

**2019 Election Supervisory Board**  
**In Re: Agent/Worker and Campaign Expenditure Reports**  
**ESB Resolution: 2019-005**

Election Supervisory Board Member Isaac James delivered the majority opinion of the board:

*“In the matter of a campaign failing to submit an accurate second financial disclosure”*

*Whereas*, Section 4.20 of the SG-Specific Election Code reads “RESPONSIBILITY FOR KEEPING UP-TO-DATE LISTS OF WORKERS. It shall be the responsibility of all campaign staff to ensure accurate and up-to-date records of workers are kept and is the candidate’s or executive alliance’s responsibility to ensure these records are disclosed to the Election Supervisory Board in an appropriate manner,” and,

*Whereas*, Section 4.13 of the Campus-Wide Election Code states “Within the ranges established by the Election Supervisory Board, the Election Supervisory Board shall select the amount of the fine or length of the suspension most appropriate to both the severity of the infraction and the intent of the violator as determined by the Election Supervisory Board,” and,

*Whereas*, The Student Government Supreme Court affirmed the ESB’s ability to determine intent in Advisory Opinion No. 2018 Spring-004, which states “This Court advises that the ESB’s determinations of which violations belong in each class of violations and the range of sanction available under each violation under Election Code §4.13 are its exclusive domain. This Court advises that its authority to review the findings of the ESB is limited to questions of law and procedural violations associated with any ESB finding (of fact or of law). This Court advises that the factors under Election Code §4.13 of “severity of the infraction” and “intent of the violator” are questions of fact and the ESB’s findings of those factors are not reviewable by the Court unless an associated procedural violation is alleged,” and,

*Whereas*, The Camron-Amie campaign failed to correctly submit an accurate account of their contemporaneous campaign workers and agents in the second financial disclosure due to what they explained to be, during the corresponding hearing, the belief that an earlier, documented update to their agent and worker list satisfied the requirements of the code. As such, the Election Supervisory Board has voted to add a 5% fine to the Camron-Amie campaign’s expenditures; and,

*Whereas*, Section 7.12 of the Campus-Wide Election Code reads “CAMPAIGN EXPENDITURE REPORTS. Each candidate must keep accurate and up-to-date records of all campaign receipts and expenditures,” and,

*Whereas*, The Election Supervisory Board has voted to add the cost of omitted materials on the second financial disclosure, a value of \$20. Additionally, a second 5% fine is added to the Camron-Amie campaign’s expenditures due to their failure to include the price of the in-kind donation of paint, and a third 5% fine to the Camron-Amie campaign’s expenditures is added due to their failure to correctly label the expenditure of promotional materials on their second financial disclosure and, therefore, be it

*Resolved*, That the Camron-Amie campaign's expenditures, initially listed at \$504.31, now includes the cost of omitted materials and is priced at \$524.31 and, upon imposition of the cumulative fine of 15%, the Camron-Amie campaign expenditure is now priced to be \$602.96, thus placing their current expenditure to be 118% of the spending limit of \$511.

*Resolved*, That any adversely affected party has the right to appeal this decision pursuant to Section 5.1 of the Campus-Wide Election Code, which reads, "During the voting period, an appeal must be filed within eight (8) hours after the adverse decision."

In conclusion, the Election Supervisory Board submits its resolution on Wednesday, March 6, 2019, at 2:15 AM with the majority of board members who were present at the meeting.

Affirmative Votes:

Dakota Park-Ozee, Chair  
Mariano Bracamontes Akle, Vice Chair  
Dwight Peton, Secretary  
Nicholas Eastwood  
Isaac James  
Taylor Lindsey  
Travis Monteleone  
Carolyn Plein