

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, June 15, 2011, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Lee Anne Murray. Attending the meeting were board members Patricia Heim, Darlene McNeece and Justin Pitt.

Approval of Meeting Minutes

On motion by Heim, seconded by McNeece, the board voted unanimously to approve the minutes from the May 11, 2011 regular board meeting.

Requests for Reconsideration

11-38 Jeffery Judd, for failure to file a 2010 year-end supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Judd has had no previous matters before the board.

The board voted at its April 13, 2011 meeting to issue Mr. Judd a show cause notice.

The board voted at its May 11, 2011 meeting to assess Mr. Judd a \$10,000 civil penalty assessment. Mr. Judd requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Judd filed the report, submitted a statement and personally appeared before the board and explained his failure to file the required report.

On motion by McNeece, seconded by Pitt, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Heim, seconded by McNeece, the board voted unanimously to take no further action in this matter.

11-20 Tommie Brown, for failure to file a 2010 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Brown has had previous matters before the board.

The board voted at its March 9, 2011 meeting to issue Rep. Brown a show cause notice.

The board voted at its April 13, 2011 meeting to assess Rep. Brown a \$10,000 civil penalty assessment. Rep. Brown requested a reconsideration of the \$10,000 civil penalty assessment.

Rep. Brown filed the required report, submitted a statement and personally appeared before the board and explained her failure to file the required report.

On motion by Pitt, seconded by McNeece, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Pitt, seconded by Heim, the board voted unanimously to assess Rep. Brown a \$100 civil penalty.

Show Cause Hearing

11-46 George Fraley, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Fraley has had no previous matters before the board.

Director Rawlins provided the board with a sworn complaint filed with the Registry from Jamie Knight against George Fraley.

The board voted at its April 13, 2011 meeting to issue Mr. Fraley a show cause notice for possible violations of the campaign finance law.

Mr. Fraley and Betty Fraley provided statements for the board's consideration and personally appeared before the board to respond to the sworn complaint.

The board voted at its May 11, 2011 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow Mr. Fraley an opportunity to provide further documentation for items in the complaint.

Mr. Fraley and Betty Fraley personally appeared before the board and further responded to the sworn complaint.

Director Rawlins informed the board that Mr. Fraley worked with the Registry audit staff to make minor corrections to his campaign financial disclosure reports.

A motion was made by Heim, seconded by McNeece, to assess Mr. Fraley a \$75 civil penalty. Heim then withdrew the motion. A motion was made by Pitt, seconded by Heim, to dismiss the complaint. The motion to dismiss the complaint passed the board unanimously.

Statements Submitted

11-37 Rick Parks, for failure to timely file a 2010 year-end supplemental campaign financial disclosure report. Class two (2), 71 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Parks has had no previous matters before the board.

The board voted at its April 13, 2011 meeting to issue Mr. Parks a show cause notice.

Mr. Parks closed his campaign account and submitted a sworn statement for the board's consideration.

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

Case Subject to Approval of Civil Penalty Order

11-35 Johnny Chad Faulkner, for failure to file a 2010 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Faulkner has had no previous matters before the board.

The board voted at its April 13, 2011 meeting to issue Mr. Faulkner a show cause notice.

Director Rawlins informed the board that Mr. Faulkner has filed the required report but that it was incomplete and has been returned to him for correction. Director Rawlins further informed the board that there has been no response to the show cause notice.

Without objection, the board voted unanimously to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Faulkner an opportunity to amend his campaign financial disclosure report.

11-41 Timothy Lee, for failure to file a 2010 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lee has had previous matters before the board. (see below)

The board voted at its May 11, 2011 meeting to issue Mr. Lee a show cause notice.

Mr. Lee filed the required report, closed his campaign account and personally appeared before the board and explained his failure to file the required report.

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

11-43 Artie Smith, for failure to file a 2011 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Smith has had no previous matters before the board.

The board voted at its May 11, 2011 meeting to issue Mr. Smith a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

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

11-44 Dan Daugherty, for failure to file a 2010 4th quarter campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Daugherty has had no previous matters before the board.

The board voted at its May 11, 2011 meeting to issue Mr. Daugherty 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 McNeece, the board voted unanimously to assess Mr. Daugherty a \$10,000 civil penalty.

11-45 Timothy Lee, for failure to timely file a 2010 year-end supplemental campaign financial disclosure report with the Davidson County Election Commission. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil penalty. Mr. Lee has had previous matters before the board. (see above)

The board voted at its May 11, 2011 meeting to issue Mr. Lee a show cause notice.

Mr. Lee personally appeared before the board and explained his failure to timely file the required report.

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

11-32 Consolidation PAC, for failure to file a 2010 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its April 13, 2011 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the organization requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow them an opportunity to file the required report and respond to the show cause notice.

Without objection, the board voted to defer any further action in this matter until the next regularly scheduled meeting to allow the organization an opportunity to file the required report and respond to the show cause notice.

Cases Considered for Issuance of Show Cause Notice

Bryan Bondurant, for failure to timely file a 2011 1st quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Bondurant has had no previous matters before the board.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no action.

Jannie Foster, for failure to file a 2011 1st quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Foster has had a previous matter before the board.

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

Stephanie Gatewood, for failure to timely file a 2011 1st quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. Ms. Gatewood has had a previous matter before the board.

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

Bill Durham, for failure to file a 2010 4th quarter campaign financial disclosure report with the Wilson County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Durham has had a previous matter before the board.

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

Unitemized Contribution Audit Review

Dawn Deaner

On motion by Heim, seconded by McNeece, the board voted unanimously to approve Ms. Deaner's 2009 Early Year-End Supplemental unitemized contribution campaign finance audit with the included finding.

Brenda Gilmore

On motion by Heim, seconded by McNeece, the board voted unanimously to approve Rep. Gilmore's 2009 Early Year-End Supplemental unitemized contribution campaign finance audit with no findings.

Executive Director's Report

- Director Rawlins provided the board with a summary of the changes to the campaign finance statutes pursuant to SB 1915/HB 1003 which became effective on June 1, 2011.
- Director Rawlins informed the board that he attended and participated in the Tennessee Association of County Election Officials (TACEO) annual conference that was held June 6 through 8 in Kingsport, Tennessee.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for August 10, 2011.

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