Violation

Filed By: Meredith Powell

Against: Torch Party

Date Violation was Heard: October 21, 2013

S. Loveless delivers the opinion of the Commission joined by L. Hebb, C. Powell, C. Hayes, I. Waldick, and A. Norat.

T. Thompson recused himself due to a conflict of interest.

Ms. Powell has submitted before this Commission a violation of the Torch Party for failing to submit their Final Expense Statement on time.

Following are the facts: Mr. Henmy submitted the Torch Party’s Final Expense Statement to the Office of Elections at 3:08 p.m. Friday, October 18, 2013. Mr. Henmy also submitted an excuse provided by the Treasurer to explain why the statement was late.

At issue in this decision is whether the Final Expense Statement was turned in late regardless of the Treasurer’s excuse, and thus constitutes as a Schedule 1 violation. Although the Treasurer’s excuse explains why he was not able to turn the Statement in on time, it does not override the specific deadline outlined in §714.3(b). After reviewing the evidence presented and hearing the testimonies of both parties that the Final Expense Statement was late we find that this constitutes a Schedule 1 Violation per §716.2(a). This Schedule 1 Violation carries a fine of $25 which is issued to the Torch Party.

In conclusion, we find that the facts presented before us show that the Torch Party turned in their Final Expense Statement past the deadline and will be issued a fine.

We hereby AFFIRM the violation submitted against the Torch Party.