

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, January 14, 2015, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Norma Lester. Attending the meeting were board members Kent Coleman, Patricia Heim, Tom Lawless and Justin Pitt.

Election of Officers

A motion was made by Lawless, seconded by Pitt, to name Norma Lester as chairperson. A motion was made by Heim, seconded by Lester, to name Tom Lawless as secretary for 2015 by acclamation.

Approval of Meeting Minutes

On motion by Lawless, seconded by Coleman, the board voted unanimously to approve the minutes from the December 10, 2014 regular board meeting.

Requests for Reconsideration

13-40 Amy Broyles, for failure to file a 2012 year-end supplemental campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Broyles has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Ms. Broyles a show cause notice.

The board voted at its August 21, 2013 meeting to assess Ms. Broyles a \$10,000 civil penalty. Ms. Broyles requested a reconsideration of the \$10,000 civil penalty assessment.

Ms. Broyles filed the required report with the Knox County Election Commission and submitted a statement for the board's consideration.

Without objection, the board voted unanimously to defer any action in this matter until the next regularly scheduled meeting to allow Ms. Broyles' representative an opportunity to personally appear before the board.

14-59 Steven Turner, for failure to file a 2014 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Turner has had previous matters before the board. (see below)

The board voted at its October 8, 2014 meeting to issue Mr. Turner a show cause notice.

The board voted at its November 12, 2014 meeting to assess Mr. Turner a \$250 civil penalty. Mr. Turner requested a reconsideration of the \$250 civil penalty assessment.

Mr. Turner filed the required report, personally appeared before the board and explained his failure to file.

On motion by Pitt, seconded by Lawless, the board voted unanimously to reconsider Case Nos. 14-59 and 14-11. On motion by Heim, seconded by Coleman, the board voted unanimously to set aside the civil penalty assessments in Case Nos. 14-59 and 14-11.

Show Cause Hearing

14-39 and 14-68 Strong & Free Tennessee, for failure to show original sources of contributions on their 2014 pre-primary campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had a previous matter before the board. (see below)

The board voted at its August 13, 2014 meeting to issue the organization a show cause notice.

The board voted at its October 8, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Thornton, representative for the organization, an opportunity to appear before the board.

The board voted at its November 12, 2014 meeting to take no further action in this matter until the next regularly scheduled meeting to allow the organization further opportunity to respond to the show cause notice.

Guilford Thornton, representative for the organization, provided the Registry with further documentation, amended disclosure reports and personally appeared before the board.

On motion by Lawless, seconded by Lester, the board voted unanimously to have Heim preside over the matters involving Strong & Free Tennessee. On motion by Pitt, seconded by Lawless, the board voted unanimously to withdraw the request for information from the Strong & Free Corporation. A motion was made by Lawless, seconded by Heim, to assess the organization a \$2,500 civil penalty for failure to disclose all contributions and expenditures on their campaign financial disclosure reports. A friendly amendment was made by Pitt, not accepted by Lawless and Heim, to assess the organization a \$7,500 civil penalty assessment. The motion to assess the organization a \$2,500 civil penalty assessment failed the board 2 to 3, with Coleman, Lester and Pitt voting "no." A motion was made by Heim, seconded by Pitt, to assess the organization a \$5,000 civil penalty assessment. The motion to assess the organization a \$5,000 civil penalty passed the board unanimously.

Statements Submitted

14-64 Felicia Corbin-Johnson, for failure to timely file a 2014 Pre-General campaign financial disclosure report. Class one (1), 18 days late, maximum four hundred fifty (\$450) civil penalty. Ms. Johnson has had no previous matters before the board.

The board voted at its November 12, 2014 meeting to issue Ms. Johnson a show cause notice.

Ms. Johnson submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lawless, the board voted unanimously to take no further action in this matter.

14-72 Jim Summerville, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Summerville has had no previous matters before the board.

The board voted at its December 10, 2014 meeting to issue Mr. Summerville a show cause notice.

Mr. Summerville filed the required report which closed out his campaign account and submitted a statement for the board's consideration.

On motion by Pitt, seconded by Lawless, the board voted unanimously to take no further action in this matter.

Cases Subject to Approval of Civil Penalty Order

14-75 David Brady, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Brady has had previous matters before the board.

Director Rawlins informed the board that Mr. Brady filed the report on paper although he is required to file electronically. Director Rawlins further informed the board that the Registry had previously granted Mr. Brady a one-time exemption for the last two paper filings.

The board voted at its December 10, 2014 meeting to issue Mr. Brady a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed electronically.

On motion by Heim, seconded by Lawless, the board voted unanimously to assess Mr. Brady a \$10,000 civil penalty assessment.

14-69 Vance Carrier, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Carrier has had previous matters before the board. (see below)

The board voted at its December 10, 2014 meeting to issue Mr. Carrier a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Heim, seconded by Lawless, the board voted unanimously to assess Mr. Carrier a \$2,000 civil penalty assessment.

14-73 JoAnne Favors, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred seventy-five (\$475) civil penalty. Rep. Favors has had no previous matters before the board.

The board voted at its December 10, 2014 meeting to issue Rep. Favors a show cause notice.

Rep. Favors submitted a statement for the board's consideration and provided a check in the amount of \$475.

A motion was made by Heim, seconded by Lawless, to assess Rep. Favors a \$475 civil penalty assessment. The motion to assess Rep. Favors a \$475 civil penalty failed the board 2 to 3, with Coleman, Lester and Pitt voting "no." On motion by Pitt, seconded by Lester, the board voted unanimously to assess Rep. Favors a \$100 civil penalty assessment.

14-70 Patti Garner, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Garner has had a previous matter before the board.

The board voted at its December 10, 2014 meeting to issue Ms. Garner a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Heim, seconded by Pitt, the board voted unanimously to assess Ms. Garner a \$1,000 civil penalty assessment.

14-71 William Lockert, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lockert has had no previous matters before the board.

The board voted at its December 10, 2014 meeting to issue Mr. Lockert a show cause notice.

Mr. Lockert filed the required report closing out his campaign account and submitted a statement for the board's consideration.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no further action in this matter.

14-67 Joe Towns, Jr., for failure to report 3 PAC contributions on his 2014 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty per violation. Rep. Towns has had previous matters before the board.

The board voted at its November 12, 2014 meeting to issue Rep. Towns a show cause notice.

Director Rawlins informed the board that the PAC contributions still have not been reported and that there has been no response to the show cause notice.

On motion by Pitt, seconded by Lawless, the board voted unanimously to assess Rep. Towns a \$10,000 civil penalty assessment.

Sworn Complaints

Strong & Free Tennessee

Director Rawlins provided the board with a sworn complaint filed with the Registry from Ruth Fennell against Strong & Free Tennessee.

The board voted at its December 10, 2014 meeting to delay any action in this matter until the next regularly scheduled meeting to allow Ms. Fennell an opportunity to personally appear at the board meeting.

On motion by Heim, seconded by Lawless, the board voted unanimously to dismiss the complaint.

Strong & Free Tennessee

Director Rawlins provided the board with a sworn complaint filed with the Registry from Mark Winslow against Strong & Free Tennessee.

The board voted at its December 10, 2014 meeting to delay any action in this matter until the next regularly scheduled meeting to allow Mr. Winslow an opportunity to personally appear at the board meeting.

On motion by Coleman, seconded by Lawless, the board voted unanimously to dismiss the complaint.

Williamson Strong

Director Rawlins provided the board with a sworn complaint filed with the Registry from Susan Curlee against Williamson Strong.

Director Rawlins informed the board that J. Gerard Stranch, representative of the organization, requested that the board defer any action in this matter until the next regularly scheduled meeting to allow him an opportunity to appear before the board.

On motion by Lawless, seconded by Pitt, the board voted unanimously to issue the organization a show cause notice for failure to register as a PAC and report contributions and expenditures.

Clark Boyd

Drew Rawlins provided the board with a sworn complaint filed with the Registry from Mae Beavers against Clark Boyd.

Director Rawlins informed the board that Mr. Clark has amended his campaign financial disclosure reports to clarify the expenditures in question.

On motion by Heim, seconded Lawless, the board voted unanimously to dismiss the complaint.

Cases Considered for Issuance of Show Cause Notice

Mwafaq Aljabbary, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Aljabbary has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Venita Andrews, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Andrews has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Christine Cane, for failure to file a 2014 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Cane has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Ronald Lankford, for failure to file a 2014 3rd quarter campaign financial disclosure report with the Smith County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lankford has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Matt Milligan, for failure to file a 2014 3rd quarter campaign financial disclosure report with the Williamson County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Milligan has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Build PAC, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Clarksville Firefighters PAC, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Funk PAC, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Plumbers & Steamfitters Local 43, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Shelby County Democratic Executive Committee, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

Without objection, the board voted unanimously to have Secretary Lawless preside over this matter. On motion by Heim, seconded by Pitt, the board voted 4 to 0 to issue a show cause notice, with Lester “abstaining.”

Southern Futures PAC, for failure to file a 2014 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Maury Community Campaign, for failure to file a 2014 3rd quarter campaign financial disclosure report with the Maury County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Maury Community PAC, for failure to file a 2014 3rd quarter campaign financial disclosure report with the Maury County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Pitt, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Audit Review

John McClarty

On motion by Pitt, seconded by Heim, the board voted unanimously to approve Judge McClarty's 2014 campaign finance audit with no findings.

Robert Wedemeyer

On motion by Heim, seconded by Pitt, the board voted unanimously to approve Judge Wedemeyer's 2014 campaign finance audit with no findings.

Other Business

The board requested at its December 10, 2014 meeting that Tennesseans for Preservation of Personal Privacy, Inc. be put back on the agenda for the next regularly scheduled meeting if the completed reports were not filed with the Registry.

Director Rawlins informed the board that the organization has completed the required campaign financial disclosure reports, closed their PAC account and paid the civil penalty assessment.

Without objection, the board voted unanimously to schedule the next Registry meeting for March 11, 2015 at 10:30 a.m.

On motion by Lawless, seconded by Pitt, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.