

**Indiana Election Commission**  
**Minutes**  
**October 22, 2007**

**Members Present:** Thomas E. Wheeler, II, Chairman of the Indiana Election Commission ("Commission"); Gary Pierson, Proxy for S. Anthony Long, Vice Chairman of the Commission; Daniel A. Dumezich, member of the Commission; Sarah Riordan, member of the Commission.

**Members Absent:** S. Anthony Long

**Staff Attending:** J. Bradley King, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Pamela Potesta, Co-Director of the Election Division; Leslie Barnes, Co-General Counsel of the Election Division; Dale Simmons, Co-General Counsel of the Election Division; Abbey Taylor, Campaign Finance staff, Election Division; Michelle Thompson, Campaign Finance staff, Election Division.

**Also Attending:** Mr. Chuck Bracken; Mr. Billy Bright; Mr. Frank Brinkman; Ms. Joyce Brinkman; Mr. Randall Brown; Ms. Mary Kay Budak; Mr. Mike Claphan; Mr. Micah Clark; Mr. Eugene P. Dooley; Ms. Ellis; Mr. Eslinger; Mr. Field; Mr. Gibbs; Mr. Gary Green; Mr. Michael Griffin; Mr. Gordon Gulliver; Mr. Matt Hoffman; Ms. Carolyn Horvath; Mr. John Keeler; Mr. John Land; The Hon. Sue Landske; Ms. Susie Lightle; Ms. Crystal Maher; Ms. Jody Mauller; Mr. Pete Miller; Mr. Don Scott Ober; Mr. Ted Ogle; The Hon. Scott Pelath; Mr. Lewis Peterson; Mr. Clayton Phillips; Mr. Randle Pollard; Mr. John Price; Mr. Dennis Ross; Mr. Sadler; Ms. Rebecca Saleh; Ms. Christine Saucier; Mr. Mark Scherer; Mr. Barry Slegers; Mr. Howard Smith; Mr. Bill Stant; Ms. Sue Templeton; Mr. Richard Thompson; Mr. Denny Worman.

### **1. Call to Order**

The Chair called the October 22, 2007 meeting of the Commission to order at 1:00 p.m. in the Indiana Government Center South Conference Center, Room 1, at 402 West Washington Street Room E-204, Indianapolis, Indiana.

A copy of the meeting notice, agenda, and designations of proxy are incorporated by reference in these minutes. *[Copies of all documents incorporated by reference are available for public inspection and copying at the Election Division Office.]*

### **2. Transaction of Business**

The Commission transacted the business set forth in the "Transcript of Proceedings", which is incorporated by reference in these minutes.

### **3. Adjournment**

There being no further items on the Commission's agenda, the Chair entertained a motion to adjourn. Mr. Pierson moved, seconded by Mr. Dumezich, that the Commission do now adjourn. The Chair called the question, and declared that with four members voting "aye"

(Mr. Dumezich, Mr. Pierson, Ms. Riordan, and Mr. Wheeler), and no Commission member voting "no," the motion was adopted. The Commission then adjourned at 5:00 p.m.

Respectfully submitted,

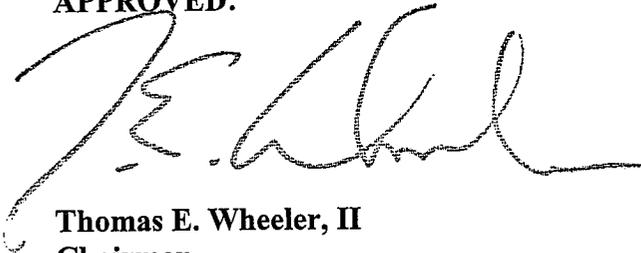


J. Bradley King  
Co-Director



Pamela Potesta  
Co-Director

**APPROVED:**



**Thomas E. Wheeler, II**  
**Chairman**

# INDIANA ELECTION COMMISSION

## TRANSCRIPT OF PROCEEDINGS

held on October 22, 2007  
in the  
Indiana Government Center  
Conference Rooms 1 and 2.  
Indianapolis, Indiana

TRANSCRIBED FROM TWO CASSETTE TAPES

CHAIRMAN: Thomas E. Wheeler, II  
Daniel A. Dumezich  
Sarah Steele Riordan  
Gary Pierson, proxy for vice-chair, S. Anthony Long.  
Tony Overholt, proxy for Chairman Thomas E. Wheeler, II

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October 22, 2007

## INDIANA ELECTION COMMISSION

CHAIR: I think I'll go ahead and call this meeting of the Indiana Election Commission to order. It has been noticed for today, October 22<sup>nd</sup>. We're here at the Indiana Government Center in Conference Rooms 1 and 2. And I appreciate everybody's patience. This is generally our lengthiest meeting and we will try to get through things as quickly as possible. The Commission has a policy of letting everybody speak who wants to speak to the particular matter. But we would appreciate brevity as we go through this process.

In any event, I'm going to call the meeting to order and determine that we do have a quorum. I am pleased to note that we have Gary Pierson serving as the proxy for our vice-chair, Tony Long. And I have a proxy sheet signed by Mr. Long. So let the record show that Gary is serving in Mr. Long's stead. I will turn that over to Brad King, one of our co-directors.

This meeting has been properly noticed. We will proceed with the posted agenda. First on the agenda is approval of order 2007-121, approval of candidate forms. Who is doing that?

MR. KING: Mr. Chairman, members of the Commission, you should have a binder-clipped packet in front of you with the title Order 2007-121. In brief this is an order approving various stylistic and calendar changes to forms related to candidates and candidate filings. It's pretty straight-forward, mostly updating dates from 2006 to 2008. You do have a hot-pink tab about half-way through. I'll refer to my colleague, Ms. Potesta if she'd like to address that.

MS. POTEESTA: Mr. Chairman, commissioners, on the CAN 23 where you have the pink tab, you'll see I have highlighted the year 2006. We would still like the approval today on the form with the understanding that it will be changed to 2008.

CHAIR: The changes in these forms are from the '06 election to the '08 election;

correct?

MS. POTESTA: Correct. Most of them are just date changes.

MR. KING: Mr. Chairman, on those -- on CAN 29, there is a stray reference to 2006 also in paragraph number one.

CHAIR: And I'm just looking through those I happen to notice that -- I don't have a problem but I'd like to make sure that somebody -- Pam, me and Brad go through here one more time to make sure there aren't any other --

MS. POTESTA: Yes, we will.

CHAIR: -- stray 2006s in here.

MR. KING: Mr. Chairman, it would be the recommendation of staff that, with the corrections as noted, the order 2007-121 be approved by the Commission as corrected.

CHAIR: I'll accept a motion on order 2007-121.

MR. DUMEZICH: I'd like to make a motion on order 2007-121 for approval based on conforming the 2006 changes to 2008.

CHAIR: I have a motion. Do I have a second?

MS. RIORDAN: Second.

CHAIR: Motion has been made and seconded. Any discussion? Hearing none, all in favor of approving order 2007-121, signify by saying aye.

[Aye response]

CHAIR: Those opposed, the same sign. Motion carries unanimously. Order 2007-121 is approved.

Next on our agenda is ratification of campaign finance settlement agreements. Those of you who are sitting here let me encourage you that the Commission has a process -- I guess the Commission and the Division have a process whereby individuals with election law violations have the opportunity to enter into a campaign finance settlement agreement with the Division which would obviate a need to appear at this hearing. Those individuals have done so. Those settlement agreements are up for approval right now. And Brad

--

MR. KING: Mr. Chairman, we have here the campaign finance staff, Ms. Taylor and Ms. Thompson, to present information regarding this grievance.

MS. THOMPSON: Mr. Chairman, in your book you have a spreadsheet right after the agenda of committees that filed consent agreements before the Commission's meeting.

CHAIR: I see we have 58 as of this date?

MS. THOMPSON: As of today, yes.

CHAIR: Any discussion? Well, first of all, I'll accept a motion. Is there anything from staff on the settlement agreements? Then I assume the staff would encourage individuals to also enter into settlement agreements?

MS. THOMPSON: Yes.

MR. DUMEZICH: As would we.

CHAIR: I think I already did. I'll accept a motion on the approval of the ratification of the campaign finance settlement

agreements as recommended by the staff.

MR. DUMEZICH: Motion to approve ratification of the campaign finance settlement agreements as presented by the Division staff.

CHAIR: Motion has been made. Do I have a second?

MS. RIORDAN: Second.

CHAIR: Motion's been made and seconded. Any further discussion? Hearing none, those in favor of ratification of the campaign finance settlement agreements as proposed by staff, signify by saying aye?

[Aye response]

CHAIR: Those opposed, same sign. Motion carries unanimously. That is a ratification. We have a policy before the Election Commission as well that individuals who are presenting information to the Election Commission do so under oath and Mr. King will administer the oath to those individuals planning on speaking, either on your own behalf -- primarily on your own behalf in front of the Commission.

MR. KING: Would those who are planning to testify, please rise. [Oath administered]

CHAIR: All right. We're moving to campaign finance enforcement. First on our campaign finance enforcement agenda is a request for a Commission advisory opinion from the Indiana Democratic Party. It is my understanding that they have requested a continuance; is that correct?

MS. POTEESTA: Definitely.

CHAIR: All right. We've got a request for a continuance. Do we actually have to vote on that? I'll accept a motion to continue on the request for a Commission advisory opinion from the Indiana Democratic Party?

MS. RIORDAN: Mr. Chairman, I move that the Commission grant a continuance of an unspecified time to the Indiana Democratic Party to complete its request for a Commission advisory opinion.

CHAIR: Let me ask one additional question. Do we have any other continuances?

MS. THOMPSON: [inaudible] yes.

CHAIR: Okay. That's what I was thinking.

MS. THOMPSON: Don't ask me where.

CHAIR: Well, yeah -- are they listed? Do I have -- are they in a packet or where are the other requests?

MS. THOMPSON: No, they're on the spreadsheet. I have corporation [inaudible]

CHAIR: All right. So we'll just do them as --

MR. DUMEZICH: We'll have somebody compile them.

CHAIR: Want to do it that way? Skip them as we come to them. There's been a motion with respect to the request for continuance from the Indiana Democratic Party. I'll accept a second on that.

MR. PIERSON: Second.

CHAIR: Motion's been made and seconded. Any further discussion? All in favor signify by saying aye.

[Aye response]

CHAIR: Opposed, same sign. Motion carries. The continuance has been granted to the Indiana Democratic Party.

Next is cause number 2007-1097-104, Citizens for Mary Kay Budak. Is there someone here to speak to that? Representative Budak, please come forward and then --

MS. THOMPSON: Mr. Chairman, on page 58 of your spreadsheet -- red tab. [inaudible]

CHAIR: You redid the spreadsheet?

MS. THOMPSON: Uh-huh.

CHAIR: I hate when that happens.

MS. THOMPSON: Red tab for you and then -- Mr. Chairman, as the Citizens for Mary Kay Budak, cause number 2007-1097-104. This was for a '06 supplemental that was due April 28<sup>th</sup> of '06, actually filed 1- 17 of '07. And there is a letter in your packet which would be the first letter behind the spreadsheet.

CHAIR: Have the Commission members had a chance to read the letter?

VOICES: Yes, uh-huh.

MS. BUDAK: [inaudible] As you see in the letter, I served 26 years in the General Assembly, never had any problems. And I've never considered myself a big campaign so I never had any transfer of funds. [inaudible] And so my treasurer didn't happen to see this particular thing. But as soon as we were notified of this, we addressed the problem right away. And Brad told me to write a letter of explanation, which I did. In the meantime I have closed my account. I'm no longer a legislator [inaudible]

CHAIR: That's attached, right?

MS. THOMPSON: Right. And also that she enclosed to the committee a copy of CFA4.

CHAIR: So the committee has been closed now?

MS. THOMPSON: The committee has been closed.

CHAIR: On the spreadsheet I've got it shows seven prior settlement agreements?

MS. THOMPSON: Correct, and supplementals.

CHAIR: Discussion? Questions?

Historically with respect to campaign violations with the candidates, when a committee has been closed, the Commission has taken a different posture with respect to those [inaudible] frequently what we try [inaudible] we have agreed to waive the fines. And I note that the committee has been closed and our records show not closed.

MR. DUMEZICH: That's correct, It's closed.

CHAIR: The committee is now closed; correct.

MR. DUMEZICH: I'd like to make a motion to waive the fines against Citizens for Mary Kay Budak based on the fact the committee is now closed.

MS. RIORDAN: Second.

CHAIR: Motion has been made and seconded. Any further discussion? Hearing none, all in favor of waiving the fines based upon the fact that the committee has been closed and [inaudible] she not planning on running for office

again, signify by saying aye.

[Aye response]

CHAIR: Those opposed same sign? Motion carries.

MS. BUDAK: Thank you very much. Thank you for being so considerate as having the meeting on the day I'm having a doctor's appointment at IU.

CHAIR: We are having the meeting on Commissioner Dumezich's wife's birthday -- so there is some desire to -- Next up on my agenda is Mr. Griffin. Is Mr. Griffin here?

MR. GRIFFIN: I'm here. Page 59 on your spread sheet.

CHAIR: Let me ask a preliminary question. Mr. Griffin, your committee is for treasurer; correct?

MR. GRIFFIN: It was. It's a deceased committee at this time and I'm here as its campaign candidate as well as its chair.

CHAIR: Let me ask you a different question. Do you hold any public office now?

MR. GRIFFIN: I do. I'm currently serving as the clerk-treasurer of the town of Highland and I'm standing for re-election and I'm currently unopposed. And I do serve as the treasurer for my local committee. As the chair and commissioners are aware, there's almost four sets of rules over which you administrate, one of a federal nature --

CHAIR: I'm asking preliminary questions that have nothing to do with that. I'm trying to figure out if I have to recuse myself.

MR. GRIFFIN: I see.

CHAIR: What involvement did you have in the Lake County property tax litigation?

MR. GRIFFIN: There's been several times -- I didn't participate at all in St. John at all.

CHAIR: All right. Not St. John, but the later ones you were involved; is that correct?

MR. GRIFFIN: I was actually named as the face plaintiff in the ACI lawsuit.

CHAIR: And that's the one that went to the Supreme Court?

MR. GRIFFIN: Yes, it was.

CHAIR: Did I argue that for you? I argued half of that case. I'm trying to figure out if I've represented you.

MR. GRIFFIN: I don't have a recollection if it was you directly because my primary counsel is Gerald Bishop --

CHAIR: Right. We split time on it. Okay. I'm going to need to recuse myself from Mr. Griffin's form. There is a proxy here for recusal purposes and I did not have them bring down a proxy form for me unfortunately. But we'll execute one. I'm going to recuse myself. I will turn over the gavel if I had a gavel to the vice chair, Ms. Riordan, and I'm going to appoint as the proxy [inaudible] Is Tony here?

MS. RIORDAN: Welcome and thank you. Mr. Griffin, if you'd like to --

MR. GRIFFIN: Thank you, Madam. Two things to share and members of the Commission, co-directors as well as counsel. I am Michael Griffin. I'm here in my now sort of residual role of the chairman of the now-deceased committee

called Griffin for Indiana Treasurer. You have before you, I believe, in the packet essentially four elements of dilatory supplemental findings. And I'd like to think of them actually as one whole incident because they were confined to the same reporting quarter, but really two major ones.

The first consent would be that dealing with the large supplemental that represented a gift or a contribution in concert with a ceremony conducted by the Hammond precinct organization. The second I'd like to take them together are three \$1,000 supplemental contributions made to the campaign over the course of that first period that were not filed within the 48-hour period as required in the statute. While we are supposed to observe the law and understand the law, I'm here claiming to tell you that while I wasn't a first-time candidate or a first-time person acquainted with the Indiana election law, it was my first time as a state-wide candidate. And also the nuances of the state-wide candidate election law, which departs significantly from the rules that I

had to perform under as a local candidate, as well as my treasurer never having before served as a treasurer for a public campaign, local, state or otherwise. So some of what I'll be telling you today has to do with the campaign chairs simply not following along closely enough and lack of information as well as our treasurer's simply inexperience in this area.

In regards to the first incident, it was simply a misunderstanding of the need to file that timely. There is really nothing else to tell you about the \$10,000 disclosure. At all times, however, we want the Commission to be aware that it was always our intention to do disclosure. We never wanted to elude that responsibility and I actually believe in it. In fact, the kind of public office I hold is very committed to disclosure so that simply was an error on being dilatory. The deposit was made on the second and as I now understand that law to read, we should have had a supplemental filed by the 9<sup>th</sup>. There was an attempt to file on the 10<sup>th</sup>, according to

my treasurer. He had difficulty getting through on the website and the election technology that was provided the help with that fearful that that was not going to be -- knowing that we were, in fact, required to file electronically and fearful that he wasn't going to be able to file, he did fax that day that information. And then on the 11<sup>th</sup> did set out to comply.

Other than that I have no other remarks to make about that.

The second, which is the three incidents which I'm coupling together, have to do with the departure between statewide candidates filing requirements and that of local requirements. To begin, I was very bad as a local candidate about fund-raising. In my first election I loaned myself money to run, wrote some friends for assistance for money. The second time I ran I loaned myself money additionally again and it was only the third time that I actually had a formal -- where I actually had a large-scale fund-raiser and I still am in debt to myself for my local campaign. I've

never seen a \$10,000 disclosure toward my local campaign let alone a \$1,000 disclosure. So my understanding of the \$1,000 disclosure rule had to do with being not later than 25 days outside of the time of the general election. I now understand that that's not the case for state-wide candidates. And again my treasurer was actually confused. Had the Commission made me well aware in the back of your CFA form 4, even after he had gotten a hold of the manual required, he did read the instructions for completing the form that dealt with the large contribution rule dealing with the \$1,000 contributions during that time period. He read that only candidate's committee could receive a large contribution that totals at least \$1,000 during the time period are required to file a report not later than 48 hours after the large contribution is received. And then the exception was statewide candidate instructions below. He felt that that exception meant that it didn't apply. But we now know that that was a misunderstanding.

I realize I'm speaking to a panel of people who are attorneys so it's a little daunting for me to even talk about whether or not the Court has taken judicial notice of legislative intent. But I do believe that we can be discerning as intelligent people about what the legislature -- the rationale for these rules. Not to undermine or say that there is no importance to having timely filings. Our disclosure requires timely filing, I well know that. But it seems to me that part of this is two-fold. I think it was sort of the election law equivalent of what attorneys would call disclosure. And one of the things disclosure is supposed to prevent is unfair surprise. Even with the erroneous and misunderstood timetables for us to have complied with the filing, we have fully demonstrated that everything was -- we fully disclosed everything in our quarterly statement which was due on the 17<sup>th</sup> of October, which was almost fully three weeks before the election. So voters would have had an opportunity to reveal and

take a look at donors to this campaign up to that date in order to more inform the discretion about the vote and to make a meaningful judgment about that.

Secondly, to some extent it also is to prevent unfair surprise to our other candidates standing for the office. And as I can well tell you from the news accounts of that time, not only did the other candidate become aware of that, he actually commented on it in the form of press releases which was no small amount of embarrassment for me.

One of the things that this Commission considers when determining whether or not [inaudible] a fine I suspect beyond what I heard earlier is -- and it's not purely punitive. Some of it needs to be corrective. I'm appealing to you for the full waiver because I assure you that if, in fact, I ever decide that I will stand for a statewide office again, I am fully instructed and corrected on what the timetables are. We certainly will honor that. And at no time was it our

intention to ever not honor those disclosure deadlines.

And finally I just wanted to close with I know that public administration and your important work is a combination and some form of art and science. And that amount has to vary. But to err a little bit on the side of art, I thought I would close with a John Dryden poem, if that would be acceptable. "Reason is to rule and mercy is to forgive; first is law, the last is prerogative." It's my hope that you will err a little more on the side of prerogative today. And I do thank the Commission very much for its kind patience and taking time out of your day to be here and to hear my plea for waiver -- erring on the side of mercy.

MS. RIORDAN: Mr. Griffin, thank you so much for your comments and also for coming down. I've been informed by counsel to the Commission that it's a very common practice, in fact a very consistent practice for the Commission to look upon a candidate who had -- their first offense

before the Commission and first of all treat multiple causes as we have here as one cause. And then to reduce the total amount of the fine to 25 percent of the recommended fine. We've done some quick math and my calculations show -- I'll let Mr. Wheeler correct me 'cause I'm sure he's got his calculator --

CHAIR: No, your faith is in Commissioner Dumezich. That's the frightening part.

MS. RIORDAN: By my calculation, I think [inaudible]

MS. THOMPSON: -- to state for the record for this committee, but I did want to let you know it is closed.

MS. RIORDAN: Thank you. [inaudible] So I appreciate that. By my calculations the 25 percent rule would come to result of a fine of \$440. Is there any discussion?

MR. DUMEZICH: I had \$427.25.

MS. RIORDAN: Oh. Well, if we go with \$427.25 it would be 25 percent of the total fine. Does anyone on the Commission have any questions

or have any comments? Okay. I want to entertain a motion.

MR. PIERSON: A motion.

MS. RIORDAN: And so to be clear, our motion is that we waive the fine by 25 percent which is a total of \$427.25. Is that your motion?

MR. PIERSON: Yes, ma'am.

MS. RIORDAN: Okay. Is there a second?

MR. DUMEZICH: Second.

MS. RIORDAN: Any further discussion?  
Okay. All in favor, say aye.

[Aye response]

MS. RIORDAN: All opposed? The motion carries unanimously. Thank you.

MR. GRIFFIN: Well, I had hoped for a full waiver. I do thank the Commission for its consideration and the grace of that 25 percent.

CHAIR: Let the record show that I have taken back up my metaphorical gavel and at this point in time I'm going to exercise the chairman's discretion to move one item to the top of matter because I believe we have -- while our proxy is

still here -- we have an additional proxy issue.

MR. DUMEZICH: May I interrupt for a moment? I redid my math and it turned out that \$440 was correct.

CHAIR: I'm going to call out of order I believe we have an enforcement action against former representative Mannweiler. Could you go ahead and turn to that one and get us --

MS. THOMPSON: Yes, Mr. Chairman, that's on page 68.

MS. RIORDAN: Mr. Chairman, I need to recuse myself from this because Mr. Mannweiler is my law partner. But I have again an appointment proxy of Mr. Overholt who is here.

CHAIR: I see the record, appointment proxy and will introduce that into the record. Mr. Overholt, we have a new chair over here. All right, Paul S. Mannweiler Community PAC, cause number 2007-4231-130.

MS. THOMPSON: Mr. Chairman, Paul S. Mannweiler Community PAC, cause number 2007-5231-130 filed on April 26<sup>th</sup>, 2007 has paid a fine of

\$303.45.

CHAIR: And that was just a late pre-primary report?

MS. THOMPSON: Yes, it is.

CHAIR: And there are no prior violations?

MS. THOMPSON: No.

CHAIR: And no settlement agreements? This is the first time for Mr. Mannweiler's PAC. And you are? [inaudible] What happened here?

MS. ESLINGER: Well, I went in and I did all the paperwork for the PAC online. But I couldn't file it yet because it wasn't [inaudible] reporting period. So I had to go back in and actually file it. There's very little action on this PAC committee. It was just an oversight. I had all intention -- like I said, I had it already filled out online and I just --

CHAIR: The Commission's historical position that I think Commissioner Riordan spoke to a moment ago was 25 percent for people with no prior infractions, which, according to my quick

calculations there's \$75. I'll accept a motion on the Mannweiler cause number 2007-5231-130.

MR. DUMEZICH: I'd like to make a motion that we penalize the Paul Mannweiler Committee PAC \$75 for the current violation plus mailing costs.

CHAIR: I would note that it's always plus mailing costs. We tack the mailing costs on. We don't discount. That's our actual cost. So the total fine would be \$78.45 for Paul S. Mannweiler [inaudible]. Do I have a second on the motion?

MR. OVERHOLT: Second.

CHAIR: Motion is made and seconded. Any further discussion? Hearing none, all in favor of imposing a fine of \$78.45 in the Paul S. Mannweiler Committee PAC signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. The motion carries. And I'm also going to take one other item out of order which is the alleged excess corporate contributions which is your yellow tab. Now, is there anybody here representing McAllister Machinery Company, Inc.? I

see Mr. [inaudible] is approaching the microphone.  
Can you turn to McAllister Machinery. This is  
cause number 06-157.

MS. THOMPSON: Yes, Mr. Chairman.

McAllister Machinery Company, Inc., cause 06-157  
contributed to the Mitch Daniels for Governor  
Campaign. The amount of contribution was \$7,000.  
Has never been before the board before and to let  
you know the Mitch Daniels for Governor Campaign  
Committee refunded \$2,000. The proposed civil  
penalty is three times the amount which is \$6,000.

CHAIR: This is self reported; correct?

The Daniels campaign?

MICHELLE: I believe that's correct.

CHAIR: Mr. Keeler

MR. KEELER: Mr. Chairman, I believe  
everything that was said is accurate. I would just  
add that this was an inadvertent contribution on  
the part of my client. They've put in place  
procedures so that this will never happen again  
and it's the first time despite a long history of  
political giving. We ask that the Commission

either waive or substantially reduce the penalty.

CHAIR: Historically with respect to excess corporate campaign contributions, the Commission on first offense with no prior offenses has imposed a penalty of ten percent of the maximum.

MR. DUMEZICH: Ten percent of the excess?

MR. KEELER: We would prefer ten percent of the overage. [laughter]

CHAIR: I'm going to defer -- fortunately my conscience on the Commission, Mr. Long, who has been on the Commission I think almost as long as the Commission has been around or something close to that is not here and usually we rely upon him and his history. This is the first time you've had excess campaign contributions since I've been on the Commission and certainly [inaudible] It's my understanding and our counsel indicates to me that we give you 10 percent of the proposed fine; correct?

MR. KING: Right.

CHAIR: In that case that would be \$600 on McAllister Machinery. Do I have a motion?

MR. DUMEZICH: \$600? I'd like to make a motion to penalize McAllister Machinery Company \$600 for the overage associated with their donation to the Mitch Daniels for Governor Campaign Committee.

CHAIR: Do I have a second on the motion?

MR. PIERSON: Second.

CHAIR: In terms of discussion, do we add mail costs on these or not?

MS. THOMPSON: Not on these.

CHAIR: We don't add mail costs on these?

All right. So the total fine would be \$600. A motion has been made. Any further discussion? All in favor of imposing a civil penalty in cause 06-157 of \$600, signify by saying aye.

[Aye response]

CHAIR: Those opposed same sign. Motion carried. Thank you. Do you have another -- I believe that's it. You can come back on the Commission. Thank you Mr. Overholt for serving in

multiple capacities. Mr. Keeler, you have another one of the ones on this list.

MR. KEELER: I do, Mr. Chairman. It's Burke Engineering.

CHAIR: Burke Engineering, which I believe is [inaudible] involved with McAllister Machinery. That's 06-156?

MS. THOMPSON: Yes.

CHAIR: What's going on here?

MICHELLE: Christopher B. Burke Engineering, Ltd. contributed to the Mitch Daniels for Governor campaign in the amount of \$10,000. Never been before the Board and Mitch Daniels for Governor campaign refunded \$5,000, which proposed civil penalty is three times the amount which is \$15,000.

CHAIR: Again, this was a self reporting by the campaign; correct?

MICHELLE: Yes.

CHAIR: And that money was refunded as soon as it was caught; correct?

MICHELLE: Correct.

CHAIR: And they have not been before the Board -- Christopher Burke has not been before the Commission?

MS. THOMPSON: No.

CHAIR: Mr. Field.

MR. FIELD: Thank you, Mr. Chairman. I think everything that's been said is accurate. I would just add in mitigation, this was an inadvertent violation but it was caught by really a computer error in the sense that Burke Engineering had via computer made a \$5,000 campaign contribution to the My Man Mitch campaign. And then when it went to make a \$5,000 campaign -- excuse me -- \$5,000 contribution to a 501(c) entity for the inaugural ball, when it typed in "My," all of a sudden instead of My Gov Mitch, My Man Mitch came up and the check was inadvertently written to the wrong entity and returned. The client was aware of the limits and it was a purely inadvertent check writing.

CHAIR: I'll accept a motion -- I'm sorry. Are there any further questions? I'll

accept a motion on Christopher B. Burke Engineering, cause number 06-156.

MR. DUMEZICH: I'd like to make a motion to penalize Christopher B. Burke Engineering Company \$1,500 for the violation cited in cause number 06-156.

CHAIR: Any further discussion? I'm sorry. Is there a second to the motion?

MS. RIORDAN: Second.

CHAIR: Motion made and seconded. Any further discussion on the motion? Those in favor of imposing a civil penalty in the amount of \$1,500 on Christopher B. Burke Engineering in cause 06-156, signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. Motion carries. Thank you.

MR. FIELD: Thank you very much, Mr. Chairman and members of the Commission. I've written a poem but I won't reveal it. [laughter]

CHAIR: What I'd like to do is I'll go ahead and finish up with the excess corporate

contributions since the same standards apply.

Schilli Transportation Services, cause 06-154.

MS. THOMPSON: Mr. Chairman, it's Schilli Transportation Services, Inc., cause 06-154, contributed to the Mitch Daniels for Governor campaign in the amount of \$5,500. Has never been before the Board before and the Mitch Daniels for Governor campaign refunded \$500. The proposed civil penalty is three times the amount which is \$1,500.

CHAIR: Again, this was self-reported; correct?

MS. THOMPSON: Yes, it was.

CHAIR: And they have not been in front of the Commission before?

MS. THOMPSON: No.

CHAIR: And you are?

MR. GULLIVER: I'm Gordon Gulliver. I'm the secretary of the corporation.

CHAIR: For Schilli Transportation?

MR. GULLIVER: Yes.

CHAIR; All right, what happened?

MR. GULLIVER: The word inadvertently has been used a lot today. [laughter] We are a trucking company and for some reason it just got by. We weren't even aware of the rule. I immediately once I got the letter I got online and we got the rules. So we immediately put resolutions in place. We have nine different companies. We put resolutions in place for all companies that know donations for political purposes can go through anyone except the secretary of the corporation. And then we track them that way. So it was inadvertent. All I can do is ask for forgiveness.

CHAIR: I'll accept a motion on Schilli Transportation, cause 06-154.

MR. DUMEZICH: I'd like to make a motion on Schilli Transportation Services, Inc. in cause number 06-154 for a penalty of \$500 -- a civil penalty of \$500.

CHAIR: That seems a little steep given our -- \$150 maybe.

MR. DUMEZICH: Oh, I'm looking at the

wrong one. \$150. Excuse me.

CHAIR: Motion is made for \$150 civil penalty. Do I have a second?

MS. RIORDAN: Second.

CHAIR: Any further discussion? All those in favor of imposing civil penalty of \$150 in cause number 06-154, Schilli Transportation Services, Inc., signify by saying aye.

[Aye response]

CHAIR: Opposed, same sign. Motion carries. Thank you. Indiana Dimension, Inc., cause 06-155.

MS. THOMPSON: Mr. Chairman, Indiana Dimension, Inc., cause 06-155, contributed to the Mitch Daniels for Governor campaign in the amount of \$7,500. It's never been before the Board before and the Mitch Daniels for Governor campaign refunded \$2,500. The proposed civil penalty is three times the amount which is \$7,500.

CHAIR: And again this was self-reported?

MS. THOMPSON: Yes, it was.

CHAIR: And they've not been before the

Board before?

MS. THOMPSON: No, sir.

CHAIR: And you are?

MR. LAND: My name is John Land. I'm chief financial officer of Indiana Dimension, Inc.

CHAIR: Okay. What happened?

MR. LAND: A similar thing. The company has been in business since 1990. They never participated at this level. We're frankly unaware of the rules. I think we were notified on October 27 of '05 of the problem and responded six days later to confirm that there was a problem.

CHAIR: And the money was refunded by the Daniels campaign?

MR. LAND: The money was refunded. Subsequently I issued a memorandum to all my payroll people laying out what all the rules and regulations are.

CHAIR: Anything else? Any questions from the Commission? Hearing none, I'll accept a motion.

MR. DUMEZICH: I'd like to make a motion

on Indiana Dimensions, Inc., cause number 06-155,  
to impose a civil penalty of \$750.

CHAIR: Motion is made. Do I have a  
second?

MS. RIORDAN: Second.

CHAIR: Motion made and seconded. Any  
further discussions? Hearing none, all in favor of  
a civil penalty of \$750 to Indiana Dimension, Inc.  
in cause number 06-155, signify by saying aye.

[Aye response]

CHAIR: Opposed, same sign. Motion  
carries. Thank you, Mr. Land.

MS. THOMPSON: Mr. Chairman, Data  
Trucking, Inc. has asked for a motion to continue.

CHAIR: I'll accept a motion on the  
motion to continue.

MR. DUMEZICH: I make a motion to  
continue on cause number 06-158, Data Trucking,  
Inc.

CHAIR: Do I have a second?

MS. RIORDAN: Second.

CHAIR: Is anybody here for Data

Trucking? [inaudible] We can continue it until our next meeting. Our next meeting is probably going to be in the clerk's -- when's the clerk's meeting? We usually have a very short meeting at the clerk's meeting.

MS. RIORDAN: [inaudible] maybe we won't get [inaudible] I don't know what the will of the Commission is, but I would be inclined to let it sit for that long. But I guess -- can you give us the date of this [inaudible] I would limit the continuance to our next meeting.

CHAIR: Let's have them back at the next meeting and then if they're not here [inaudible].

MS. RIORDAN: So I would second the motion with that addition.

CHAIR: All right. I'm good with that. We have a motion. Do we have a second?

MR. DUMEZICH: Second.

CHAIR: I'm sorry, the motion to continue and it had been seconded. Is there any further discussion? All right. With the proviso that this would be continued to our next meeting, our next

campaign finance meeting which will certainly be by December 11. It may be before that. All those in favor, signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. All right. 05-158 is continued to our next meeting. PTS Electronic Corporation, cause number 06-159. Is there anybody here from PTS Electronic Corporation?

MS. THOMPSON: Okay, Mr. Chairman.

CHAIR: We don't have a motion or anything on this one; right?

MS. THOMPSON: PTS Electronic Corporation, cause number 06-159 contributed to the Monroe County Republican Central Committee in the amount of \$2,300. It's never been before the Board before and the Monroe County Republican Central Committee refunded \$500. The proposed civil penalty is three times the amount of \$1,500.

CHAIR: Do I have a motion?

MR. DUMEZICH: I'd like to make a motion for three times the amount of the excess

contribution of \$1,500 in cause number 06-159  
against PTS Electronic Corporation.

CHAIR; [inaudible]

MS. RIORDAN: Let's do that. Let's have  
a second to go [inaudible]

CHAIR: While I sympathize and we  
certainly are -- part of our process for granting  
these reductions [inaudible] take the time to come  
here is to encourage or produce -- this is a zero;  
it's a self-reporting. I'm willing to go higher  
than 10 percent. I'm not sure I'm going to go full  
freight at three times. What about \$1,500 straight  
up? We'll go to 50 percent? I'm negotiating.

MR. DUMEZICH: I'll go with whatever  
Sarah goes with.

MS. RIORDAN: Well, I think it's  
important that people come down 'cause everybody  
else has come down. Everybody else has gotten out  
of it. They're going to be asking for -- if they  
thought that they were going to get the break  
without showing up, then nobody would show up. I  
think it's important to do something more

significant than ten percent and so with that, I would amend the motion to reduce it from \$1,500 to \$750. That, to me, is fair.

MR. DUMEZICH: Accept it or treat it as a new motion.

CHAIR: I'll treat it as a new motion and you second the motion?

MR. DUMEZICH: Yep.

CHAIR: All right. Motion has been made and seconded that PTS Electronic Corporation, cause number 06-159, be fined \$750 -- receive a civil penalty of \$750. All in favor, signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. Motion carries. \$750 for PTS Electronic Corporation. All right. Corradino Group? Anybody here from Corradino Group?

MS. THOMPSON: Mr. Chairman, Corradino Group, cause number 06-2623, I move to dismiss because we didn't realize that Corradino Group was an LLC.

CHAIR: And we understand that to be the case. They provided evidence they are now [inaudible]. The LLCs are obviously not subject to [inaudible]

MS. THOMPSON: Correct.

CHAIR: So there's no basis [inaudible]

MS. THOMPSON: Yes.

CHAIR: All right. Any discussion? I'll accept a motion on Corradino Group, cause number 06-163?

MR. DUMEZICH: I'd like to make a motion on the move to dismiss on cause number 06-163 on the Corradino Group based on the fact that it's an LLC and not subject to the rule imposed.

CHAIR: Is there a second?

MS. RIORDAN: Second.

CHAIR: Motion has been made and seconded. Any further discussion. All in favor of dismissing cause number 06-163, the Corradino Group, signify by saying aye.

[Aye response]

CHAIR: Opposed, same sign. Motion

carries. 2006 corporations. I have E&B Paving. Is anybody here from E&B Paving?

MICHELLE: Mr. Chairman, E&B Paving, Inc., cause number 2007-154, contributed to the House Republican Campaign Committee in the amount of \$2,400 during the year 2006. They have never been before the Board before and the House Republican Campaign Committee refunded \$400. The proposed civil penalty is three times the amount or \$1,200.

CHAIR: All right. We have on E&B Paving. They've not been before the Board before. This was self-reported. The total fine is \$1,200. You are?

MR. BRACKEN: My name is Chuck Bracken. I'm the corporate sales manager. I'm also responsible for these donations and this error that we made. We sent a check for \$400 on May 11<sup>th</sup> to the House Republican Campaign Committee. Then we sent another check for \$2,000 on October 2<sup>nd</sup> to the same item listed, \$400 under different item. It's my responsibility to count it and I added it up on another line item [inaudible] Hence, within

11 days we found our error and called to get our money back. It was hauled back to us by check by 10/13. So within a matter of 11 days it was rectified. It was long before the election. This was our first. Also, we haven't been before you before and hope we never are, not just that you aren't nice guys. We regret our error and we hope you can appreciate we've handled this in the right way the Commission would want us to. We have put things in order now where we hope this never happens again. We have 11 areas throughout the state. The only one that's ever made a mistake was me. So it was my responsibility so here I am. I sure hope that the Commission will reconsider the penalty and waive it entirely, if possible.

CHAIR: [inaudible -- static sound on tape] I'll accept a motion on cause 2007-154, E&B Paving Inc.

MR. DUMEZICH: I'd like to make a motion for civil penalty of \$120 in cause number 2007-154 to be levied against E&B Paving, Inc.

CHAIR: Do I have a second on the motion?

MS. RIORDAN: Second.

CHAIR: Motion has been made and seconded in cause number 2007-154, E&B Paving, Inc. be resolved with a civil penalty of \$120. Any further discussion? Hearing none, all in favor signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. Motion carried. Thank you very much. Dattco [phonetic], we have a motion to continue on Dattco.

MICHELLE: Yes, Mr. Chairman, we do.

CHAIR: And that's a recent -- December 29<sup>th</sup>, 06. Any discussion on the motion to continue or I'll accept a motion on the motion to continue.

MR. DUMEZICH: I'd like to make a motion on the motion to continue in cause number 2007-155, Dattco matter.

CHAIR: A motion's been made. Do I have a second?

MS. RIORDAN: Second.

CHAIR: Motion made and seconded. All in favor signify by saying aye.

[Aye response]

CHAIR; Those opposed, same sign.

Carried. Liberty Mutual. As I understand it there's a motion to continue although not marked on there as well. Is there anybody here -- All right. I thought there was [inaudible] In that case I have to recuse myself from Liberty Mutual. Liberty Mutual. I'll just take it off the agenda. These continuances, I'd like -- I'm sorry. For those of you who are wondering, in order to reduce the penalty other than impose the full freight, we have to have a unanimous board. So if one of the Commission members has to recuse himself, we cannot reduce the fine. So in that case I'll grant -- take it off the agenda and bring it back. My intent is to bring these back at least by December 11<sup>th</sup>. That takes care of our campaign - excess corporate contributions and I appreciate your indulgence by going out of order there.

We are going to begin our late filing. I'm going to start -- if you'll turn to page 80, the Commission members will turn to page 80. All

right. I've got Friends of Sue Landske, 2007 supplemental.

MS. THOMPSON: Yes, Mr. Chairman.

Friends of Sue Landske, cause number 2007-4020-145. It's for a large supplemental report, 10,000 plus. She filed this on 7/11 of 2007. Never been before the Board, no settlements, and the proposed civil penalty is \$900.

CHAIR: Mrs. Landske?

MS. LANDSKE: Thank you, Mr. Chairman.

[inaudible] we haven't had any contributions and I wanted to disband this committee and I received the notice after the middle of June about the time to file the statewide candidates report. I called the Division to see if I couldn't close this campaign committee at the same time that I was filing this report. And I received assurance that I could. I didn't want to do that, however, until I retired the debt that was there. So I also had a confirmation that it's all right to transfer funds from one campaign committee to another so that I could retire this debt.

CHAIR: So the large supplemental was transferred over --

MS. LANDSKE: It was transferred -- it was a check that I got from my senate campaign committee that I transferred to this committee so I could then pay off my debt and close the committee, which I did on June 16<sup>th</sup>.

CHAIR: And we have a notation the committee's closed; correct?

MS. LANDSKE: Correct. And then I did try to close the account and also being one of probably the most technological challenged persons that you have before you today, I tried and I couldn't get the form that I needed. And I tried again and then gave up for awhile and tried again until July 6<sup>th</sup> when I talked to Michelle and she straightened me out. She got me all taken care of and it was true that actually the form that I was looking for, the CFA 4, did not have the second box on line 11 that I needed to disband my committee and so I thoroughly confused the issue. I was more concerned about the standing of the

committee at that time. And forgot all about making that other report.

CHAIR: The Commission's position I think has been ensconced already the individuals that are closing out committees. Do I have a motion?

MR. DUMEZICH: Motion to waive the fine of \$900 against the Friends of Sue Landske, file number 4020.

CHAIR: In this case, we have a motion, do I have second?

MS. RIORDAN: Second.

CHAIR: Motion has been made and seconded to dismiss IEC cause number 2007-4020-145, Friends of Sue Landske. Any further discussion? All in favor, signify by saying aye.

[Aye response]

CHAIR: Opposed, same sign. Motion carries. Thank you. Cause number 2007-4252-78, Hoosiers for Scott Pelath. Anybody here for that one?

MICHELLE: Mr. Chairman, this is Hoosiers for Scott Pelath, cause number 2007-4252-

78. Has never been before the Board before, has never had any settlement agreement. His proposed fine is \$502.50 and there was a letter in your packet as well as --

REPRESENTATIVE PELATH: Thank you, Mr. Chairman, members of the commission. I appreciate this opportunity to come explain the situation here. I take, as a member of the House Elections Committee I take these deadlines very seriously. And I simply wanted to demonstrate my [inaudible] to comply with the deadline and explain a little bit a brief comedy of errors that happened. I routinely complete my campaign finance report a couple days ahead of time. This particular year I scanned it into my computer at home because that's where I do most of my work. I sent an electronic copy down to Kristen Self [phonetic] who is our caucus assistant. And this is very routine. For members of my caucus what we do is we give our campaign finance report to Kristen and she always goes and files them in a timely manner. In this

particular case she did a good job because she got it to my county clerk in a timely manner.

Something happened though between point A and point B. Because about a week later much to my chagrin, dismay and surprise I received a notice in the mail saying that my report hadn't been filed. And given that I had called Kristen to confirm that she had received it, I couldn't figure out exactly what had happened. Kristen then I know went over to the Election Division. I know that they looked everywhere for the report to find out if it had been stapled to another report or something of that matter. They also -- Kristen looked all through her office. It was never exactly determined where the report was misplaced. But I simply want to say before the public and the Committee that I have said it to our assistant [inaudible] I had every intent of it being filed on time. She had every intent of it being filed on time. But there was some very unfortunate physical error that happened in transport. And that's all I wanted to explain to the Commission. Thank you,

Mr. Chairman.

CHAIR: And I would note -- the person you're referring to, Kristen Self, that submitted the letter, she outlined that same version and says -- and I quote -- "The representative sent his report to me the evening before the report was due via email. The email he sent me was corrupted by my computer and compressed the report to two pages on a single page making it unreadable." And she was trying to change it which caused the delay as I --

REPRESENTATIVE PELATH: She was going to file it the day before and then she had one last stack of reports that she brought right before the deadline. She didn't have time to wait around. The staff was very busy. She didn't wait for the time stamp. I simply wanted the opportunity to explain what transpired and to reaffirm that certainly myself and my committee take these requirements very seriously.

CHAIR: I'm just trying to figure out -- there's a document attached to this stuff. And

we've got to have a filing stamp of October 2006 from LaPorte Circuit Court. What is that?

REPRESENTATIVE PELATH: Mr. Chairman, if I might explain. It's -- of course, we're required as legislative candidates to make dual filings. She had actually faxed my report to LaPorte County clerk's office, I believe, on the 18<sup>th</sup> according to this record.

CHAIR; She faxed the compressed version?

REPRESENTATIVE PELATH: She faxed the compressed version. Just simply to get it in there. And then they faxed -- they don't always time stamp it immediately at the same time. As soon as they did put a stamp on it to confirm it's received, they faxed it back to headquarters and Kristen filed it and gave me a copy.

CHAIR; And I know in the past for Commission members that have gone through this before, we've certainly -- we don't necessarily excuse complying with the statute. We certainly -- where there've been candidates that are subjected to either multiple filing requirements and where

files have been either mistakenly filed in one county versus the state and they've been able to show us documentation it was timely filed in one of the other, we generally show significant amount of leniency in those situations. I assume that was the purpose of this. I'll accept a motion -- I'm sorry. Are there further questions from the Commission members? I'll accept a motion.

MS. RIORDAN: I move that we waive the penalty in cause number 2007-4252-78.

MR. DUMEZICH: Second.

CHAIR: Motion has been made and seconded that the Commission waive the penalty in cause number 2007-4252-78 which is Hoosiers for Scott Pelath. Any further discussion? Hearing none, all in favor of waiving the penalty, signify by saying aye.

[Aye response]

CHAIR: Those opposed, same sign. Motion carries. Thank you.

REPRESENTATIVE PELATH: Thank you  
Chairman and members of the Commission.

MR. CLAPHAN: Mr. Chairman, my name is Mike Claphan [phonetic] and I'm the assistant treasurer for the Hoosier Osteopathic Political Action Committee.

CHAIR: I have it on page five but I believe you guys -- I'm just trying to help --

MS. THOMPSON: Hoosier Osteopathic Political Action Committee, cause number 2006-4431-27 has one proposed penalty of \$1,002.50. Has been before the Board five times and zero settlement agreements. Also on page 41, Hoosier Osteopathic Political Action Committee, cause number 2006-4431- [end of tape 1A]

CHAIR: I'm going to call the meeting back to order.

MS. THOMPSON: On page seven. Chairman, Joyce Brinkman For State Treasurer.

CHAIR: Is anybody here for Joyce Brinkman?

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MS. THOMPSON: Mr. Chairman, this is Joyce Brinkman for State Treasurer, cause number 2007-3747-3. Never been before the Board, has no settlement agreements and the proposed fine is \$552.50.

CHAIR: And I believe -- does [static] show there's a letter?

MS. THOMPSON: There is a letter in the packet as well.

CHAIR: Go ahead. Tell us what happened.

MS. BRINKMAN: Well, first of all, let me say that I have no complaints at all with the [inaudible] intelligence of the staff. The staff is always tremendously professional and helpful whether Democrat or Republican, They're always wonderful to help you. It was my understanding and I guess I was a little bit confused on the last gentleman who talked about hand filing because I didn't think we could hand file any longer. I ran for my first campaign in 1975 and I always hand filed because I wanted to have a stamped copy so that I indeed had proof that I

1 had filed. And I think that that is a current  
2 problem with the system that there is no copy  
3 when you file by computer. I am a writer and I do  
4 lots of submissions by email and I get emails  
5 back. And of course you are easily -- you do have  
6 our email -- so it seems to me when someone files  
7 it would be a good new procedure to have an email  
8 go back so that indeed someone does know and does  
9 have proof that they have filed.

10 I have difficulty with the system every  
11 year. When I come online it always tells me that  
12 I do not exist. And I have to call Michelle and  
13 she has to try to get the thing set back up.

14 CHAIR: [inaudible] We've got your email  
15 in front of us.

16 MS. BRINKMAN: I mean she's wonderful.  
17 She's terribly helpful but we have to go through  
18 this every year that we have to re-enter me. And  
19 as far as my password is concerned, I've  
20 constantly given the software program the trivia  
21 of the color of my toothbrush or whatever, and  
22 every time I try to use that, it tells me I have  
23 never done that.

1 CHAIR: Let me ask you two questions.  
2 Are you going to keep this committee open?

3 MS. BRINKMAN: Yes. It is not closed.  
4 The committee is not closed. It is not going to  
5 do any good, however, to fine me to correct the  
6 problem because the problem is not on my side. I  
7 tried to file before I left for Florida. I could  
8 not get Michelle before I left. So then as soon  
9 as I got to Florida, long before the deadline,  
10 before the end of the year actually, I got  
11 Michelle on the phone from Florida. We went  
12 through the whole procedure of getting things set  
13 up. I actually did it all. Even called Michelle  
14 back and told her that I had filed. And when it  
15 came through -- when I got the notice that I was  
16 late, I called Michelle and she said she was  
17 totally shocked because she knew that we had  
18 worked on it and gone through the process. And  
19 when she looked at it all the information was  
20 there. So this was not a matter of the spirit of  
21 the law --

22 CHAIR: Let me ask.

23 MS. THOMPSON: She's correct. Our system

1 is built to be secure. And on several occasions  
2 if you hit the file button once, it's not going  
3 to file it for you. It's going to ask you again,  
4 are you sure you want to file this. Because you  
5 don't -- you don't want any mistakes made. So the  
6 system will ask you again and again before you  
7 file it because this is something that goes out  
8 on the Internet.

9 CHAIR: You confirm what she was saying  
10 that she had talked to you prior trying to file  
11 it, work through getting a PIN number to file and  
12 you were surprised to see this?

13 MS. THOMPSON: Absolutely. Yes, because  
14 we walked through it. I left her the new file.  
15 That was the end of it.

16 CHAIR: I'll accept a motion. Are there  
17 any further questions? Any questions? I'll accept  
18 a motion on this.

19 MS. RIORDAN: Mr. Chairman, I move that  
20 we waive the proposed fine for cause number 2007-  
21 3747-3.

22 CHAIR: Do I have a second?

23 MR. DUMEZICH: Second.

1 CHAIR: Motion is made and seconded. Any  
2 further discussion. Hearing none, all in favor  
3 of waiving the fine of 2007-3747-3, Joyce  
4 Brinkman -- let me ask a preliminary question.  
5 Saying we waived the fine, would it be better to  
6 dismiss it? Dismissed as opposed to just waiving  
7 the fine? If it's dismissed, it would show as if  
8 it never happened as opposed to waiving the fine.

9 MS. RIORDAN: Let me withdraw my  
10 motion. And I would move that in light of the  
11 explanation that's been given that we dismiss  
12 cause number 2007-3747-3.

13 CHAIR: Do I have a second?

14 MR. DUMEZICH: Second.

15 CHAIR: Motion is made and seconded. Any  
16 further discussion? Hearing none, all in favor  
17 signify by saying aye.

18 [Aye response.]

19 CHAIR: Opposed, same sign. Motion  
20 carries.

21 MS. BRINKMAN: Mr. Chairman and  
22 Committee, I appreciate that very much. I'm  
23 hoping to get it fixed because I go through this

1 battle all the time and I hate trying to --

2 CHAIR: [inaudible] [laughter]

3 MS. BRINKMAN: And I think again if  
4 there were a procedure where you got an email  
5 that -- when you file, if you knew that you were  
6 going to get an email --

7 CHAIR; Like a confirmation?

8 MS. BRINKMAN: That's right. You've got  
9 a confirmation. And then you've got that as a  
10 copy. You know that it's happened. You know  
11 you're accepted. I thank you very much.

12 CHAIR: Thank you. I'll accept a motion  
13 -- next up. Michelle?

14 MS. THOMPSON: I'm sorry. Page 17,  
15 Committee to Elect Billy Bright, cause number  
16 2007-5035-25. It's been before the Board four  
17 times, settlement agreements zero. Proposed civil  
18 penalty of \$352.50.

19 CHAIR: As I understand that notation,  
20 you've closed your committee now?

21 MR. BRIGHT: Yes, sir.

22 CHAIR: And you've been in front of the  
23 Board four times before?

1 MR. BRIGHT: Once. [inaudible] It was  
2 CFA 11s and contributions were exactly \$1,000. We  
3 assumed that the amount had to be over \$1,000.

4 CHAIR: In any event you're closed?

5 MR. BRIGHT: Yes, sir. What happened on  
6 this one because -- what caused us to be late was  
7 the morning of the campaign filing under final  
8 review, we found an error. And I suggested let's  
9 get it right before we send it in so it took us  
10 until almost 1:00 that day.

11 MS. THOMPSON: He filed it on 1/24.

12 MR. BRIGHT: So it was an hour and 20  
13 minutes late.

14 MS. THOMPSON: It was on 1/24.

15 [simultaneous speaking]

16 CHAIR: [inaudible] before the  
17 Commission. You're not a candidate for anything?

18 MR. BRIGHT: No, sir.

19 CHAIR: You're closing out your campaign  
20 [inaudible]

21 MR. BRIGHT: Yes, sir. I'm in the  
22 private sector.

23 CHAIR: Okay. I'll accept a motion.

1 MS. RIORDAN: I move that the candidate  
2 is closing out his committee. I move that we  
3 dismiss cause number 2007-5035-25.

4 CHAIR: Is there a second?

5 MR. DUMEZICH: Second.

6 CHAIR: Motion is made and seconded. Any  
7 further discussion? Hearing none, all in favor of  
8 dismissing cause number 2007-5035-25, the  
9 Committee to Elect Billy Bright based upon the  
10 fact that he has closed his committee and does  
11 not intend to pursue any further endeavors into  
12 the public sector, at least in the near future,  
13 signify by saying aye.

14 [Aye response]

15 CHAIR: Those opposed, same sign. Motion  
16 carries. Thank you very much. What do we have  
17 next, Michelle?

18 MS. THOMPSON: Page 51, AFA of Indiana  
19 Political Action Committee, cause number 2007-  
20 5371-90. Never been before the Board.

21 CHAIR: Someone here from AFA?

22 MS. THOMPSON: The Board proposes civil  
23 penalty of \$902.50. And there's also a letter in

1 your packet with [inaudible].

2 CHAIR: They have not been before the  
3 Board before?

4 MS. THOMPSON: No.

5 CHAIR: Mr. Price?

6 MR. PRICE: My Chairman, my name is John  
7 Price.

8 CHAIR: Wouldn't seem like a Commission  
9 meeting without you. And who is with you?

10 MR. PRICE: Micah Clark who is the  
11 president of the PAC.

12 CHAIR: And there is a letter which I'm  
13 looking for in the file.

14 MS. THOMPSON: Yes.

15 MR. PRICE: Mr. Chairman and members of  
16 the Commission, as I indicated, we're both  
17 directors of the PAC. I'd like to cite five quick  
18 points and we'll get out of your hair.

19 The first one is that it's a brand-new  
20 PAC that was formed in February, March. And no  
21 prior action by this Commission.

22 Secondly there was an address change  
23 made to a PO box that you have possibly --





1 further discussion? Hearing none, all in favor,  
2 signify by saying aye.

3 [Aye response]

4 CHAIR: Opposed, same sign.

5 MR. PRICE: Thank you, Mr. Chairman.

6 CHAIR: Thank you, John.

7 MS. THOMPSON: Mr. Chairman, the  
8 Committee to Elect -- I'm sorry. Page 12. Mr.  
9 Chairman, the Committee to Elect R. Tiny Adams,  
10 state representative district 34.

11 CHAIR: Is someone here for --

12 MS. THOMPSON: Cause number 2007-4030-  
13 16. It's been before the board two other times,  
14 zero settlement agreements for a proposed civil  
15 penalty of \$252.50. There is also a letter in the  
16 packet. And also the committee is closed.

17 CHAIR: The committee is closed and you  
18 are --

19 MR. BRINKMAN: My name is Frank  
20 Brinkman. I'm an attorney in Muncie. This is Sue  
21 Templeton. She's a retired school teacher and is  
22 Tiny Adams' sec-treasurer of his campaign.

23 CHAIR: And as I understand it, Tiny

1 Adams is --

2 MR. BRINKMAN: Is deceased December 7,  
3 2005.

4 CHAIR: And that's set for the 11<sup>th</sup>;  
5 correct?

6 MR. BRINKMAN: Yes.

7 CHAIR: All right. We've got a closed  
8 committee. We have a deceased candidate. Do I  
9 have a motion from the Commission?

10 MR. DUMEZICH: Motion to dismiss.

11 CHAIR: I'll take that motion in a  
12 second. All in favor, signify by saying aye.

13 [Aye response]

14 CHAIR: Those opposed, same sign.

15 MR. BRINKMAN: Thank you for your time.  
16 Have a great day.

17 CHAIR: Let's start with this corner.  
18 Come on up. You are here on --

19 MR. THOMPSON: Richard Thompson  
20 [inaudible].

21 CHAIR: What's your number?

22 MS. THOMPSON: Cause number is 109.

23 CHAIR: Committee to Elect Dick

1 Thompson.

2 MS. THOMPSON; Committee to Elect  
3 Richard Thompson, cause number 2007-5447-109. Has  
4 never been before the Board, no settlement  
5 agreements. A proposed civil penalty of \$202.50.  
6 The committee is closed.

7 CHAIR: You've closed your committee?

8 MR. THOMPSON: Yes.

9 CHAIR: Are you planning on running for  
10 anything?

11 MR. THOMPSON: I may run again later. I  
12 haven't decided yet. This is my first time  
13 running for state election.

14 CHAIR: Any questions from Commission  
15 members? Motion?

16 MS. RIORDAN: I move to dismiss cause  
17 number 2007-5447-109.

18 MR. DUMEZICH: Second.

19 CHAIR: Motion made and seconded. All in  
20 favor, signify by saying aye.

21 [Aye response]

22 CHAIR: Those opposed, same sign. Motion  
23 carries. Thank you, Mr. Thompson.

1 MR. THOMPSON: Thank you and the  
2 Committee.

3 CHAIR: Next up? What's your number?

4 MR. PETERSON: 2007-5342-43.

5 MS. TAYLOR: 25.

6 CHAIR: You are?

7 MR. PETERSON: Lewis Peterson

8 MICHELLE: Friends to Elect Lewis  
9 Peterson, cause number 2007-5342-43. It's never  
10 been before the Board and no settlement  
11 agreement. Proposed civil penalty is \$52.50 and  
12 the committee is closed.

13 CHAIR: The \$50 represents one day late?

14 MS. THOMPSON: Yes.

15 CHAIR: Any questions from the  
16 Commission?

17 MS. RIORDAN: No, but I have a motion.  
18 To dismiss cause number 2007-5342-43.

19 MR. DUMEZICH: Second.

20 CHAIR: Motion has been made and  
21 seconded. All in favor, signify by saying aye.

22 [Aye response]

23 MR. PETERSON: Thank you, Chairman.

1 CHAIR: Thank you very much. What's your  
2 number?

3 MR. DOOLEY: 4351-19.

4 CHAIR: Mr. Dooley?

5 MR. DOOLEY: Yes.

6 MS. THOMPSON: Citizens for Eugene P.  
7 Dooley, cause number 2007-4351-19. Has been  
8 before the Board three times. No settlement  
9 agreements. Proposed civil penalty is \$52.50.

10 CHAIR: So three times before, you're  
11 still active and your committee is still active?

12 MR. DOOLEY: Well, my committee is alive  
13 but it's not active.

14 CHAIR: Do you want to close it?

15 MR. DOOLEY: No, I don't want to close  
16 it at this time.

17 CHAIR: Okay.

18 MR. DOOLEY: It's just an unfortunate  
19 incident. I've faxed the information [inaudible]  
20 transition. [inaudible]

21 CHAIR: I'll accept that. Are there any  
22 questions from the Committee? I'll accept a  
23 motion.

1 MS. RIORDAN: Under the circumstances, I  
2 move that we impose the full fine of \$52.50 in  
3 cause number 2007-4351-19.

4 CHAIR: Second?

5 MR. DUMEZICH: Second.

6 CHAIR: All in favor, signify by saying  
7 aye.

8 [Aye response]

9 CHAIR: Those opposed, same sign. Thank  
10 you, Mr. Dooley. Next up?

11 MS. THOMPSON: Page 58. Mr. Chairman  
12 [static] cause number 2007-5473-103. Never been  
13 before the Board. Zero settlement agreements. The  
14 proposed civil penalty is \$202.50 and the  
15 committee is closed.

16 CHAIR: This is a failure to file what?  
17 statement of organization?

18 MS. THOMPSON: Yes.

19 CHAIR: I guess it was filed eventually.  
20 The committee is now closed?

21 MS. THOMPSON: He is now closed.

22 CHAIR: You closed your committee? Your  
23 committee is closed?

1 MR. GIBBS: Yes, it is, yes.

2 CHAIR: You shut everything down. You're  
3 all done?

4 MR. GIBBS: Yes.

5 CHAIR: Okay.

6 MS. RIORDAN: Since the committee has  
7 been closed, I move that we dismiss cause number  
8 2007-5473-103.

9 CHAIR: Second?

10 MR. DUMEZICH: Second.

11 CHAIR: Motion made and seconded. All in  
12 favor, signify by saying aye.

13 [Aye response]

14 CHAIR: Those opposed, same sign. Motion  
15 carries. Thank you very much. Next up? What  
16 number are you?

17 VOICE: Cause number 4693-113.

18 CHAIR: [inaudible] What page are we on  
19 then?

20 MS. TAYLOR: Page 41.

21 CHAIR: Sixth District Republican  
22 Committee?

23 MS. THOMPSON: There we go. Sixth

1 District Republican Committee, cause number 2006-  
2 4693-13. They have never been before the Board.  
3 Zero settlements. The proposed civil penalty of  
4 \$402.50. In your packet is a letter for a motion  
5 to reconsider the fine.

6 CHAIR: Have we previously -- Did we act  
7 on this one?

8 MS. THOMPSON: Yes.

9 CHAIR: This is our --

10 MS. THOMPSON: This is a motion to  
11 reconsider. This has already been assessed.

12 CHAIR: So we previously at our last  
13 meeting we assessed a fine of \$402.50?

14 MS. THOMPSON: Correct.

15 CHAIR: And where's the letter?

16 MR. DUMEZICH: Do you know what the  
17 amount of the original fine was?

18 CHAIR: That is the original fine;  
19 correct? The letter [inaudible] His letter just  
20 says there's mistakes. You are?

21 MR. OGLE: Ted Ogle, chairman of the 6<sup>th</sup>  
22 Republican Congressional District. We had a  
23 transition of treasurer during this period of

1 time. And the outgoing treasurer had some  
2 miscommunications. The new treasurer has  
3 rectified everything and all reports have been  
4 filed and we have implemented systems so this  
5 does not occur again. And we are here -- the vice  
6 chairwoman, Susie Lightle, is also with us to  
7 show we are in concert and this shouldn't happen  
8 any more. This is our first time. We have a very  
9 minimal budget and because of that we ask your  
10 leniency and reconsideration on the amount. Four  
11 hundred dollars is a lot.

12 CHAIR: Do you recall what the original  
13 fine amount was?

14 MR. OGLE: I can't [inaudible]

15 CHAIR: I'm trying to understand how, if  
16 you hadn't been before the Commission before you  
17 got hit with the full fine. Did you not show up?

18 MR. OGLE: The treasurer was supposed  
19 to be --

20 CHAIR: But did not show up at the  
21 meeting?

22 MR. OGLE: I guess she didn't.

23 MS. THOMPSON: Correct.

1 CHAIR: That's why it's a full fine;  
2 right?

3 MS. THOMPSON: Yes.

4 CHAIR: Okay. That's what I didn't  
5 understand. I'll accept a motion. How come you  
6 guys didn't show last time? Just missed it or  
7 what?

8 MR. OGLE: She's no longer our  
9 treasurer.

10 CHAIR: I'll accept a motion on this  
11 one.

12 MS. RIORDAN: I move that we reduce the  
13 fine to 25 percent of the fine previously set to  
14 \$100 plus the mailing cost of \$2.50 for a total  
15 of \$102.50. Cause number 2006-4693-113.

16 CHAIR: So that would be a motion to  
17 grant the motion to reconsider?

18 MS. RIORDAN: Yes, that's right.

19 CHAIR: And reduce the fine to \$102.50.  
20 Can I have a second on the motion?

21 MR. DUMEZICH: Second.

22 CHAIR: I have a motion and second. All  
23 in favor signify by saying aye.

1 [Aye response]

2 CHAIR: Those opposed, same sign. Thank  
3 you.

4 MR. OGLE: Thank you very much for the  
5 reconsideration.

6 CHAIR: Next up. 5367-46.

7 MS. TAYLOR: On page 27.

8 MS. THOMPSON: Worman For State  
9 Representative, 86<sup>th</sup> District, cause number 2007-  
10 5357-46. It's never been before the Board. No  
11 settlements. The proposed civil penalty is  
12 \$802.50 and the committee is closed.

13 CHAIR: [inaudible]

14 VOICE: No objection.

15 CHAIR: And you are?

16 MR. WORMAN: Denny Worman.

17 CHAIR: [inaudible] state  
18 representative.

19 MR. WORMAN: [inaudible] quite a few  
20 years. I knew the people down at the Election  
21 Board. I always go down and have them fill out  
22 papers for me [inaudible] When we filled the last  
23 form out we didn't realize at that time that we

1 had to do it in Indianapolis. And they told us.  
2 So I went down and talked to her about it. She  
3 said there's nothing they can do about it. She  
4 said I wasn't the only one that happened to.

5 CHAIR: But in this case you closed your  
6 committee down?

7 MR. WORMAN: We did close the committee  
8 down.

9 CHAIR: And you're done?

10 MR. WORMAN: We're done right now at  
11 this point. [inaudible] I will run again. It's  
12 just something I was not aware of. [inaudible] We  
13 went ahead and called in right away and they told  
14 us about [inaudible] we filled it out.

15 CHAIR: What county are you in?

16 MR. WORMAN; I'm in Allen County.

17 CHAIR: Did you file it there or --

18 MR. WORMAN: Yes. Well, I filed down  
19 here. [inaudible] the reports are being filled  
20 out. We filled them out down there at the  
21 Election Board. They sent me down to the Election  
22 Board to fill them out.

23 CHAIR: Which election board?

1 MR. WORMAN: Fort Wayne, Allen County  
2 Election Board.

3 CHAIR: So it got filed there instead of  
4 -- and that's the problem?

5 MR. WORMAN: It was my fault. I will  
6 admit that it's my fault at that point.

7 CHAIR: Do you have a copy showing that  
8 they were filed down there, a file-stamped copy?

9 MR. WORMAN; Yeah. I do have copies back  
10 at the house I do. [inaudible] They did help me  
11 getting --

12 CHAIR: Who's they? Somebody in Allen  
13 County? Not the division down here?

14 MR. WORMAN: Yeah. Somebody from Allen  
15 County.

16 CHAIR: You can provide the Division  
17 copies showing that they were mistakenly filed in  
18 Allen County?

19 MR. WORMAN: Yeah. While I was down  
20 there she said, well, you're going to have to go  
21 ahead and do the fax. When we faxed them over to  
22 here, we did fax them to Indianapolis. I did not  
23 know. I thought [inaudible]

1 CHAIR: Questions? In the past what  
2 we've permitted individuals to do is provide  
3 copies of documents that they've mistakenly filed  
4 them and we've considered that in connection with  
5 the amount of fine being imposed. I guess my gut  
6 is if he can show he filed in Allen County and  
7 he's closed out his committee, I'd consider  
8 dismissing.

9 MS. RIORDAN: Well, I move that he  
10 [inaudible] doesn't have any previous appearances  
11 before the Commission and they've closed out the  
12 committee [inaudible] I think it merits doing  
13 that in this case.

14 MR. DUMEZICH: Second.

15 CHAIR: Motion's been made and seconded.  
16 Any further discussion? Hearing none, all in  
17 favor of dismissing cause number 2007-5367-46,  
18 [inaudible] state representative, signify by  
19 saying aye.

20 [Aye response]

21 CHAIR: Those opposed, same sign. Motion  
22 carried.

23 MR. WORMAN: Thank you very much.

1 CHAIR: Who's next? What's your number?

2 VOICE: It's 5494-139.

3 CHAIR: Is that 06 or 7?

4 VOICE: 07.

5 CHAIR: Is that what you're here on?

6 MS. THOMPSON: Farmers Employees Agents  
7 Political Action Committee of Indiana, file no.  
8 2007-5494-139. Has never been before the Board  
9 and no settlement agreement. The proposed civil  
10 penalty is \$153.45.

11 CHAIR: You are?

12 VOICE: Christine Saucier. I'm the  
13 treasurer of the PAC.

14 CHAIR: What happened?

15 MS. SAUCIER: Well, we started our PAC  
16 in September of 2006. It's our first violation.  
17 [inaudible] pre-primary which was filed in a  
18 timely fashion. I was unaware that the filing  
19 deadline was noon and I called the Elections  
20 Division. I was informed of that and I thought  
21 that by filing it on the phone on Monday which I  
22 did before noon that I'd [inaudible]. At the time  
23 we had no receipts, no expenditures and I did

1 file by noon [inaudible].

2 CHAIR: [inaudible] The PAC is still  
3 outstanding?

4 MS. SAUCIER: Yes.

5 MS. RIORDAN: Under those circumstances  
6 and in keeping with other [inaudible], I have a  
7 motion that we reduce the imposed fine to 25  
8 percent of \$150 plus mailing costs of \$3.45.

9 CHAIR: And did you [inaudible]

10 MS. RIORDAN: I attempted to do it but  
11 the discussion is so quick and the banter so  
12 fascinating that I really allowed myself to  
13 [inaudible] someone who has a calculator.  
14 [laughter]

15 MR. DUMEZICH: Thirty-seven fifty.

16 CHAIR: Plus mailing costs of \$3.45. Do  
17 I have a second on the motion?

18 MR. DUMEZICH: Second.

19 MS. SAUCIER: I think my parking fee was  
20 more than that.

21 CHAIR: I'm sure it was.

22 MR. DUMEZICH: We can make up for that  
23 if you want. [laughter]

1 CHAIR: All right. Motion is made and  
2 seconded. Any further -- all in favor, signify by  
3 saying aye.

4 [Aye response]

5 CHAIR: Those opposed, same sign. A  
6 penalty of \$37.50 plus \$3.45 for a total of  
7 \$40.95. Thank you. Next up? What's your number?

8 MR. ROSS: 07-5513-143.

9 CHAIR: Citizens of Hancock County?

10 MS. THOMPSON: Coalition for Citizens  
11 Rights of Hancock County, 2007-5513-143 has never  
12 been before the Board, zero settlement agreements  
13 and the total penalty is \$1,003.45.

14 CHAIR: When was the report actually  
15 dated?

16 MS. THOMPSON: April 20<sup>th</sup>.

17 CHAIR: It's about a month late, okay.  
18 You are -- ?

19 MR. ROSS: Dennis Ross, vice president  
20 and treasurer. First of all I want to humbly  
21 apologize that we have been set on your agenda  
22 today. We had an election in 2006 in January, and  
23 I took over when the new officers took over in

1 March of '07. I made attempts to get into the PO  
2 box and was unsuccessful because I could not get  
3 a hold of the former officers, the president, the  
4 vice president or the treasurer. So I was  
5 unsuccessful. By the time I -- because the Post  
6 Office wouldn't let me get into it because it  
7 would be a federal offense tampering with someone  
8 else's mail, especially [inaudible] the PO box.  
9 So when I did get in it I immediately faxed --  
10 which was 5/25/07 -- I faxed the report in  
11 immediately that I got out of the PO box. And we  
12 humbly apologize. And we throw ourselves on the  
13 mercy of the Board here.

14 CHAIR: What is the Coalition for  
15 Citizens Rights? What do you guys do?

16 MR. ROSS: We're a political action PAC.

17 CHAIR: Talking about county issues,  
18 state issues?

19 MR. ROSS: State. We try to help any  
20 citizen whether political or otherwise with civil  
21 rights.

22 CHAIR: All right. Any questions from  
23 the Commission? I'll accept a motion.

1 MR. ROSS: May I add one thought. If we  
2 have to pay the assessed penalty, I know that I  
3 would have to get with the president and disband  
4 the committee 'cause we don't have it.

5 MR. DUMEZICH: I make a motion in cause  
6 number 2007-5513-143 to a civil fine of \$250 plus  
7 \$3.45 in mailing costs regarding the Coalition  
8 for Citizens Rights of Hancock County.

9 CHAIR: Motion's made. Second?

10 MS. RIORDAN: Second.

11 CHAIR: Motion made and seconded. Any  
12 further discussion? All in favor signify by  
13 saying aye.

14 [Aye response.]

15 CHAIR: Those opposed, same sign. A  
16 civil penalty of \$250 plus \$3.45 in mail costs be  
17 assessed in cause number 2007-5513-143. Thank  
18 you. Next up?

19 MR. BROWN: -140.

20 CHAIR: Greene County Republican Party?

21 MR. BROWN: Yes, sir, that's us.

22 MS. THOMPSON: Greene County Republican  
23 Party, cause number 2007-5507-140 has been before

1 the Board, zero settlement agreements. Proposed  
2 civil penalty is \$253.45.

3 CHAIR: So you're five days late. What  
4 happened?

5 MR. BROWN: We had a complete  
6 reorganization this year. We lost all appropriate  
7 knowledge on the central committee, chairman,  
8 vice chairman, treasurer, secretary turnover.  
9 Looking back through the records, sir, the  
10 outgoing treasurer filed an outgoing treasurer's  
11 report on March the 7<sup>th</sup> of 2007, the CFA4. So we  
12 were up to date to a period. The new treasurer  
13 and I both -- I know it's no excuse of the rules  
14 -- but we both slipped it. As soon as I was made  
15 aware of it we got it filed. We sent it in. There  
16 was no activity between the May 7 outgoing  
17 treasurer's report and the report that we filed.

18 CHAIR: You are -- ?

19 MR. BROWN: I'm the chairman, Randall  
20 Brown.

21 CHAIR: Who's Lee May?

22 MR. BROWN: Lee May is the outgoing  
23 chairman.

1 CHAIR: The letter that's in the  
2 commission's packet is from Lee May basically  
3 saying "I'm not involved with this any more. Call  
4 Randall Brown or [inaudible]." [laughter] It's  
5 not even an attempt at exoneration, the letter, I  
6 think. It's more of a don't sent me any more  
7 mail.

8 MR. DUMEZICH: I'd like to make a  
9 motion in cause number 2007-5507-140 to have a  
10 fine of \$62.50 plus mailing costs of \$3.45 civil  
11 penalty against the Greene County Republican  
12 Party.

13 CHAIR: Motion is made. Do I have a  
14 second?

15 MS. RIORDAN: Second.

16 CHAIR: Motion has been made and  
17 seconded. Any further discussion? Hearing none,  
18 all in favor signify by saying aye.

19 [Aye response]

20 CHAIR: Those opposed, same sign. Motion  
21 carries. Greene County Republican Party in cause  
22 number 2007-5507-140 has been assessed a civil  
23 penalty of \$62.50 and \$3.45 mailing costs. And I

1           assume we have all the information thanks to Mr.  
2           May's letter. So we'll make sure you get what you  
3           need.

4                   MR. BROWN: Thank you very much.

5                   CHAIR: Next up?

6                   MR. SMITH: Number is 2007-5279-34.

7                   MS. TAYLOR: Page 21.

8                   CHAIR: Smith for Representative?

9                   MR. SMITH: Yes.

10                  CHAIR: And you are?

11                  MR. SMITH: I'm Howard Smith.

12                  CHAIR: Okay.

13                  MS. THOMPSON: Smith for Representative,  
14                  cause number 2007-5279-34. It's never been before  
15                  the Board, no settlement agreement. Proposed  
16                  civil penalty of \$1,002.50 and the committee is  
17                  closed.

18                  CHAIR: You closed your committee?

19                  MR. SMITH; Yes, we did.

20                  MR. SMITH: I closed both committees.

21                  CHAIR: What was the other committee?

22                  MR. SMITH: The problem was that I ran  
23                  for state representative in 2004. I lost in the

1 primary. I kept my committee active and then in  
2 2005 in October I filed for an exploratory  
3 committee thinking that's what I had to do. And  
4 in the process that opened up a second committee.  
5 Under the first committee --

6 CHAIR: So you closed down Smith for  
7 Representative which is --

8 MR. SMITH: Right.

9 CHAIR: Each committee has a number.

10 MR. SMITH: Right.

11 MR. SMITH: See, that's part of the  
12 problem. I never knew I had a second committee.

13 CHAIR: Okay. 5279 is the active  
14 committee we know about; right?

15 MS. THOMPSON: Right.

16 CHAIR: And that's the one that's  
17 closed?

18 MS. THOMPSON: Right.

19 CHAIR: What's the one -- the  
20 exploratory committee he's talking about? Is that  
21 one open?

22 MR. SMITH: 5279 is exploratory  
23 committee.

1 CHAIR: What's the other one?

2 MS. THOMPSON: 5047.

3 CHAIR: [inaudible] right now?

4 MR. SMITH: No.

5 MS. THOMPSON: On his records he's  
6 closed this one already.

7 CHAIR: So we'll make sure they're  
8 closed on our --

9 MS. TAYLOR: It's closed.

10 CHAIR: I'll accept your motion.

11 MR. DUMEZICH: Motion to dismiss in  
12 both matters.

13 CHAIR: There's only one matter.

14 MR. DUMEZICH: I thought there were two  
15 committees?

16 VOICE: No.

17 CHAIR: 5279. He already closed the  
18 other. Motion has been made. Do I have a second?

19 MS. RIORDAN: Second.

20 CHAIR: motion's made and seconded. All  
21 in favor, signify by saying aye.

22 [Aye response]

23 CHAIR: Those opposed, same sign. Motion

1 carries. Smith for Representative 2007-5279-34  
2 has been dismissed based upon the fact the  
3 committee was closed as of February 24, 2007.

4 Next up?

5 MR. SLEGERS: Number 2007-5051-27.

6 MS. THOMPSON: Committee to Elect Barry  
7 Slegers. Cause number 2007-5051-27 has been  
8 before the Board one other time. Has a proposed  
9 civil penalty of \$1,002.50.

10 CHAIR: And this is a late annual  
11 report?

12 MS. THOMPSON: Yes.

13 CHAIR: You are -- ?

14 MR. SLEGERS: Barry Slegers. I've never  
15 -- what happened was when I decided to run for  
16 state representative had two inexperienced  
17 individuals with me. None of us were real  
18 familiar with the filings. We filed the pre-  
19 primary, the post-election and then we missed the  
20 annual. And at that point we all kind of went off  
21 with our careers after losing the election. I had  
22 moved and the post office box -- well, before  
23 [inaudible] 'cause it was sent to the post office

1 box and I wasn't made aware of it. And then Miss  
2 Thompson in like February of '06 contacted me on  
3 my phone contact and I was able to send -- I  
4 faxed her when I was leaving town on active duty  
5 and it didn't get to her -- the fax. And then  
6 subsequent contact was made with the original  
7 treasurer. I had since filed all the annuals. I  
8 didn't know --

9 CHAIR: How long were you out of town on  
10 active duty?

11 MR. SLEGERS: I was on active duty for a  
12 month and a half. It was like an annual  
13 [inaudible]

14 CHAIR: In the Guard?

15 MR. SLEGERS: Reserves. And then when I  
16 came back -- when I was notified through Morgan  
17 in August of this year I've updated them all.  
18 I've left the committee open only because I was  
19 kind of advised to do that because I didn't want  
20 to close it and seem disrespectful to the Board.  
21 I'd like to --

22 CHAIR: Do you want to close the  
23 committee out?

1 MR. SLEGGERS: I would close it yesterday  
2 if I could. There is about \$103 but I request  
3 that I be treated with mercy. I'd like to give  
4 that money away and close it in the next day or  
5 two.

6 CHAIR: Questions from the Commission?  
7 What we've done in the past is we've imposed the  
8 penalty, the standard penalty in your case would  
9 be 50 percent of the freight of \$500 but would be  
10 waived if you close the committee within 30 days  
11 or 60. I'm certainly comfortable if the other  
12 commissioners are comfortable with an order that  
13 would impose a penalty of \$500 that would be  
14 waived if the committee is closed within the next  
15 couple days. Do I have a motion?

16 MR. DUMEZICH: A motion for --

17 MS. RIORDAN: The only thing that I  
18 would say is that you can't close a committee  
19 beforehand when you didn't know that that was  
20 what he should do. So if he closes the committee,  
21 I think he should get a walk.

22 CHAIR: Oh, I see. As opposed to a  
23 waiver?

1 MS. RIORDAN: Yes. So that's how I  
2 would make the motion.

3 MR. DUMEZICH: Second.

4 CHAIR: Motion's been made and seconded  
5 that Committee to Elect Barry Slegers, cause  
6 number 2007-5051-27, would be dismissed pending  
7 receipt of documents verifying closing the  
8 committee in the next 30 days. If not, it will be  
9 [inaudible] All in favor, signify by saying aye.

10 [Aye response]

11 CHAIR: Opposed, same sign. Thank you.  
12 Next up?

13 VOICE: 2007-3449-11 [static] Columbus  
14 Firefighters.

15 CHAIR: Firefighters?

16 MS. THOMPSON: Yes.

17 CHAIR: I've got page ten and then what  
18 was the other one?

19 MS. TAYLOR: 10 and 44.

20 MS. THOMPSON: Mr. Chairman, this is  
21 Columbus Firefighters Political Action  
22 Committee, cause number 2007-3449-11 and on  
23 page 44 cause number 2007-3449-75. Now

1                   again, these are [static] before the Board  
2                   on page 10 is three because this is for the

3                   --

4                   CHAIR: That's the other one?

5                   VOICE: Yes. The other one's first.

6                   CHAIR: So 75 [inaudible]

7                   MS. THOMPSON: Right.

8                   CHAIR: All right. What happened?

9                   VOICE: Well, in essence I had one  
10                  position on the fire department who was actually  
11                  administrative offices and lost that position,  
12                  and basically lost the mailing rights I guess,  
13                  for lack of better terminology. I was not getting  
14                  the mail and by the time it got corrected, it was  
15                  too late to file which I filed when I finally got  
16                  it. And then the second occurrence happened when  
17                  I had things set up on my personal computer and  
18                  ironically it got hit by lightning and lost that  
19                  information along with personal information and  
20                  was late on that filing also. It was a comedy of  
21                  errors but it's not really funny.

22                  CHAIR: Questions from Commission? I'll  
23                  accept a motion.

1                   VOICE: I'd also like to [inaudible]  
2                   at my house.

3                   CHAIR: I'd be inclined to treat them  
4                   both at straight 50 percent and not compound,  
5                   which would be \$350 on the 75 and \$300 on the 11.

6                   MS. RIORDAN: So moved.

7                   MR. DUMEZICH: Second.

8                   CHAIR: Motion made and seconded that  
9                   Columbus Firefighters Political Action Committee,  
10                  cause number 2007-3449-11, a civil penalty of  
11                  \$300 plus the \$2.50 mailing cost be imposed. And  
12                  then in cause number 2007-3449-75, a civil  
13                  penalty of \$350 plus \$2.50. Any further  
14                  discussion? All those in favor, signify by saying  
15                  aye.

16                                   [Aye response]

17                  CHAIR: Opposed, same sign. Thank you.

18                  Next up?

19                  MR. MILLER: 2007-5247-132.

20                  CHAIR: Hendricks County?

21                  MS. THOMPSON: Hendricks County

22                  Republican Party, cause number 2007-5247-132 has  
23                  never been before the Board, no settlement,

1 proposed civil penalty of \$303.45.

2 CHAIR: And you are -- ?

3 MR. MILLER: Pete Miller, Chairman of  
4 Hendricks County Republican Party.

5 CHAIR: Okay. So you have two-thirds of  
6 the executive committee? Fifty percent. Start up.  
7 What happened?

8 MR. MILLER: I've been chairman of the  
9 party the last two years so I can't [inaudible]  
10 I'm treasurer of our district committee and I  
11 filed the forms [inaudible]

12 CHAIR: You say you're [inaudible]

13 MR. MILLER: [inaudible] in April,  
14 became treasurer in March. His predecessor  
15 preceded me and [inaudible] conversations about  
16 how this was done. Randy had been treasurer of  
17 the county committee. I just assumed that in an  
18 election year there was not a report due.

19 CHAIR: I'll accept a motion on this  
20 one.

21 MR. DUMEZICH: I'd like to make a  
22 motion to reduce the fine in question to \$75 plus  
23 \$3.45 mailing costs in cause number 2007-5247-132

1 regarding the Hendricks County Republican party.

2 CHAIR: Motion has been made. Do I have  
3 a second?

4 MS. RIORDAN: Second.

5 CHAIR: Motion is made and seconded. All  
6 in favor, signify by saying aye.

7 [Aye response]

8 CHAIR: Those opposed, same sign. Motion  
9 carries. A civil penalty of \$75 plus mailing  
10 costs of \$3.45 has been assessed to the Hendricks  
11 County Republican Party in cause number 2007-  
12 5247-132. Thank you. Next up. What's your number?

13 VOICE: Well, I think we may have two  
14 numbers. But I think these may belong to somebody  
15 else.

16 CHAIR: Well, that would be [inaudible].

17 VOICE: 2007-4278-122. [inaudible]

18 CHAIR: 5<sup>th</sup> District Democratic? What's  
19 the other one?

20 MS. ELLIS: 2006-4278-142.

21 CHAIR: [inaudible]

22 MS. THOMPSON: The other one was a  
23 motion to reconsider.

1 CHAIR: On [inaudible]

2 MS. RIORDAN: Was it our motion?

3 CHAIR: Hold on. Here it is right here.

4 It's on page 4.

5 MS. ELLIS: One of them was addressed to  
6 a [inaudible] Montgomery [inaudible] wasn't sure  
7 who she is.

8 MS. THOMPSON: Mr. Chairman, the person  
9 on page 4, 5<sup>th</sup> District Democrat Central  
10 Committee, cause number 2006-4278-142. It was a  
11 fine that was assessed of \$1,002.50 with a letter  
12 for a motion to reconsider.

13 CHAIR: [inaudible] a previous fine of  
14 \$1,000 has been imposed which is full freight  
15 which would have meant for a third violation.

16 MS. THOMPSON: Right.

17 CHAIR: So that would have been full  
18 freight. Did you guys appear last time?

19 MS. ELLIS: No. It was because nobody  
20 got a notice of this hearing. And -- My name is  
21 Jan Ellis and I'm the vice chair, 6<sup>th</sup> district.  
22 This is Jody Mauller the treasurer. And neither  
23 one of us were involved in the 2006 matter.

1 CHAIR: You don't have another  
2 [inaudible], do you? I have a Jan Ellis --

3 MS. ELLIS: That's a different Jan  
4 Ellis.

5 CHAIR: Different, okay. I wasn't  
6 trying to load you up there. The 5<sup>th</sup> District  
7 Democrat Central Committee, it's a motion to  
8 reconsider.

9 MS. THOMPSON: Uh-huh.

10 CHAIR: What was the basis of the fine  
11 the last time? Did they appear?

12 MS. ELLIS: Oh, did they appear?  
13 [inaudible]

14 CHAIR: And then she said they didn't  
15 appear. Had they appeared, they would have  
16 received the same fine through our criteria;  
17 correct? This was a third violation.

18 MS. THOMPSON: Right. That was  
19 [inaudible]

20 CHAIR: Whether they appeared or not, it  
21 still would. [inaudible]

22 MS. THOMPSON: Yes.

23 CHAIR: In your motion to reconsider,

1           what's the basis for the prior violation for not  
2           having prior filed. That was an annual report.

3                   MS. ELLIS: Our treasurer, her mother  
4           died and we tried to get a hold of her. We were  
5           hoping that she filed it but by the time we got a  
6           hold of her, we found out that she hadn't. And so  
7           in the middle of the [inaudible]

8                   CHAIR: Somebody else took it up?

9                   MS. ELLIS: Yes.

10                  CHAIR: You are -- ?

11                  MR. MAULLER: Jody Mauller, treasurer.

12                  CHAIR: Okay. And this time the more  
13           recent one, is it pre-primary?

14                  VOICE: Yes.

15                  MICHELLE: Cause number 2007-4278-122.

16           This would make the fourth time before the Board,  
17           civil penalty of \$503.45.

18                  CHAIR: What happened this time?

19           [inaudible] new one in.

20                  MS. ELLIS: Right. Well, this time our  
21           chairman was notified unexpectedly whose wife has  
22           a medical condition and he resigned and Jody had  
23           talked to him about the report that was due. And

1 Tyler assured us that he had filed it but that  
2 was not the case.

3 MR. MOLLER: The paperwork [static] Gas  
4 City with the previous treasurer, our outgoing  
5 chair Tyler had not -- was assuring me that he  
6 was going to get the appropriate paperwork  
7 [inaudible] filing. Well, upon him leaving, I  
8 received a call about -- going back a little bit.  
9 I ended up having to go get the paperwork after  
10 multiple attempts -- the outgoing chair left, I  
11 asked him were we current on all these filings.  
12 And he told me yes.

13 CHAIR: I'll express my ignorance. The  
14 5<sup>th</sup> District is Hamilton County, Howard --

15 MR. MOLLER: Grant, yes. Huntington.

16 CHAIR: [inaudible]

17 MR. MOLLER: Yes. And it was upon  
18 receiving a call from our state department chair  
19 telling me the fact that they had not been filed.  
20 As soon as I found that out, I did comply.

21 MS. ELLIS: I apologize. I didn't even  
22 realize that the committee had been in violation  
23 [inaudible-simultaneous speaking]

1                   MR. MOLLER: It was just a couple days  
2 ago I found out about the previous filing.

3                   MS. RIORDAN: Well, I think that a  
4 financial reduction is in order because this is a  
5 circumstance where there's [inaudible]  
6 administration on the committee and as soon as  
7 responsible people come in -- I don't mean to say  
8 the others were irresponsible, but they left  
9 their tracks covered and you had to come in and  
10 dig out, I think it's important though just to  
11 make an example to demonstrate to others that  
12 they have to do their filing on a timely basis.  
13 Presumably if you knew about the history of fifth  
14 district central committee before the Board you  
15 might have approached things differently. But you  
16 didn't know that history. So I'm going to move  
17 that with regard to cause number 2006-4278-142  
18 that we reduce that from \$1,000 to \$500 including  
19 mailing. Mailing on top. I'm sorry. And then the  
20 other -- and with regard to cause number 2007-  
21 4278-122, that we also reduce that one by 50  
22 percent to \$250 plus mailing cost. So that's \$750  
23 plus mailing total fine, which is a lot, but it's

1 a lot less.

2 CHAIR: Reduction by 50 percent. Any  
3 further -- first of all, I do have a second.

4 MR. DUMEZICH: Second.

5 CHAIR: As a general matter we kind of  
6 stick to our guidelines, but historically we've  
7 also looked at -- I love the fact you guys kind  
8 of threw the other group under the bus and then  
9 you come out and have the same problem again  
10 under your watch. I'm willing to cut you guys  
11 slack this time on this motion. Don't let it  
12 happen again. We've done that before.

13 MS. ELLIS: Yeah, we put procedures in  
14 place and hopefully the next treasurer will be as  
15 responsible [inaudible]

16 CHAIR: We understand. We certainly  
17 encourage people, particularly serving in these  
18 particular positions and certainly I would take  
19 [inaudible] highly Democratic area anyway.  
20 Speaking as a Republican member of the  
21 Commission, I understand the difficulty of having  
22 people involved and getting you involved in  
23 districts like that. That's certainly, at least

1

in my thinking, --

1 MR. DUMEZICH: Certainly in mine.

2 CHAIR: My fellow Republican.

3 MR. DUMEZICH: From Lake County.

4 CHAIR: It's not my desire to take  
5 somebody out -- having been on both sides of the  
6 fence. I've got a motion made and seconded. Any  
7 further discussion? All in favor, signify by  
8 saying aye.

9 [Aye response]

10 CHAIR: Those opposed, same sign. In 5<sup>th</sup>  
11 District Democratic Central Committee, IEC cause  
12 number 2006-4278-142, a motion to reconsider has  
13 been granted. The civil penalty has been reduced  
14 to \$500 plus \$2.50 in mailing. And then in 5<sup>th</sup>  
15 District Democratic Central Committee 2007-4278-  
16 122, the proposed fine -- the civil penalty has  
17 been imposed to \$250 plus \$3.45 mailing costs. It  
18 will reflect that upon -- if there is a further  
19 violation that will be a fifth time which will be  
20 at full freight. Thank you. [end of tape 1B]

21 CHAIR: [BEGINNING OF Tape 2A] -- your  
22 number?

23 VOICE: My number is 2007-5517-70.

1 CHAIR: What is the last number?

2 VOICE: 70.

3 CHAIR: The middle number is your  
4 number.

5 VOICE: This is my first time. 2007-  
6 5517-70.

7 CHAIR: 69 and 71.

8 VOICE: Well, I was told by our  
9 treasurer we paid.

10 CHAIR: We actually probably already  
11 approved your settlement agreement earlier.

12 VOICE: I've got a \$20 parking ticket  
13 out there. You want to help me out? [laughter]

14 CHAIR: You're done.

15 VOICE: Okay. Thank you very much.

16 VOICE: 4367-80 and 4367-70.

17 CHAIR: I guess start with -- 80 would  
18 be the one to start; right?

19 MS. THOMPSON: Yeah, page 46. SAFECO  
20 Plaza cause number 2007-4367-80, has been before  
21 the Commission [static] no settlement agreement.  
22 Civil penalty of \$1,002.50. And this committee  
23 now has gone from doing state filings to federal

1 filings.

2 CHAIR: Say that again.

3 MS. THOMPSON: This committee has gone  
4 from filing on our forms to filing on federal  
5 forms.

6 CHAIR: Same thing, right?

7 MS. THOMPSON: Same thing.

8 CHAIR: So you couldn't go file  
9 [inaudible]?

10 VOICE: We've been doing dual filings  
11 with federal election commission and the state of  
12 Indiana. Federal election commission reports have  
13 all been up to date and current in the last  
14 years. The state of Indiana during a staff  
15 transition was mishandling the way [inaudible]  
16 prefiling and I would note that during both these  
17 periods there were no expenditures in the state  
18 of Indiana for candidates' committees, causes or  
19 anything.

20 CHAIR: You decline on continuing to  
21 file? Or not?

22 MS. THOMPSON: No.

23 VOICE: [inaudible] opportunity to

1 [inaudible] state of Indiana. This was a legacy  
2 when we took over American States Insurance and  
3 it just kind of remained on the books.

4 CHAIR: So how does that work if they're  
5 just filing federally; they don't close --

6 MS. THOMPSON: No, I'll accept a letter  
7 of disbandment in the state of Indiana for them  
8 to close it here.

9 CHAIR: All right. I'll accept a motion  
10 then.

11 Ms. RIORDAN: [inaudible] [2007-4856-20  
12 [static] 80 pending receipt of the appropriate  
13 documentation to disband [inaudible] committee.

14 MR. DUMEZICH: Second.

15 CHAIR: Motion has been made and  
16 seconded. All in favor, signify by saying aye.

17 [Aye response]

18 CHAIR: Opposed, same sign. Motion  
19 carries. The cause number is 2007-4367-20 and 80  
20 are dismissed pending receipt of the [inaudible].

21 VOICE: Thank you.

22 CHAIR: Within 30 days, I'm sorry.  
23 Michelle, that's going to be within 30 days.

1 MS. THOMPSON: Yes.

2 CHAIR: Next up?

3 VOICE: Good afternoon. 5275-133,  
4 Citizens for a Unified Indianapolis. There's two  
5 of them.

6 CHAIR: 133 I've got. What's the other  
7 one? It's on page 70. You have two of them?

8 VOICE: Yes.

9 MS. TAYLOR: Page 21.

10 CHAIR: Page 21 and page 70 are the two.  
11 So your cause number's 33 and let's start with 33  
12 since it looks like that's the earlier one.

13 MS. THOMPSON: Citizens for a Unified  
14 Indianapolis, cause number 2007-5275-33. That's  
15 been before the Board one time. Zero settlements.  
16 Had a civil penalty of \$952.50.

17 CHAIR: That's just a late filing. The  
18 second one is another late filing?

19 MS. THOMPSON: Another late filing.

20 Yeah. The pre-primary on the second one.

21 MR. POLLARD: But there is good news.

22 CHAIR: Okay.

23 MR. POLLARD: My re-election form filed

1           timely. First, I want to say I'm treasurer of  
2           this PAC.

3                         CHAIR: You are -- ?

4                         MR. POLLARD: Randle Pollard, I'm sorry.  
5           This is very embarrassing having me come back  
6           again. The chairman had informed me after January  
7           that this PAC would be terminated, dissolved, and  
8           it didn't happen. So I rushed to file in April.  
9           The first time I was late in January. This is  
10          simply my fault. My system of reminding myself is  
11          receiving a notice from the Commission. Not their  
12          fault. I didn't get it on my desk. I work for a  
13          large law firm and Marilyn would get it to me for  
14          a while. But I take full responsibility for both  
15          late filings. I assure the Commission that this  
16          PAC has not been active and right before this  
17          hearing I was given permission to file all  
18          documentation to terminate this PAC.

19                        CHAIR: So you're going to close this  
20          PAC out?

21                        MR. POLLARD: Yes.

22                        CHAIR: You're comfortable with doing  
23          that in 30 days?

1 MR. POLLARD; Absolutely.

2 CHAIR: I'll accept a motion.

3 MR. DUMEZICH: Motion to dismiss based  
4 on the filing of the papers to dissolve the PAC  
5 within 30 days.

6 CHAIR: Do I have a second?

7 MS. ROIRDAN: Second.

8 CHAIR: Motion's been made and seconded  
9 to dismiss cause numbers 2007-5275-33 and 2007-  
10 5275-133 pending receipt of the closure documents  
11 within the next 30 days. Any discussion? All in  
12 favor, signify by saying aye.

13 [Aye response.]

14 CHAIR: Those opposed, same sign. Thank  
15 you. Next up? Yes, ma'am.

16 VOICE: 07-4584-21. American Council of  
17 Engineering --

18 MS. THOMPSON: Page 15. American Council  
19 of Engineering Companies of Indiana PAC, cause  
20 number 2007-4584-21 has been before the Board one  
21 time. No settlement agreements. Proposed civil  
22 penalty is \$652.50.

23 CHAIR: What happened?

1 VOICE: Total lapse in memory pitiful,  
2 but true. I do have some things in place now,  
3 both technical and [inaudible]

4 CHAIR: Questions from the Commission?  
5 I'll accept a motion.

6 MS. RIORDAN: I believe our practice  
7 [inaudible] before the Board one time that we  
8 will reduce the penalty by 50 percent. So based  
9 upon that, I believe that we assess a fine of  
10 \$325 plus \$2.50 mailing costs.

11 MR. DUMEZICH: Second.

12 CHAIR: Any further discussion? Motion  
13 has been made and seconded to reduce the fine in  
14 cause number 2007-4584-21 to \$325 plus \$2.50. All  
15 in favor, signify by saying aye.

16 [Aye response]

17 CHAIR: Those opposed, same sign. Motion  
18 carries. Thank you. Next up? What's the number?

19 VOICE: File number 5259.

20 MS. TAYLOR: 55.

21 CHAIR: [inaudible]?

22 MS. TAYLOR: Yes. And 56 and 76.

23 CHAIR: 'Cause I'm trying to expedite

1 this. You closed this thing down?

2 VOICE: We attempted to. I'm not clear  
3 whether we actually --

4 MS. THOMPSON: It's closed.

5 CHAIR: It is closed?

6 MS. THOMPSON: Yes.

7 CHAIR: I happen to know it's closed  
8 July 28, 07. Did you intend to close it?

9 VOICE: Yes.

10 CHAIR: I'll accept a motion on this  
11 one.

12 MR. DUMEZICH: Motion to dismiss based  
13 on closure of the committee Citizens for  
14 [inaudible] cause numbers 2007-5259-98, 99 and  
15 100, 101 based on receipt of closure to the  
16 committee within 30 days thereafter receiving the  
17 documentation.

18 CHAIR: This one is closed; right?

19 MS. TAYLOR: Yes.

20 MS. THOMPSON: This one is closed and  
21 he's also on page 76.

22 CHAIR: And 176, what's that one?

23 MS. TAYLOR: 2007 semi-annual.

1 VOICE: And also on 2007-5259-146.

2 CHAIR: Do I have a second?

3 MS. RIORDAN: Second.

4 CHAIR: I've got a motion made and  
5 seconded to dismiss the Citizens for Stant under  
6 cause numbers 98, 99, 100, 101 and 146. Any  
7 further discussion? All in favor, signify by  
8 saying aye.

9 [Aye response]

10 CHAIR: Those opposed, same sign. Motion  
11 carries. Thank you.

12 VOICE: 2007-87.

13 CHAIR: 87? Carmel?

14 VOICE: Yes.

15 MS. THOMPSON: Carmel Professional  
16 Firefighters, Local 4444 PAC, cause number 2007-  
17 5319-87 has not been before the Board or have  
18 settled. Total penalty is \$952.50. He also has a  
19 letter in his packet.

20 CHAIR: [inaudible]

21 MR. HOFFMAN: I'm Matt Hoffman. I'm  
22 secretary-treasurer.

23 CHAIR: What happened, Matt?

1 MR. HOFFMAN: Well, I'm not quite sure  
2 according to our accountant. We filed  
3 [inaudible]. She believes that this may have been  
4 kicked back to her for an incorrect number,  
5 identification number. And by the time that we  
6 were notified to get this resubmitted it was  
7 about 14 days past.

8 CHAIR: Questions from the Commission?  
9 I'll accept a motion.

10 MS. RIORDAN: I move that we reduce the  
11 assessment to \$237.50 plus \$2.50 for mailing on  
12 cause number 2007-5219-87.

13 MR. DUMEZICH: Second.

14 CHAIR: Motion made and seconded to  
15 reduce the fine in Carmel Professional  
16 Firefighters, cause number 2007-5219-87 to  
17 \$237.50 plus mailing costs of \$2.50. Any further  
18 discussion? All in favor, signify by saying aye.

19 [Aye response]

20 CHAIR: Opposed, same sign. Tell  
21 [inaudible] I said hi.

22 MR. HOFFMAN: Oh, you know them, do you?

23 CHAIR: I do.

1 MR. HOFFMAN: I'm very sorry. [laughter]

2 Thank you.

3 VOICE: Indiana Progressives 2007-5237-

4 131

5 MS. THOMPSON: Indiana Progressives PAC,  
6 cause number 2007-5237-131 has never been before  
7 the Board nor had any settlement agreements. In  
8 your packet, there's a letter for one civil  
9 penalty of \$953.45.

10 CHAIR: And you are?

11 MR. OBER: Don Scott Ober, but I go by  
12 Scott. And I'm the incoming chair of the  
13 organization. [inaudible]

14 CHAIR: What happened?

15 MR. OBER: Well, to make it simple,  
16 [inaudible] basically it all boiled down to a  
17 mental state that happened in February. My mother  
18 was being tested for Alzheimer's and she was  
19 diagnosed pre-Alzheimer's. In the meantime my dad  
20 had a little lump on his throat. They did a  
21 couple biopsies. They couldn't get a read. He  
22 went to the hospital to do a surgical biopsy and  
23 it went from being a benign lump to they thought

1 it was anaplastic cancer which meant he would  
2 live for about six months. Now, as it turned out,  
3 it was better than that. It was just an  
4 aggressive lymphoma [inaudible] better. But at  
5 the time -- I'm self-employed, the only child, so  
6 my wife and I took turns going up to Wabash from  
7 Bloomington to take care of them. And I was  
8 having a mental checklist what do I have to take  
9 care of. We were active in 2006 and in 2007 we  
10 basically -- there was zero activity, no fund-  
11 raising. And in 2005 I don't have to file an  
12 annual report so I mentally in my head checked  
13 that off, oh, this is 2007, odd year, I don't  
14 have to file three reports. And so in between  
15 going from Bloomington to Wabash, basically we  
16 were going to be able to go to the state J-J  
17 dinner. I wasn't having to go on line and do any  
18 filing. Our post office box was being checked  
19 rather sporadically. What happens is I knew I was  
20 going to have to write some checks for J-J so I  
21 go to the post office box to go on line and I  
22 see, Oh, my God. And as a novice treasurer, it  
23 was sort of my worst nightmare and that's what

1 happened. Like I said, we had no activity so it  
2 wasn't -- literally the frustrating thing to me  
3 was all I had to do was push a button to file.

4 CHAIR: And there's a letter in here as  
5 well outline all this. Any further questions by  
6 the Commission? I'll accept a motion.

7 MS. RIORDAN: Because the organization  
8 has not been before the Commission before  
9 [inaudible] I think, I would move that we reduce  
10 the proposed fine to \$257.50 from the proposed  
11 \$950 plus mailing cost of \$3.45.

12 MR. DUMEZICH: Second.

13 CHAIR: Motion and second, any  
14 discussion? Hearing none, all those in favor of  
15 reducing the penalty in Indiana Progressives PAC,  
16 2007-5237-131 to \$237.50 plus \$3.45 mailing  
17 costs, signify by saying aye.

18 [Aye response]

19 CHAIR: Opposed, same sign. Motion  
20 carries. Thank you. Number?

21 VOICE: 2007-5470 [inaudible] Clayton  
22 Phillips. 114 is the last three digits. .

23 MS. THOMPSON: Committee to Elect

1 Clayton Phillips Senator. Cause number 2007-5470-  
2 114 has never been before the Board, had a  
3 settlement agreement. Proposed civil penalty is  
4 \$202.50.

5 CHAIR: What's the violation here?

6 MS. THOMPSON: He was a vacancy filling  
7 that didn't file a report in the --

8 CHAIR: Someone who got appointed --

9 MS. THOMPSON: Yes.

10 CHAIR: And you're Mr. Phillips? Okay.  
11 What happened?

12 MR. PHILLIPS: Well, going short, never  
13 really done anything like this and I was sort of  
14 drafted into doing this in a caucus. And I asked  
15 them at that time, I said, you know, I want to  
16 make sure the filing is correct. Is there  
17 anything I need to file. And Angie Nussmeyer  
18 [phonetic] who was the director of the Indiana  
19 Senate Democrat Party and she said -- she said  
20 she would mail me a form out that I needed to  
21 fill out with two -- I think there's three  
22 reports. I did the reports. There was basically  
23 me, my father and that was it. We raised no

1 money. So about two weeks later or a week and a  
2 half later she called me on a Friday afternoon,  
3 left me a message and told me I needed to contact  
4 her right away.

5 CHAIR: Let me ask you a preliminary  
6 question. Are you planning on keeping this  
7 committee open?

8 MR. PHILLIPS: I'll close it this week.

9 CHAIR: All right. I'll take a motion on  
10 this one.

11 MS. THOMPSON: 2007-5470-114.

12 CHAIR: Pending receipt of his closure  
13 in 30 days.

14 MS. THOMPSON: Yes.

15 CHAIR: Second?

16 MR. DUMEZICH: Second.

17 CHAIR: Motion made and seconded to  
18 dismiss IC cause number 2007-5470-114, Committee  
19 to Elect Clayton Phillips Senator pending receipt  
20 of the closure documents within the next 30 days.  
21 All in favor, signify by saying aye.

22 [Aye response]

23 CHAIR: Opposed, same sign. Thank you.

1 MS. THOMPSON: 5441-61. Page 34. Okay.  
2 Committee to Elect Saleh to the State Senate,  
3 cause number 20070-5441-61 has never been before  
4 the Board, no settlement agreements. Proposed  
5 civil penalty is \$1,002.50.

6 CHAIR: Okay.

7 MS. SALEH: My name is Rebecca Saleh and  
8 I had a treasurer, Sharon Waddy. And we kind of  
9 got together and she said, "Becky, you should  
10 really do some [inaudible]" and I was going to a  
11 couple of legislative things and so anyway she  
12 goes, "Well, I'll help you." So I'm like, okay.  
13 So we sat down together and then I called her  
14 because I knew that something should be filed.  
15 She goes, "Oh, I didn't get those." And so she  
16 says, "Well, how do I deal with it?" So I  
17 actually called and got the paperwork and sent it  
18 in. But obviously since it's very difficult, I  
19 don't see a person that's helping with this at  
20 the time. I would like to close.

21 CHAIR: You're going to close. We  
22 dismiss it, you close it within 30 days  
23 [inaudible]

1 MS. SALEH: Yes. Should I go upstairs  
2 now?

3 MS. THOMPSON: You can close it  
4 tomorrow.

5 CHAIR: I'll accept a motion.

6 MR. DUMEZICH: Motion to dismiss the  
7 fine against the Committee to Elect Saleh to  
8 State Senate, cause number 2007-5441-61  
9 conditioned upon receipt of forms closing the  
10 committee within 30 days.

11 CHAIR: Second?

12 MR. RIORDAN: Second.

13 CHAIR: Motion has been made and  
14 seconded. All in favor, signify by saying aye.

15 [Aye response]

16 CHAIR: Opposed, same sign. Thank you.  
17 Next up? 386-73.

18 MS. TAYLOR: Page 43.

19 MS. THOMPSON: Indiana Healthcare  
20 Political Action Committee Committee, cause  
21 number 2007-386-73 has never been before the  
22 Board. Proposed civil penalty is \$502.50.

23 CHAIR: You are -- ?

1 MR. SCHERER: I'm Mark Scherer, counsel  
2 for Indiana Healthcare PAC. This is Carolyn  
3 Horvath. We're here today to ask you to waive the  
4 penalty because, first, we thought we actually  
5 filed it early and second, we've never been here  
6 before. [inaudible]

7 MS. HORVATH: I had taken over the PAC  
8 [inaudible] about three or four weeks before the  
9 deadline for filing reports. So when I went to  
10 file the report, I wanted to make sure that I was  
11 doing it correctly. At that time I couldn't log  
12 in to email attachment type of thing. So I went  
13 to the supervisor's office. We both thought that  
14 we had filed it correctly. It went in. I did that  
15 the day before the filing. About ten days later  
16 Michelle called me and asked where the report was  
17 because we had never been late. At that point in  
18 time she -- I told her I had filed it with  
19 someone else's help. I think she had found it or  
20 someone found it and I didn't download it right  
21 or I didn't attach the right file, I can't  
22 exactly recall. But anyway, at that time I faxed  
23 it to her immediately. And it was filed then on



1 MS. THOMPSON: Page 47 is just one and  
2 page 16 is two.

3 CHAIR: So Sixteen should be actually --

4 MS. THOMPSON: Two.

5 CHAIR: Okay.

6 MS. THOMPSON: Porter County Builders  
7 Association PAC on page 47 is cause number 2007-  
8 5031-82 has been before the Board one other time  
9 and has not filed a report.

10 CHAIR: The report's never been filed?

11 MS. THOMPSON: No. And a proposed civil  
12 penalty of \$1,002.50.

13 CHAIR: And then on cause number 24?

14 MS. THOMPSON: Cause number 24 -- 2007-  
15 5431-24 is two times before the Board for  
16 proposed civil penalty of \$1,002.50 and they do  
17 have a letter.

18 CHAIR: The document I have does not  
19 have -- it refers to an attachment. It says,  
20 attached please find our report to the state  
21 board of voter registration. But the copy that's  
22 in the Commission's packet [inaudible] Michelle,  
23 as I read that letter they're saying that they

1 did file it timely.

2 MS. THOMPSON: But I think they're  
3 filing it timely in the county.

4 CHAIR: Porter County. Okay. You are --  
5 ?

6 MR. GREEN: My name is Gary Green. I'm  
7 the incoming PAC Association. This is Crystal  
8 Maher who is our incoming executive officer. Our  
9 association is a not-for-profit trade  
10 association. Our PAC was set up to primarily  
11 support candidates who are [inaudible] in our  
12 county.

13 CHAIR: I assume that's on a county  
14 level?

15 MR. GREEN: Yes, that's on the county  
16 level. Chris is the person who would be  
17 responsible for making these filings in the  
18 future. At the time that these filings were made  
19 as noted we've been in here once before regarding  
20 our timely filing. According to what we have  
21 uncovered in the files, we have -- both cases the  
22 files were reported to the county's board of  
23 election and faxed to the state. Again, we didn't

1 realize we'd be coming into this -- what had been  
2 done. We had copies of [inaudible] Let me go back  
3 by saying our PAC was established about four  
4 years ago when unfortunately we had been through  
5 four different executive officers. This has been  
6 one of the transitions [inaudible] to the PAC  
7 board as well. In part we are trying to set up  
8 and pass out procedures to file electronically so  
9 that information that is being faxed [inaudible]  
10 seems the appropriate way to do this. I'm going  
11 to apologize to the Board.

12 CHAIR: Let me go back and ask if  
13 there's -- the original one, which is not part of  
14 these, there's a reference here that they've  
15 never paid that; is that correct? In the letter  
16 it says I do understand that we did have one  
17 report previously. Receiving an invoice from that  
18 amount there.

19 MS. THOMPSON: Yeah, right. And they got  
20 a [inaudible] also on the list to go the A.G.'s  
21 office.

22 CHAIR: That hasn't been paid at all?

23 MS. THOMPSON: That has not been paid.

1 CHAIR: Do you know what that is?

2 MS. TAYLOR: \$252.50.

3 CHAIR: And I took your letter as an  
4 offer to pay that as well?

5 MR. GREEN: Yes [inaudible]

6 CHAIR: We have to turn it over to the  
7 A.G.'s office [inaudible]. And so this one has  
8 never been filed; correct?

9 MR. GREEN: Again, it may not have been  
10 filed from what we can uncover. It was filed with  
11 the county [inaudible] according to our records  
12 was faxed and there seems to be [inaudible] both  
13 cases. I can tell you neither of us were in the  
14 office nor were in charge at that point in time.

15 MS. RIORDAN: From what I understand it  
16 appears that they thought when they did it at  
17 Porter County level, it automatically counted at  
18 the state level. That's what I've been able to  
19 [inaudible] from looking at the -- and again I  
20 think they've only been here a very short time.

21 MR. GREEN: Part of our reason for  
22 coming today was to make sure that this would be  
23 [inaudible] understand the correct [inaudible]

1 MR. DUMEZICH: Is Mike Ellsworth in  
2 this PAC?

3 MR. GREEN: Mike was with us originally  
4 when we established the PAC. We're very familiar  
5 with the process and procedure since then.

6 MR. DUMEZICH: People change. Okay.

7 MR. GREEN: And our association is  
8 primarily a volunteer [inaudible] that revolves  
9 through a regular basis of --

10 CHAIR: My inclination would be kind of  
11 step outside of prior guidelines or guidelines,  
12 go 250 for each of these violations and with the  
13 [inaudible] to pay the other 252 so it would be  
14 \$252.50, \$252.50, \$252.50. So it's \$750 plus  
15 another \$7.50 in mailing, assuming that's  
16 promptly paid. And that takes me from having to  
17 mess with the A.G.'s office so I [inaudible]  
18 collections anyway. So if that's promptly paid I  
19 guess that would be my take on -- I'm not making  
20 a motion right now but I'll accept a motion.

21 MS. RIORDAN: So moved.

22 CHAIR: Do I have second?

23 MR. DUMEZICH: Second.

1 CHAIR: Thank you. All right. We have a  
2 motion to reduce civil penalty in Porter County  
3 Builders Association PAC 2007-5031-24 to \$250  
4 with \$2.50 mailing to reduce the civil penalty in  
5 Porter County Builders Association PAC 2007-5031-  
6 82 to \$250 and \$2.50 with the caveat that both  
7 those civil penalties plus the prior civil  
8 penalty of \$252.50 be paid within 30 days. All in  
9 favor, signify by saying aye.

10 [Aye response]

11 CHAIR: Those opposed, same sign. Thank  
12 you very much. Almost done.

13 MS. THOMPSON: Page one. This is a  
14 continuance and I think it was --

15 CHAIR: This closed out?

16 VOICE: Yes, sir.

17 CHAIR: Closed in '05?

18 VOICE: Yes, sir.

19 MS. THOMPSON: He's had a couple  
20 continuances.

21 CHAIR: If that was closed --

22 VOICE: Haven't done anything.

23 Actually we didn't do anything in '04 except in

1 fact I was late in filing the report and I  
2 apologize. I had three different addresses during  
3 that year and my files in storage. I've not done  
4 anything. Took awhile to get a hold of the other  
5 officers and we donated the money we had  
6 remaining to a not-for-profit organization.

7 MR. DUMEZICH: Make a motion to dismiss.

8 CHAIR: We have a motion to dismiss.

9 MS. RIORDAN: Second.

10 MR. DUMEZICH: Done.

11 CHAIR: All in favor, signify by saying  
12 aye.

13 [Aye response]

14 CHAIR: Opposed, same sign.

15 VOICE: Thank you very much. Not that I  
16 don't want to -- [inaudible simultaneous  
17 speaking]

18 CHAIR: All right. Last up.

19 MR. SADLER: Sadler Committee 148 and  
20 then John Dr. McGoff for state --

21 CHAIR: Which one are we doing first?  
22 148? [inaudible] for State Office. Do you have  
23 [inaudible] ?

1 MR. SADLER: Yes.

2 CHAIR: So you've got one on that page?

3 MR. SADLER: Uh-huh.

4 CHAIR: Page 77.

5 MR. SADLER: Very simple. Missed the  
6 deadline. Filed 133 reports so far and had never  
7 missed and never been late on any of them. No  
8 transactions for either committee over the last  
9 two years. I was not aware of the new --

10 CHAIR: Dr. McGoff doesn't have any  
11 friends?

12 MR. SADLER: No more. And no transfers,  
13 expenses, income for either one for two years.  
14 Did not know about the semi-annual report that  
15 went to a mail box that we closed and now  
16 corrected that mail reports and it all goes to my  
17 house now.

18 CHAIR: And you're still -- you're not  
19 closing any of these, right?

20 MR. SADLER: No.

21 CHAIR: I'll accept motions.

22 MR. SADLER: And in consideration I've  
23 been hazed by my wife and my best friend.

1 [laughter]

2 CHAIR: And your wife is?

3 MR. SADLER: Doris Ann Sadler. It's her  
4 campaign.

5 MS. RIORDAN: With regard to cause  
6 number 2007-4678-129.

7 MR. SADLER: Cost me \$5,000 so I  
8 appreciate it.

9 MR. RIORDAN: I move that we reduce that  
10 to \$250.

11 CHAIR: Is that 149?

12 MS. RIORDAN: Yes.

13 CHAIR: All right. All those in favor --  
14 I'm sorry. Do I have a second?

15 MR. DUMEZICH: Second.

16 CHAIR: Motion made and seconded that  
17 Friends of Dr. McGoff be reduced in civil penalty  
18 to \$250 plus \$3.45 in mailing costs. All in  
19 favor, signify by saying aye.

20 [Aye response]

21 CHAIR: Opposed, same sign. Motion  
22 carries. I'll accept a motion on Sadler for State  
23 Auditor.

1 MS. RIORDAN: I move that we reduce the  
2 fine in cause number 2007-5258-148 from \$1,000 to  
3 \$100 plus mailing of \$3.45.

4 CHAIR: Do I have a second on that  
5 motion?

6 MR. DUMEZICH: Second.

7 CHAIR: All in favor, signify by saying  
8 aye.

9 [Aye response]

10 CHAIR: Motion carries at \$100. Let the  
11 record reflect -- Mr. Sadler would like the  
12 record to reflect that Doris Ann does have some  
13 Democratic friends. All right. That's it.

14 Now, this is where we're going to miss  
15 Tony Long. Tony Long was the master of the  
16 [inaudible]. All right. We'll read the motion and  
17 then when it's time for you to vote -- How do you  
18 want -- what's the easiest for you guys or just  
19 go down --

20 MS. THOMPSON: We can go down.

21 CHAIR: I was just going to go in direct  
22 order straight down if that's okay. 'Cause he'd  
23 already have them marked. Yeah, but we didn't

1 keep track. First of all, we got a motion for  
2 continuance right here.

3 MS. THOMPSON: This is one we tabled  
4 last time because we wanted to check the times  
5 before the Board. They were --

6 CHAIR: I thought we denied the motion  
7 to continue and billed them \$52.50.

8 MS. THOMPSON: They also have the over  
9 50,000.00 one on paper. It's the blue tab.

10 CHAIR: All right. Want to go through --  
11 you're looking for zeros. No, wait a second. If  
12 they don't show we give them full freight, right?

13 MS. THOMPSON: Some of these were tabled  
14 because to dissolve [inaudible]

15 CHAIR: Indiana Orthopaedic Society,  
16 they're not here, we have to table it.

17 MS. THOMPSON: We have to check the  
18 times before the Board; correct.

19 CHAIR: They're on the hook for 1,000?

20 MS. THOMPSON: Yes.

21 CHAIR: They've been before the Board  
22 one time but they didn't show. If they don't  
23 show, we charge them full freight; right?

1 MS. THOMPSON: They were here so we had  
2 to --

3 CHAIR: What do you mean they were here?  
4 Orthopaedic?

5 MS. THOMPSON: Last meeting. Because he  
6 wasn't sure of the times before the Board it was  
7 tabled.

8 CHAIR: But we confirmed that it's one  
9 time before the Board and one time on settlement  
10 agreement?

11 MS. THOMPSON: Yes.

12 CHAIR: So the one time before the Board  
13 you'd get a 50 percent and we hadn't decided  
14 [inaudible] I'm willing to listen to the staff  
15 discussion so I'll [inaudible]

16 MS. THOMPSON: [inaudible]

17 CHAIR: That's the question. The idea is  
18 we would discourage -- the point of settlement  
19 agreements is that gives them a free vote. So  
20 could we just -- if they have a bunch of cash,  
21 they get off without [inaudible] I guess that  
22 does encourage some appearance.

23 CHAIR: Like pre-trial diversion.

1 CHAIR: I think the belief is that  
2 people have that settlement agreements were not  
3 [inaudible] I think we want to at least see if we  
4 have people that were just settling all the time.  
5 I think that's why we have this spreadsheet.

6 MS. THOMPSON: You wanted to see --

7 CHAIR: Yeah, I wanted to see if we had  
8 someone who had zero with six settlement  
9 agreements. Which we do have and we're starting  
10 to see some of those now. But I guess the problem  
11 is [inaudible]

12 MS. RIORDAN: I want to encourage people  
13 to do that. To have that not count against them  
14 for future fines.

15 CHAIR: So for example, Indiana  
16 Orthopaedic Society, that would be one time and  
17 they should be 500. Since they were here at the  
18 last meeting.

19 MS. THOMPSON: They were here at the  
20 last meeting.

21 CHAIR: All right, let's [inaudible] You  
22 got your blue tab. Indiana Multifamily PAC, they  
23 have a proposed civil penalty of \$199.67. How was

1 that calculated?

2 MS. THOMPSON: Data entry.

3 CHAIR: What is [inaudible] So this is  
4 just a bill from [inaudible]

5 VOICE: Yeah.

6 CHAIR: And they can obviously afford  
7 it. So the rule is that they go -- if it's over  
8 \$50,000 you better use electronics 'cause you're  
9 going to be able to afford it. So it's \$199.67.

10 MS. RIORDAN: I move that we [inaudible]

11 CHAIR: Do I have a second?

12 VOICE: Second.

13 CHAIR: All in favor, signify by saying  
14 aye.

15 [Aye response]

16 CHAIR: Those opposed, same sign. Motion  
17 carries. Thomas Keister Exploratory Committee--

18 MS. THOMPSON: He's also in the  
19 spreadsheet but we have a comment that we  
20 [inaudible] both chairman and treasurer were  
21 notified of this hearing.

22 CHAIR: So we are shutting these guys  
23 down?

1 MS. THOMPSON: Yes.

2 CHAIR: It's almost impossible for us to  
3 [inaudible] So the Commission actually  
4 permanently dissolving them?

5 MS. THOMPSON: Uh-huh.

6 CHAIR: Is that a motion? Has there been  
7 anything since '03?

8 MS. THOMPSON: No.

9 CHAIR: We haven't had any communication  
10 with them? Is that why we can dissolve it because  
11 they've got no money in it?

12 MS. RIORDAN: That's why we can't carry  
13 those -- Okay. I move that we administratively  
14 dissolve -- the Commission administratively  
15 dissolve [inaudible] file number 2007-5012-5.

16 CHAIR: All in favor -- do I have a  
17 second?

18 VOICE: Second.

19 CHAIR: Motion made and seconded. All in  
20 favor, signify by saying aye.

21 [Aye response]

22 CHAIR: Opposed, same sign. We're going  
23 to skip that page. So the only thing we have to

1 do is finish these guys now. Multifamily Housing  
2 Political Action Committee will be full freight,  
3 right? Did you verify that they were three times  
4 before the Board?

5 MS. THOMPSON: There's no way to verify.

6 CHAIR: It's 52.50.

7 MS. THOMPSON: Yes. But they're also on  
8 here on page 38.

9 CHAIR: I'm just working my way through.  
10 Let's fly through them. Dan, you ready? All  
11 right. We have a motion for continuance in 2006-  
12 776-10. I would propose denying motion for  
13 continuance and impose full fine because  
14 [inaudible] three priors. Second on the motion?

15 MS. RIORDAN: Second.

16 CHAIR: All in favor, signify by saying  
17 aye.

18 [Aye response]

19 CHAIR: That's a fine of \$52.50 to  
20 Indiana Multifamily Housing Public Action  
21 Committee. Indiana Orthopaedic Society, the deal  
22 is that they -- it was once before but there was  
23 old stuff; is that the reason we can't get at it?

1 MS. THOMPSON: 1999, check to see if it  
2 was actually -- where the Commission was  
3 archived. I don't have that paperwork in our  
4 office.

5 CHAIR: But we have this as one time?

6 MS. THOMPSON: Just once. Yes.

7 CHAIR: But they were disputing the  
8 amount of times, is that what happened before?  
9 Why were we even checking this? It says tabled to  
10 check into times before. [talking and laughter]

11 MS. THOMPSON: When they were here they  
12 didn't have -- back in 1999 when they were before  
13 the Board or one other time before the Board.

14 CHAIR: We've confirmed that now? Or we  
15 are unable to confirm that?

16 MS. TAYLOR: Right. Over in archives and  
17 not in the office.

18 MR. DUMEZICH: What happened to the mass  
19 motion?

20 MS. RIORDAN: We need to do a mass  
21 motion.

22 CHAIR: All right, but we didn't  
23 [inaudible]

1 MS. RIORDAN: No, but --

2 CHAIR: All right. Here's the deal. You  
3 go through and find all the full freight.

4 MS. RIORDAN: And full freight is --

5 CHAIR: Three or more. You go find the  
6 twos which would be -- if you've been zero times  
7 you're 25 percent. If you've been here once  
8 you're 50 percent. Two or more.

9 MS. RIORDAN: But if you've been here  
10 zero times when you showed up you got 25 percent.  
11 If people don't show up they don't deserve to get  
12 that.

13 MR. DUMEZICH: I would go for the full  
14 default and make this real simple.

15 CHAIR: If nobody's here, everybody gets  
16 a whack?

17 MR. DUMEZICH: Yeah.

18 CHAIR: Okay. Let's [inaudible]  
19 everybody then.

20 MS. RIORDAN: Okay.

21 CHAIR: File a motion to reconsider  
22 [inaudible]?

23 MR. DUMEZICH: Yeah. Why not?

1 VOICE: I think it's fair.

2 MR. DUMEZICH: She was here because she  
3 broke the law and then she broke the law again.

4 [laughter]

5 CHAIR: All right. Are we in agreement?  
6 Full freight for everybody that didn't have  
7 [inaudible]?

8 MR. DUMEZICH: Well, we have a bunch of  
9 them up front if I remember.

10 CHAIR: I'm just going to read off the  
11 numbers. How do you want to do it? Full freight  
12 is Indiana Multifamily Housing Political Action  
13 Committee gets full freight. Indiana Orthopaedic  
14 Society Political Action Committee, now that's  
15 the funny one. But they were at full freight  
16 before, right?

17 MS. THOMPSON: Correct.

18 CHAIR: So they're full. Okay. Committee  
19 to Elect Tom Cavanaugh is dissolved. So we can  
20 dismiss.

21 MR. DUMEZICH: Dismiss. Ron Cooper,  
22 dismiss.

23 CHAIR: Ron Cooper, dismissed.

1 MR. DUMEZICH: Uzelac dismiss.

2 CHAIR: Indiana Democratic Women PAC.

3 MR. DUMEZICH: Full.

4 CHAIR: That's a -- hold on, that's a  
5 motion to reconsider [inaudible]. But they didn't  
6 show. They didn't show.

7 MS. TAYLOR: They wrote a letter.

8 CHAIR: They wrote a letter, though.

9 MR. DUMEZICH: Let's look at their  
10 letter.

11

12 VOICE: I will stay on our system before  
13 it's actually filed.

14 MS. TAYLOR: So they've gone into our  
15 system and done their report and printed it off.

16 CHAIR: But for some reason it didn't  
17 get submitted?

18 MS. TAYLOR: Yeah.

19 CHAIR: \$500 on that one. Grant County  
20 GOP. That's another closed. 21<sup>st</sup> Century  
21 Democrats.

22 MS. RIORDAN: What did we do with Grant  
23 County?

1 CHAIR: Grant County was dismissed. They  
2 closed. 21<sup>st</sup> Century Democrats. Does it say Lake  
3 County on it?

4 MR. DUMEZICH: 209 is late.

5 CHAIR: I know that. I want to know --  
6 they say they filed it in Lake County.

7 MS. TAYLOR: Lake County inaudible]

8 CHAIR: I'm willing to accept 50 percent  
9 on that. 425? Steve Johnson. Multi violations.  
10 He's one of those people I want to discuss with  
11 our -- same with this one. Friends of Steve  
12 Johnson. Thomas Keister, we resolved, right?

13 VOICE: Right.

14 CHAIR: We dismissed this one. That's  
15 the guy the administrator [inaudible]?

16 VOICE: Yes.

17 CHAIR: Citizens for Server. Nothing  
18 [static]

19 MS. THOMPSON: This is the --

20 CHAIR: Johnson, same one, full freight.  
21 Jones for House, eight, that's another person I  
22 want to discuss with [inaudible]. Kokomo  
23 Firefighters, full freight?

1 MR. DUMEZICH: Can you put them in  
2 contempt?

3 CHAIR: I don't know. That's what I  
4 wanted to ask him about.

5 MR. DUMEZICH: 'Cause this was one to do  
6 it to.

7 CHAIR: Dempsey for Indiana Senate. This  
8 is someone -- they got to be dissolved.

9 [inaudible]

10 MS TAYLOR: They can't be 'cause they've  
11 got money.

12 CHAIR: How do we know they've got  
13 money?

14 MR. DUMEZICH: Their last report.

15 CHAIR: Was in 1999.

16 MS. THOMPSON: Right.

17 CHAIR: I would suggest -- that's the  
18 point I made with the A.G. I'm going to sit down  
19 with the A.G. and say, "Hey, look at this. If the  
20 account is closed, -- then let's administratively  
21 dissolve it.

22 MR. DUMEZICH: Can we go off the record  
23 for a minute? Can we do that? Is it okay to go

1 off the record for a minute?

2 CHAIR: I'd have to close the hearing.

3 MR. DUMEZICH: Well, I suggest that the  
4 staff do a little research. I think she's having  
5 some emotional difficulties.

6 CHAIR: Right now full freight. That  
7 just looks bizarre to me.

8 MR. DUMEZICH: Yep.

9 CHAIR: That just looks like someone's -  
10 - I'd say someone's dead or something weird like  
11 that. All right. Architects for Indiana. Weren't  
12 they here?

13 MS. TAYLOR: The Builders were here.  
14 They've got a letter.

15 CHAIR: Oh, they have a letter. I have  
16 a lot of sympathy when somebody says, due to  
17 other commitments. Plumbers and Pipefitters Local  
18 502.

19 MR. DUMEZICH: Wait until you need a  
20 plumber.

21 CHAIR: Delay was an oversight during  
22 the holidays. You'll find that he had a sister  
23 who was septic There's a second letter? I read

1 the second one. Full freight on Plumbers? They've  
2 been before us one time prior. So had they shown  
3 up it would have been 50 percent.

4 MR. DUMEZICH: Somebody was sick, too.

5 MS. RIORDAN: [inaudible] \$475; is that

6 right? \$425 -- is that right? \$450 CHAIR:

7 Okay. Citizens for Anthony V Underly. Three times  
8 before the Board for a whole \$52.50.

9 MR. DUMEZICH: He gets the whole boat.

10 CHAIR: Floyd Burroughs. No letter, no  
11 explanation. \$353.50.

12 MR. DUMEZICH: Full boat.

13 CHAIR: Stonewall Democrats. There's a  
14 letter. I vote that we give them the full freight  
15 but I'll be willing to dismiss if they will close  
16 their committee. We will be meeting to decide if  
17 we will be [inaudible] All right. If they happen  
18 to call --

19 MS. RIORDAN: Yeah, and if we tell them

20 --

21 CHAIR: I'm willing to consider a motion  
22 to reconsider if they dissolve and they want to  
23 come back [inaudible]

1 MS. RIORDAN: And if they choose to come  
2 back. [inaudible]

1 MR. DUMEZICH: They can reestablish the  
2 Stonewall Democrats of Indiana. And then they're  
3 defunct.

4 CHAIR: Neese for State Representative.

5 MR. DUMEZICH: Knowing that little  
6 glitch, from now on if I ever get in trouble, I'm  
7 just dissolving and just reincorporating.

8 CHAIR: So he filed in Elkhart County?  
9 And he's got the fax. He shows a fax. So he filed  
10 by fax with us. And then he shows us the fax. The  
11 fax [inaudible] [end of tape 2A]

12 [BEGINNING Tape 2B]

13 CHAIR: 25 percent since he did -- what  
14 appears to be [inaudible] Black PAC is closed?

15 VOICE: Yes.

16 CHAIR: Rick Ryfa closed?

17 MR. DUMEZICH: Closed, dismissed.

18 CHAIR: Fagan closed?

19 MR. DUMEZICH: Yep.

20 CHAIR: Jerry Baffa [inaudible]?

21 MR. DUMEZICH: Closed.

22 CHAIR: Brian Jessen. Never filed  
23 anything. Looks like a full freight.

1 MR. DUMEZICH: Full freight.

2 CHAIR: Same with Mr. Thomas.

3 MR. DUMEZICH: Yep. He didn't have any  
4 friends here. If he'd show up, he'd have friends.

5 CHAIR: Marcus Barlow for State  
6 Representative, closed.

7 MR. DUMEZICH: Dismissed.

8 CHAIR: Smith '06 is a motion to  
9 continue. Didn't we do motions to continue?

10 MS. TAYLOR: We did not.

11 MR. DUMEZICH: We didn't do him. Motion  
12 to continue Smith '06.

13 CHAIR: Filed a motion to continue.

14 MR. DUMEZICH: Motion to continue.  
15 Motion to continue.

16 CHAIR: I have a motion to grant the  
17 motion to continue. Smith '06.

18 MS. RIORDAN: His seven-month-old son  
19 has an ear infection and has to see the doctor in  
20 Evansville. [inaudible]

21 CHAIR: Why don't we give him that  
22 opportunity?

23 MR. DUMEZICH: Yep.

1 CHAIR: Continued. All in favor, signify  
2 by saying aye.

3 [Aye response]

4 CHAIR: Eric Hammond. Only one time and  
5 did not file, didn't show.

6 MR. DUMEZICH: Full freight.

7 CHAIR: Full freight. Closed.

8 MR. DUMEZICH: Dismiss.

9 CHAIR: Ron West.

10 MR. DUMEZICH: So that's \$112.50 plus  
11 \$2.50.

12 CHAIR: Apparently filed. He's guilty of  
13 filing in the wrong place. [inaudible]?

14 MR. DUMEZICH: Yep.

15 CHAIR: \$112.50?

16 MR. DUMEZICH: No.

17 CHAIR: \$112.50 plus the \$2.50. It was a  
18 whole hour late.

19 MR. DUMEZICH: He shares the name of a  
20 famous tax practitioner. Mr. Postlethweight.

21 CHAIR: So what happened?

22 MR. DUMEZICH: Is it a time zone issue?

23 CHAIR: No, Johnson County. Is this one

1 of those weird ones where -- remember [inaudible]  
2 people filing an hour late, local time. I know it  
3 says Indianapolis time but I think -I recall  
4 letting somebody off when they were filing local  
5 time. Isn't that what the statute says?

6 MR. DUMEZICH: It would have to be they  
7 didn't know what time it was.

8 CHAIR: It's only \$50. I think they  
9 should file on time, Indianapolis time. The \$50.

10 MR. DUMEZICH: Fine by me.

11 VOICE: [inaudible] 12:01 --

12 CHAIR: This was received by us at  
13 12:12.

14 VOICE: [inaudible]

15 MR. DUMEZICH: Four bucks a minute, that  
16 seems fair. Let's go.

17 CHAIR: This says October 16, 2007. We  
18 apparently stamped in this when it came in.

19 MICHELLE: Yeah. We got --

20 CHAIR: It's showing a fax transmittal  
21 sheet.

22 MS. TAYLOR: Dated the 18<sup>th</sup> instead of  
23 the 17<sup>th</sup>.

1 CHAIR: No, it's dated the 18<sup>th</sup>. Here's  
2 his fax cover sheet and it says January 18<sup>th</sup>. It's  
3 dated January 17<sup>th</sup> but -- why does this cover  
4 sheet say January 18<sup>th</sup> then? Not the cover sheet.  
5 Why does the transmittal sheet say it wasn't  
6 faxed until January 18? So it's filed after  
7 midnight? It's faxed through after midnight? But  
8 she didn't send it January 17<sup>th</sup>. She sent it  
9 January 18th. I say give her \$50. [inaudible]  
10 can't be that good.

11 MS. RIORDAN: I agree.

12 CHAIR: Come on, Dan.

13 MR. DUMEZICH: I said \$50 a long time  
14 ago.

15 CHAIR: COMMITTEE TO ELECT  
16 THOMAS [inaudible] twice before that would be full  
17 freight and they've never filed anything  
18 [inaudible]

19 MR. DUMEZICH: Full deal.

20 CHAIR: T. J. Wigmore. Zero, zero, no  
21 letters, no show, no nothing.

22 MR. DUMEZICH: Full.

23 CHAIR: Jeff McCoy. \$100.

1 VOICE: [inaudible]

2 CHAIR: I'm with you. Full on Jeff

3 McCoy. Improving Hoosiers Health. \$100.

4 [inaudible] Bambi McQuade. She sent in money?

5 MS. TAYLOR: Yes.

6 CHAIR: What did she do, figure out her  
7 own fine or what?

8 MS. TAYLOR: No, that's the 25.63 was  
9 all that was left in the account.

10 CHAIR: So we can't administratively  
11 dissolve the --

12 MS. TAYLOR: No, because we have to wait  
13 three years to administratively dissolve.

14 MR. DUMEZICH: How about if we take her  
15 money?

16 CHAIR: We take her money. She has 30  
17 days to dissolve it. \$25.63 and she dissolves it  
18 in 30 days [inaudible] Donald O. Patton, \$100,  
19 one settlement agreement. He's closed, though?

20 MR. DUMEZICH: Zero?

21 CHAIR: Friends of Lane Siekman. How  
22 come these people set up their own committees?  
23 Lane Siekman is running [inaudible] He has no

1 friends? [laughter]

2 MR. DUMEZICH: Enemies of.

3 CHAIR: That's what I figured. People  
4 are forced into -- is prepared to accept -- he  
5 throws himself on our mercy.

6 MR. DUMEZICH: We have [static] He was a  
7 long-shot candidate.

8 CHAIR: I noticed you were editing his  
9 letter. [laughter] She has marked it up already.

10 MR. DUMEZICH: You'll notice she did  
11 hyphenate long-shot, though. You did hyphenate  
12 long-shot. This is a long-shot candidacy.

13 CHAIR: Full freight. That's what you  
14 want to do [inaudible] Do full freight on Give  
15 them the option to close it?

16 MS. RIORDAN: Well, they can [inaudible]  
17 isn't that we've been doing all along?

18 CHAIR: "O, my God." you can tell them  
19 they can move to reconsider. If they're closed,  
20 we'll reconsider the fine. [inaudible] Rahe?  
21 Closed.

22 MR. DUMEZICH: Dismiss.

23 CHAIR: Timberlake. Twice [inaudible]

1 full freight.

2 MR. DUMEZICH: Full freight.

3 CHAIR: Zeros to the fine. Winning Edge.

4 MS. TAYLOR: [inaudible] shortly after  
5 the [inaudible] or right before it last year.

6 MR. DUMEZICH: Is his name Winning or  
7 Edge?

8 MR. KING: Brent Mullikin.

9 MR. DUMEZICH: It says Winning Edge.

10 CHAIR: However, even if he's deceased,  
11 we can't --

12 MS. THOMPSON: We can't close it out.

13 MR. DUMEZICH: No, but you know what, we  
14 can get rid of the fine so this doesn't keep on  
15 reoccurring.

16 CHAIR: Well, it will reoccur next week  
17 when he doesn't file [inaudible]. [static] Might  
18 as well leave this in here.

19 MR. DUMEZICH: Okay.

20 CHAIR: We're going to see there's six  
21 annual reports filed and I turn around, "That  
22 looks like somebody's dead."

23 MR. DUMEZICH: Boy, I sure hope you're

1 not here then.

2 CHAIR: Well, I won't be. How many years  
3 is that? What do you guys want to do with this?  
4 [inaudible] Let the minutes show who said that.  
5 [laughter] All right. What do you want to do?

6 MR. DUMEZICH: Dismiss.

7 CHAIR: Dismiss.

8 MR. DUMEZICH: I don't want to be the  
9 news article in the *Indy Star* [inaudible] dead  
10 guy.

11 CHAIR: Just so we know when this comes  
12 up next year, he's still dead.

13 MR. DUMEZICH: His condition stabilizes.

14 CHAIR: Dilworth, is he dead?

15 MS. THOMPSON: Not that I'm aware of.

16 CHAIR: He's not filed anything.

17 MR. DUMEZICH: He's a full freighter.

18 CHAIR: Majid

19 MR. DUMEZICH: Full freight. McClure,  
20 full freight.

21 CHAIR: Leona Glazebrooks.

22 MR. DUMEZICH: Full freight.

23 CHAIR: Indiana Pro Life Alliance? Full

1 freight?

2 MR. DUMEZICH: Full freight.

3 CHAIR: We've got The Reason Bell  
4 Society.

5 MR. DUMEZICH: You got a letter.

6 MICHELLE: There is a letter.

7 CHAIR: There is a letter?

8 Ms. Taylor: Got it this morning.

9 CHAIR: Oh, it came this morning. How  
10 does Dan know that?

11 MR. DUMEZICH: I saw Reason Bell when I  
12 was leafing through this. Here it is. [static]  
13 end of January, [inaudible] 45 minutes late and  
14 sent it at 11:45 Central Standard Time before  
15 noon, Indianapolis. But not before noon. Think  
16 the letter will go in the second one and what was  
17 the first one?

18 VOICE: [inaudible]

19 MR. DUMEZICH: Yeah.

20 CHAIR: We hit it for the \$758 and let  
21 them off on 96.

22 MR. DUMEZICH: No, no. You do a quarter  
23 on the first one, right?

1 CHAIR: He's not here.

2 MR. DUMEZICH: Oh. But he sent a letter.

3 I thought the letter got --

4 CHAIR: Is this one time before the

5 Board the other one?

6 MS. THOMPSON: The first one.

7 CHAIR: But he's never been before the

8 Board other than these two?

9 MS. THOMPSON: Right.

10 CHAIR: What's the total of these two

11 fines? \$700 in front of me on 58.

12 MS. THOMPSON: \$750.

13 CHAIR: Fine him \$250.

14 MR. DUMEZICH: \$250 in total or what are

15 you doing?

16 CHAIR: Half freight. \$350?

17 MR. DUMEZICH: Naw, go lower.

18 CHAIR: No, I gave him credit for the 50

19 of the 50 on the other violation.

20 MR. DUMEZICH: So you didn't charge him

21 the other?

22 CHAIR: I didn't charge him.

23 MR. DUMEZICH: Okay. That's fair.

1 CHAIR: \$350 on 58 and we'll dismiss the  
2 45. [inaudible] Okay. Hoosiers for Better  
3 Government. \$50, full freight?

4 VOICE: Yes.

5 CHAIR: Re-elect Robert Enders. Closed.  
6 Firefighters. No letter, no showing [static]  
7 Firefighters \$250.

8 MICHELLE: Yes.

9 CHAIR: Taxpayers for Candidate  
10 Accountability is closed. Friends of McCamish  
11 [static]. First time, no letter. [inaudible]  
12 American Party of Indiana. We don't believe they  
13 exist any more. They have a letter. They sent a  
14 letter.

15 MS.TAYLOR: They've got a letter.  
16 They're in this list three times.

17 CHAIR: Well, they're a full freight  
18 then.

19 MS. RIORDAN: [inaudible] for three  
20 years. [inaudible] There is no money. [inaudible]  
21 number of persons [inaudible]

22 CHAIR: [inaudible]?

23 VOICE: No.

1 CHAIR: Explain.

2 VOICE: [inaudible]

3 MR. DUMEZICH: I'm thinking whoever  
4 picks up the reins should pay the debt.

5 CHAIR: She says, "I trust this closes  
6 the issue for you." She used the word "closed" in  
7 her letter. Is that sufficient to -- could we  
8 contact them and indicate that if she closes --  
9 it sounds like a matter of pride and she just  
10 doesn't want to close it.

11 MS. THOMPSON: I think we have tried --

12 MS. TAYLOR: We've tried.

13 MS. THOMPSON: Because she wants to keep  
14 it open for other people, she doesn't want to  
15 close it.

16 MR. DUMEZICH: Then she's going to have  
17 to pay the price.

18 MS. TAYLOR: We've explained that she  
19 could open another committee ten years from now  
20 with the same exact name. She just doesn't --

21 CHAIR: Okay. That's full freight.  
22 Jackson County Republican Central Committee. 5<sup>th</sup>  
23 Congressional District Republican Committee. We

1 had the Democrats in here, didn't we?

2 VOICE: There's a letter.

3 CHAIR: I took mercy on them because I  
4 said the Republicans [inaudible]

5 MS. THOMPSON: This one is another one  
6 with a fax issue.

7 CHAIR: What is it?

8 VOICE: [inaudible] 223 --

9 CHAIR: 1157. When was it due? Oh, they  
10 sent it to the wrong clerk/

11 VOICE: Yeah.

12 MS. TAYLOR: They sent it from the  
13 clerk's office to us.

14 CHAIR: Oh, from the clerk's office. So  
15 what's the deal with this. What are they saying  
16 happened?

17 MS. THOMPSON: They're saying that  
18 because it said okay, they thought it came  
19 through our office and everything was okay.

20 CHAIR: That makes sense to me.

21 MS. THOMPSON: From her end that's what  
22 she thought.

23 CHAIR: That's what I would show the

1 court, my faxes. So what [inaudible]

2 MS. THOMPSON: We just never got it.

3 VOICE: Yeah.

4 CHAIR: You say that they filed March  
5 12<sup>th</sup>, did they resend it to you? Is that what  
6 happened?

7 VOICE: Exactly, when we contacted them.

8 CHAIR: When you contacted and said,  
9 "Where is it?" And they said, "Well, didn't you  
10 get it?"

11 VOICE: Yes.

12 CHAIR: What do you want to do? If they  
13 can show a fax that they sent it to -- could we  
14 have somebody to call -- do that later. There's  
15 some Lake County [inaudible]

16 MS. THOMPSON: Several.

17 CHAIR: That we just -- they were able  
18 to show me something that showed that even though  
19 we didn't think we got it, they were going to  
20 show us that we got it. I think we said the error  
21 was on our part. [inaudible] show that it came  
22 in. All right. Meyer for State Senate. Closed?  
23 Multifamily -- we already did -- full freight on

1 this one? Local Families for Local Values, closed  
2 and a motion to continue. Why do I have a motion  
3 to continue?

4 MS. THOMPSON: Because they couldn't  
5 be here today so they want it continued.

6 CHAIR: But they closed?

7 MR. DUMEZICH: They closed so --

8 MS. TAYLOR: They didn't know --

9 MR. DUMEZICH: That's the rule. We can  
10 tell them that it's dismissed. Right?

11 CHAIR: Motion to continue is denied.  
12 It's been dismissed.

13 MS. THOMPSON: Okay.

14 CHAIR: Same thing here. Next one.  
15 Motion to reconsider is denied and dismissed.  
16 These firefighters -- another motion to  
17 reconsider. Why would it be a motion to  
18 reconsider?

19 MS. TAYLOR: They got really excited.

20 CHAIR: They thought they had already  
21 been fined?

22 MS. THOMPSON: [inaudible]

23 MR. DUMEZICH: Super. We'll let them

1 reconsider.

2 MS. TAYLOR: They had already been fined  
3 for the 2006 pre-primary report.

4 CHAIR: [inaudible] sent to the business  
5 services division. That's what it says.

6 VOICE: [inaudible] You've got to go  
7 back to the front for the '06s.

8 MS TAYLOR: You have already assessed  
9 this one. So that's why they're asking for the  
10 motion to reconsider.

11 CHAIR: Oh, this is another -- What's  
12 the number?

13 VOICE: 06-5273-141.

14 CHAIR: [inaudible] We should have fined  
15 them more: Did we fine them [inaudible]?

16 MS. TAYLOR: They sent us one back in  
17 February and they sent us another one this  
18 morning. Princeton Firefighters. Basically  
19 saying the exact same thing.

20 MR. DUMEZICH: Can you read that aloud?

21 CHAIR: Somebody read that. I can't find  
22 anything at this point.

23 VOICE: It's addressed to the Election

1 Division.

2 MR. DUMEZICH: To whom it may concern.

3 MS. TAYLOR: This is the one they sent  
4 in February. This is the one they sent this  
5 morning. They say basically the same thing.

6 : This is from Princeton Area  
7 Firefighters Local 63 PAC, to the Election  
8 Division. To whom it may concern: Please accept  
9 this letter of appeal on behalf of Princeton Area  
10 Firefighters Local 1634 for PAC concerning the  
11 imposed fine of \$1,002.50. When we first  
12 organized we were unclear as to the requirements  
13 place on a PAC and the time limits imposed. We  
14 organized our PAC so that we would be more  
15 politically involved and becoming part of the  
16 system. We were late on our first filing and have  
17 met all the requirements since. We have yet to  
18 begin accepting voluntary contributions so  
19 [inaudible] small PAC. If possible we would like  
20 to discuss options or extend the deadline for  
21 payments of this fine. Contact us at your  
22 earliest convenience. Thank you for your  
23 consideration.

1 CHAIR: Have they messed up again or  
2 is this just a reconsideration [inaudible]?

3 MS. TAYLOR: It's just a  
4 reconsideration.

5 MR. DUMEZICH: Let's cut it in half.

6 CHAIR: I'm for that.

7 CHAIR: \$500. That's the original.

8 VOICE: \$500 plus the \$2.50?

9 MR. DUMEZICH: Uh-huh.

10 VOICE: The psychologists weren't happy  
11 they've been fined and they've been in front of  
12 us four times.

13 MR. DUMEZICH: I'm unhappy with  
14 psychologists so --

15 CHAIR: What do you want to do with  
16 that?

17 MR. DUMEZICH: Full freight. Motion to  
18 reconsider. We got a letter in here.

19 CHAIR: Is this going to be postponed  
20 again?

21 MS. THOMPSON: Yes.

22 CHAIR: Professional Psychological  
23 Services. [inaudible]

1 MR. DUMEZICH: We imagined it. Maybe we  
2 should talk to them about it.

3 CHAIR: The verified staff member left.  
4 It's all Pam's fault, right.

5 MS. POTESTA: Yeah.

6 MS. RIORDAN: We take the position that  
7 it's not up to us to inform them -- people are  
8 supposed to know [inaudible]

9 CHAIR: I have very little sympathy to  
10 somebody who's been wacked four times before  
11 this.

12 MR. DUMEZICH: Yes, agreed.

13 CHAIR: They should know their  
14 obligations if they were wacked. Are all of these  
15 based on the fact that we were sending letters to  
16 the wrong --

17 MR. DUMEZICH: At some point don't you  
18 think they'd say, "You know, we had an  
19 obligation."

20 VOICE: We need to call them and tell  
21 them --

22 MR. DUMEZICH: We need to -- yeah. And  
23 it isn't like --

1 CHAIR: Four priors and --

2 VOICE: And they're not making every  
3 report.

4 CHAIR: They have three settlement  
5 agreements, too. That's seven violations.

6 MS. RIORDAN: [inaudible] settlement  
7 agreement I would say full.

8 VOICE: Okay.

9 MR. DUMEZICH: We're on the same page.

10 VOICE: Responsible Citizens for Small  
11 Government are closed.

12 MS. TAYLOR: We got a letter as we  
13 walked into here.

14 MR. DUMEZICH: They're closed.

15 VOICE: They're closed.

16 VOICE: They said they were closed in  
17 December of '06. They close again?

18 MR. DUMEZICH: Since the '06 is the one  
19 that is --

20 VOICE: The comment I've got says they  
21 were closed in '06.

22 MR. DUMEZICH: And they're missing their  
23 '06 post-convention so it makes sense.

1 VOICE: So they closed again?

2 [inaudible]

3 MS. THOMPSON: No, they're still  
4 closed. They just wanted to --

5 CHAIR: Okay. American Party of Indiana.  
6 This is that same lady, right?

7 MR. DUMEZICH: Yep.

8 CHAIR: What did we decide? Are we going  
9 to whack her until she [inaudible]

10 MR. DUMEZICH: She can close.

11 CHAIR: Your name is taken in vain  
12 [inaudible] Somebody sent a letter claiming they  
13 had talked to you.

14 MR. DUMEZICH: And you sent stuff to the  
15 wrong address.

16 CHAIR: And you were sending the  
17 psychologists -- you were deleting their address.

18 MS. POTEESTA: I did?

19 CHAIR: Kokomo Firefighters. Full  
20 freight?

21 MR. DUMEZICH: Yep.

22 CHAIR: Dickinson for State  
23 Representative. This is just a late. \$50?

1 VOICE: Yeah.

2 CHAIR: Jackson County Republic Central  
3 Committee. Didn't we already do something to  
4 them?

5 MR. DUMEZICH: Yep.

6 CHAIR: This is another one?

7 VOICE: Yes.

8 MR. KING: This was one where you  
9 waived --

10 CHAIR: All right. We should dismiss  
11 this. It's not a waiver.

12 VOICE: [inaudible] and later on he  
13 turned and said --

14 CHAIR: A waiver would still show  
15 [inaudible] dismissal would be on the record.  
16 Partners for Growth and Jobs. Four times before  
17 the Board. They've only been fined \$50. Full  
18 freight?

19 MR. DUMEZICH: Un-huh.

20 CHAIR: 5<sup>th</sup> Congressional District  
21 Republican Committee.

22 MR. DUMEZICH: They didn't show. Full  
23 freight, right?

1 CHAIR: The PAC is closed. Dismissed.  
2 Friends of Brian C. Thomas. It showed [inaudible]  
3 Full freight?

4 MR. DUMEZICH: Uh-huh.

5 CHAIR: Hoosier Women Working for  
6 Education Communities and Affordable--

7 MR. DUMEZICH: Housing, probably.

8 CHAIR: Remember that one young lady who  
9 was like working with inner-city kids and stuff.  
10 It was great. Committee to Elect Eric Hammond.  
11 \$150. Zero, zero.

12 MR. DUMEZICH: Isn't this the second  
13 time we hit him?

14 VOICE: Yes.

15 CHAIR: Full? [inaudible] Full?

16 VOICE: Full.

17 CHAIR: Howell, full?

18 VOICE: Full.

19 CHAIR: [inaudible]

20 VOICE: Two times before the Board  
21 [inaudible]

22 CHAIR: [inaudible] Act Blue Indiana.  
23 What is that?

1 VOICE: [inaudible]

2 CHAIR: Hoosiers for Better Government.

3 VOICE: No, we already have [inaudible]

4 CHAIR: We dismissed that one. Hoosiers  
5 for Better Government? \$50?

6 MR. DUMEZICH: Uh-huh.

7 CHAIR: [inaudible]

8 MS. TAYLOR: Is this the guy --

9 MR. DUMEZICH: Well, that's what it is.

10 CHAIR: All right. We better get going.  
11 She's getting grumpy. Hoosiers for McIntosh. Is  
12 it closed?

13 VOICE: Closed.

14 CHAIR: Why does it have a question mark  
15 here?

16 VOICE: [inaudible]

17 CHAIR: But it is closed?

18 VOICE: Yes.

19 MR. DUMEZICH: [inaudible] I do. He's my  
20 partner.

21 VOICE: What's missing? We don't need  
22 any.

23 MR. DUMEZICH: Oh, that's right.

1 CHAIR: If Mr. McIntosh objects,  
2 [inaudible] Griffin -- this is the Griffins,  
3 right? Citizens for Puro [inaudible]

4 VOICE: There's a letter.

5 CHAIR: American Party. That's that same  
6 lady. She's getting whacked again.

7 MS. THOMPSON: When she gets it she'll  
8 call us.

9 CHAIR: Don't want to send Dan whatever  
10 his name is from the AG's office. Ironworkers,  
11 four times, \$150? [inaudible] Full freight for  
12 the Ironworkers?

13 VOICE: Yes.

14 CHAIR: Kokomo Firefighters again.

15 MR. DUMEZICH: Full freight.

16 CHAIR: Jackson County Republicans.

17 MR. DUMEZICH: Seven times before the  
18 Board.

19 CHAIR: Jobs for Southwestern Indiana.  
20 Not looking good. Western Indiana Political  
21 Action Committee, Inc.

22 VOICE: Letter. [inaudible]  
23 appearance.

1 CHAIR: So that will come back in the  
2 next one And, guys, we're going to have another  
3 one sometime before the end of the year.

4 [inaudible] Greater Fort Wayne Business -- this  
5 is --

6 MS. THOMPSON: She was here. She was  
7 here and she had --

8 MS. TAYLOR: She said she had to have  
9 some kind of surgery so she ran up to me at break  
10 and said she had to be back in Fort Wayne --

11 VOICE: For surgery?

12 MS. TAYLOR: -- for surgery.

13 CHAIR: I'll just treat that as another  
14 [inaudible]

15 VOICE: She left.

16 CHAIR: We'll continue that.

17 MR. DUMEZICH: Motion to continue or why  
18 don't we just hit it for a quarter? She showed  
19 up. She would have got a quarter if she had  
20 stayed, right?

21 VOICE: [inaudible]

22 MR. DUMEZICH: [inaudible] motion to  
23 reconsider. This way it's disposed of.

1 MS. RIORDAN: Okay.

2 CHAIR: [inaudible] Indiana Stonewall  
3 Democrats . That's the same lady with a different  
4 letter or --

5 VOICE: Same letter.

6 CHAIR: What was her story?

7 MS. TAYLOR: They were meeting again in  
8 January to see if [inaudible]

9 CHAIR: [inaudible]

10 VOICE: They called, just like the  
11 American Party, the Wallace Party. It's almost an  
12 easy way to just get rid of that.

13 MS. TAYLOR: Okay.

14 CHAIR: [inaudible] They're dismissed,  
15 right? AFSCME.

16 MS. RIORDAN: [inaudible] What was the  
17 date of [inaudible]

18 MS. TAYLOR: I think this is the pre-  
19 primary so April 20<sup>th</sup>.

20 CHAIR: They didn't file until September  
21 26<sup>th</sup>. [inaudible] LaPorte Political Action  
22 Committee. [inaudible]

23 MS. RIORDAN: Wait a minute. There was a

1 letter from [inaudible] [static]

2 CHAIR: They claim they actually filed  
3 this and you guys didn't get it. What's the deal  
4 with that? I don't have a copy [inaudible]

5 MR. DUMEZICH: This is which we realized  
6 was late, right?

7 VOICE: [inaudible]

8 CHAIR: You will note on our original  
9 filing that our records indicate --

10 MR. DUMEZICH: Which we realize is late.

11 CHAIR: It was still late. [inaudible]

12 MR. DUMEZICH: [inaudible] realizes it's  
13 late.

14 CHAIR: No, I'm sorry. They realize that  
15 and they're throwing themselves on the mercy.

16 MR. DUMEZICH: \$250.

17 CHAIR: They've only got \$40. Sorry,  
18 that's \$40 [inaudible] What do you want to do?

19 MR. DUMEZICH: \$250.

20 VOICE: [inaudible]

21 CHAIR: Carlo [inaudible]

22 VOICE: John [inaudible]

23 CHAIR: Hoosiers for Better Government.

1 MR. DUMEZICH: How can we take him  
2 seriously if --

3 CHAIR: [inaudible] Indiana Equality  
4 Political Action Committee does have [inaudible]  
5 They didn't explain. They just said we had the  
6 wrong address on [inaudible] report. What do you  
7 want to do there? \$500?

8 MS. RIORDAN: \$500.

9 CHAIR: Taxpayers for Candidate  
10 Accountability [inaudible]

11 MS. TAYLOR: This one was actually sent  
12 to the correct address but the UPS delivery man  
13 put -- dropped it off at the wrong facility.

14 CHAIR: I'd vote to dismiss that.

15 MR. DUMEZICH: Yep.

16 CHAIR: They sent it to the right  
17 address and UPS [inaudible] Vigo Committee for  
18 Justice. Reform Party. [shuffling papers] Mike  
19 Kole Is that it?

20 MR. DUMEZICH: Yep.

21 CHAIR: Sue Landske we're going to  
22 dismiss. [inaudible] Do we have any further  
23 business?

1 MS. THOMPSON: [inaudible] motion. This  
2 is just to deliver them to the Attorney General.

3 CHAIR: What I want to do at our next  
4 meeting is have the A.G. here. [inaudible]  
5 Apparently the A.G.'s office isn't going to  
6 collect anything under \$1,000. That's what they  
7 told me.

8 MS. THOMPSON: Do you want me to send  
9 this on now or --

10 CHAIR: Well, no. Since he said he's  
11 not collecting anything under \$1,000, [inaudible]  
12 \$252.50 fines don't seem to make a lot of sense.

13 MR. DUMEZICH: Can we just by motion  
14 add \$1,000 to everybody's fine?

15 CHAIR: We will send it over to them  
16 and we will discuss that. Any further business?  
17 I'll accept a motion to adjourn. I'll accept a  
18 motion.

19 MS. RIORDAN: [inaudible] We need to  
20 [inaudible] to adopt each and every one of the  
21 individual orders issued or [inaudible]

22 MR. KING: What you really need is make  
23 a motion that you discussed already and we can

1 identify them then as which motions [inaudible]

2 [simultaneous talking]

3 VOICE: For the [inaudible] move the  
4 commission adopt the --

5 MR. KING: Since the last cause that was  
6 voted on.

7 MS. RIORDAN: Where those causes where  
8 the parties weren't present and we went through  
9 them individually, we didn't vote on them but we  
10 discussed what we thought were appropriate  
11 results that we issue an order in accordance with  
12 those discussions.

13 CHAIR: Second on the motion?

14 MR. DUMEZICH: Second.

15 CHAIR: Motion made and seconded that  
16 the prior discussion of the Commission's members  
17 [inaudible] causes that will be enumerated in the  
18 minutes individually will be adopted and  
19 implemented. All in favor, signify by saying aye.

20 [Aye response]

21 CHAIR: Opposed, same sign. Motion  
22 carries. [inaudible] saying aye.

23 [Aye response]

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CHAIR: Thank you everybody.

[End of meeting.]

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C E R T I F I C A T E

THE FOREGOING TRANSCRIPT HAS BEEN TYPED TO THE BEST OF MY ABILITY FROM TWO CASSETTE TAPES OF A MEETING HELD ON OCTOBER 22, 2007. THIS HAS BEEN TYPED AS ACCURATELY AS POSSIBLE CONSIDERING THE QUALITY OF THE TAPES, PLACEMENT OF MICROPHONES, CLARITY, VOLUME AND SIMILARITY OF VOICES, STATIC, SIMULTANEOUS SPEAKING AND BACKGROUND NOISE OF RUSTLING PAPERS. I WAS NOT PRESENT AT THE MEETING.

KAY MCKINNEY