Meeting Minutes Rules Sub Committee

Tuesday, February 17, 2009	3:00 PM	Legislative Conference Room
CALL TO ORDER		
Chair Fra	iley called the meeting to order at 3:15	p.m.
INVOCATION		
Councilo	r Snell gave the invocation.	
ROLL CALL		
Present 15	 Meredith Frailey; Jack D. Baker; Jane Anglen; Harley Buzzard; S. Joe Critte Cowan Watts; Bill John Baker; Bradle Garvin; Chris Soap and David Thornte 	enden; Chuck Hoskin, Jr. ; Cara ey Cobb; Jodie Fishinghawk; Don
Absent 1 -	Julia Coates	
Late Arrival 1	- Tina Glory Jordan	
DISCUSS CODE	SION AND POSSIBLE ACTION OF AME	NDMENTS TO THE ELECTION
Chair Fra	iley requested going back to the items th	at have been tabled.
§ 11 B 1.	Staggered Terms:	
	pree stated this item was tabled then pass ents. He didn't think any further action ne	
§ 11 G. R	emoval of Election Commission Member	īs:
Mr. Hemb	pree read over the changes.	
	r Jack Baker moved for the approval.(d the motion. Motion carried.	Councilor Cowan Watts
§ 21 C 1 .	At Large Registered Voters:	
	r Bill John Baker made a motion to app d the motion. Motion carried.	prove. Councilor Jack Baker
§ 21 C 2 /	At Large Registered Voters:	
motion. C Councilor them to c recognize was requ Jr. stated	Jack Baker made a motion to approve. Councilor Hoskin Jr. stated this seems to Jack Baker this pertains to proposing a hoose districts once again. Councilor Ho there is a right under the constitution. M ested that there be reference to that cons the two seem redundant. Councilor Bill where the eighteen year olds are address	be substitute language for 21 C 1. constitution amendment to allow oskin Jr. inquired if it is necessary to Ar. Hembree stated during debate it stitutional item. Councilor Hoskin John Baker inquired if this same

recommended passing 21 C 2 and then it could be addressed again at the Rules committee.

Councilor Jack Baker made a motion to approve 21 C 2 as a replacement to 21 C 1. Councilor Bill John Baker seconded the motion. Motion carried.

§ 52 Electioneering & Obstructing Voters

Councilor Hoskin Jr. stated he has proposed this amendment to separate into 3 areas, electioneering within 250 feet of a polling place, obstructing or impeding voter access to polling place, and the enforcement notice to law enforcements and regulations. He gave a brief explanation for the amendments.

Councilor Hoskin Jr. moved to approve § 52 a, b, and c. Councilor Cowan Watts seconded the motion. Motion carried.

§ 102 Conduct of Appeal Hearings. C. Burden of Proof

Mr. Hembree stated this is a very significant change. Right now petitioner has to prove beyond a reasonable doubt which is a huge burden of proof. Councilor Hoskin Jr. questioned if there had been prescient set. Mr. Hembree stated there was issue during the last election with the high burden of proof. Councilor Garvin made a motion to not change. Councilor Jack Baker seconded the motion.

Councilor Hoskin Jr. moved to table to allow time for additional information on this significant change. Councilor Bill John Baker seconded the motion. Motion carried.

§ 41 Definitions

1. Campaign contributions.

Mr. Hembree stated this amendment includes in kind contributions. Councilor Cowan Watts moved for the approval. Councilor Bill John Baker seconded the motion. Councilor Jack Baker inquired if there is a limit to campaign contributions on behalf of ballot measures. Mr. Hembree stated there is a section on contribution limits. Councilor Cowan Watts inquired if more guidance was needed.

Councilor Cowan Watts made a motion to table to allow additional time to address the issues. Councilor Cobb seconded the motion. Motion carried.

§ 42 Definitions2. Campaign Expenditure

Mr. Hembree requested the same motion for this item as § 41 1 Campaign contributions.

Councilor Cobb made a motion to table this item for one month. Councilor Jack Baker seconded the motion. Motion carried.

§ 44 H. Campaign Materials

Mr. Hembree stated this would add a new H to this section. This is to limit anomoyous campaign and cross check campaign contributions. Councilor Bill John Baker voiced concern for the expense of this request and questioned the actual need.

Councilor Anglen made a motion to strike § 44 H. Councilor Thornton seconded the motion. Motion carried.

DISCUSSION AND POSSIBLE ACTION OF AMENDMENTS TO THE ELECTION CODE

§ 43 Restrictions Related to Contributions E. Contributions Information

Mr. Hembree read the section. Councilor Cowan Watts suggested striking anonymous contributions are prohibited. She questioned how to account for the contribution jar at community events. Mr. Hembree stated it either needs to be monitored or prohibited. Councilor Hoskin Jr. inquired if there is a provision for minimum contribution amounts to be reported. Mr. Hembree stated § 43 b states no person is to contribute more than \$5,000. This provides the upper limit. Councilor Hoskin Jr. stated accounting for every dime can be done but is difficult and time consuming. The State has a minimum and if it is under that amount it doesn't have to be reported. As far as contribution jars if it is over a certain amount you submit a list of attendees for the event along with the total amount in the jar. Councilor Cobb inquired about corporate contributions. Councilor Thornton stated through the three elections he has participated in he has heard several complaints that the Election Commission doesn't have time to police the complaints. He stated with all of codes being put into place there will need to be someone full time who can check on these or we are just wasting our time. Election Chairman, Roger Johnson, announced they are preparing a list of responses to all of these proposed amendments. He stated it would be available at the next meeting. Councilor Soap questioned the employment requirement. Ms. Martha Calico stated the prior Council requested the information. Councilor Cobb stated § 43 a reads must be from a natural person therefore it can not be from a corporation.

Councilor Hoskin Jr. moved to table. Councilor Bill John Baker seconded the motion. Motion carried.

ANNOUNCEMENTS

None.

ADJOURNMENT

Councilor Cobb moved for adjournment. Councilor Garvin seconded the motion. Motion carried at 4:05 p.m.

STAFF PRESENT:

David Justice

Nason Morton

VISITORS PRESENT:

Todd Hembree Roger Johnson Brenda Walker Martha Calico Curtis Rohr Patsy Morton

APPROVAL / DISTRIBUTION

Minutes submitted by: Shelli Brittain, Legal & Legislative Coordinator

Motion to approve minutes made by: _____

Minutes attested and concurred by: _____

Date: _____