

**Meeting of the State Election Commission
1:00 PM on Thursday, July 18, 2019
WV Secretary of State's Conference Room**

- **State Election Commission Members in Attendance:**

- Matthew Chapman via phone
- Anthony Delligatti via phone
- Nate Tawney, Chair
- Mac Warner, WV Secretary of State

Others in Attendance:

- Brittany Westfall, WVSOS Elections Director
- Chuck Flannery, WVSOS Chief of Staff
- Donald Kersey, WV Chief Counsel
- Nathan Martin, WVSOS Elections Specialist
- Phil Kabler, Charleston Gazette-Mail
- Julie Archer (Citizens for Clean Elections)
- Austin Graham (Campaign Legal Center via phone)
- Bens Swartz (ES&S via phone)

CALL TO ORDER:

- Meeting called to order by Nate Tawney at 1:03 PM
- Quorum established

NEW BUSINESS:

- **Approval of Minutes from July 5, 2019 SEC Meeting:**

- Motion to Approve made by Nate Tawney
- Motion Seconded by Delligatti
- Motion Passed

- **Discussion and vote to approve ES&S application for certification of EVS 6.0.4.0:**

- Motion to approve by Mr. Tawney
- Secretary Warner seconds
- Motion passed

- **Discussion to approve the following to file Campaign Finance Reports by paper:**

- **Bruner**
- **Edwin and Jennifer Vanover**
- **Just Courts West Virginia**
- **Pleasants Co Rep Exec Comm**
 - Secretary Warner moved for all to be approved
 - Delligatti seconds
 - Motion passed

- **Consideration of Public Comments:**
 - Chair motions to walk through, discuss comments, and document adjustments
 - Secretary Warner seconds

- **No comments were made on CSR 146-01**

- **Review of comments on CSR 146-03:**
 - Comment 1a - Discussion to strike out definition of committee.
 - Comment 1b – Possibly add clarifying statement of definition of coordinated expenditure of electioneering communication.
 - Comment 1c – Leave as is.
 - Comment 1d – Remove “unrelated by marriage”.
 - Comment 1e – Possibly add “may” or “shall”
 - Comment 1f – Leave as is.

- **Recess at 2:07:**
 - Motion by Secretary Warner to recess for ten minutes
 - Mr. Tawney seconds.
 - Reconvened at 2:17

- **Continued Review of Public Comments:**
 - Comment 1f – Mr. Kersey will research recommendation about whether to include ballot issues in definition.
 - Comment 1g – Mr. Flannery recommended put “Restricted Group” definition only in definition category.
 - Comment 2a – Mr. Flannery recommended a clarifying statement be inserted to say non-partisan elections in a Primary is their General.
 - Comment 2b – Committee agreed upon that FEC Guidance of fair market value be inserted.
 - Comment 2c – Committee agreed FEC language be added.
 - Comment 3 – Create definition for section.
 - Comment 4 – Strike §146-3-10.9. Committee agreed.
 - Comment 5 – Discussion on publishing late filers within 10 days after filing period. Discussion about whether to do 10 straight days or 10 business days.
 - Comment 6 – Clarifying candidates and committees with independent expenditure only committees.
 - Comment 7a – Mr. Flannery suggested the “Coordinated Expenditure” definition be taken out of definition section and placed in 146-3-14. Definition section would then refer to 146-3-14.
 - Comment 7b – Mr. Kersey will do more research. Going to follow statute and add FEC language.
 - Comment 7c – Keep as is and follow FEC. Somewhere add comment of “included, but not limited to...”

- **Addressed Minor and Technical Corrections**

- **Going to vote on changes in next SEC meeting on Friday, July 26, 2019 at 8:00 AM.**

ADJOURNMENT:

- Motion by Chair to adjourn.
- Secretary Warner seconds.
- Motion passed and adjourned at 3:46 PM.

Minutes Taken By: Nathan Martin