

# REGISTRY OF ELECTION FINANCE

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The Registry of Election Finance for the State of Tennessee met Monday, November 17, 1997, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending were: Herman Reviere, Karen Dunavant, George Harding and Samella Junior-Spence.

The minutes of the October 13<sup>th</sup> meeting were amended to show that the name Robert Spencer should be Ronald Spencer. On motion by Dunavant, seconded by Harding the amended minutes were approved.

## **Show Cause Hearing:**

97-32 – **James Ball**, for failure to timely file 1997 mid-year lobbying activities report. Maximum civil penalty \$750. ~~corrected post general campaign disclosure report.~~ Mr. Ball ~~Drew~~ appeared before the board and ~~requested clarification on~~ explained the reason he failed to meet the filing deadline. requirements. On motion by HardingAshworth, seconded by Junior-Spence the board voted to take no action, defer the case to next meeting to give Mr. Drew an opportunity to meet with staff for an explanation of the needed corrections.

## **Sworn Statements:**

**Ronald J. Spencer**, for failure to file 1997 mid-year lobbying activities report. Maximum civil penalty \$750. Mr. Spencer filed his report and his affidavit, in which he stated that he had no personal record of having received correspondence from the Registry concerning his need to file an activities report. He also explained that as a lobbyist for UPS, he was away from his office during July and August because of the UPS strike. On motion by Junior-Spence, seconded by Dunavant, the board voted to take no action.

**IUE Committee on Political Education**, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. The Assistant Comptroller filed a sworn statement, explaining that she believed the PAC was being terminated in Tennessee. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$25 civil penalty.

## **Civil Penalty Orders:**

**Tennesseans for Good Government**, for failure to file appointment of treasurer statement. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$50 civil penalty.

Tennesseans for Good Government, for failure to timely file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$50 civil penalty.

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**Issuance of Show Cause Notices:**

United Neighbors of S.E. Shelby County, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Dunavant, seconded by Junior-Spence, the board voted to issue a \$25 civil penalty.

Tennessee Conservative Union Campaign Fund, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$10,000 civil penalty.

Fraternal Order of Police Lodge #2 PAC, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Junior-Spence, seconded by Harding, the board voted to issue a \$250 civil penalty.

Alan Beauchamp, for failure to timely file post-election campaign financial disclosure report with Anderson County Election Commission in the 997 Oak Ridge City Council Election. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$500 civil penalty.

Lynn Cobb, for failure to timely file a 1997 post-election campaign financial disclosure report with Shelby County Election Commission as a candidate for General Sessions Court Clerk in the March 12, 1996 Republican Primary. Mr. Cobb faxed copies of his sworn statement and that of his treasurer. On motion by Harding, seconded by Dunavant, the board voted for a continuance in this matter to allow Mr. Cobb additional time to file his original sworn statements for the boards consideration.

Jerry Johnson, for failure to file 1997 mid-year lobbying activities report. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$250 civil penalty.

Francis Guess, for failure to file 1997 mid-year lobbying activities report. On motion by Harding, seconded by Dunavant, the board voted to assess a \$750 penalty.

Tommie Edwards, for failure to timely file 1997 supplemental annual campaign disclosure report. The account has now been closed. On motion by Dunavant, seconded by Junior-Spence, the board voted to take no action.

Bert Chalfant, for failure to timely file 1997 supplemental annual campaign financial disclosure report. On motion by Dunavant, seconded by Junior-Spence, the board voted to take no action.

**Issuance of Show Cause Notices:**

**Fleming Companies, Inc Committee for Responsible Gov't**, for failure to timely file third quarter campaign financial disclosure report. On motion by Junior-Spence, seconded by Dunavant, the board voted to take no action.

**GTE Cellular One PAC of TN**, for failure to timely file third quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$275. On motion by Harding, seconded by Dunavant the board voted to issue a show cause notice.

**Baker Donelson Bearman and Caldwell**, for failure to timely file third quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$475. On motion by Dunavant, seconded by Junior-Spence, the board voted to issue a show cause notice.

**Marcus Murrell**, for failure to file 1996 supplemental annual campaign financial disclosure report with Shelby County Election Commission. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Dunavant, the board voted to issue a show cause notice.

**House Senate Democratic Caucus**, for failure to timely file third quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$100. On motion by Harding seconded by Dunavant, the board voted to issue a show cause notice.

~~**Artifact Collectors of Tennessee**, for failure to timely file second quarter 1997 financial disclosure report. Class one (1), maximum civil penalty \$575.00. On motion by Harding, seconded by Junior Spence, the board voted to take no action.~~

**Budget Report:**

Drew Rawlins, Financial Disclosure Auditor, presented the budget statistics for July 1 through September 30, 1997. The board voted to accept the budget as presented.

**Executive Director's Report:**

Director Williams distributed the October 30 **resignation letter of board member Robert Booker**. She reported that the Governor has been notified of this vacancy.

Two Attorney General opinions were distributed to members. Opinion No. 97-147 states that a member of the General Assembly is prohibited from raising money during legislative session as a candidate for a local office. In Opinion No. 97-146, the Attorney General has determined that contributions to an elected officeholder for legal defense funds are not contributions reportable under the campaign finance law.

Director Williams, distributed a summary of information concerning the campaign finance law and Supreme Court Rules relating to the 1998 judicial elections. She also provided copies of an October 21 Supreme Court Order relating to those elections.

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The Campaign Contribution Limits Rules as amended by the board have now been approved by the Attorney General. Those rules will be filed in the Secretary of State's office for publication and will be reviewed by the Joint Government Operations Committee before becoming effective.

Director Williams stated that she and Rawlins will be conducting regional seminars for candidates and their treasurers on several upcoming Saturdays. Those dates and locations are December 6 – Knoxville, January 10 – Johnson City, January 24 – Nashville, and January 31 – Memphis.

**Other Business:**

Phil Schoggen, a member of Common Cause, requested that the board members seek an Attorney General's opinion as to the constitutionality of the inspection notification provision of the campaign finance law which requires persons inspecting or copying candidate reports to provide name, address, telephone numbers, proper identification and other information.

The members suggested to Mr. Schoggen that he find another route through which to get such an opinion. If he is unsuccessful in this effort, the board indicated that it would consider his request at a later date.

Gail Vaughn Ashworth has made a lunch reservation on December 8 at the Cumberland Club for board members, staff and their spouses or significant others.

The next board meeting will be Monday, December 8, 1997.

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