

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance for the State of Tennessee met Tuesday, April 9, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

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

The minutes of the March 12 meeting were approved, with one correction to be made and to be presented at the May 14 meeting.

Show Cause Hearings:

96-09 - **Rep. Don Bird**, for failure to timely file a 1995 supplemental annual campaign financial disclosure report. Class one (1), maximum civil penalty \$75. Rep. Bird personally appeared before the board to explain his failure to timely file his report. He stated that the report was completed on Friday and that his treasurer did not get the report in the mail until the following Monday, making the report three (3) days late. Motion by Reviere, seconded by Williams, the board voted unanimously to take no action.

96-01 - **Perry March**, for failure to timely file a 1995 year-end lobbying activities report. Maximum civil penalty \$200. Mr. March registered to lobby for Sprintz Furniture. Mr. March personally appeared before the board to explain that he had registered as a lobbyist for 1995, but did not conduct any lobbying activities for the year. He stated that his failure to timely file his activities report was just a careless error on his part. Motion by Reviere, seconded by Williams, the board voted to take no action.

96-10 - **Marcia Jervis**, for failure to file a 1995 year-end lobbying activities report. Maximum civil penalty \$750. Ms. Jervis registered to lobby for Tennessee Association of Mental Health Organizations. Ms. Jervis appeared before the board and stated that she had worked for six months in 1995 for the Association in their office but did not conduct any lobbying activities for the organization. Ms. Jervis filed her activities report during the meeting. Motion by Reviere, to assess no civil penalties, failed for lack of a second. On motion by Reviere, seconded by Bucy, to assess a civil penalty of \$25, motion failed. No penalties were assessed.

96-07 - **Judy Bowery**, for failure to file a 1995 year-end lobbying activities report. Maximum civil penalty \$750. Ms. Bowery registered to lobby for Tennessee Federation of Business and Professional Women's Club, Inc. At the meeting, Ms. Bowery was represented by Kay Culbertson, an attorney who explained that Ms. Bowery registered as a lobbyist but did not conduct any lobbying activities for the organization. She also stated that Ms. Bowery had not been paid as a lobbyist. The activities report still had not been filed at the time of the meeting. Ms. Culbertson, said that she would have

the report completed and filed for Ms. Bowery. On motion by Williams, seconded by Reviere, the board voted to delay a decision on Ms. Bowery's case until the May 14 meeting.

96-6 - **Tennessee Federation of Business and Professional Women's Club**, for late filing of a 1995 fourth quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$650. The organization was also represented by Ms. Culbertson. Ms. Culbertson explained that the organization mailed the report to the Registry in December, but there is no record of the report having been received. The report was refiled with the Registry, but was twenty-six days late. On motion by Reviere, seconded by Bucy, the board voted to assess a class one (1) civil penalty of \$100.

96-14 - **Earnest Lunati**, for failure to file a statement of interests report with the Shelby County Election Commission. Mr. Lunati was a candidate for mayor in the October 5, 1995, City of Memphis Election. Class two (2), maximum civil penalty \$10,000. Mr. Lunati submitted a sworn statement for the board's consideration. Mr. Lunati has now filed the conflict of interest report with the Shelby County Election Commission and a copy with the Registry. On motion by Bucy, seconded by Reviere, the board voted unanimously by roll call vote to assess a \$50 civil penalty.

96-17 - **Earnest Lunati**, for failure to file a post-election campaign financial disclosure report with Shelby County. Class two (2), maximum civil penalty \$10,000. Mr. Lunati submitted a sworn statement for the board's consideration. Mr. Lunati has now filed the post-election campaign financial disclosure report with the Shelby County Election Commission and a copy with the Registry. On motion by Bucy, seconded by Reviere, the board voted unanimously by roll call vote to assess a \$50 civil penalty.

Approval of Civil Penalty Orders:

96-4 - **Cocke County Democratic Party**, for the late filing of a 1995 third quarter campaign financial disclosure report. Class two (2), maximum penalty \$10,000. Motion by Bucy, seconded by Williams, the board voted unanimously by roll call vote to assess a \$10,000 civil penalty.

96-5 - **Tennessee Conservative Union Victory Fund**, for failure to file a 1995 fourth quarter campaign financial disclosure report. Class two (2), maximum penalty \$10,000. Motion by Williams, seconded by Reviere, the board voted unanimously by roll call vote to assess a \$10,000 civil penalty.

96-13 - **Charles Scoville**, for failure to file a 1995 year-end lobbying activities report. Maximum civil penalty \$750. Motion by Bucy, seconded by Williams, the board voted unanimously by roll call vote to assess a \$750 civil penalty.

96-12 - **Harold Stockburger**, for failure to timely file a 1995 year-end lobbying activities report. Maximum civil penalty \$250. Motion by Williams, seconded by Reviere, the board voted unanimously by roll call vote to assess a \$250 civil penalty.

96-11 - **Mark Tolf**, for failure to file a 1995 year-end lobbying activities report. Maximum civil penalty \$750. A letter was received from The Family Institute informing the board that Mr. Tolf had left the Institute in June, 1995 and that the Institute did not have a forwarding address for him. The board moved to delay this hearing until the May 14 meeting, so that the staff could check further to obtain a new address for Mr. Tolf.

96-18 - **Marion McClendon**, for failure to file a statement of interests with the Shelby County Election Commission. Mr. McClendon was a candidate for city council in the October 5, 1995, City of Memphis Election. Class two (2) maximum civil penalty, \$10,000. Motion by Reviere, seconded by Bucy, the board voted unanimously by roll call vote to assess a \$1,000 civil penalty.

96-16 - **Marcus Murrell**, for failure to file a post-election campaign disclosure report with Shelby County. Mr. Murrell was a candidate for city council in the October 5, 1995, City of Memphis Election. Class two (2) maximum civil penalty, \$10,000. Motion by Reviere, seconded by Williams, the board voted unanimously by roll call vote to assess a \$1,000 civil penalty.

96-15 - **Jesse Neely**, for failure to file a post-election campaign disclosure report with Shelby County. Mr. Neely was a candidate for school board member in the October 5, 1995, City of Memphis Election. Class two (2) maximum civil penalty, \$10,000. Motion by Williams, seconded by Bucy, the board voted unanimously by roll call vote to assess a \$1,000 civil penalty.

96-08 - **Sen. Roscoe Dixon**, for failure to timely file a 1995 supplemental annual campaign financial disclosure report. After the board voted to issue a show cause notice to Sen. Dixon at its March 12, 1995 meeting, he paid the \$125 class one (1) civil penalty. Motion by Bucy, seconded by Williams, the board voted unanimously by roll call vote to assess a \$125 civil penalty.

Issuance of Show Cause Notices:

Kenneth Meyer, for failure to file a 1995 supplemental annual campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. Motion by Bucy, seconded by Reviere, the board voted to issue a show cause notice.

Health Providers PAC, for failure to timely file a corrected fourth quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$25. Motion by Reviere, seconded by Williams, the board voted to take no action.

Ronnie Starnes, for failure to timely file a corrected 1995 supplemental annual campaign financial disclosure report. Class one (1), maximum civil penalty \$200. Motion by Bucy, seconded by Williams, the board voted to take no action.

Kroger PAC, for failure to file PAC reports in Knox County. Class two (2), maximum civil penalty \$10,000. The reports have now been filed with the Knox County Election Commission. Motion by Bucy, seconded by Williams, the board voted to take no action.

Budget Report:

Drew Rawlins presented the budget statistics for the month of February and reported that the budget is on schedule as far as expenses are concerned for the 1995-96 fiscal year.

Executive Director's Report:

The Tennessee Lobbyist Association has requested a hearing on the lobbying rules that were published in the March, Tennessee Administrative Register. The board set the June 18 as a date for a hearing on the lobbying rules, beginning at 1:30 p.m. at the Legislative Plaza.

The staff reported that the Registry should know by the end of April if property management will approve the additional space for the Registry's offices.

Catalano reported that the new appointee for the Registry Board will apparently be George Harding from Wilson County but that the confirmation process for this appointment had not been completed by the Senate.

Other Business:

Bob Cooper and Raymond Thomasson appeared before the board and requested an opinion as to whether the Tennessee Soft Drink Employees Non-Partisan Political Action Committee could place vending machines on the premises of soft drink bottling companies that are members of the Tennessee Soft Drink Association. The proceeds from the vending machines would be used by the PAC to make campaign contributions to state and local candidates and for the PAC's ordinary and necessary expenses. The board members decided that they needed more time to study the proposal and postponed a decision on the request until the May 14 meeting.

The next Registry meeting will be held on May 14, 1996, beginning at 10:30 a.m. The meeting was adjourned.