY: So if we've confused anybody
12 else ...

13 CHAIRMAN BENNETT: -- have a motion?

14 COMMISSION MEMBER KLUTZ: Can we reissue
15 the settlement agreement?

16 MS. THOMPSON: Can we reissue?

17 CHAIRMAN BENNETT: I guess she's asking us
18 to reconsider that third one.

19 VICE CHRMN PRO TEM CLAYTOR: I mean it
20 doesn't exist anymore, and it has no money?

21 MS. MURPHY: It's closed, no. We actually
22 thought we had closed it in 2012. We had not
23 filed the paperwork apparently correctly to do
24 that.

25 Subsequently, we did that, once we were

1 notified.

2 CHAIRMAN BENNETT: So the account balance
3 is zero?

4 MS. MURPHY: Right, right, correct.

5 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
6 I move we reconsider the fine.

7 CHAIRMAN BENNETT: And waive it?

8 VICE CHRMN PRO TEM CLAYTOR: And waive it.

9 CHAIRMAN BENNETT: Is there a second?

10 COMMISSION MEMBER OVERHOLT: Second.

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

13 (No response.)

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

16 THE COMMISSION: Aye.

17 CHAIRMAN BENNETT: All opposed say nay.

18 (No response. Motion carried.)

19 CHAIRMAN BENNETT: Motion carried.

20 MS. MURPHY: Thank for your consideration.
21 Appreciate it.

22 MR. OWENS: Good afternoon, my name is
23 Kristopher Owens, K-R-I-S-T-O-P-H-E-R,
24 O-W-E-N-S. I'm here on behalf of Kristopher
25 Owens for Indiana House.

1 I have four cause numbers: 2011-6010-215;
2 2012-6010-79; 2013-6010-68; and 2014-6010-51.

3 MS. THOMPSON: Mr. Chairman, that starts on
4 page 10, is the first one. The second one is on
5 page 12. The third one is on page 14, and the
6 fourth one is on page 21.

7 CHAIRMAN BENNETT: Page 21?

8 MS. THOMPSON: Yes.

9 CHAIRMAN BENNETT: Anything that the
10 Division can tell us about these?

11 MS. THOMPSON: This one was tabled at our
12 last meeting that we had in September.

13 MS. TAYLOR: I think that you tabled it one
14 last time to give Mr. Owens a chance to show up,
15 since he was not at the September 2014 hearing.
16 So we tabled the four to give him another shot
17 to show up, and here we are.

18 MS. THOMPSON: His committee is closed.

19 CHAIRMAN BENNETT: Okay, very good.
20 Mr. Owens?

21 MR. OWENS: I submitted the paperwork
22 disbanding my committee on February 20 of 2014.
23 And I included a letter in that, a cover letter
24 that just explained my request to reconsider the
25 fines, as well as the bank statement from my

1 account indicating that it had been closed in
2 June of 2010, which was just after the primary
3 of that same year.

4 The -- my recollection is that I received a
5 letter or a notice after the last hearing that
6 indicated that either the fines had been waived,
7 or there was a -- there was leaning towards
8 that, and that all I needed to do was submit
9 the -- that the Commission wanted me to submit
10 the past reports. So I have those completed and
11 ready to submit.

12 The entire issue was caused by essentially
13 a mailing, a wrong address. Just after the
14 primary, I closed the P.O. Box and the banking
15 account. I moved about a year after that, and
16 any correspondence that had been sent to me
17 was -- I've never received until about February
18 of 2012, when I first became aware that I had
19 even been assessed -- or was -- there may have
20 been an assessment of fines, in which case I
21 began correspondence with your office, trying to
22 stay on top of the issue.

23 I have emails indicating trying to resolve
24 the matter, and that's all I have.

25 CHAIRMAN BENNETT: Any reply from the

1 Division staff?

2 MS. THOMPSON: Pardon me?

3 CHAIRMAN BENNETT: Any reply? Have there
4 been email communications between you and
5 Mr. Owens?

6 MS. THOMPSON: Could have. Did you?

7 MR. OWENS: Yeah. I emailed Ms. Thompson
8 as well as copies to -- email copies to A.B.
9 Taylor.

10 CHAIRMAN BENNETT: Can you submit those for
11 the record?

12 MR. OWENS: Sure. I have multiple copies.

13 CHAIRMAN BENNETT: You need to give one to
14 Mr. Simmons.

15 COMMISSION MEMBER KLUTZ: My recollection
16 is, was this a committee where we were
17 attempting to send notices, and they were all
18 coming back?

19 MS. THOMPSON: I thought this was one where
20 we needed him to get his reports filed.

21 CHAIRMAN BENNETT: They're still not filed.
22 But they're in your hands; is that correct?

23 MR. OWENS: I have them, right, and they're
24 ready to file.

25 CHAIRMAN BENNETT: Would you hand your

1 filings to the staff so that they can see if
2 everything they need is there?

3 Do they appear to be in order?

4 MS. THOMPSON: Yes.

5 CHAIRMAN BENNETT: And ready for filing, as
6 far as you're concerned?

7 MS. THOMPSON: Yes. They're all zeros.

8 CHAIRMAN BENNETT: Do we have any questions
9 from the Commissioners? Motion?

10 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
11 I move we waive the fines on these filings.

12 CHAIRMAN BENNETT: Is there a second?

13 VICE CHRMN PRO TEM CLAYTOR: I'm sorry.
14 It's a reconsideration motion.

15 CHAIRMAN BENNETT: Motion to reconsider and
16 retroactively waive the fines?

17 VICE CHRMN PRO TEM CLAYTOR: Correct.

18 CHAIRMAN BENNETT: Is there a second to
19 that motion?

20 COMMISSION MEMBER OVERHOLT: I'll second.

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

23 (No response.)

24 CHAIRMAN BENNETT: All in favor say aye.

25 THE COMMISSION: Aye.

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1 CHAIRMAN BENNETT: All opposed say nay.

2 (No response. Motion carried.)

3 CHAIRMAN BENNETT: Motion carried.

4 MR. OWENS: Thank you.

5 CHAIRMAN BENNETT: Is there anything more
6 that needs to be done to file those, or has he
7 done so by handing them to the staff?

8 MS. THOMPSON: I can take them upstairs and
9 file-stamp them, or would it be better if he
10 took them up and got copies?

11 CHAIRMAN BENNETT: If you're willing to
12 file them --

13 MS. THOMPSON: Are you willing to leave
14 them with me and me file them?

15 MR. OWENS: That's fine.

16 CHAIRMAN BENNETT: Okay, fine. You're free
17 to go. Thank you.

18 MS. FUENTES: Good afternoon, Mr. Chairman
19 and Members of the Commission.

20 I am Claudia Fuentes, last name spelled
21 F-U-E-N-T-E-S, for the Indiana Latino Democratic
22 PAC, Cause No. 2015-5953-81, 143.

23 Is it inappropriate to sit?

24 CHAIRMAN BENNETT: You may sit down, yes.

25 MS. FUENTES: Thank you.

1 MS. TAYLOR: Mr. Chairman, Members of the
2 Commission, this is on page 67, Cause No.
3 2015-5953-81, with a proposed civil penalty of
4 \$1,000.49.

5 The second is on page 99,
6 Cause No. 2015-5953-143, which a proposed civil
7 penalty of \$50.49.

8 CHAIRMAN BENNETT: Is there anything the
9 Division would like to say about these?

10 MS. THOMPSON: No.

11 CHAIRMAN BENNETT: You may proceed.

12 MS. FUENTES: I just wanted to say that the
13 last PAC was formed to advocate Latino issues.
14 But unfortunately, we've had no activity since
15 2010. We've not had a meeting since 2010, and
16 the only activity that we've had to date is
17 filing of our campaign finance reports.

18 All other reports were filed on time. The
19 one that was due in October was unfortunately
20 filed late. It was noticed when I filed the
21 January report. I filed everything two minutes
22 apart from one another.

23 As I said, no activity has happened with
24 this PAC since 2010. There's been no change, no
25 contributions, no expenditures.

1 And on a personal note, the reason why I
2 didn't file in October was, I was actually four
3 months pregnant, and I had surgery. So this was
4 furthest from my mind, and I do apologize for
5 that.

6 CHAIRMAN BENNETT: Is this PAC bank account
7 still -- is the PAC still active and the bank
8 account still open?

9 MS. FUENTES: Yes. The bank account is
10 still open. The PAC is still legally organized.
11 It just has not met. A meeting has not been
12 called since 2010.

13 CHAIRMAN BENNETT: Have the reports been
14 filed?

15 MS. THOMPSON: Yes.

16 MS. FUENTES: Yes. All other reports have
17 been filed.

18 CHAIRMAN BENNETT: What are you asking for?

19 MS. FUENTES: I ask for waiver of the
20 fines.

21 CHAIRMAN BENNETT: What steps have been
22 taken to make sure these reports are
23 appropriately filed in the future?

24 MS. FUENTES: Fear of coming before this
25 Commission once more.

1 CHAIRMAN BENNETT: Any questions?

2 (No response.)

3 CHAIRMAN BENNETT: Any motions?

4 VICE CHRMN PRO TEM CLAYTOR: Mr. Chairman,
5 the first is a -- the first item we're looking
6 at, it's a first violation which today we've
7 primarily been treating as a 25 percent.

8 The second one was filed the day of, but
9 late. And so far we've only given 15-minute
10 break on those.

11 But I would propose that we use the
12 25 percent rule and make the first fine, \$250.49
13 and waive the other fine. And that would be the
14 form of my motion.

15 CHAIRMAN BENNETT: Is there a second?

16 COMMISSION MEMBER KLUTZ: Second.

17 CHAIRMAN BENNETT: We have a motion and a
18 second. Any discussion?

19 (No response.)

20 CHAIRMAN BENNETT: All any favor say aye.

21 THE COMMISSION: Aye.

22 CHAIRMAN BENNETT: All opposed say nay.

23 (No response. Motion carried.)

24 CHAIRMAN BENNETT: Motion carried.

25 MS. FUENTES: Thank you.

1 CHAIRMAN BENNETT: Thank you.

2 MR. BAUGHN: Thank you, Mr. Chairman and
3 Commission members. My name is Brad Baughn.
4 Last name is, B as in boy, A-U-G-H-N.

5 I'm here representing the Indiana Petroleum
6 Marketers and Convenience Store Association.
7 Cause No. 2015-757-123.

8 I'm also representing the Indiana Propane
9 Gas Association Political Action Committee,
10 Cause No. 2015-3922-129.

11 CHAIRMAN BENNETT: Give us just a minute to
12 find it.

13 MS. THOMPSON: Mr. Chairman, page 89 and
14 page 92.

15 CHAIRMAN BENNETT: Anything the Division
16 would like to say about these?

17 MS. THOMPSON: No.

18 CHAIRMAN BENNETT: You may proceed.

19 MR. BAUGHN: There are just a couple of
20 circumstances that resulted in the failure of
21 filing the preprimary reports by the April 17
22 deadline.

23 One of them was early April, our
24 accountant, who handled both PACs and filed the
25 reports, abruptly retired. And when we were in

1 the transition period, trying to figure out all
2 of her responsibilities, one of several
3 reporting requirements that we have, this is one
4 that she left out. She didn't inform the two
5 other staff members or myself that this is what
6 needed to be done. So lack of communication
7 there.

8 The only other person that was responsible,
9 our executive director, he was actually -- on
10 April 15, he underwent heart transplant surgery.
11 So without communication with him, didn't have
12 the information from the former employee, and we
13 just missed the deadline.

14 It was just by chance that I found out from
15 another colleague while working on legislation
16 in the State House that these reports were due.
17 And I think I filed on the 23rd, maybe?

18 MS. TAYLOR: Yes.

19 MR. BAUGHN: So for those reasons, I would
20 respectfully request for the case to be
21 dismissed or the penalties be waived.

22 CHAIRMAN BENNETT: Any questions from the
23 Commission?

24 COMMISSION MEMBER KLUTZ: These are two
25 separate --