

# REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, October 8, 2014, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

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

## *Approval of Meeting Minutes*

On motion by Lester, seconded by Pitt, the board voted unanimously to amend the minutes from the September 10, 2014 regular board meeting to accurately reflect the proper report in the matter of McMinn County Republican Party and to include in the motions in the matters of David Brady that accepting the paper filings is a one-time acceptance. The motion to approve the minutes, as amended, for the September 10, 2014 meeting passed the board 5 to 0, with Lawless “abstaining.”

## *Requests for Reconsideration*

**13-73 Bobby Scott**, for failure to file a 2013 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Scott has had previous matters before the board.

The board voted at its October 9, 2013 meeting to issue Mr. Scott a show cause notice.

The board voted at its January 8, 2014 meeting to assess Mr. Scott a \$10,000 civil penalty. Mr. Scott requested a reconsideration of the \$10,000 civil penalty assessment.

Mr. Scott filed the required report, which closed his campaign account, and submitted a statement for the board’s consideration.

On motion by Pitt, seconded by Coleman, the board voted 5 to 1 to reconsider the \$10,000 civil penalty assessment, with Lawless voting “no.” On motion by Lawless, seconded by Pitt, the board voted unanimously to assess Mr. Scott a \$100 civil penalty.

## *Statements Submitted*

**14-22 Bryant Dunaway**, for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Dunaway has had no previous matters before the board.

The board voted at its June 11, 2014 meeting to issue Mr. Dunaway a show cause notice.

The board voted at its August 13, 2014 meeting to defer any further action in this matter until the next regularly scheduled meeting.

The board voted at its September 10, 2014 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Mr. Dunaway submitted a statement for the board's consideration.

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

**14-46 Harold Scott Saul**, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil penalty. Mr. Saul has had a previous matter before the board.

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

Mr. Saul submitted a sworn statement for the board's consideration.

Director Rawlins informed the board that Mr. Saul's campaign account is now closed.

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

**14-47 Davidson County Democratic Executive Committee**, for failure to file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see below)

The board voted at its September 10, 2014 meeting to issue the organization a show cause notice.

Daniel A. Horwitz, representative for the organization, submitted an affidavit and personally appeared before the board. Gary D. Bynum, chairman of the organization, filed the required report and submitted an affidavit with attachments for the board's consideration.

A motion was made by Heim, seconded by Pitt, to assess the organization a \$250 civil penalty. A friendly amendment was made by Fincher, not accepted by Heim, to assess the organization a \$100 civil penalty. The motion to assess the organization a \$250 civil penalty passed the board 5 to 1, with Fincher voting "no."

**14-49 Harpeth Hills Memory Gardens**, for failure to timely file a 2014 pre-primary 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.

The board voted at its September 10, 2014 meeting to issue the organization a show cause notice.

Gregg Accas, representative for the organization, submitted a statement for the board's consideration.

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

**14-50 McMinn County Republican Party**, for failure to timely file a 2013 year-end supplemental campaign financial disclosure report. Class one (1), 29 days late, maximum seven hundred twenty-five (\$725) civil penalty. The organization has had previous matters before the board. (see below)

The board voted at its September 10, 2014 meeting to issue the organization a show cause notice.

Mark Cochran, chairman of the organization, and Jordan Curtis, treasurer of the organization, submitted sworn statements for the board's consideration.

A motion was made by Pitt, to assess the organization a \$250 civil penalty. A friendly amendment was made by Heim, accepted by Pitt, to assess the organization a \$125 civil penalty. The motion by Heim, seconded by Lawless, to assess the organization a \$125 civil penalty passed the board unanimously.

**14-51 McMinn County Republican Party**, for failure to timely file a 2014 1<sup>st</sup> quarter campaign financial disclosure report. Class one (1), 23 days late, maximum five hundred seventy-five (\$575) civil penalty. The organization has had previous matters before the board. (see above)

The board voted at its September 10, 2014 meeting to issue the organization a show cause notice.

Mark Cochran, chairman of the organization, and Jordan Curtis, treasurer of the organization, submitted sworn statements for the board's consideration.

A motion was made by Pitt, to assess the organization a \$250 civil penalty. A friendly amendment was made by Heim, accepted by Pitt, to assess the organization a \$125 civil penalty. The motion by Heim, seconded by Lawless, to assess the organization a \$125 civil penalty passed the board unanimously.

### ***Cases Subject to Approval of Civil Penalty Order***

**14-39 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 no previous matters before the board.

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

Director Rawlins informed the board that Gif Thornton, representative for the organization, requested that the board delay any further action in this matter until the next regularly scheduled meeting to allow him an opportunity to personally appear before the board.

Without objection, the board voted unanimously to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Thornton an opportunity to appear before the board.

**14-42 James Beeler**, for failure to file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Beeler has had no previous matters before the board.

The board voted at its September 10, 2014 meeting to issue Mr. Beeler 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 Lester, seconded by Lawless, the board voted unanimously to assess Mr. Beeler a \$10,000 civil penalty.

**14-44 Edward Buck**, for failure to timely file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. Mr. Buck has had no previous matters before the board.

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

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

On motion by Lester, seconded by Pitt, the board voted unanimously to assess Mr. Buck a \$100 civil penalty.

**14-37 Leisa Carlile**, for failure to file a 2014 1<sup>st</sup> quarter campaign financial disclosure report with the Putnam County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Carlile has had no previous matters before the board.

The board voted at its August 13, 2014 meeting to issue Ms. Carlile 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 Lester, seconded by Lawless, the board voted 5 to 0 to assess Ms. Carlile a \$10,000 civil penalty, with Fincher “abstaining.”

**14-45 Ben Claybaker**, for failure to timely file a 2014 annual mid-year supplemental campaign financial disclosure report. Class one (1), 18 days late, maximum four hundred fifty (\$450) civil penalty. Mr. Claybaker has had a previous matter before the board.

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

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

On motion by Lester, seconded by Lawless, the board voted unanimously to assess Mr. Claybaker a \$100 civil penalty.

**14-34 Shelby County Democratic Executive Committee**, for failure to timely file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), 53 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its August 13, 2014 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.

A motion was made by Lawless to assess the organization a \$10,000 civil penalty assessment. Lawless then amended the motion, seconded by Pitt, to assess the organization a \$1,500 civil penalty. The motion to assess the organization a \$1,500 civil

penalty failed the board 3 to 2, with Coleman and Fincher voting “no” and Lester “abstaining.” A motion was made by Lawless, seconded by Pitt, to assess the organization a \$1,000 civil penalty. The motion to assess the organization a \$1,000 civil penalty assessment failed the board 3 to 2, with Coleman and Fincher voting “no” and Lester “abstaining.” A motion was then made by Coleman, seconded by Pitt, to assess the organization a \$500 civil penalty assessment. The motion to assess the organization a \$500 civil penalty assessment passed the board 4 to 1, with Lawless voting “no” and Lester “abstaining.”

### ***Cases Considered for Issuance of Show Cause Notice***

***Brock Bennington***, for failure to file a 2014 mid-year supplemental campaign financial disclosure report. Class two (2), 31 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Bennington has had previous matters before the board.

Director Rawlins informed the board that Mr. Bennington’s campaign account is now closed.

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

***Vance Carrier***, for failure to file a 2014 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Carrier 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.

***Kennedy Spellman Johnson***, for failure to file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Johnson has had a previous matter before the board. (see below)

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

***Kennedy Spellman Johnson***, for failure to file a 2014 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Johnson has had a previous matter before the board. (see above)

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

***Quincy McKnight***, for failure to file a 2014 2<sup>nd</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKnight has had a previous matter before the board.

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

**Tim Pirtle**, 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. Mr. Pirtle 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.

**Lee Russell**, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class two (2), 57 days late, maximum ten thousand (\$10,000) civil penalty. Judge Russell 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.

**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.

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

**Orrden Williams, Jr.**, for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. Mr. Williams 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.

**Association for the Future of Film & Television PAC**, for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), 28 days late, maximum seven hundred (\$700) civil penalty. The organization has had previous matters before the board.

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

**Davidson County Democratic Executive Committee**, for failure to timely file a 2014 pre-primary campaign financial disclosure report. Class one (1), 28 days late, maximum seven hundred (\$700) civil penalty. The organization has had previous matters before the board. (see above)

Daniel A. Horwitz, representative for the organization, submitted an affidavit and personally appeared before the board. Gary D. Bynum, chairman of the organization, filed the required report and submitted an affidavit with attachments for the board's consideration.

On motion by Pitt, seconded by Lester, the board voted unanimously to take no action.

## ***Audit Review***

### ***David Bragg***

On motion by Coleman, seconded by Pitt, the board voted unanimously to approve Mr. Bragg's 2014 2<sup>nd</sup> quarter campaign finance audit with the included findings.

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

### ***Donald Parish***

On motion by Coleman, seconded by Pitt, the board voted unanimously to approve Mr. Parish's 2014 2<sup>nd</sup> quarter campaign finance audit with the included findings.

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

### ***Mark Rogers***

On motion by Coleman, seconded by Pitt, the board voted unanimously to approve Mr. Rogers' 2014 2<sup>nd</sup> quarter campaign finance audit with the included finding.

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

### ***Cedrick Wooten***

On motion by Coleman, seconded by Pitt, the board voted unanimously to approve Mr. Wooten's 2014 2<sup>nd</sup> quarter campaign finance audit with the included findings.

On motion by Lester, seconded by Coleman, the board voted 5 to 0 to take no action in this matter, with Lawless "abstaining."

### ***Brenda Radford***

On motion by Coleman, seconded by Pitt, the board voted unanimously to approve Ms. Radford's 2014 2<sup>nd</sup> quarter campaign finance audit with the included findings.

Ms. Radford personally appeared before the board.

On motion by Lester, seconded by Lawless, the board unanimously to issue a show cause notice on Findings 1 and 2.

## ***Sworn Complaints***

### ***Joe Brown,***

Director Rawlins provided the board with a sworn complaint filed with the Registry from Divine Mafa against Joe Brown.

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

***Strong & Free Tennessee***

Director Rawlins provided the board with a sworn complaint filed with the Registry from Judy Bowman Cooley against Strong & Free Tennessee.

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

***Other Business***

Without objection, the board voted unanimously to schedule the next Registry meeting for November 12, 2014 at 1:00 p.m.

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