

Brenda Hall

From: Brenda Hall
Sent: Monday, April 01, 2013 5:42 PM
To: Jeff Bryant
Cc: Kristina Bell
Subject: Questions from Norman Election Commission

Several questions arose in today's meeting of the Norman Election Commission that they have asked that I forward to the Legal Department for response. They would like to have response to these questions as well as those raised in last week's meeting prior to their next meeting on Monday, April 8th at 2:00 p.m. It is at that meeting they will also discuss their Municipal Election Report that is to be submitted to Council on April 23rd and they would like to include the response with their first report. The questions raised are as follows:

Better Norman Advocates, Inc.

1. It has been alleged by Ms. Francis that one of the mail pieces for Better Norman Advocates did not have the "Paid for by" tag line, which is a violation of State statute. Ms. Francis interprets Sec. 7.5-27(c) as the Norman Election Commission (NEC) would determine if this is a willful violation of State Election laws and if so, a recommendation of such would be forwarded to the District Attorney's Office. The statute that stipulates what should be included on campaign literature is not part of the Political Subdivision Act but is found under Title 21, Crimes and Punishments - Chapter 70, Other Offenses Against Property Rights - Section 1840, Anonymous Campaign Literature. NEC would like input from the Legal Department as to whether this is something they should review for compliance.
2. Ms. Francis also feels that the encumbrance of such would have been known prior to March 22nd when the first Campaign Contribution and Expenditure Reports were due; therefore, the Committee should have been subject to filing a report on that day. Better Norman Advocates, Inc., registered with the Secretary of State on March 20th and the attorney for the Committee indicated to me that no expenditures or contributions were completed prior to the 22nd. She asked the NEC to determine the date of the first mailer to determine whether or not encumbrances were made prior to March 22nd.

Norman Chamber of Commerce

Mailers were distributed by the Norman Chamber of Commerce that appear to be advocating against the seated incumbents. A question was raised as to whether or not they would be subject to filing reports.

Tom Kovach

Mary Francis told the NEC she had filed a complaint with the City Attorney's Office regarding a possible violation of the Ethics Ordinance against Tom Kovach for his activity with the Tom Sherman for Mayor 2013 Campaign Committee. She also asked the NEC to determine whether Mr. Kovach would be subject to reporting requirements as advocating for Tom Sherman's campaign committee since he received compensation from Mr. Sherman's committee for his services.

Follow-up from prior meeting.

Friends of Dave Spaulding

Questions were raised at the prior meeting asked whether expenditures to the National Rifle Association and Wallbuilders/Pro Family Conference were legal expenditures under the statute for a candidate campaign committee.

Brenda Hall
City Clerk
City of Norman