

Indiana Election Commission

Minutes

March 2, 2001

Members Present: Dudley Cruea, Chairman of the Indiana Election Commission (the Commission); S. Anthony Long, Vice Chairman of the Commission; Butch Morgan, member of the Commission; Joseph M. Perkins, Jr., member of the Commission.

Members Absent: None.

Staff Attending: Laurie P. Christie, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Spencer Valentine, Co-Director of the Election Division; Kristi Robertson, Co-General Counsel to the Commission and Election Division; Dale Simmons, Co-General Counsel to the Commission and Election Division; Michelle Thompson, Co-Director, Campaign Finance, Election Division.

Also Attending: Mark W. Rutherford, Libertarian Party of Indiana; Thomas Barnes, Tom Barnes for State Senate Committee; Jay Wehmier, Tom Barnes for State Senate Committee; Rosemary G. Spalding, Sierra Club PAC; Tim Kennedy, Hall, Render, Killian, Heat & Lyman, P.S.C., PAC; John Shean, Friends of John Shean Committee; Terry English, Committee to Elect Terry L. English to the Indiana House; Tim Burke, Vectren Employees State PAC and Southern Indiana Gas and Electric Co., Employees State PAC; Mark Townsend, Mark Townsend for State Senate Committee; Richard Haynes, Haynes for State Senate Committee; Matt Hopper, Hopper for Indiana Committee; Bernard W. Fallon, Fallon for State Representative; Tim Maloney, Hoosiers Environmental Council Action Fund Voters; Elizabeth Merchiers, Indiana Radiological PAC; Dennis Wilson, Wilson for District 66 Committee; Patrick Cunningham, Mellinger for District 37 Committee; James W. Ensinger, Ensinger for Lt. Governor Committee; Randy Shields, Indiana McDonald's Operator PAC; Shaw Friedman, Indiana Democratic Party.

1. Call to Order

The Chair called the March 2, 2001 meeting of the Indiana Election Commission to order at 1:00 p.m. at the Indiana State House, Room 130, 200 West Washington Street, Indianapolis, Indiana. He noted that proper notice of the meeting had been given, as required by state law, and that a quorum of the Commission members was present. He also noted that the Commission had met in executive session prior to the regular meeting to discuss pending litigation.

A copy of the meeting notice and agenda is 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. Approval of the December 6, 2000 and January 9, 2001 Regular Meeting Minutes

The Chair noted that the Commission members had received a copy of the December 6, 2000 and January 9, 2001 minutes.

After Commission members reviewed these documents, Mr. Morgan moved, seconded by Mr. Long, that the December 6, 2000 and January 9, 2001 Commission regular meeting minutes be approved as presented. There being no further discussion, the Chair called the question, and declared that with four

Indiana Election Commission Executive Session Minutes March 2, 2001

Members Present: Dudley Cruea, Chairman of the Indiana Election Commission (the Commission); S. Anthony Long, Vice Chairman of the Commission; Butch Morgan, member of the Commission; Joseph M. Perkins, Jr., member of the Commission.

Members Absent: None.

Others Attending: Laurie P. Christie, Co-Director, Indiana Election Division of the Office of the Indiana Secretary of State (Election Division); Spencer Valentine, Co-Director of the Election Division; Kristi Robertson, Co-General Counsel to the Commission and Election Division; Dale Simmons, Co-General Counsel to the Commission and Election Division.

1. Call to Order

The Chair called the March 2, 2001 executive session of the Indiana Election Commission to order at 12:30 p.m. in the Indiana State House, 200 West Washington Street, Indianapolis, Indiana. The Chair noted the presence of a quorum and that all the Commission members were present.

2. Remarks by the Chair

As required by Indiana Code 5-14-1.5-6.1(d), the Chair noted that this executive session had been called under IC 5-14-1.5-6.1(b)(2)(B) for the discussion of strategy with respect to the initiation of litigation or litigation that was pending. The chair added that the required public notice for this executive session had been given under the Indiana Open Door Law.

3. Executive Session Business

The Commission proceeded to conduct the business for which this executive session was called.

4. Adjournment

The Chair moved, seconded by Mr. Long, that the Commission do now adjourn its executive session. The Chair called the question and declared the motion adopted unanimously. The Commission then adjourned at 12:55 p.m.

Respectfully submitted,

Laurie P. Christie
Co-Director

Spencer Valentine
Co-Director

Approved:

Dudley Cruea, Chairman

Certification

As required by Indiana Code 5-14-1.5-6.1(d), we, the undersigned members of the Indiana Election Commission certify that no subject matter was discussed in this executive session other than the subject matter specified in the public notice.

Dudley Cruea, Chairman

S. Anthony Long, Vice Chairman

Butch Morgan, Member

Joseph M. Perkins, Jr., Member

members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

3. Campaign Finance Enforcement

A. Delinquent 2000 Annual Campaign Finance Reports

The Chair indicated that the Commission would begin with the hearings on delinquent 2000 annual campaign finance reports. The Chair requested all persons present to testify in such hearings to stand for the administration of the oath. Ms. Robertson then administered the oath.

(1) Hopper for Indiana Committee, Cause No. 01-4232-226

The Chair recognized Matt Hopper who identified himself as the representative of the Hopper for Indiana Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4232-226. She stated that this Committee’s report was filed on February 22, 2001, and that it was a final report, and that the committee has a proposed civil penalty of One Thousand Three Dollars and Seventy Four Cents (\$1003.74).

Mr. Hopper then responded by stating that this was a final report. He stated that is was his belief that the Committee had filed to disband when the Committee had filed the previous report. He indicated that he now knew that the report was checked as an annual report rather than a final report because of some outstanding debt owed by the Committee. He stated that the notice came to an old address and upon receiving the notice, Mr. Hopper believed the Committee was in compliance because he thought he had disbanded the Committee given the fact that the Committee has had no activity since 1998. However, Mr. Hopper indicated that he now understood he needed to file an annual report and indicated that, once he was aware that the Committee need to file, he did immediately file the report with the Election Division. He also indicated that the Committee had and continues to have a “0” balance. He asked the Commission for leniency regarding the civil penalty.

The Chair then closed the hearing. Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(2) Wilson for District 66, Cause No. 01-4504-248

The Chair recognized Dennis Wilson who identified himself as the representative of the Wilson for District 66 Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4504-248. She stated that this Committee’s report was filed on February 13, 2001, that this is the first time the Committee has been before the Commission, and that the committee has a proposed civil penalty of One Thousand Three Dollars and Seventy Four Cents (\$1003.74).

Mr. Wilson then responded by stating that this is the first time he has run for office. He stated that he lost in the primary election and received notice dated September 21, 2000 from the Election Division stating that if the candidate was not on the general election ballot, then the candidate did not have to file a campaign finance report. He stated that he disregarded that notice. He stated he received another one dated September 22, 2000 setting forth the annual reporting period. Mr. Wilson stated that since the Committee had no activity during this period, he assumed he did not have to file the annual report. He then stated that he received notice from the Election Division stating that the Committee had failed to file an annual report, and that upon receiving this notice the Committee filed the annual report. He indicated that Election Division staff informed him the day before the Commission meeting that the Election Division had not yet received this report. Mr. Wilson presented a copy of the annual report with the Election Division's file stamp indicating the report was filed on February 13, 2001.

Ms. Thompson indicated that this report was filed with the Election Division on February 13, 2001, but when Mr. Wilson called her, she had pulled the Paul Wilson Committee file rather than the Dennis Wilson Committee file.

Mr. Morgan asked Mr. Wilson if he planned on running for office again. Mr. Wilson responded that he would not in the same circumstances and indicated that he intends to disband his committee.

The Chair then closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(3) Fallon for State Representative, Cause No. 01-4323-234

The Chair recognized Bernard Fallon who identified himself as the representative of the Fallon for State Representative Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4323-234. She stated that this Committee's report was filed on January 26, 2001, that this is the first time the Committee has been before the Commission, and that the committee has a proposed civil penalty of Four Hundred Fifty Three Dollars and Seventy Four Cents (\$453.74).

Mr. Fallon responded by asking for the Commission's forgiveness and leniency. He indicated that his wife was pregnant with their second child and he forgot about the reporting deadline. He stated that he has now disbanded the committee and that he does not intend to run for office again.

The Chair then closed the hearing. Mr. Perkins moved that the proposed fine be reduced to One Hundred Twelve Dollars and Fifty Cents (\$112.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Sixteen Dollars and Twenty Four Cents (\$116.24). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(4) Mark Townsend for State Senate Committee, Cause No. 01-4238-227

The Chair recognized Mark Townsend who identified himself as the representative of the Mark Townsend for State Senate Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4238-227. She stated that this Committee's report was filed on January 24, 2001, that this is the first time the Committee has been before the Commission, and that the committee has a proposed civil penalty of Three Hundred Fifty Three Dollars and Seventy Four Cents (\$353.74).

Mr. Townsend responded that he understood that if there had been no activity by the Committee, then the Committee was not required to file an annual report. He also stated that this was an active campaign in 1998 and that the only activity since then on this account was to accrue interest. He apologized for the delinquency and indicated that he faxed in the report as soon as he found out it was late.

Mr. Townsend made the suggestion that the instructions to committees should indicate that committees are required to file annual reports even if they have no activity.

The Chair then closed the hearing. Mr. Long moved that the proposed fine be reduced to Eighty Seven Dollars and Fifty Cents (\$87.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Ninety One Dollars and Twenty Four Cents (\$91.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(5) Committee to Elect Terry L. English to the Indiana House, Cause No. 01-4556-256

The Chair recognized Terry English who identified himself as the representative of the Committee to Elect Terry L. English to the Indiana House.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4556-256. She stated that this Committee's report was filed on February 27, 2001, that this report was filed as a final report, that this is the first time the Committee has been before the Commission, and that the committee has a proposed civil penalty of One Thousand Three Dollars and Seventy Four Cents (\$1003.74).

Mr. English responded that it was a complete oversight due to his heavy workload as a bankruptcy attorney in Bloomington. He also indicated that this was his first time as a candidate for elected office. He stated that he did timely file his other campaign finance reports and his finances did not change since May 2, 2000 when he was defeated in the primary. He also stated that all the funds in the account were his own funds and that there has been no further expenditures made since the last campaign finance report filed for this committee. Mr. English asked for the Commission's indulgence in this case.

The Chair then closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(6) Hoosier Environmental Council Action Fund Voters, Cause No. 01-3713-215

The Chair recognized Tim Maloney who identified himself as the representative of the Hoosier Environmental Council Action Fund Voters Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-3713-215. She stated that this Committee's report was filed on January 26, 2001, that this report was filed as a final report, that this Committee has appeared before the Commission two times before, and that the committee has a proposed civil penalty of Four Hundred Fifty Three Dollars and Seventy Four Cents (\$453.74).

Mr. Maloney responded that it is an inactive committee and that they may need to disband the committee. He also indicated that the committee did file as soon as they received notice that the report was delinquent.

The Chair then closed the hearing. Mr. Long moved that the proposed fine be reduced to Three Hundred Thirty Seven Dollars and Fifty Cents (\$337.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Three Hundred Forty One Dollars and Twenty Four Cents (\$341.24). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(7) Friends of John Shean, Cause No. 01-4483-246

The Chair recognized John Shean who identified himself as the representative of the Friends of John Shean Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4483-246. She stated that this Committee's report was filed on January 17, 2001 at 12:04 p.m., that it was a final report, that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Fifty Three Dollars and Seventy Four Cents (\$53.74).

Mr. Shean respectfully requested that the Commission waive the civil penalty for the reason that his wife was the treasurer of the Committee and that his candidacy had placed a great strain on his marriage that would be further strained by a civil penalty. He also stated that the reason the report was late was because he was delayed by a train.

The Chair then closed the hearing. Mr. Long moved that the proposed fine be waived and assess the amount of the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74). Mr. Morgan seconded the motion. Mr. Perkins stated that every candidate does know or should know the day and time of the report filing deadline and that even though there was only a four minute delay, he stated that he assumed the candidate knew before that day the deadline and time for filing the report. He also advised Mr. Shean that, if he wishes to run in the future, to make sure he provides himself ample amount of time to file by that deadline. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(8) Ensinger for Lt. Governor Committee, Cause No. 01-4572-262

The Chair recognized James Ensinger who identified himself as the representative of the Ensinger for Lt. Governor Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4572-262. She stated that this Committee's report was filed on February 5, 2001, that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Nine Hundred Fifty Three Dollars and Seventy Four Cents (\$953.74).

Mr. Ensinger responded that he respectfully request that the civil penalty be waived. He also stated that this report was a final report to disband the committee. He stated that there was no activity by the committee. He also stated that, due to health problems, he and his wife have had difficulty filing the reports on time as well as other tasks. He also stated that he is retired and lives on a limited income and paying the civil penalty would be a hardship.

The Chair then closed the hearing. Mr. Cruea moved that the proposed fine be reduced to Two Hundred Thirty Seven Dollars and Fifty Cents (\$237.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Forty One Dollars and Twenty Four Cents (\$241.24). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(9) Vectren Employees State PAC, Cause No. 01-4576-263

The Chair recognized Tim Burke who identified himself as the representative of the Vectren Employees State PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4576-263. She stated that this Committee's report was filed on January 19, 2001, that this Committee has appeared before the Commission once before, and that the committee has a proposed civil penalty of One Hundred Three Dollars and Seventy Four Cents (\$103.74).

Mr. Burke responded that the Committee was a day late and that this Committee is inactive. He explained that the Committee was formed upon the merger with Indiana Gas and is waiting to receive funds.

The Chair then closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Sevety Four Cents (\$53.74). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(10) Southern Indiana Gas and Electric Co. Employees State PAC, Cause No. 01-3262-210

The Chair recognized Tim Burke who identified himself as the representative of the Southern Indiana Gas and Electric Co. Employees State PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-3262-210. She stated that this Committee's report was filed on January 19, 2001, that this Committee has appeared before the Commission three times before, and that the committee has a proposed civil penalty of One Hundred Three Dollars and Seventy Four Cents (\$103.74).

Mr. Burke responded that the Committee has taken steps to ensure that they do have proper assistance in maintaining this Committee so that they can timely file the reports in the future.

The Chair then closed the hearing. Mr. Morgan moved that the proposed fine be assessed in the amount of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Three Dollars and Seventy Four Cents (\$103.74). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(11) Indiana Radiological PAC, Cause No. 01-4283-231

The Chair recognized Elizabeth Merchiers who identified herself as the representative of the Indiana Radiological PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4283-231. She stated that this Committee's report was filed on February 1, 2001, that this Committee has appeared before the Commission once before, and that the committee has a proposed civil penalty of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74).

Ms. Merchiers responded that the Committee had no activity during this reporting period and the delinquent filing was an oversight. She also stated that as soon as she received notice of the late filing, the report was faxed into the Election Division.

The Chair then closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Three Hundred Seventy Five Dollars (\$375.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Three Hundred Seventy Eight Dollars and Seventy Four Cents (\$378.74). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(12) Haynes for State Senate Committee, Cause No. 01-4560-259

The Chair recognized Richard Haynes who identified himself as the representative of the Haynes for State Senate Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4560-259. She stated that this Committee's report was filed on February 2, 2001, that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Eight Hundred Three Dollars and Seventy Four Cents (\$803.74).

Mr. Haynes responded that he received notices from the Election Division stating that if the candidate was not on the general election ballot, then the candidate did not have to file a campaign finance report. He stated that he disregarded the notices. Mr. Haynes stated that since the Committee had no activity during this period, he assumed he did not have to file the annual

report. He then stated that he received notice from the Election Division stating that the Committee had failed to file an annual report, and that upon receiving this notice the Committee filed the annual report.

The Chair then closed the hearing. Mr. Long moved that the proposed fine be reduced to Two Hundred Dollars (\$200.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Three Dollars and Seventy Four Cents (\$203.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(13) Mellinger for District 37, Cause No. 01-4293-232

The Chair recognized Patrick Cunningham who identified himself as the representative of the Mellinger for District 37 Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4293-232. She stated that this Committee's report was filed on January 17, 2001 at 12:05 p.m., that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Fifty Three Dollars and Seventy Four Cents (\$53.74).

Mr. Cunningham responded that he violated a cardinal rule in that he relied upon his candidate to file on time. He also stated that the county version was filed at 11:05 a.m. the day it was due. Mr. Cunningham provided the Commission with a copy of the county report.

The Chair then closed the hearing. Mr. Long moved that the penalty be waived and assessed the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and with three members voting "aye" (Mr. Cruea, Mr. Long and Mr. Morgan), and one member voting "nay" (Mr. Perkins), the motion was not adopted.

Mr. Morgan then moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(14) Sierra Club PAC, Cause No. 01-4404-242

The Chair recognized Rosemary Spalding who identified herself as the representative of the Sierra Club PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4404-242. She stated that this Committee's report was filed on January 22, 2001, that this is the second time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74).

Ms. Spalding responded that the Committee was formed in 1988 and that she prepared the annual report early, put it aside and forgot about it until January 22, 2001 and filed it immediately.

The Chair closed the hearing. Mr. Morgan moved that the proposed fine be reduced to One Hundred Twenty Five Dollars (\$125.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Twenty Eight Dollars and Seventy Four Cents (\$128.74). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(15) Hall, Render, Killian, Heath & Lyman, P.S.C., Political Action Committee, Cause No. 01-4647-269

The Chair recognized Tim Kennedy who identified himself as the representative of the Hall, Render, Killian, Heath & Lyman, P.S.C., Political Action Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4647-269. She stated that this Committee's report was filed on January 17, 2001 at 12:34 p.m., that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Fifty Three Dollars and Seventy Four Cents (\$53.74).

Mr. Kennedy responded that the Committee's delinquent filing had nothing to do with the Committee's reckless disregard of the filing deadlines. He stated that the Committee had no activity and there were no funds in the account. He explained that the report was delivered by the law firm's messenger service and the report was filed 34 minutes late.

The Chair closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(16) Tom Barnes for State Senate Committee, Cause No. 01-4617-266

The Chair recognized Tom Barnes who identified himself as the representative of the Tom Barnes for State Senate Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4617-266. She stated that this Committee's report was filed on February 21, 2001, that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of One Thousand Three Dollars and Seventy Four Cents (\$1003.74).

Mr. Barnes responded that the Committee filed the report via fax on January 16, 2001 at 2:00 p.m. to the number 317-233-6795, but that the report did not go through. Mr. Barnes also stated that the Committee did not know they had not filed until receiving the Election Division's notice that the report was late.

The Chair asked whose telephone number is 327-4818. Mr. Barnes responded that it was the number for the Marion County Election Board. The Chair also asked if Mr. Barnes had a receipt stating the fax was sent to the Election Division. Mr. Barnes responded that their fax machine only gives a confirmation if there is a problem and they did receive confirmations stating that the fax machine was busy. Mr. Barnes also stated that they were not aware that they

needed to file the report at both the county and state level but that they did file the report with Marion County on January 16, 2001. Mr. Barnes also stated that Megan Peden with the Democratic Senate Staff had taken care of filing the previous reports with the state and that he was not aware that he need to file the annual report with both the county and the state.

The Chair closed the hearing. Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(17) Williamson for State Senate, Cause No. 01-4602-265

The Chair recognized Mark Rutherford who identified himself as the representative of the Williamson for State Senate Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4602-265. She stated that this Committee's report was filed on January 17, 2001 at 2:24 p.m., that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Fifty Three Dollars and Seventy Four Cents (\$53.74).

Mr. Rutherford responded that the report was 2 hours and 24 minutes late, and that the Committee attempted to fax the report in that morning but the fax machine was busy. Mr. Rutherford stated that the Committee does realize that they waited until the morning the filing deadline but did attempt to file on time and ask the Commission's leniency in the matter.

The Chair closed the hearing. Mr. Morgan moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(18) Committee to Elect Dan Headlee, Cause No. 01-4629-268

The Chair recognized Mark Rutherford who identified himself as the representative of the Committee to Elect Dan Headlee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-4629-268. She stated that this Committee's report was filed on January 19, 2001, that this was a final report, that this is the second time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of One Hundred Three Dollars and Seventy Four Cents (\$103.74).

Mr. Rutherford responded that it was an oversight on Mr. Headlee's part and begs the Commission's forgiveness in this matter. Mr. Rutherford also asked if the time Mr. Headlee was before the Commission previously was the time when there was some confusion in the change in the law regarding Libertarian Party candidates and campaign finance reporting. Ms. Thompson indicated that Mr. Headlee was late on the pre-election report due in October and

not the initial filing required by a candidate that had resulted in confusion about when Libertarian Party candidates were required to file the initial report. Mr. Rutherford then stated that, in that case, Mr. Headlee asks for the Commission's forgiveness and leniency in this matter.

The Chair closed the hearing. Mr. Long moved that the proposed fine be reduced to Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(19) Mike Murphy Committee, Cause No. 01-3795-218

The Chair recognized Charles Hiltunen who identified himself as the representative of the Mike Murphy Committee.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-3795-218. She stated that this Committee's report was filed on January 17, 2001 at 12:34 p.m., that this is the first time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Fifty Three Dollars and Seventy Four Cents (\$53.74).

Mr. Hiltunen responded that he wished to submit a letter from the Marion County Election Board stating that the Committee relied on an Internet posting on Marion County's website that mistakenly listed the deadline for filing the annual report as Friday, January 19, 2001 when in fact the actual deadline was Wednesday, January 17, 2001. Mr. Hiltunen also stated that the Wednesday morning the Committee did discover the mistake and assembled the report and filed it 34 minutes late. Mr. Hiltunen stated that the Committee does assume responsibility for the mistake and also indicated that the Committee had paid their fine to the Marion County Election Board of \$50.00. He also stated that since that time, the Marion County Election Board has acknowledged its mistake and did refund the Committee the amount of the fine. Mr. Hiltunen indicated that the Committee did take responsibility for the late filing. The Chair asked that the letter from the Marion County Election Board be entered into the record.

Ms. Thompson indicated that she did know that the wrong deadline was posted on Marion County Election Board's website. She also indicated that she spoke with that office the Wednesday morning of the filing deadline so Marion County could correct it, but it was wrong on that Wednesday.

The Chair closed the hearing. Mr. Morgan moved that the proposed fine be waived and assess the amount of the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(20) Indiana Title PAC, Cause No. 01-1876-208

The Chair recognized Charles Hiltunen who identified himself as the representative of the Indiana Title PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-1876-208. She stated that this Committee's report was filed on January 30, 2001, that this is the third time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Six Hundred Fifty Three Dollars and Seventy Four Cents (\$653.74).

Mr. Hiltunen responded that the Committee changed treasurers this year, and that the new treasurer was not aware of the filing deadlines but is now and has put measures in place to ensure that the Committee timely files the reports in the future.

The Chair closed the hearing. Mr. Long moved that the proposed fine be reduced to Four Hundred Eighty Seven Dollars and Fifty Cents (\$487.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Four Hundred Ninety One Dollars and Twenty Four Cents (\$491.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(21) Indiana McDonald's Operator PAC, Cause No. 01-3973-219

The Chair recognized Randy Shields who identified himself as the representative of the Indiana McDonald's Operator PAC.

The Chair recognized Ms. Thompson who stated that the cause number on this case was 01-3973-219. She stated that this Committee's report was filed on January 23, 2001, that this is the third time the Committee has appeared before the Commission, and that the committee has a proposed civil penalty of Three Hundred Three Dollars and Seventy Four Cents (\$303.74).

Mr. Shields responded that the Committee's treasurer did forget to file the report and submitted a letter that was in the Commission's packet and made part of the record. Mr. Shields apologized for appearing before the Commission. Mr. Shields also indicated that the Commission dismissed the cause the first time the Committee appeared before them. Mr. Shields asked that the Commission consider this the second time the Committee has filed late and assured the Commission that the Committee would take steps to ensure that it files reports timely in the future. Mr. Shields also suggested that there be a roll over for the Committees that have been late before so that at some point the Committee could have a clean slate when it comes to civil penalties.

Mr. Long asked Ms. Thompson about the first time the Committee appeared before the Commission. Ms. Thompson indicated that she had the Final Order from 1996 and that the case was dismissed.

The Chair closed the hearing. Mr. Long indicated that he would consider the Committee as only being late two times before since the first case was dismissed. Mr. Long moved that the proposed fine be reduced to One Hundred Fifty Dollars (\$150.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Fifty Three Dollars and Seventy Four Cents (\$153.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(22) Charzalia Goodloe-Cole Election Committee, Cause No. 01-4550-255

The record showed that the Charzalia Goodloe-Cole Election Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

The Chair recognized Mr. Morgan who indicated that he was aware that there were some extenuating circumstances in regards to this Committee and that Spencer Valentine had further information.

The Chair recognized Mr. Valentine who stated that he knew that Ms. Goodloe-Cole had been before the Commission before for a delinquent filing, so he contacted her the day before the filing deadline to ensure that she was aware of the deadline. He indicated that he was informed at that time that she was in the hospital the day before and the day of the report's filing deadline and the person Mr. Valentine spoke with was not familiar with the campaign finance committee. Mr. Valentine also stated that there is a letter in the Commission members' packets and is made part of the record. Mr. Valentine stated that once Ms. Goodloe-Cole was out of the hospital, the Committee did file the report immediately.

The Chair closed the hearing. Mr. Morgan stated that maybe in this situation, because of the health reasons and hospitalization involved, the Commission could consider this as the Committee's first time before the Commission and not count this case as the second appearance. Mr. Morgan moved that the proposed fine be waived and assess the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74). Mr. Long seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(23) Gery for State Senate Committee, Cause No. 01-401-201

The record showed that the Gery for State Senate Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(24) Indiana Merit Construction PAC of ABC, Cause No. 01-1194-202

The record showed that the Indiana Merit Construction PAC of ABC has had four prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting

“aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(25) Klinker for State Representative, Cause No. 01-1376-203

The record showed that the Klinker for State Representative Committee has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(26) Friends of Charlie Brown, Cause No. 01-1400-204

The record showed that the Friends of Charlie Brown Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(27) Anderson Federation of Teachers Committee on Political Education, Cause No. 01-1514-205

The record showed that the Anderson Federation of Teachers Committee on Political Education has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(28) International Brotherhood of Painters and Allied Trades, Cause No. 01-1538-206

The record showed that the International Brotherhood of Painters and Allied Trades Committee has had seven prior appearances before the Commission and has a proposed fine of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Hundred Three Dollars and Seventy Four Cents (\$103.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(29) Jones for State Representative, Cause No. 01-1728-207

The record showed that the Jones for State Representative Committee has had two prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Seven Hundred Fifty Dollars (\$750.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(30) Local Union 855 PAC, Cause No. 01-3144-209

The record showed that the Local Union 855 PAC has had two prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Seven Hundred Fifty Dollars (\$750.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(31) Committee to Elect Dr. Vernon G. Smith, Cause No. 01-3299-211

The record showed that the Committee to Elect Dr. Vernon G. Smith has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(32) Indiana Women’s Network for Political Action, Cause No. 01-3307-212

The record showed that the Indiana Women’s Network for Political Action Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars

(\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(33) Hoosiers for Dwayne Brown, Cause No. 01-3362-213

The record showed that the Hoosiers for Dwayne Brown Committee has had one prior appearance before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Five Hundred Dollars (\$500.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Five Hundred Three Dollars and Seventy Four Cents (\$503.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(34) Schenck for State Senate Committee, Cause No. 01-3634-214

The record showed that the Schenck for State Senate Committee has had three prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Thousand Three Dollars and Seventy Four Cents (\$1003.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(35) Sandra Dempsey for Indiana Senate, Cause No. 01-3777-216

The record showed that the Sandra Dempsey for Indiana Senate Committee has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(36) Citizens for Joy Le Count, Cause No. 01-3778-217

The record showed that the Citizens for Joy Le Count Committee has had one prior appearance before the Commission and has a proposed fine of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(37) Gary Reding for Indiana Senate, Cause No. 01-4009-220

The record showed that the Gary Reding for Indiana Senate Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(38) Citizens for Chochos, Cause No. 01-4105-221

The record showed that the Citizens for Chochos Committee has had four prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Thousand Three Dollars and Seventy Four Cents (\$1003.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(39) Washington for State Senate, Cause No. 01-4124-222

The record showed that the Washington for State Senate Committee has had two prior appearances before the Commission and has a proposed fine of Four Hundred Fifty Dollars (\$450.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Three Hundred Thirty Seven Dollars and Fifty Cents (\$337.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Three Hundred Forty One Dollars and Twenty Four Cents (\$341.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair

called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(40) Democratic Legislative Campaign Committee, Cause No. 01-4171-223

The record showed that the Democratic Legislative Campaign Committee has had two prior appearances before the Commission and has a proposed fine of Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to One Hundred Eighty Seven Dollars and Fifty Cents (\$187.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Ninety One Dollars and Twenty Four Cents (\$191.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(41) Black America’s Political Action Committee, Cause No. 01-4173-224

The record showed that the Black America’s Political Action Committee has had three prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(42) Indiana Family and Freedom Committee, Cause No. 01-4231-225

The record showed that the Indiana Family and Freedom Committee has had one prior appearance before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Five Hundred Dollars (\$500.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Five Hundred Three Dollars and Seventy Four Cents (\$503.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(43) Jeb Bardon for Indiana, Cause No. 01-4243-228

The record showed that the Jeb Bardon for Indiana Committee has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(44) Anderson for Indiana, Cause No. 01-4248-229

The record showed that the Anderson for Indiana Committee has had one prior appearance before the Commission and has a proposed fine of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74) be assessed. Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(45) Indiana Young Leaders Political Action Committee, Cause No. 01-4263-230

The record showed that the Indiana Young Leaders Political Action Committee has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(46) Citizens for Patty Morgan, Cause No. 01-4317-233

The record showed that the Citizens for Patty Morgan Committee has had one prior appearance before the Commission and has a proposed fine of Four Hundred Fifty Dollars (\$450.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Two Hundred Twenty Five Dollars (\$225.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Twenty Eight Dollars and Seventy Four Cents (\$228.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(47) Committee to Elect Dianna Williams for State Senate, Cause No. 01-4328-235

The record showed that the Committee to Elect Dianna Williams for State Senate has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars

(\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(48) Reynolds for State Representative, Cause No. 01-4332-236

The record showed that the Reynolds for State Representative Committee has had two prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Seven Hundred Fifty Dollars (\$750.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(49) Nicholas J. Gasparovic for State Representative 19, Cause No. 01-4352-237

The record showed that the Nicholas J. Gasparovic for State Representative 19 Committee has had one prior appearance before the Commission and has a proposed fine of Six Hundred Fifty Dollars (\$650.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Three Hundred Twenty Five Dollars (\$325.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Three Hundred Twenty Eight Dollars and Seventy Four Cents (\$328.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(50) Wilson for State Representative, Cause No. 01-4357-238

The record showed that the Wilson for State Representative Committee has had three prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Thousand Three Dollars and Seventy Four Cents (\$1003.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(51) Campaign for Hoosier Families, Cause No. 01-4370-239

The record showed that the Campaign for Hoosier Families Committee has had seven prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Thousand Three Dollars and Seventy Four Cents (\$1003.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(52) Committee to Elect Dan Steward, Cause No. 01-4372-240

The record showed that the Committee to Elect Dan Steward has had three prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy-Four Cents (\$3.74) for a total of One Thousand Three Dollars and Seventy Four Cents (\$1003.74) be assessed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(53) Clay for the Legislature Committee, Cause No. 01-4403-241

The record showed that the Clay for the Legislature Committee has had two prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Seven Hundred Fifty Dollars (\$750.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(54) New Democrat Network, Cause No. 01-4424-243

The record showed that the New Democrat Network Committee has had one prior appearance before the Commission and has a proposed fine of Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to One Hundred Twenty Five Dollars (\$125.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Twenty Eight Dollars and Seventy Four Cents (\$128.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the

question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(55) Grassroots Action Committee PAC, Cause No. 01-4455-244

The record showed that the Grassroots Action Committee PAC has had one prior appearance before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Twenty Five Dollars (\$25.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Twenty Eight Dollars and Seventy Four Cents (\$28.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(56) Ryan D. Kruse for State Senate, Cause No. 01-4469-245

The record showed that the Ryan D. Kruse for State Senate Committee has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(57) David Robb for State Senate Committee, Cause No. 01-4502-247

The record showed that the David Robb for State Senate Committee has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(58) Committee to Elect Ronier Scott, Cause No. 01-4505-249

The record showed that the Committee to Elect Ronier Scott has had one prior appearance before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Five Hundred Dollars (\$500.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of

Five Hundred Three Dollars and Seventy Four Cents (\$503.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(59) Shireman for State Representative, Cause No. 01-4509-250

The record showed that the Shireman for State Representative Committee has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(60) Kevin J. Duda Committee, Cause No. 01-4512-251

The record showed that the Kevin J. Duda Committee has had one prior appearance before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Five Hundred Dollars (\$500.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Five Hundred Three Dollars and Seventy Four Cents (\$503.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(61) Committee to Elect Lori Houck for State Representative, Cause No. 01-4519-252

The record showed that the Committee to Elect Lori Houck for State Representative has had no prior appearances before the Commission and has a proposed fine of Four Hundred Fifty Dollars (\$450.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to One Hundred Twelve Dollars and Fifty Cents (\$112.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Sixteen Dollars and Twenty Four Cents (\$116.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(62) Michael W. Patton, Cause No. 01-4538-253

The record showed that the Michael W. Patton Committee has had no prior appearances before the Commission and has a proposed fine of Seven Hundred Dollars (\$700.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to One Hundred Seventy Five Dollars (\$175.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Seventy Eight Dollars and Seventy Four Cents (\$178.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(63) Virginia L. Burkey for House Representative, Cause No. 01-4542-254

The record showed that the Virginia L. Burkey for House Representative Committee has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(64) Hayes for State Senate Committee, Cause No. 01-4558-257

The record showed that the Hayes for State Senate Committee has had one prior appearance before the Commission and has a proposed fine of Six Hundred Fifty Dollars (\$650.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Three Hundred Twenty Five Dollars (\$325.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Three Hundred Twenty Eight Dollars and Seventy Four Cents (\$328.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(65) Woolery for State Senate Committee, Cause No. 01-4559-258

The record showed that the Woolery for State Senate Committee has had two prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Seven Hundred Fifty Dollars (\$750.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Seven Hundred Fifty Three Dollars and Seventy Four Cents (\$753.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(66) Hoosiers for Dedelow, Cause No. 01-4564-260

The record showed that the Hoosiers for Dedelow Committee has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(67) Terry 4Gov.com Committee, Cause No. 01-4570-261

The record showed that the Terry 4Gov.com Committee has had no prior appearances before the Commission and has a proposed fine of One Thousand Dollars (\$1000.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Two Hundred Fifty Three Dollars and Seventy Four Cents (\$253.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(68) Conley for Life & Liberty Committee, Cause No. 01-4601-264

The record showed that the Conley for Life & Liberty Committee has had one prior appearance before the Commission and has a proposed fine of One Hundred Dollars (\$100.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Fifty Three Dollars and Seventy Four Cents (\$53.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

(69) Bev Hanner for State Representative Committee, Cause No. 01-4618-267

The record showed that the Bev Hanner for State Representative Committee has had one prior appearance before the Commission and has a proposed fine of Two Hundred Fifty Dollars (\$250.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Perkins moved that the proposed fine be reduced to One Hundred Twenty Five Dollars (\$125.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of One Hundred Twenty Eight Dollars and Seventy Four Cents (\$128.74). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the

question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

(70) National Republican Legislators Association, Cause No. 01-4661-270

The record showed that the National Republican Legislators Association Committee has had no prior appearances before the Commission and has a proposed fine of Fifty Dollars (\$50.00) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74).

Mr. Long moved that the proposed fine be reduced to Twelve Dollars and Fifty Cents (\$12.50) plus the investigative costs in the sum of Three Dollars and Seventy Four Cents (\$3.74) for a total of Sixteen Dollars and Twenty Four Cents (\$16.24). Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

B. Campaign Finance Complaints

(1) U.S. Chamber of Commerce (Brought by the Indiana Democratic Party)

The Chair stated that the Commission is discussing the complaint filed against the U.S. Chamber of Commerce (Chamber) by the Indiana Democratic Party (Democratic Party). The Chair also stated that this is not an administrative hearing and that no notice has been given to any parties. He also stated that this would be a fact finding discussion. The Chair stated that on October 27, 2000, the Chairman of the Indiana Democratic Party, Robin Winston, filed a complaint with the Indiana Election Commission alleging that the U.S. Chamber of Commerce had violated Indiana Code 3-9-2-4. He stated that at the Commission meeting held on December 6, 2000, the Commission directed the staff to investigate applicable laws and to report back to the Commission for that body to determine the appropriate course of action to take on this complaint. The Chair indicated that Mr. Shaw Friedman has filed his appearance as the attorney for the Indiana Democratic Party. The Chair stated that Mr. Friedman and anyone else wishing to address this case will be given time. The Chair asked that they limit their remarks. He stated that he wanted to know the exact nature of the case, what legal issues are involved and what evidence will be presented to the Commission in support of this case. The Chair indicated that Mr. Simmons and Ms. Robertson have provided the Commission with a memorandum outlining the laws that are alleged to have been violated in this case.

The Chair recognized Mr. Simmons who indicated that, although official notice of an administrative hearing was not given to the parties, copies of the meeting notice and agenda along with a copy of the complaint was sent to the U.S. Chamber of Commerce. Mr. Simmons stated that he has had contact with the general counsel for the Chamber who asked for an opportunity to review the complaint as they have outside counsel that handles these cases for the Chamber.

The Chair recognized Mr. Long who asked Mr. Simmons and Ms. Robertson for clarification on the purpose of this meeting and the issues involved. Mr. Long stated that it was his understanding that the purpose of the meeting was to review the allegations and statutes and determine whether the Commission should conduct an administrative hearing at a future meeting. Mr. Simmons stated that the Commission’s choices would be whether to have an administrative hearing or to make an investigation to determine if an election law has been violated. The Chair then asked if another option for the Commission may be to ask for more

information to be submitted by the parties in order for the Commission to decide its next course of action. Mr. Simmons responded that it was another option. He also stated that, if the Commission wished to proceed, the Commission should establish whether the parties need to get together to define the issues. He also stated that the Commission may want to determine if they need to notify another party, the candidate alleged to have received the contribution, so that the Commission does not risk having two different hearings at two different times on the issue of whether the Chamber exceeded the corporate contribution limits and then have a later hearing on whether the candidate failed to report that contribution. Mr. Simmons stated that if that is the direction the Commission is going, he advised the Commission that they should give notice to that candidate at this time.

The Chair recognized Mr. Friedman who stated that the question posed by the Commission is a procedural one. He stated that he was hoping to talk to the Commission about a process to follow similar to the one occurring in Ohio before its State Election Board where that Board, after finding probable cause, proceeded forward with evidence gathering with the intention of ultimately conducting a hearing. Mr. Friedman stated that the statute set forth in the complaint does not require a probable cause finding before the Commission could hold an administrative hearing. Mr. Friedman stated that it was the Democratic Party's position in its complaint to request that the Commission initiate or permit an investigation into the expenditures and that the parties be permitted to conduct a discovery process, perhaps three to four months, where requests for production and various interrogatories could be served and then, the Commission in a seasonable fashion, could determine whether to hold an evidentiary hearing for all the information to come before the Commission in order to make its ultimate determination. Mr. Friedman also indicated that the Democratic Party contended from the start that the Chamber made the expenditures in violation of IC 3-9-2-4 and have also contended that pursuant to IC 3-9-4-15, the Commission does have full authority to order or permit an investigation on its own or at the very least, to permit the parties an opportunity to gather evidence, cross-examine witnesses, and submit to an evidentiary hearing before the Commission where a finding might be made by the Commission.

Mr. Friedman also stated that he wanted to make it clear for the record that this is not a partisan issue. He stated that the people of Indiana have a vested interest in seeing that political campaigns are run fairly, and are subject to Indiana campaign finance laws regarding limits and disclosure. Mr. Friedman also indicated that the Commission has the benefit of the decision issued by the federal judge in Mississippi regarding the Chamber's expenditures in judicial contests. He stated that the Commission also has the benefit of a preliminary finding by the Ohio Election's Board on the same questions now before the Commission on whether or not the Chamber expenditures in Ohio constituted express advocacy for the election or defeat of a particular candidate versus issue advocacy. He stated that on a vote of three to two, Ohio's Election Board found there was probable cause to conduct an administrative hearing. He also stated that there was a separate case filed in federal court in Ohio on that issue.

Mr. Friedman stated that he wanted to be clear for the record that the complaint filed by the Democratic Party does not go to the allegation that a candidate received in kind contributions. He stated that the complaint goes to the expenditures made independently from the campaign of Indiana Attorney General Stephen Carter. Mr. Friedman stated that the Democratic Party has no evidence that Mr. Carter's campaign either knew of the expenditures or encouraged them. He stated that the record is clear that Mr. Carter called on the Chamber to cease what the Democratic Party believe to be malicious ads against Karen Freeman-Wilson. He stated that even the head of the Indiana Chamber of Commerce described the ads as "disgusting". Mr. Friedman stated that all Hoosiers statewide have an interest in full and complete disclosure,

subject to the limits and subject to campaign finance laws. He stated that the Democratic Party's complaint goes to the issue of the expenditures made by the Chamber and there is no allegation that the campaign of Stephen Carter knew in advance of these expenditures.

The Chair asked Mr. Friedman if the complaint is still that IC 3-9-2-4 was violated. Mr. Friedman responded that, in failing to file the appropriate reports either as a political action committee or as a corporation with the Commission, then the Chamber has violated the campaign finance laws. The Chair stated that he did not see in the complaint to whom the Chamber gave the contributions. Mr. Friedman stated that it was an independent expenditure and not a direct expenditure to the campaign. The Chair stated that Indiana repealed the independent expenditure reporting requirements. Mr. Friedman stated that the Democratic Party is looking for a determination and that the Commission may find that the expenditures were made independently. The Chair then stated that under IC 3-5-2-15 in order for an expenditure to be a contribution, it must satisfy two things: (1) the donation is made for the purpose of influencing any of the following - the nomination or election to office of a candidate and (2) it has to be accepted by a candidate, a candidate's committee, a regular party committee, a political action committee or a legislative caucus committee. The Chair then asked Mr. Friedman what evidence he had that the expenditure made by the Chamber met both elements of this definition. Mr. Friedman responded that that was why the Democratic Party was asking for the discovery period to determine what evidence is there in order to determine if there has been a violation of Indiana's campaign finance laws.

The Chair recognized Mr. Long who asked about the meaning of independent expenditures and in kind expenditures. Mr. Friedman responded that it is a question of fact before the Commission in this case, and that a discovery process will help determine what actually happened in this case and whether the communication was express or issue advocacy and if it is subject to Indiana's campaign finance laws.

Mr. Long stated that it was his understanding from reading the complaint that there are basically two issues: (1) whether this is issue or express advocacy and, if it is express advocacy, whether the Chamber would be required to open a political action committee and file campaign finance reports in Indiana and (2) whether the expenditures made were independent or in kind contributions to a candidate's campaign.

Mr. Long asked Mr. Simmons and Ms. Robertson if the Commission had the authority or if there was a procedure in place in statute for the discovery process requested by Mr. Friedman. Mr. Simmons responded that there is no specific direction from the statutes in regards to the discovery process. He stated that the statutes give the Commission the authority to investigate election law violations and gives the Commission some latitude in how to do that. Mr. Simmons indicated that some statutes allow the Commission to issue subpoenas. Mr. Simmons also indicated that the Administrative Orders and Procedures Act at IC 4-21.5 generally addresses conducting administrative adjudication. Ms. Robertson also indicated that in addition to the Administrative Orders and Procedures Act, there are additional statutes in Title 3 of the Indiana Code that give further specific subpoena and investigatory powers to the Commission.

Mr. Friedman stated that the complaint originally filed in October that made reference to IC 3-9-2-4 and IC 3-9-4-14 remains the essence of the complaint. He stated that the Democratic Party would like to reserve the right, depending on discovery, to amend the complaint. Mr. Perkins then asked, based on the two statutes cited, what is the complaint. Mr. Friedman responded that it is the Democratic Party's position that the expenditures made by the Chamber could be found by the Commission to be expressly advocating the defeat of the candidate and,

therefore subject to regulation under Indiana's campaign finance laws as opposed to an issue advocacy ad protected and not subject to regulation. Mr. Perkins asked if Mr. Friedman had an idea on what the outline of a discovery process would be in this matter. Mr. Friedman responded that they would propose a period of possibly three to four months for discovery with a schedule for voluntary exchange of documents, conducting depositions, serving interrogatories, and reporting back to the Commission at an administrative, evidentiary hearing along the lines of the procedures set forth in the Indiana Trial Rules.

Mr. Perkins asked that the Election Division provide the Commission members with copies of the Mississippi and Ohio cases involving the Chamber.

Mr. Friedman stated that in Ohio, in addition to the administrative proceeding before the Ohio Election's Board, the Chamber has filed an action against the Election's Board in federal court seeking to block the Board from moving forward and are seeking a declaratory judgment. Mr. Friedman also stated that the Ohio Election's Board met the day before and there was an effort made to attempt to block discovery. He stated that the Ohio board voted 3 to 3 on this issue, and so discovery is proceeding at the administrative level. He also stated that despite the action in federal court, the state administrative proceeding is continuing at this point.

Mr. Perkins asked Mr. Simmons and Ms. Robertson if the Commission had authority under Indiana law to do a discovery process and, if so, if there is any precedent to follow where this Commission had previously availed itself of this kind of proceeding. Mr. Simmons stated that the answer to the question regarding the discovery process is yes and that he would have to defer to Ms. Robertson as to previous Commission cases along these lines. Ms. Robertson indicated that the only case where some discovery procedures were used was in the hearings regarding excess corporate contributions. She indicated that the Commission directed the Co-Directors of the Election Division to hold hearings and take testimony in those matters and make recommendations to the Commission. She stated that the Commission then held hearings to decide on the appropriate action in those cases. Ms. Robertson also stated that the Commission has not in the past exercised their subpoena power.

Mr. Perkins then stated that, in the Commission constructing a process for discovery followed by an administrative hearing, his concern is that the Commission does not have a regular court to conduct the business that may be related to the discovery process and its disputes. Mr. Perkins then asked if the Commission has the authority to appoint a hearing officer to oversee the discovery process and manage questions and disputes related to it. Mr. Simmons responded that IC 3-6-4.1-19 allows the Commission to designate the co-directors of the Election Division to hold hearings. Mr. Simmons also stated that under the Administrative Orders and Procedures Act, discovery orders and subpoenas may be contested under this Act by filing an action in court pursuant to IC 4-21.5-6-2. Mr. Simmons stated that he thought the process would be that the discovery requests would be presented to the Commission first, the Commission would either make the decision or fail to take an action and either party could appeal that decision to a sitting trial court.

Mr. Long asked Mr. Perkins if he understood that his desire was to appoint a hearing officer, maybe the co-directors, assisted by counsel, to manage the discovery process and to ultimately resolve this case before the Commission, but that the Commission could delegate as much as possible to the co-directors so that when the Commission meets, the hearing can move forward. Mr. Perkins stated that he thought that what the Commission should accomplish is fairness in that any interested party would have the ability to participate fully. Mr. Perkins also indicated that he thought a well-defined and communicated process was necessary so that all

parties were fully informed and everyone understood the ground rules with no surprises. He also stated that, if that process does not sort out resolution to the issues, then there are very well-defined issues that come before the Commission.

Mr. Long moved to define the parties involved in the process beginning with who should be on the notification list and who are the interested parties. He stated that Attorney General Stephen Carter should be notified of this proceeding as well as Karen Freeman-Wilson. He stated that the U.S. Chamber and both the Democratic and Republican State Parties should be informed. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

Mr. Long then stated it would be his thought that the Commission direct the co-directors, with counsel, to contact the interested parties and attempt to establish a procedure to recommend to the Commission to address potential discovery matters. He also stated that this would allow the co-directors to report to the Commission at a future meeting about what has been accomplished between and among the parties. He stated that the Commission could then invite all the parties to come forward at an administrative hearing where the Commission could determine whether to go forward with the case and decide on any unresolved discovery issues. Mr. Long stated that he views this procedure as a summary judgment type proceeding rather than a probable cause finding in that the parties agree to the facts and determine the disputed facts, if any exist in the case, and allow the Commission to make its decision based on this information. Mr. Perkins agreed with Mr. Long’s characterization of the case as a summary judgment proceeding rather than one of probable cause.

Mr. Long moved that the co-directors, assisted by counsel, initiate contact with the interested parties for the purpose of resolving any factual and discovery issues, if appropriate, and to recommend to the Commission at a future meeting any procedure allowing the Commission to address this case in an orderly manner and, finally, if there are any disputed issues, to summarize them so the Commission can address them at a future meeting. Mr. Simmons asked for clarification on the notice issue as to who are the interested parties and which parties have standing and who will be subject to discovery. Mr. Long stated that the interested parties with standing are the Democratic Party and the Chamber and the other interested entities would receive courtesy notice, and that if those other entities chose to come forward and file as interested parties to the complaint, that they could do so. Ms. Christie suggested that the Libertarian Party be added to the courtesy notice list. Mr. Long agreed that they should receive the courtesy notices. Mr. Morgan seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted.

Mr. Long suggested to Mr. Friedman that, at this point, the Democratic Party may want to amend the complaint that was originally filed by the staff at the Democratic Party so that the complaint would be a little more precise. Mr. Simmons stated that it was his understanding that part of the process would be to have both parties give the Election Division and Commission more precise detail about the legal issues. He also stated that one of the purposes of proceeding in a summary judgment type process would be to find out if the dispute between the parties involved legal issues or factual issues. Mr. Friedman responded that the Democratic Party would amend the complaint and work with the Election Division on establishing a process for dealing with the discovery issues.

(2) Sustain: The Environmental Information Group (Brought by Mr. Gene Koprowski)

The Chair recognized Ms. Robertson who stated that this complaint by Mr. Koprowski against Sustain: The Environmental Information Group (Sustain) was filed with the Election Division and was made part of the record at a previous Commission meeting. Ms. Robertson indicated that notice of the Commission meeting was sent to both Mr. Koprowski and Sustain. Ms. Robertson directed the Commission members' attention to a memorandum from counsel setting forth the relevant statutes. Ms. Robertson also stated that the Election Division received correspondence from Sustain acknowledging the receipt of the notice and setting forth Sustain's position in this matter. Ms. Robertson indicated that notice of the Commission meeting was sent to Mr. Koprowski at the address provided in his complaint, and that this notice was returned as undeliverable with the address blacked out in an unusual manner. Ms. Robertson then submitted the returned notice and envelope to the Commission and it was made part of the record. Ms. Robertson stated that the Election Division has not had any contact with Mr. Koprowski since he filed the complaint.

Mr. Long stated that he did not think that the blacking out of the returned envelope was something returned as undeliverable from the post office. He stated that he believed that the notice was delivered, then stamped as undeliverable with the address blacked out by the recipient and placed back in the mail so that there would be no choice but to return the mail to the Election Division.

Mr. Long moved to table this matter until the next Commission meeting allowing the Election Division an opportunity to check with the postal service to determine if this was returned by the post office or by a recipient. The Chair also noted that the Commission also had the letter from Sustain asking for more time to consult an attorney and prepare a rebuttal. Mr. Perkins seconded the motion. There being no further discussion, the Chair called the question, and declared that with four members voting "aye" (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting "nay", the motion was adopted.

4. Report by Co-Directors

The Chair recognized Mr. Valentine who stated that he welcomed back Laurie Christie as Co-Director for her third tour of duty and that the Election Division was glad to have her back. Mr. Valentine stated that staff had been preparing the 2000 Election Report. He also stated that the Task Force on Election Integrity (Task Force) established by the Governor and chaired by the Secretary of State has had its first meeting. He also indicated that Secretary Gilroy wanted to convey to the Commission that their interest and input is welcome. Mr. Valentine also stated that the Election Division sends best wishes to Pam Potesta, Co-Director of the Campaign Finance Division, who is recovering from surgery and working from home.

The Chair then recognized Ms. Christie who stated that the next Task Force meeting is set for March 14, 2001 for a full day meeting. Ms. Christie also indicated that the Election Division will provide notice of Task Force meetings to the Commission members periodically and keep them informed as to the Task Force's actions. Mr. Long asked for copies of the Task Force minutes. Ms. Christie also indicated that the Task Force does plan on meeting this summer at various locations throughout the State. Ms. Christie also stated that the Senate Finance Committee had recommended that six million dollars be appropriated for a statewide voter registration system. She stated that this issue will have to go through the remainder of the legislative process but that the Election Division is monitoring it.

Ms. Christie also indicated that one of the issues the Task Force will study is voting systems and technology. She stated that the Task Force has a subcommittee dedicated solely to this issue in order to review current voting systems and the certification process, and that the subcommittee will make a final recommendation to the Task Force by November 2001. She stated that these recommendations may then assist the Commission with its voting system certification duties. Mr. Long stated that one of the issues the Commission has labored with in this area is the lack of resources to properly investigate voting systems for certification. He stated that he hoped this frustration would be communicated to the Task Force subcommittee.

The Chair stated that he was glad to have Ms. Christie back at the Election Division. He also stated that he hoped the staff would keep a close eye on the statewide voter registration file legislation since he knew from personal experience as a former clerk the problem the counties and State had with the ISETS child support program, and that there should be ample communication with the counties on the statewide voter registration file issue.

5. Legislation Update

The Chair recognized Ms. Robertson who indicated that she had included in the Commission members' packets and for the record a list of the election-related bills currently under consideration by the General Assembly this legislative session. She also stated that the General Assembly was at the point in the session when the bills switch over to the other chamber and that many of the election-related bills were still alive for consideration. She indicated that the Election Division would keep the Commission informed about these bills and their status. The Chair asked that the Election Division, as in previous years, prepare a legislative summary after the session ends summarizing the election-related bills that passed.

6. Litigation Update

The Chair recognized Mr. Simmons who stated that the *LEAF v. Abell* case, the disclaimer case, was still pending in federal court before Judge McKinney on motions for summary judgment. He stated that the individual claims against the Commission members were dismissed in September.

Mr. Simmons explained that another case that he has been reporting to the Commission is the *Majors v. Indiana Election Commission*. He stated that this case involves challenges to campaign finance fines imposed against Libertarian candidates. He explained that the Libertarians claim in that lawsuit that since they did not raise money for their campaigns, they did not have to file campaign finance reports. He stated that there is a pending motion to dismiss in this case.

He stated that there was resolution in the case against the Commission brought by the Marion County Committee of the Democratic Party challenging the date for filling ballot vacancies. He stated that this involved a deadline for filling vacancies that was moved up to June 1 for legislative offices. He explained that the plaintiff challenged the statute as discriminatory because the Libertarians have a longer amount of time under the election statutes to fill candidate vacancies. He stated that the statute was challenged under the equal protection clause and the First Amendment. He indicated that this case was initially heard in Judge Hamilton's court, United States District Court for the Southern District of Indiana, on a motion for preliminary injunction. He stated that the court denied this motion and that the court's decision on the preliminary injunction had already been provided to the Commission. He stated that the case had been pending on the permanent injunction and the parties agreed to stipulate to dismiss this case. He indicated that a copy of this motion to dismiss was included in the Commission members' packets.

Mr. Simmons explained that in the *Conrad v. Sammons* case, it may be helpful to go through the underlying issue first. He stated that a circuit court judge in Newton County died February 25, 2000 and, according to the statute, the Governor appoints that vacancy for a term that runs until the next election. He stated that the Governor made his appointment September 1, 2000. He explained that the Republican Party filled the ballot vacancy for the November 2000 general election ballot and filed the necessary paperwork with the Election Division. Mr. Simmons stated that there were two cases involving the issue about when was the next election, either November 2000 or November 2002. He stated that, of interest to the Commission is that, as part of the process of the development of these issues, Candy Marendt as Co-Director certified the Republican candidate as a candidate for judge in Newton County for the November 2000 general election but Spencer Valentine did not sign this certification. He explained that the Co-Directors had an agreement to disagree on the certification for the general election. He stated that two cases were filed as a result of these issues - one case in which the Commission was a defendant was filed in Lake County and one case was filed in Newton County. Mr. Simmons explained that the Indiana Court of Appeals vacated the Lake County case. He then explained that the Newton County case went to trial and the trial court ruled that the candidate was properly on the ballot. He indicated that the candidate was on the ballot and received around 3500 votes, and then the Indiana Supreme Court heard the appeal of the case. He stated that the decision of the Supreme Court, included in the Commission members' packets, stated that (1) both co-directors must sign a certification, but that since there was no candidate challenge under IC 3-8-1-2 filed with the Commission, the candidate was properly on the ballot and (2) that the position was up for election in November 2000.

Mr. Simmons explained that the *Osborne v. Indiana Election Commission* was a case challenging Congressman Roemer's declaration of candidacy in the 3rd Congressional District and we have included a copy of the Order Denying Motion for Emergency Relief in the Commission members' packets.

Mr. Simmons indicated that there was some action in the *BAPAC v. Baldwin* case. This case was a challenge to Indiana's political action committee definition. He stated that the District Court denied the Plaintiff's request for attorney's fees in this case.

Mr. Simmons indicated that the *Toth v. Gilroy* case was a new case filed in January in U.S. District Court attempting to declare the use of the punch card voting systems in Indiana as unconstitutional.

7. Other Business

The Chair recognized Mr. Valentine who suggested that the Commission members consider setting future Commission meeting dates for 2001. The Chair suggested that the Commission set the meetings on the fourth Thursday of each month as they did in 2000 and cancel the meeting if it is not needed.

The Chair recognized Mr. Simmons who stated that at the December 6, 2000 Commission meeting the Commission asked staff about any voting system problems or malfunctions at the November 2000 general election reported by the counties to the Election Division on the revised CEB-9 form. He stated that this information had been included in the Commission packets. Mr. Simmons explained that eleven counties reported problems due to mechanical difficulties. He stated that there were two other problems reported, one by Marion County who had a problem with the software that reports election results to the website. He stated that Marion County was able to correct this information the day after election day. He stated that the other problem was in Porter County with their central count tabulation of the punch cards. He stated that the circuit board on their tabulator and back-up tabulator burned out and they had to get a new circuit board and were able to correctly tabulate the results.

8. Adjournment

The Chair asked if there was any further business. There being no response, the Chair moved, seconded by Mr. Long, that the Commission adjourn. There being no further discussion, the Chair called the question, and declared that with four members voting “aye” (Mr. Cruea, Mr. Long, Mr. Morgan and Mr. Perkins), and no member voting “nay”, the motion was adopted. The Commission then adjourned at 4:00 p.m.

Respectfully submitted,

Laurie P. Christie
Co-Director

Spencer Valentine
Co-Director

Approved,

Dudley Cruea, Chair