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# Local election panel says Gutierrez did nothing wrong

by Judith Sloan Deutsch , *Staff writer*

May 9, 1997

School board member Ana Sol Gutierrez has not violated any campaign finance laws, the Montgomery County elections board said Thursday after reviewing questions about her 1990 campaign report.

"The case is closed and we accept the conclusion...that [Gutierrez] has complied with the law and regulation, that the matter be closed and no further action be required," said local election board member Melvin R. Banks.

Banks said he thought that sometimes the forms required for campaign finance reporting were confusing.

During a 20-minute discussion of the Gutierrez case, the 10-member board of elections panel voted 9-0 with one abstention to clear Gutierrez. But the board also voiced some confusion over its own role.

A few members said they had hoped that the state election board would have made the final decision.

But state elections board president Helen Koss told the county board Thursday that the state board had a difficult job, too.

"I thought we also were put in a tough position because we had to second-guess what you wanted," Koss said.

Gutierrez, who has served on the county school board since 1990, did not attend the session.

The local panel's decision, announced at its regular monthly meeting, comes four weeks after the state election board said it was satisfied that Gutierrez had cleared up questions about her 1990 campaign account.

The questions arose last winter after the county board complained to the state that it was unable to get an answer from Gutierrez to explain why her 1990 campaign account received a \$100 loan from Gutierrez's mother, but repaid her mother \$500.

The state board left it up to the local panel to determine if discrepancies in Gutierrez's account would lead to charges that she violated campaign finance laws.

In February, the county election officials turned over their findings to the state election board.

Gutierrez told county election officials that she and her treasurer inadvertently recorded the \$100 contribution and the \$500 loan on the wrong forms.

While the matter was pending before the state board, Gutierrez handed in corrected forms. On March 13, she also appeared before local election officials to apologize and take responsibility for her actions.

But for months before that, Gutierrez failed to respond, and the state board noted that in a letter to the county board.

The letter said it was "troubling" that a candidate did not cooperate with a local election panel to resolve a campaign matter.

Only one county board member, Hilma R. Blair, abstained Thursday.

"We have been through so much on this," said Blair. "I wonder if it should not be sent to the state prosecutor and let him figure it out. After all, the law was broken, we wrote to her about it, and she did nothing until this all appeared in the newspapers."

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