



2008 Random Audit of Lobbyist Larry M. Williams

Pursuant to T.C.A. § 3-6-308(a)(7), on June 24, 2008, the name of registered lobbyist Mr. Larry M. Williams was randomly drawn for audit. The audit was performed by Assistant General Counsel, Willow E. Fort. The audit interview of Mr. Williams was conducted at the office of the Tennessee Ethics Commission ("Commission") on July 25, 2008. Executive Director Bruce Androphy and Careers Now intern Kevin Rayburn were present and assisted in the audit. Mr. Williams was not represented by legal counsel.

SUMMARY OF FINDINGS:

All requested documentation was provided by Mr. Williams and no violations of the Ethics Reform Act of 2006 were found.

CLIENT:

Mr. Williams is employed by the Tennessee Petroleum Council ("TPC"), a Division of the American Petroleum Institute (In-house Lobbyist).

REGISTRATION:

Mr. Williams reports that he completes the registrations for TPC. TPC is Mr. Williams' sole employer.

Mr. Williams reports that he has been working for the TPC since the Ethics Commission came into being in 2006 and initially registered in October of 2006. This assertion is confirmed by Commission records.

By statute, employers and lobbyists must register within seven days after becoming a lobbyist. As an in-house lobbyist, Mr. Williams "becomes" a lobbyist on the first day of each annual registration period. The first day of the registration period for 2008 was January 1, 2008. He registered as a lobbyist on January 7, 2008. His employer, TPC, registered on January 4, 2008. Both Mr. Williams and his employer have registered in a timely fashion.

CONTRACT:

Mr. Williams' employment agreement is not based on a written employment contract. However, he provided a copy of his written job description, which includes lobbying as one of his duties. Mr. Williams reports that at this time lobbying takes around eighty percent (80%) of his work time. He reports that his position does require more than lobbying alone, however.

Mr. Williams reported that his reimbursement and/ or pay was in no way contingent upon success, though his employer does provide bonuses pursuant to a plan based on Mr.

Williams' entire job performance. Mr. Williams volunteered that he would send his employer an e-mail explaining that such contingency contracts for lobbyists were illegal in Tennessee. He advised he would copy the Commission on that e-mail so that it could be placed in his file.

FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS:

Mr. Williams reports he has no business or familial relationships with persons who are officials in the legislative branch or officials in the executive branch.

TRAINING:

Mr. Williams last attended training in June 2007 and is thus current for the present time. He has not yet registered for 2008 training, but reports that he will attend a training before the end of the year.

AMOUNTS REPORTED BY LOBBYIST AND EMPLOYER:

TPC's current disclosure indicates Mr. Williams is its sole lobbyist. The disclosure report also shows that total aggregate lobbyist compensation paid is between fifty thousand dollars (\$50,000) and one hundred thousand dollars (\$100,000), and that lobbying related expenses are less than ten thousand dollars (\$10,000).

Mr. Williams' pay stubs are in accord with the reported compensation. Mr. Williams submitted travel reimbursement in accord with his employer's disclosed lobbying related expenses. Mr. Williams reports he figures job related expenses such as his work cellular telephone and work credit card expenses as lobbying related expenses. Mr. Williams reported no other compensation from his employer.

IN-STATE EVENTS:

Mr. Williams reported neither he nor his employer had expenditures for in-state events.

Report Completed by:

Willow Eden Fort/smn
Willow Eden Fort
Assistant General Counsel
Tennessee Ethics Commission