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

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

CALL TO ORDER:
  o Meeting called to order by Nate Tawney at 1:03 PM
  o Quorum established

NEW BUSINESS:
• Approval of Minutes from July 5, 2019 SEC Meeting:
  o Motion to Approve made by Nate Tawney
  o Motion Seconded by Delligatti
  o Motion Passed

• Discussion and vote to approve ES&S application for certification of EVS 6.0.4.0:
  o Motion to approve by Mr. Tawney
  o Secretary Warner seconds
  o Motion passed

• Discussion to approve the following to file Campaign Finance Reports by paper:
  o Bruner
  o Edwin and Jennifer Vanover
  o Just Courts West Virginia
  o Pleasants Co Rep Exec Comm
    ▪ Secretary Warner moved for all to be approved
    ▪ Delligatti seconds
    ▪ Motion passed
• **Consideration of Public Comments:**
  o Chair motions to walk through, discuss comments, and document adjustments
  o Secretary Warner seconds

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

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

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

• **Continued Review of Public Comments:**
  o Comment 1f – Mr. Kersey will research recommendation about whether to include ballot issues in definition.
  o Comment 1g – Mr. Flannery recommended put “Restricted Group” definition only in definition category.
  o Comment 2a – Mr. Flannery recommended a clarifying statement be inserted to say non-partisan elections in a Primary is their General.
  o Comment 2b – Committee agreed upon that FEC Guidance of fair market value be inserted.
  o Comment 2c – Committee agreed FEC language be added.
  o Comment 3 – Create definition for section.
  o Comment 4 – Strike §146-3-10.9. Committee agreed.
  o 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.
  o Comment 6 – Clarifying candidates and committees with independent expenditure only committees.
  o 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.
  o Comment 7b – Mr. Kersey will do more research. Going to follow statute and add FEC language.
  o 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