

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance for the State of Tennessee met Tuesday, February 13, 1996, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending were: Gail Vaughn Ashworth, Carole Bucy, Alan Hubbard, Herman Reviere, and Jamye Coleman Williams.

The minutes of the January 9 meeting were approved without objection.

Show Cause Hearing:

Gregory Stokes, for failure to file 1995 supplemental annual campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. The Registry received Mr. Stokes disclosure report on the morning of the meeting, but he did not submit a sworn statement for the board's consideration or make a personal appearance. Motion by Reviere, seconded by Bucy, the board voted unanimously to assess a \$250 class two (2) civil penalty.

Reconsideration of Civil Penalty Order:

95-83 - Randall Beaman, for failure to file pre-election campaign financial disclosure report with the Shelby County Election Commission. Mr. Beaman requested by letter that the board reconsider its previous order issued last month assessing a \$250 civil penalty. On motion by Williams, seconded by Hubbard, the board voted to waive its rule that a sworn statement must be filed and voted to reconsider the assessment. On motion by Reviere, seconded by Hubbard, the board voted by majority vote to reduce the assessment to \$100.

Approval of Civil Penalty Orders:

95-80 - Tullahoma City PACE, for failure to file a 1995 third quarter campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. The PAC reported to the Registry that its disclosure was timely filed with the Coffee County Election Commission and that the Registrar was supposed to have mailed the report to the Registry. The Registrar confirmed that the report was filed timely, but stated that it was her fault that it had not been forwarded to the Registry. On motion by Reviere, seconded by Bucy, the board voted to take no action.

Issuance of show cause Notices:

Tennessee Veterinary PAC, for failure to file 1995 fourth quarter financial disclosure report. Class one (1), maximum civil penalty \$50.

Motion by Reviere, seconded by Williams, the board voted to take no action.

Perry March, for failure to timely file 1995 year-end lobbying activities report. Maximum civil penalty \$200. Motion by Reviere, seconded by Williams, the board voted to issue a show cause notice.

Thomas Jackson, Sr., for failure to timely file 1995 year-end lobbying activities report. Maximum civil penalty \$100. Motion by Reviere, seconded by Williams, the board voted to issue a show cause notice.

Richard Cate, for failure to timely file 1995 year-end lobbying activities report. Maximum civil penalty \$75. Motion by Reviere, seconded by Bucy, the board voted to issue a show cause notice.

#### Other Business:

A copy of another State Attorney General's Opinion on constituent services accounts was disseminated to the members of the board. This opinion, which had been requested by Sen. Bob Rochelle, goes into more detail as to the legal use of constituent services account monies, including the fact that those monies may now be deposited into a candidate's campaign account. A discussion followed with the board once again expressing great concerns as to constituent services accounts and this agency's inability to enforce the Campaign Contribution Limits Act, as long as such funds are not considered campaign contributions.

Bill Bruce appeared before the board and requested an opinion as to whether providing a band at an event falls within the food and beverage exemption provided for in T.C.A. 3-6-114(b)(9) of the lobbying law. A written opinion will be issued stating that such entertainment is allowable but that such expenses will be subject to the \$50 limit set forth in T.C.A. 3-6-114(b)(9). The board will submit the opinion letter to the Attorney General for review as to whether it is a correct decision.

Jon Hastings appeared before the board and requested an opinion as to whether the State Democratic Party may conduct fundraising activities during legislative session for administrative activities of the party under T.C.A. 2-10-310(b). The board voted to issue a written opinion stating that such fundraising is acceptable but that no monies raised for the administrative purposes of the party during session are to be used as campaign contributions to a legislative or gubernatorial candidate or to a caucus.

#### Budget Report:

Drew Rawlins presented the budget statistics for the month of December and January and reported that the budget is on schedule as far as expenses are concerned for the 1995-96 fiscal year. The board requested a breakdown of the travel budget, and the members will review the report to see if additional money is needed in this area.



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