

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Tuesday, October 23, 2012, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Justin Pitt. Attending the meeting were board members Patricia Heim, Norma Lester, Darlene McNeece and Lee Anne Murray. Henry Fincher participated via telephone.

Approval of Meeting Minutes

On motion by Heim, seconded by McNeece, the board voted unanimously to approve the minutes from the September 5, 2012 regular board meeting.

Show Cause Hearings

12-26 Truth Matters PAC, for using a conduit and not informing the recipients of the original source of the contributions. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had no previous matters before the board.

The board voted at its August 8, 2012 meeting to issue the organization a show cause notice.

The board voted at its September 5, 2012 meeting to postpone consideration in this matter until the next regularly scheduled meeting to allow Mr. Miller a chance to consult with legal counsel and respond to the allegations.

James Weaver, Andrew Miller and Tracy Miller personally appeared before the board and submitted affidavits responding to the allegations.

A motion was made by Murray, seconded by McNeece, to take no further action in this matter. The motion to take no action passed the board 4 to 2, with Fincher and Lester voting “no.”

12-27 Andrew W. Miller, Jr., for exceeding the individual contribution limits by use of a conduit. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Mr. Miller has had no previous matters before the board.

The board voted at its August 8, 2012 meeting to issue Mr. Miller a show cause notice.

The board voted at its September 5, 2012 meeting to postpone consideration in this matter until the next regularly scheduled meeting to allow Mr. Miller a chance to consult with legal counsel and respond to the allegations.

James Weaver, Andrew Miller and Tracy Miller personally appeared before the board and submitted affidavits responding to the allegations.

A motion was made by Murray, seconded by McNeece, to take no further action in this matter. The motion to take no action passed the board 4 to 2, with Fincher and Lester voting “no.”

12-36 Tim Burchett, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. Mayor Burchett has had no previous matters before the board.

The board voted at its September 5, 2012 meeting to issue Mayor Burchett a show cause notice.

Stephen Zralek, representative for Mayor Burchett, personally appeared before the board and explained that all campaign financial disclosure reports have been amended and submitted an affidavit from Mayor Burchett responding to the allegations.

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

Statement Submitted

12-28 Ed Warren, for failure to file a 2012 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Warren has had no previous matters before the board.

The board voted at its September 5, 2012 meeting to issue Mr. Warren a show cause notice.

Mr. Warren and Margaret Warren submitted sworn statements for the board's consideration.

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

Cases Subject to Approval of Civil Penalty Order

12-35 Support Tennessee Grapes and Wines, for failure to timely file a 2012 2nd quarter campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had previous matters before the board.

The board voted at its September 5, 2012 meeting to issue the organization a show cause notice.

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

On motion by Heim, seconded by McNeece, the board voted unanimously to issue the organization a \$150 civil penalty.

12-34 Zeneca Inc. PAC, for failure to timely file a 2012 2nd quarter campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. The organization has had previous matters before the board.

The board voted at its September 5, 2012 meeting to issue the organization a show cause notice.

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

On motion by Heim, seconded by McNeece, the board voted unanimously to assess the organization a \$225 civil penalty.

12-33 Charlotte Burks, for failure to file a 2012 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Senator Burks has had no previous matters before the board.

The board voted at its September 5, 2012 meeting to issue Sen. Burks a show cause notice.

Kelly Tayes, treasurer for Sen. Burks, submitted a statement for the board's consideration.

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

12-32 Randall McKee, for failure to timely file a 2012 2nd quarter campaign financial disclosure report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. Mr. McKee has had no previous matters before the board. (see below)

The board voted at its September 5, 2012 meeting to issue Mr. McKee a show cause notice.

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

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

12-31 Bobby Scott, for failure to timely file a 2012 mid-year supplemental campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Scott has had previous matters before the board.

The board voted at its September 5, 2012 meeting to issue Mr. Scott a show cause notice.

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

On motion by Heim, seconded by Pitt, the board voted unanimously to assess Mr. Scott a \$25 civil penalty, with Fincher voting "no."

12-30 Robert Spence, Jr., for failure to file a 2012 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Spence has had previous matters before the board.

The board voted at its September 5, 2012 meeting to issue Mr. Spence 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. Spence a \$10,000 civil penalty.

12-29 Anita Tipton, for failure to file a 2012 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Tipton has had a previous matter before the board. (see below)

The board voted at its September 5, 2012 meeting to issue Ms. Tipton a show cause notice.

Director Rawlins informed the board that the report has been filed (the report was originally timely filed on July 9, 2012 with the Marion County Election Commission) but that there has been no response to the show cause notice.

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

Sworn Complaint

Director Rawlins provided the board with a sworn complaint from Mary Mancini against Green PAC for possible use of a conduit.

Rachel Barrett, representative for the organization, personally appeared before the board to respond to the allegations.

On motion by Pitt, seconded by Heim, the board voted 5 to 1 to dismiss the sworn complaint against Green PAC, with Fincher voting “no.”

Cases Considered for Issuance of Show Cause Notice

Quenston Coleman, for failure to file a 2012 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Coleman has had a previous matter before the board. (see below)

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

Quenston Coleman, for failure to file a 2012 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Coleman has had a previous matter before the board. (see above)

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

John Crandall, for failure to file a 2012 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Crandall has had a previous matter before the board. (see below)

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

John Crandall, for failure to file a 2012 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Crandall has had a previous matter before the board. (see above)

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

Jenny Hunt, for failure to file a 2012 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Hunt has had no previous matters before the board.

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

Randal McKee, for failure to file a 2012 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKee has had a previous matter before the board. (see above)

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

Anita Tipton, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Ms. Tipton has had a previous matter before the board. (see above)

Director Rawlins informed the board that the report has been filed and that it was originally timely filed on July 25, 2012 with the Marion County Election Commission.

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

Anesthesia Services PAC, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), 23 days late, maximum five hundred seventy-five (\$575) civil penalty. The organization has had no previous matters before the board.

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

Carter County Democratic Party, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), 27 days late, maximum six hundred seventy-five (\$675) civil penalty. The organization has had a previous matter before the board. (see below)

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

Carter County Democratic Party, for failure to file an appointment of political treasurer statement. Class two (2), statement not filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board. (see above)

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

Jack PAC, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), 29 days late, maximum seven hundred twenty-five (\$725) civil penalty. The organization has had no previous matters before the board.

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

Meigs County Democratic Party, for failure to file a 2012 pre-primary 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 Heim, seconded by Murray, the board voted unanimously to issue a show cause notice.

Washington County Republican Executive Committee, for failure to file a 2012 pre-primary 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 Heim, seconded by Murray, the board voted unanimously to issue a show cause notice.

Wedge PAC, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had previous matters before the board.

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

Christopher Gallaher, for failure to file a 2012 mid-year supplemental campaign financial disclosure report with the Sumner County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Gallaher has had no previous matters before the board.

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

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

Director Rawlins informed the board that the report has been filed with the Knox County Election Commission.

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

Michael Rowan, for failure to timely file a 2012 2nd quarter campaign financial disclosure report with the Davidson County Election Commission. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Rowan has had no previous matters before the board.

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

Cross Indexing Report

Director Rawlins provided the board with a cross indexing report which contains contributions reported as being given by PACs but not reported by candidates for the 2012 1st quarter, 2nd quarter and pre-primary reporting periods. Director Rawlins informed the board that the list contained only those that exceeded the exemptions contained in T.C.A. §2-10-110.

The following candidates failed to report PAC contribution(s) on their original campaign financial disclosure statements:

- Tommie Brown
- Debra Young Maggart
- Mary Pruitt
- Jeanne Richardson
- Michael (Mike) Turner

On motion by Murray, seconded by Heim, the board voted unanimously to take no action on Tommie Brown.

On motion by Heim, seconded by Lester, the board voted unanimously to take no action on Debra Young Maggart.

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

On motion by Heim, seconded by Murray, the board voted 5 to1 to issue Jeanne Richardson a show cause notice, with Fincher voting “no.”

A motion was made by Pitt to defer any action on Michael Turner to allow him an opportunity to correct his campaign financial disclosure reports. The motion to defer died for a lack of a second. A motion was then made by Heim, seconded by Murray, to issue Michael Turner a show cause notice. The motion to issue Rep. Turner a show cause notice passed the board 5 to 1, with Fincher voting “no.”

Other Business

Without objection, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.