

REGISTRY OF ELECTION FINANCE

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The Registry of Election Finance for the state of Tennessee met Monday, September 11, 1995, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending were: Jamye Coleman Williams, Chairperson, members Gail Vaughn Ashworth, Howard E. Bond, Alan Hubbard, and Herman Reviere.

The minutes of the August 14 meeting were approved without objection.

Rep. Matt Kisber made an appearance before the board to discuss the Lobbying Reform Act of 1995. Rep. Kisber answered questions posed by the board members and stated the new legislative year would bring a refining of the law.

Reconsideration Requests:

95-55 - Gibson's PAC. Gibson's PAC requested that the Registry reconsider its previous order assessing \$1,000 in civil penalties. No new information was received in support of this reconsideration. On motion by Ashworth, seconded by Reviere, the board voted unanimously to deny the reconsideration request.

Request for Personal Appearance:

95-60 - Coalition for a Lasting Association of Safe Schools, for failure to timely file second quarter campaign disclosure report. Class one (1), maximum civil penalty \$300. Ross Casey O'Shea personally appeared before the board and was represented by counsel at the meeting. Legal counsel for Mr. O'Shea stated that the certified assessment letter was received at Mr. O'Shea's home while he was out of town, and that the report was filed upon his return home. Motion by Reviere, seconded by Hubbard, the board voted unanimously to take no action.

95-62 - D.J. O'Donnell, for failure to timely file a post-election campaign disclosure report with the Sumner County election Commission. Class two (2), maximum civil penalty \$10,000. Mr. O'Donnell was a candidate for city council in the May 2, 1995, Millersville City Election. Case was forwarded to the Registry by Sumner County. Mr. O'Donnell personally appeared before the board to explain his failure to timely file his report. Mr. O'Donnell has now filed his report with Sumner County, and his campaign account is now closed. Motion by Reviere, seconded by Hubbard, the board voted to assess a class two (2) civil penalty of \$50.

Approval of Civil Penalty Orders:

95-61 - Health Providers PAC, for failure to timely file second quarter campaign disclosure report. Class one (1), maximum civil penalty \$50. Motion by Ashworth, seconded by Reviere, the board voted unanimously to assess a \$50 civil penalty.

95-59 - Patriot PAC, for failure to file first quarter campaign disclosure report. Class two (2), maximum civil penalty \$10,000. Motion by Reviere, seconded by Bond, the board voted to continue this case to the October meeting to provide the organization an opportunity to correct its report, which was filed with the Registry after the board issued a show cause notice in this case.

Issuance of Show Cause Notices:

Shelby Co. Democratic Executive Committee, for late filing of second quarter campaign disclosure report. Class one (1), maximum civil penalty \$250. Motion by Ashworth, seconded by Bond, the board voted to issue a show cause notice.

Rickey Peete, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$200. Motion by Reviere, seconded by Ashworth, the board voted to issue a show cause notice.

Patrick Parker, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$25. Motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Robert Howell, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$125. Motion by Ashworth, seconded by Bond, the board voted to issue a show cause notice.

Yvonne Curtis, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$75. Motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

William Nolan, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$50. Motion by Reviere, seconded by Bond, the board voted to issue a show cause notice.

William Whitson, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$50. Motion by Ashworth, seconded by Bond, the board voted to issue a show cause notice.

Harold Stockburger, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$50. Motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Susan Gutow, for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$200. Motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Howard Baker, Jr., for failure to timely file 1995 mid-year lobbying activities report. Maximum civil penalty \$50. Motion by Reviere, seconded by Bond to take no action. Motion failed by a vote of 3 to 2. Motion by Reviere, seconded by Ashworth, the board voted to issue a show cause notice.

Appeal of Assessment Made by Knox County:

Richard Scarbrough. Mr. Scarbrough sent a written request to the Registry to appeal the assessment of \$375 in class one (1) penalties against him by the Knox County Election Commission for the late filing of a campaign allocation report. Mr. Scarbrough personally appeared before the board to explain his late filing. After discussion, on a motion by Ashworth, seconded by Reviere, the board voted to waive the penalty imposed by Knox County.

Budget Report:

Drew Rawlins presented the final budget figures for the 1995-1996 fiscal year. The budget for the 1996-1997 fiscal year was also presented for board approval. On motion by Reviere, seconded by Hubbard, the board voted to approve the 96-97 budget.

Two plans were presented for potential office space. Plan A was moving to an open space on the 15th floor. Plan B was staying in the office space already occupied, shifting offices, turning the conference room into an office and finishing out the adjacent stockroom. The board voted to adopt Plan B. The staff was instructed to begin working on the plans immediately.

Executive Director's Report:

A letter to Joe Lewis giving an opinion as to the proper use of campaign funds by a candidate in a libel lawsuit was presented to the board for approval.

The board was asked to revisit its decision on the use of Metro Airport Parking Passes by state officials. After much discussion, the board made the decision to allow the use of these parking passes through December 1995, as the gift of the passes was made in December 1994, before the new lobbying law went into effect.

A rough draft of proposed rules and regulations for the Lobbyist Registration and Disclosure Act were presented to the board. A discussion followed, with several changes made to the draft. The staff was directed to present a new draft of the rules at the board's next meeting.

The next Registry meeting will be held on October 9, 1995, beginning at 9:30 a.m. The meeting was adjourned.

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