CHAIRMAN BENNETT: Where did the money go?

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

CHAIRMAN BENNETT: Okay. Any questions?

(No response.)

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

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

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Motion and a second.

Any discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

CHAIRMAN BENNETT: The motion carries.
MR. WHEELER: Thank you.

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

MR. WHEELER: Thank you.

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

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

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

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

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

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

CHAIRMAN BENNETT: Thank you.

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

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

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

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

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

MS. BELL: Okay. That would be great.

MR. SIMMONS: You want to submit that?
MS. BELL: Sure, sure.

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

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

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

MS. THOMPSON: No.

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

MS. THOMPSON: We didn't receive it.

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

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

CHAIRMAN BENNETT: That was your habit of -- you did that because your fax machine
didn't automatically --

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

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

MS. TAYLOR: January 20th.

CHAIRMAN BENNETT: It was after the 7th?

MS. THOMPSON: Yes, yes.

MS. BELL: January 20th, yeah.

CHAIRMAN BENNETT: Okay. Any further questions?

MS. TAYLOR: January 20th.

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

MS. BELL: Yes, yes, yes.

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

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Motion and a second.

Any discussion?
(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

CHAIRMAN BENNETT: The fine is waived.

MS. BELL: Thank you very much.

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

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

CHAIRMAN BENNETT: Thank you. Be seated.

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

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

MR. DOADES: This is for the annual report that was due on March 1st of 2016. For this report our state treasurer, who was unable to
attend today due to a medical issue, he suffered
a family emergency around the time of the filing
and he was not able to get the report to me to
be faxed in in a timely manner. I'm not really
sure exactly how late we were. I think we were
only a day or two late.

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

CHAIRMAN BENNETT: Is that matter before
the commission today?

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

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

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

MR. KLUTZ: Okay.

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

CHAIRMAN BENNETT: But they were both delinquent?

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

CHAIRMAN BENNETT: Okay.

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

MR. DOADES: They both occurred about the same time. His son got into -- it was a domestic issue between him and his son. And because of that incident, he had to go to family
court to get his son evicted out of Treasurer's
house that his son was renting. And because of
that, he missed the deadline.

CHAIRMAN BENNETT: Because he was in court?

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

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

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

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

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

CHAIRMAN BENNETT: Just dealing with the
first one?

MS. THOMPSON: Right. Correct.

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

Kind of when this situation popped we found
out about it, my honest comment to him was
"heads will roll," because I didn't want to come
to this. But we have manifested a way to be
more efficient. We have a crosscheck system
we're going use in the future emails.

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

CHAIRMAN BENNETT: Any other questions?

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

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

I do have a printed copy of the filing
dates now. I've got it posted up next to my
personal computer. I also have it saved on my
phone, so it has reminders so we won't be late again.

CHAIRMAN BENNETT: Anything else?

MR. CLAYTOR: No.

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

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

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

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

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

CHAIRMAN BENNETT: I will second that. Any
discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

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

MR. DOADES: We will.

MR. GARRETT: My name is William Billy D.
Garrett. And my committee's name, Committee to
elect William Billy D. Garrett. And we had
filed a report on the correct date, and I had
talked to Mr. King.

CHAIRMAN BENNETT: Do you have a cause
number?


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

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

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

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

MR. GARRETT: Well, this is my original. I
gave them a copy -- I faxed them a copy of it.

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

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

CHAIRMAN BENNETT: Do we have it in our books?

MR. GARRETT: Yeah, I faxed it to him.

This has the red stamp on it from the clerk's office, the original.

CHAIRMAN BENNETT: Can we look at it?

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

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

MS. TAYLOR: Yes.

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

MS. TAYLOR: The county is not at all required to send us a copy, nor do they typically send us a copy. It looks like Mr. Garrett filed it with his county clerk on April 15th, the due date; but we did not receive that copy.
CHAIRMAN BENNETT: It wasn't filed?

MS. TAYLOR: It was not filed with the

division.

CHAIRMAN BENNETT: Okay.

MR. GARRETT: We had asked them, "Is that

all we need to do?"

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

I wasn't made aware of ten days -- but if

you can look on there, there is very little

money. And so I want to -- I didn't want to let

it go to $500.

That's why I called Mr. King because what

he told us the first time we filed -- this is

how the confusion came about.

The first time we filed the first report

was on time. They said, "Well, our fax machines

are busy," clerk's office. They said file in

Indianapolis.

CHAIRMAN BENNETT: Who is "they"?

MR. GARRETT: At the clerk's office. We

went to two offices. We went to the election

office and the clerk's office.

CHAIRMAN BENNETT: The county clerk's

office?

MR. GARRETT: Right. And they said their
fax machine was busy both places. On time, my
treasurer went there on time. I'm running all
over the place. So they say fax it to
Indianapolis because their fax machines are
busy. We said okay, we'll fax this to
Indianapolis.

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

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

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

CHAIRMAN BENNETT: The county clerk's
office?

MR. GARRETT: Right.

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

MR. GARRETT: We went to the county clerk's
office and the election office. We went to both
offices to make sure that we did everything
completely. And they said, "You don't to do
anything else."
CHAIRMAN BENNETT: Who said that? What office?

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

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

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

MS. OVERHOLT: Can I see the form again?

CHAIRMAN BENNETT: Sure.

MR. GARRETT: It was just an honest mistake, because we was just faxing it on time. No one told me we had to fax it -- and we kind of assumed that if we faxed it there and it needed to go somewhere else, they would send us somewhere else. But they never told us they needed to go in one of these things. Just bring it down by 12:00 noon, and we did that. We took it down there that day before 12:00 noon, faxed it and filed it and they stamped it.
As a matter of fact, she hand delivered it.

She didn't fax it. I mean, she left work to do

that for me.

CHAIRMAN BENNETT: Okay. Anything else?

Any other testimony you would like to provide?

MS. OVERHOLT: Well, just out of curiosity,

we don't have the back -- I'm sorry. You can

finish your question for the staff. Sorry.

CHAIRMAN BENNETT: No. Go ahead.

MS. OVERHOLT: Well, I was just -- I was

wondering if we had the -- I'm just curious

about that because we've heard a lot today about

people not knowing about deadlines and where to

send things and all this staff, so the front of

the form references instructions on the back of

the form for filing. We have the front page,

and I don't -- we don't have the back page. So

I'm wondering if staff have --

MR. GARRETT: That's another thing. On the

form it doesn't have --

MS. OVERHOLT: On the very bottom. So I'm

wondering if the staff have the -- the way the

form actually looks.

CO-DIRECTOR NUSSMEYER: You want a blank

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

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

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

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

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

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

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

MR. CLAYTOR: Yeah, that's true.

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

MS. THOMPSON: It's double sided.

MS. OVERHOLT: Yes, it is double sided. So it does on the back -- I mean, it does say this form must be filed electronically with the election division. Contact the division at --
and there's an 800 number for more information.

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

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

CHAIRMAN BENNETT: Ask your question.

MS. OVERHOLT: So is this committee still active?

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

CHAIRMAN BENNETT: I'm going to make a motion that we would reduce the fine to 50 percent. It appears to have been a good
faith mistake, but it was a mistake that could
have been avoided by reading the form. So I
don't think that it's appropriate to waive the
fine.

MR. GARRETT: Does say on there to fax it
that number? I don't have a back copy of that.
CHAIRMAN BENNETT: The original would have
that on it.

MR. GARRETT: Okay.
CHAIRMAN BENNETT: So that's my motion,
that the fine be reduced by 50 percent.
MR. CLAYTOR: I'll second.
CHAIRMAN BENNETT: We have a motion and a
second. All in favor say "Aye."
THE COMMISSION: Aye.
CHAIRMAN BENNETT: All opposed say "Nay."
(No response.)
CHAIRMAN BENNETT: The motion carries.
Fine reduced to 50 percent.
MR. GARRETT: That would be $250; right? I
want to make sure I get it right.

MS. OVERHOLT: $275.
CHAIRMAN BENNETT: You'll get a notice in
the mail.
MR. GARRETT: I'll get a notice in the
mail? Okay. I appreciate that.

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


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

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

MR. PEEBLES: That was the exhibit we showed closed in January. And I guess it didn't register with the commission then. That's why
we're here today. Or the division. Sorry.

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

MR. PEEBLES: The preprimary for this year.

CHAIRMAN BENNETT: Which would have been
when?

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

CHAIRMAN BENNETT: Any response from the
division on that?

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

MS. THOMPSON: Then there was an amended
copy.

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

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

CHAIRMAN BENNETT: Okay. Any reply?

MS. THOMPSON: Pardon?
CHAIRMAN BENNETT: Any reply to that?

They're saying that the box was not checked to
close the committee until April 21st, and the
form was due on April 15th.

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

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

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

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

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

CHAIRMAN BENNETT: Okay. Any questions by
the commission?
MR. KLUTZ: When was the amendment received?

MS. TAYLOR: April 21st.

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

MS. TAYLOR: January 14th.

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

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

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

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

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

MS. THOMPSON: Oh, okay.

MS. TAYLOR: So the report filed in January and on time had all zeros, but it did not have the box checked closing the committee. We never received an amendment until April 21 after the
MS. THOMPSON: Well, that we just emailed or faxed -- emailed, I think. But yeah, the copy that we had sent in with the postal proof and it was received here. No one had signed that green card, but it had the stamp on it saying Indiana Election Board or whatever.

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

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

MR. CLAYTOR: Mr. Chairman?

MR. KLUTZ: Mr. Chairman?

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

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

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

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

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

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

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."
(No response.)

CHAIRMAN BENNETT: Motion carries.

MS. THOMPSON: Thank you.

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

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

MS. TAYLOR: 8, 9, 17.

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

MRS. MELCHER: Yes.

MR. MELCHER: September 20th, so I didn't even get back out on the election -- election thing at that year until two days before the election. So my wife had to pick up all -- never did this stuff before, so she was just
trying to copy from other ones on what to do. And she used the date of the check that she got in, not the date that she received it. And I think that was all taken care of. The ladies over here helped her a lot. So we filed everything, and we came before you then on three of these. And we was asking for forgiveness in that because she just did it wrong, which was -- I'm glad she did it trying to watch out for me, but the only thing she did was she used the date that was on the check. And we know most of those checks are later.

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

MS. TAYLOR: Yeah.

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

So as far as I know as of, I guess that would be the 17th of October this was settled,
so it was just a matter of voting. And I ran
into Tony Long and I said, "They never called me
back up here again. Can you find out what's
going on here?"

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

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

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

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

CHAIRMAN BENNETT: Okay. Anything else?

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

CHAIRMAN BENNETT: Okay. Any questions by
the commissioners?

(No response.)

CHAIRMAN BENNETT: Declare the hearing on
the matter closed. I'll ask if there are any
motions. I'll move to dismiss this matter.

   MR. MELCHER: Thank you.
   CHAIRMAN BENNETT: We need a second,
though.
   MR. CLAYTOR: Second.
   CHAIRMAN BENNETT: We have a motion and a
second. All in favor say "Aye."
   THE COMMISSION: Aye.
   CHAIRMAN BENNETT: All opposed say "Nay."
   (No response.)
   CHAIRMAN BENNETT: Motion carries.
   MR. MELCHER: Thank you very much.

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

   MS. THOMPSON: Mr. Chairman, these are on
page 14 and 15.
   CHAIRMAN BENNETT: Thank you.
   MS. THOMPSON: Mr. Chairman, these were
also tabled from the last meeting for him to
file these supplemental reports and close his
committee -- and close his committee. And he
has done that.

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

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

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

CHAIRMAN BENNETT: And your committee is closed?

MR. GILLIM: The committee is closed.

CHAIRMAN BENNETT: All right. Any questions?

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

MS. TAYLOR: Yes.

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

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

My understanding at the time was if I filed the
report, that the case would be closed; but that
was, I guess, not the case after speaking to
staff here. That was -- they thought it was and
then said it's not.

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

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

MS. THOMPSON: Yes, he did.

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

MR. CLAYTOR: Section.

CHAIRMAN BENNETT: A motion and a second.

Any discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed "Nay."
(No response.)

CHAIRMAN BENNETT: Motion granted.

MR. GILLIM: Thank you.

MS. BOYCE-CANFIELD: Hello. I'm here on the committee for Tim Canfield, No. 2016-6722-88. My name is Jennifer Boyce-Canfield, B-o-y-c-e-C-a-n-f-i-e-l-d.

MS. TAYLOR: Mr. Chairman, page 49.

CHAIRMAN BENNETT: Um-hum.

MS. TAYLOR: Committee to Elect Timothy Canfield, Cause No. 2016-6722-88, first time before the commission; and the committee is closed with a proposed civil penalty of $300.49.

CHAIRMAN BENNETT: $350?

MS. TAYLOR: $300.49.

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

CHAIRMAN BENNETT: Okay.

MS. BOYCE-CANFIELD: We got the notice that we were delinquent. Apparently the state had had Timothy running as state treasurer. He did not run for state treasurer. He ran for the clerk treasurer of Burns Harbor, which is in Porter County. We filed all of our documents with the county on time, and I have copies of all this information.
Apparently when I did the application, the original CFA form online, there was a drop-down for the position. And the only thing that looked similar to what he was running for was state treasurer because the only options are governor, lieutenant governor, secretary of state, attorney general, the auditor, state treasurer, clerk of the Supreme Court, superintendent of public instruction, state senator, and state representative.

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

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

CHAIRMAN BENNETT: Okay. The committee is closed now?

MS. BOYCE-CANFIELD: It’s closed.

CHAIRMAN BENNETT: Anything else you would
like to say?

MS. BOYCE-CANFIELD: No.

CHAIRMAN BENNETT: Anything from the division?

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

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

CHAIRMAN BENNETT: Any questions?

(No response.)

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

MR. CLAYTOR: Mr. Chairman, I move we
1 dismiss this action.
2     CHAIRMAN BENNETT: Is there a second?
3     MR. KLUTZ: Second.
4     CHAIRMAN BENNETT: Motion and second. Any
5     discussion?
6     (No response.)
7     CHAIRMAN BENNETT: Hearing none, all in
8     favor say "Aye."
9     THE COMMISSION: Aye.
10     CHAIRMAN BENNETT: All opposed, "Nay."
11     MS. BOYCE-CANFIELD: Thank you so much.
12     CHAIRMAN BENNETT: Case dismissed. Thank
13     your co-counsel for his fine work.
14     MS. BOYCE-CANFIELD: He's learning a lesson
15     today too. Thank you.
16     MS. MUSGRAVE: Hello. I am
17     Cheryl Musgrave, C-h-e-r-y-l, M-u-s-g-r-a-v-e.
18     The cause number is 2016-5904-44. I am
19     unfamiliar with the workings of this board. And
20     had I understood your offer of 25 percent at the
21     beginning, I would have taken it. I apologize
22     for wasting your time. My committee and I
23     simply did not comprehend that we had to
24     close -- close an account and file a report that
25     was final.
The interpretation at our level was that because the campaign account bank account still existed and there was a transformation to a different office, that -- that a final report wasn't required. After multiple conversations with your staff, multiple emails over a period of this, the fact was finally pounded home.

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

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

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

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

MS. MUSGRAVE: But I didn't really understand. This is my first time at your board. I was here, but I didn't understand the rules that you were applying. I've never studied your board's actions. I didn't know what you -- what you would be doing. And I
1 thought that, I guess, I would be no worse off
2 in the case; but having listened to the
3 testimony, I understand that you get penalized
4 for it. So I apologize for that.
5
6 CHAIRMAN BENNETT: Okay. Any questions
7 from anyone?
8 (No response.)
9
10 CHAIRMAN BENNETT: Okay. I declare the
11 hearing closed, and I'll make a motion that --
12
13 MS. OVERHOLT: I'm sorry. I've got a
14 question for staff. It looks like this is a
15 third --
16
17 MS. THOMPSON: Yes.
18
19 MS. OVERHOLT: This is the third violation.
20
21 MS. MUSGRAVE: This is the first time I've
22 ever been here. I was not aware there was any
23 violation.
24
25 MS. TAYLOR: Looks like the 2010 annual was
26 late and the 2014 annual was late as well.
27
28 MS. MUSGRAVE: In 2014 -- 2014 was filed at
29 the local level on the same misunderstanding
30 that since there was no state office being
31 sought, no state report was required.
32
33 I did not receive any notices about that.
34
35 The P.O. Box that had been used for 2010
campaign had long since been closed. The forwarding thing for the P.O. Box has long since expired. The post office simply didn't send it. No one -- I never got it.

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

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

MS. TAYLOR: The 2010 annual.

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

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

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

MS. TAYLOR: There is the '14.
MS. MUSGRAVE: The reports were all filed at the local level. There was no office being sought.

Should anyone have been interested in the amount that the account had, those records were available with the clerk. No money essentially came in, and no money essentially came out.

Maybe there was $100 donation out of the account to somebody else's campaign. But for all intents and purposes it sat dormant this entire time filing the required reports with the local office; but I did not know I had to file something that said final with a zero balance because there was never actually a time that there was zero balance in the account.

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

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

MS. MUSGRAVE: I can give you a copy.

MS. THOMPSON: -- with us. It might have been at the local level, but I don't see it with
MS. MUSGRAVE: I can give that to you now.

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

MS. THOMPSON: Correct.

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

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

(No response.)

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

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

MS. MUSGRAVE: Right.

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

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

MS. OVERHOLT: But you have -- you have two committees; right?
THE WITNESS: In your view, I have two committees. In my view, I have one committee, if that makes sense.

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

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

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

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

MS. THOMPSON: Yes.

MR. CLAYTOR: Then I would second your motion.

CHAIRMAN BENNETT: Okay. A motion and second. Any discussion?
(No response.)

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

(No response.)

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

CHAIRMAN BENNETT: The ayes have it.

Reduction of the fine by 50 percent.

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

MS. MUSGRAVE: They are extremely angry.

Officials are angry. Taxpayers are angry. You can't win on taxes.

MR. CLAYTOR: All right.

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

MS. THOMPSON: Page 84.

MS. TAYLOR: Cause No. 2016-6853-161.

Proposed civil penalty of the $400.47. And this is their first delinquency.
MR. SKORDOS: Could you tell me what
document you have there? I haven't been here
very long but --

MS. TAYLOR: I can pull your file.

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

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

There was an issue of promptness. I did
not receive notice that I was delinquent until
seven days, well, six, seven days later, which
creates an issue of the extent of the fine. But
I would also like to add my report shows that I
accepted no contributions, I made no
expenditures. I don't believe I ever even
opened a campaign account of any sort.

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

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

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

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

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

CHAIRMAN BENNETT: Questions by the
commissioners?

MS. OVERHOLT: I'm just going to ask, you
said you tried to fax it and it didn't go
through. Do you have any transmittal receipt or anything?

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

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

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

MR. CLAYTOR: Second.

CHAIRMAN BENNETT: Motion and a second.

Any discussion?

(No response.)

CHAIRMAN BENNETT: All in favor say "Aye."

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All oppose say "Nay."
(No response.)

CHAIRMAN BENNETT: Ayes have it. Fine reduced.

MR. SKORDOS: Thank you.

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

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

CHAIRMAN BENNETT: Thank you. You may proceed.

MR. GIESLER: Thank you. Before you is a letter from the motion picture -- I'm here to appear for them as well as an affidavit from Sarah Walsh who faxed in the report. In the affidavit, it includes the report and then, under Exhibit B, the transmittal verification report that the fax did go through of the three pages. The fax was sent on January 15th. I believe the report was due January 20th.
Upon notification from the election division, the fax on March -- excuse me -- February 18th, the report -- and that report is there. The fax numbers on the report are consistent with each other; so, once again, we faxed in the report and have -- that's the way they have historically done so. Somewhere the report must have gotten lost, so we request all fees be waived.

CHAIRMAN BENNETT: Any response from the division?

MS. THOMPSON: No.

CHAIRMAN BENNETT: Any questions by the commissioners?

(No response.)

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

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

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Motion and a second.

Any discussion?
1 (No response.)
2 CHAIRMAN BENNETT: All in favor of the
3 motion say "Aye."
4 THE COMMISSION: Aye.
5 CHAIRMAN BENNETT: All opposed say "Nay."
6 (No response.)
7 CHAIRMAN BENNETT: Motion carried. Fine
8 waived.
9 MR. FEARS: Mr. Chairman and members of the
10 commission, I'm Ken Fears on behalf of Thompson
11 Thrift Development, Cause No. 2016-175.
12 MS. THOMPSON: Mr. Chairman, that would be
13 your little yellow tab.
14 MR. FEARS: My name is Ken Fears, F-e-a-r-s. And I did file an appearance with
15 the commission last week --
16 MS. THOMPSON: He did.
17 MR. FEARS: -- so I should be on file.
18 MS. THOMPSON: Mr. Chairman, this is an
19 excess corporation, Thompson Thrift Development
20 contributed to Bob Heaton for State
21 Representative in the amount of $5,000 on
22 October 24th. Bob Heaton for State
23 Representative refunded the $5,000 on
24 February 2nd when he caught it. This committee
has been -- or I'm sorry. This corporation has
never been before our commission before. And
the proposed civil penalty is three times the
excess amount, which is $9,000.

CHAIRMAN BENNETT: Okay. Thank you.

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

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

That's when the proposed settlement was
presented. Three times the amount seemed excessive and almost punitive when the company had no knowledge or information at the time they wrote the check in 2015 of the contribution limits.

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

CHAIRMAN BENNETT: Very good. Thank you.

Any rebuttal from the division? Any questions?

MS. THOMPSON: No.

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

MS. TAYLOR: Yes.

MR. CLAYTOR: Mr. Chairman, I believe that, consistent with what we did previously, that we could commit to $750 which would be 25 percent
of the excess contribution.

CHAIRMAN BENNETT: Yes.

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

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

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Motion and second. Any
discussion? I will just say that it is
consistent with what we've done before and seems
to be appropriate. So I will call for a vote.

All in favor say "Aye."

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

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

MR. FEARS: Thank you for your time.

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

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

(All parties intending to testify were
sworn in.)
MS. BURKETT: Linda Burkett, for the Committee to Elect Bob Burkett for state senate.

CHAIRMAN BENNETT: Do you know the cause number?

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

MS. THOMPSON: Page 45.

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

CHAIRMAN BENNETT: Thank you. You may proceed.

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

I didn't receive any more statements from them. There was $1.41 left in it. I'm stupid. I thought $1.41 would go to processing fees because other savings accounts we had had had
1 done the same thing. So when we received
2 nothing back from the bank, I just figured that
3 was closed.
4 Then I received notification that I was to
give a report for January. So I did so quickly,
but I sent it to the same email address.
7 Evidently that was no longer a valid address.
8 CHAIRMAN BENNETT: You said you sent it to
9 IDEM.
10 MS. BURKETT: Yeah, Al Silvers at IDEM.org.
11 And evidently that was no longer a valid email
12 because I could not even find the email in all
13 my mess of old emails. So I couldn't even find
14 it. I mean, I was looking for a bounce back, so
15 I could just copy it.
16 So we went ahead -- we went ahead and then
17 sent you the paper copy. That's probably what's
18 why it was so late.
19 CHAIRMAN BENNETT: Anything else?
20 MS. BURKETT: That's it. That's all I
21 know.
22 CHAIRMAN BENNETT: Any response from the
23 division? Were you here when I talked about the
24 deal we were offering?
25 MS. BURKETT: No, I wasn't.
CHAIRMAN BENNETT: The 25 if you waive the hearing?

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

CHAIRMAN BENNETT: Okay. Any --

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

CHAIRMAN BENNETT: Yeah.

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

CHAIRMAN BENNETT: You were late; right?

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

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

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

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

MS. BURKETT: No. I think I was five
minutes late and just about was having a heart
attack. I'm from a small, small town.

CHAIRMAN BENNETT: Okay. Any other
questions?

(No response.)

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

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

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Any discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

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

MS. BURKETT: Thank you.

MR. KING: I think we have one more.
CHAIRMAN BENNETT: Okay. Could this be our final hearing? Come on up, please.

MS. FINLEY: I haven't been sworn in.

Okay?

(All parties intending to testify were sworn in.)

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

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

MS. FINLEY: I'm sorry?

CHAIRMAN BENNETT: Do you have a cause number?

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

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

MS. FINLEY: If my secretary ...

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

UNIDENTIFIED FEMALE: The annual.

MS. TAYLOR: The annual?

MS. FINLEY: Yes, the annual report filing
that's due January 20 in 2016. And our

treasurer at that time --

CHAIRMAN BENNETT: Ma'am, can you introduce

yourself, please.

MS. WARREN: Yes. I'm Jean Warren, the

secretary. I was trying to get the information

so I didn't come for the pledge or the oath.

MS. FINLEY: Do you need the letter that

you sent to us? Is that what you need?

CHAIRMAN BENNETT: We just need to find

your cause number. We have several here, and

the cause number helps us identify your case.

MS. TAYLOR: It's on page 47.

MS. FINLEY: Here is the form that was not

filed.

CHAIRMAN BENNETT: Do you want to make this

a part of the record?

MS. FINLEY: Yes, sir.

CHAIRMAN BENNETT: Okay.

MS. FINLEY: Ann Collins was treasurer at

that time. And we were having difficulty with

her taking care of the financial business of the

club. Actually, here is a document.

CHAIRMAN BENNETT: When you say "the club,"

you're talking about the Monroe County
Republican Women?

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

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

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

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

MS. FINLEY: Yes, yes.

CHAIRMAN BENNETT: And also some emails you received?

MS. FINLEY: Yes.

CHAIRMAN BENNETT: Okay.

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

She did not pay that, so I went to the post
office mid December to pick up the mail and
couldn't get into the box because she did not
pay for the post office box. And therefore, the
box was locked down.

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

CHAIRMAN BENNETT: What was your position
with the club?

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

CHAIRMAN BENNETT: And you are now?

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

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

In October on the 15th she filed with the
county and the state. In 2014, our county
actually declared that we were a PAC. We
weren't a PAC prior to that, but we had paid for
some brochures in 2014 that had state reps on
it, their bio. And so our county election board
said that because of that, we were a PAC and we
would have to file as a PAC. So from that time
on in 2014, we did.

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

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

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

But finally in January, at the end of
January, I sent her an email -- and a copy of
the email is in those documents -- sent her an
e-mail and told her the price, that it was
delinquent -- I think it was $280 -- and please
send the owner of the storage unit a check for
$280. She sent the gentleman a check for $840,
which I was unaware of until I heard from him.

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

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

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

By that time, she was no longer treasurer.
We had appointed a new treasurer for the club.
She would not return our checkbook. She would
not return our keys. She would not return any
of our records and still has not done so and has
no longer been treasurer of the club for months.
She did finally return the keys in April.

We -- I called up here to Brad King's office, and I don't know which one of you are Brad but I -- I talked to you on the phone.

Sorry, Brad. Anyway, that's been about a year ago.

But we -- in filing the April form on the 14th, I called and talked to Michelle Thompson. And she said, "Well, you didn't file the form in January." I was unaware of that. I had no clue that form had not been filed with the state.

Being president of the club, I would have certainly seen to it.

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

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

Anyway, when I called Michelle and talked to her, I rushed to the post office. And there was the letter from the election board saying
that we were delinquent and there would be a
fine.

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

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

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

MS. THOMPSON: No.

CHAIRMAN BENNETT: Any -- anything else?

Any other documents you want to give us?
MS. FINLEY: We would like to get our -- we would like to get our records and our checkbook and our debit card back.

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

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

CHAIRMAN BENNETT: Was she bonded? Was she bonded?

MS. OVERHOLT: What do you think?

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

CHAIRMAN BENNETT: Any questions?

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

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

MR. CLAYTOR: Okay.

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

MR. CLAYTOR: Well, we kept -- I know you were not sworn in. I assume you were not in the room when that offer was made.
MS. FINLEY: And I'm not real sure what you're referring to.

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

MR. CLAYTOR: This was their first.

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

(No response.)

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

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

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Any discussion? I will
offer this: I think it's appropriate because you weren't aware that that deal could be taken.
On the other hand, you were late and I haven't really asked you why you were late to the hearing. You said parking problems. Was that --

MS. FINLEY: I'm sorry?
MR. CLAYTOR: No, that was the previous lady.
CHAIRMAN BENNETT: That was the previous lady. I'm sorry.
MS. FINLEY: Oh, no, we -- there was road construction between Bloomington and Martinsville. And the traffic was almost at a standstill for a long time, and we did have parking problems also.
CHAIRMAN BENNETT: I know that route.
Okay. So we have a motion and a second. Any further discussion?
(No response.)
CHAIRMAN BENNETT: All in favor say "Aye."
THE COMMISSION: Aye.
CHAIRMAN BENNETT: All opposed say "Nay."
(No response.)
CHAIRMAN BENNETT: Motion carries. Fine
will be reduced to 25 percent of the proposed
fine and you will be getting a notice in the
mail to that.

MS. FINLEY: Okay. Thank you.

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

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

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

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

MS. TAYLOR: Yes.

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

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

CHAIRMAN BENNETT: So they're timely filed?
MS. TAYLOR: Yes.

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

MR. CLAYTOR: No.

MS. TAYLOR: No.

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

MR. CLAYTOR: So moved.

CHAIRMAN BENNETT: Is there a second?

MR. KLUTZ: Second.

CHAIRMAN BENNETT: Any discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

CHAIRMAN BENNETT: Motion granted. The continuances granted.

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

MS. THOMPSON: Mr. Chairman, the list under
your tab administratively dissolved there, these
ccommittees will be administratively dissolved.
They have not filed a report in three years, and
they have a balance less than $1,000. Of these
ccommittees, both chairman and treasurer have
been notified of the -- of this hearing today.

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

MS. THOMPSON: Correct.

MS. TAYLOR: Correct.

CHAIRMAN BENNETT: Then I move the
commission do the following, No. 1., make a
finding that there's no evidence that any of
these committees continues to receive
contributions, make expenditures, or otherwise
function as a committee; 2, make a finding that
according to the best evidence available to the
commission, the dissolution of these committees
will not impair any contract or impede the
collection of any debt or judgment by any
person; 3, make a finding that the prudent use
of public resources makes further efforts to
collected any outstanding civil penalty imposed
against these committee wasteful or unjust, and
therefore that any such penalty be waived and
that these committees be administratively
dissolved. Is there a second for that motion?

MR. CLAYTOR: Second.

CHAIRMAN BENNETT: Any discussion?
(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."
(No response.)

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

MS. TAYLOR: Time out. Time out.

MS. THOMPSON: Time out.

THE COMMISSION: We have two little
cleanups. First was page 54, Eighth District
Democrat Committee, Cause No. 2016-1782-97.
Michelle and I recommend that the commission
1      dismiss this fine. We found the report in the
2      late voter registration application tub. It was
3      missed as we were checking the mail, and we
4      didn't get it until two months later; but it was
5      in that tub. And we have every reason to
6      believe it was on time.
7      CHAIRMAN BENNETT: I would move to dismiss
8      that. Is there a second?
9      MR. KLUTZ: Second.
10     CHAIRMAN BENNETT: Motion and a second.
11     Any discussion?
12     (No response.)
13     CHAIRMAN BENNETT: All in favor say "Aye."
14     THE COMMISSION: Aye.
15     CHAIRMAN BENNETT: All opposed say "Nay."
16     (No response.)
17     CHAIRMAN BENNETT: Ayes have it. The
18     motion carries. They're dismissed.
19     MS. TAYLOR: Then one more on page 15 and
20     16, Gregory W. Porter for State Representative
21     District 96. He had three causes. These were
22     tabled at the hearing in June of last year to
23     give him a chance to file. They filed all of
24     those reports the next day. And I don't know if
25     the commission said at the time that they had to
appear again or not. We couldn't remember. We
didn't find it in the minutes, so it's up to
you.

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

MR. KLUTZ: Second.

CHAIRMAN BENNETT: A motion and a second.

Any discussion?

(No response.)

CHAIRMAN BENNETT: All in favor say "Aye."

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed say "Nay."

(No response.)

CHAIRMAN BENNETT: The ayes have it.

Dismissed.

MS. TAYLOR: Now we're done.

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

MR. CLAYTOR: So moved, Mr. Chairman.

CHAIRMAN BENNETT: We have a motion. Is
there a second?
MR. KLUTZ: Second.

CHAIRMAN BENNETT: Any further discussion?

(No response.)

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

THE COMMISSION: Aye.

CHAIRMAN BENNETT: All opposed, "Nay."

(No response.)

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

We are surprisingly only 9 minutes past our

3:45 --

MR. KING: Six minutes.

CHAIRMAN BENNETT: Oh, my watch is fast.

MS. OVERHOLT: Six minutes.

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

MS. OVERHOLT: No.

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

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

CHAIRMAN BENNETT: We'll call the meeting