

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance for the State of Tennessee met Monday, April 14, 1997, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending were: Herman Reviere, Gail Vaughn Ashworth, Karen Dunavant, George Harding and Alan Hubbard.

The minutes of the March 11th meeting were approved on motion by Ashworth and seconded by Harding.

Consideration of Sworn Complaints:

A sworn complaint filed by Tennessee Citizen Action (Brian McGuire, State Director) against Allstate Insurance Co., Insurors of TN, State Farm Insurance Co., and Tennessee Farmers Insurance Co., was considered by the board. The chairman, acting executive director and principals met on March 31st. The insurance representatives told the chairman that all of the attending Senators had reimbursed the insurance companies for the food and beverage. Chair Reviere made the recommendation that the case be dismissed. On motion by Hubbard, seconded by Ashworth, the board voted to dismiss the sworn complaint.

A sworn complaint was filed against Bill Staggs for the 1996 election by Tony McDaniel. At the December meeting, the board voted to have the staff return Mr. Staggs' reports to him for correction. Those reports were not filed with the Registry office. Ashworth recommended at the February meeting that the Registry staff send Mr. Staggs a letter requesting he immediately file the corrected original reports. In addition, Mr. Harding stated he would try and contact Mr. Staggs about the reports. Mr. Harding and Registry staff both reported at the March meeting that Mr. Staggs was in Africa and would not return until approximately March 14. Mr. Staggs filed the reports on April 2, 1997, and appeared at the board meeting. On motion by Ashworth, seconded by Harding, the board to dismiss the sworn complaint.

A sworn complaint was filed by Thomas Cuthill of Bristol, TN, against Rep. Jason Mumpower. The complain alleges that Rep. Mumpower did not disclose the proper addresses on campaign financial disclosure statements. On motion by Ashworth, seconded by Dunavant, the board voted to have the chair meet with the parties involved and return with a recommendation to the board.

Reconsideration Hearings:

96-77 - **Joe Towns**, for failure to file a 1996 pre-general election campaign financial disclosure report. Rep. Towns personally appeared before the board at the March 11 meeting to request a reconsideration of the \$10,000 civil penalty assessed at the January meeting. The board voted to defer the action to the April board meeting to give Rep. Towns an opportunity to file his

pre-general report. Rep. Towns filed the post-primary, pre-general and post-general reports on April 9th. On motion by Ashworth, seconded by Hubbard, the board voted to reconsider the \$10,000 civil penalty. On motion by Ashworth, seconded by Harding, the board voted to reduce the original penalty to \$250. Hubbard amended the motion to assess a \$2,500 penalty. The amendment failed for lack of a second. The board voted unanimously by roll call vote to assess a \$250 civil penalty.

Sworn Statements:

97-08 - **Wendy Miles**, for failure to file a 1996 year-end lobbying activities report. Ms. Miles filed a sworn statement with the Registry stating that she had moved to Idaho and the mail had not been forwarded. The report was filed immediately upon receipt of notification. On motion by Ashworth, seconded by Harding, the board voted to take no action.

97-07 - **John Stuermer**, for failure to file a 1996 year-end lobbying activities report. Mr. Stuermer filed a statement via fax, with the original being mailed. On motion by Ashworth, seconded by Harding the board voted to continue this matter until May 12 so that the original sworn statement could be received by the Registry.

97-03 - **Columbia/HCA TN Good Government Fund**, for the failure to file a fourth quarter campaign financial disclosure report. The PAC filed a sworn statement with the Registry stating that the disclosure had been filed with Davidson County Election Commission erroneously. Ashworth recused herself from these proceedings. On motion by Harding, seconded by Hubbard, the board voted to take no action.

Approval of Civil Penalty Orders:

97-05 - **Williams B. Staggs, Jr.**, for the late filing of a 1996 post-general campaign financial disclosure report. Class one (1), maximum civil penalty \$300. On motion by Harding , seconded by Ashworth, the board voted to take no action.

97-04 - **Republican Speaker of the House Fund**, for the late filing of a 1996 fourth quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$500. On motion by Harding, seconded by Ashworth the board voted unanimously by roll call vote to assess a \$250 civil penalty.

97-06 - **Randy Stamps**, for the late filing of a 1996 post-general campaign financial disclosure report. Class one (1), maximum civil penalty \$200. Rep. Stamps has sent a \$75.00 check. On motion by Ashworth, seconded by Harding, the board voted unanimously by roll call vote to assess a \$75 civil penalty.

97-09 - **Mark Snyder**, for the failure to file a pre-election report with the Shelby County Election Commission. Class two (2), maximum civil penalty \$10,000. Harding made a motion to assess a \$25 civil penalty. The motion failed for lack of a second. Ashworth made the motion to continue this case to May 12th, to give staff the opportunity to ascertain whether Mr. Snyder

still lives at the address where the Shelby County correspondence was mailed. Hubbard seconded the motion and the board voted unanimously in favor.

97-10 - **Mark Snyder**, for the failure to file a post-election report with the Shelby County Election Commission. Class two (2), maximum civil penalty \$10,000. This case is continued to the May 12 Registry meeting in accordance with the motion made in case no. 97-09.

Issuance of Show Cause Notices:

V.H. (Sonnye) Dixon, for failure to file a 1996 post-primary campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Joe Towns, for late filing of 1996 post-general campaign financial disclosure report. Class one (1), maximum civil penalty \$650. Motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Reginald Wiseman, for the failure to file a supplemental campaign financial disclosure statement with the Shelby County Election Commission. Class two (2), maximum civil penalty \$10,000. Motion by Ashworth, seconded by Hubbard, the board voted unanimously to issue a show cause notice.

Deidre Malone, for failure to file a supplemental annual campaign financial disclosure statement with the Shelby County Election Commission. Class two (2) maximum civil penalty \$10,000. Motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Sara Lewis, for failure to file a supplemental annual campaign financial disclosure statement with the Shelby County Election Commission. Class two (2) maximum civil penalty \$10,000. Motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Clifford Lewis, for failure to file a supplemental annual campaign financial disclosure statement with the Shelby County Election Commission. Class two (2) maximum civil penalty \$10,000. Motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Jesse Neely, for failure to file a post-election campaign financial disclosure statement with the Shelby County Election Commission. Class two (2), maximum civil penalty \$10,000. Motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Sara Lewis, for failure to file a statement of interests. Class two (2), maximum civil penalty \$10,000. On motion by Ashworth, seconded by Hubbard, the board voted to issue a show cause notice.

Lobbying Rules:

The Joint Government Operations committee held a hearing on March 31, 1997, regarding Rules 0530-2-1.01(2) (definition of "consideration") and 0530-2-1-.03 (bookkeeping procedures). The committee meeting ended due to lack of time without a final ruling being made on the two rules. The matter will be first on the agenda at the next Joint Government Operations committee meeting. A date for the meeting has not been set at this time.

Budget Report:

The budget statistics for the month of February were presented to the board for approval. Motion by Ashworth, seconded by Hubbard, the board voted to accept the budget as presented.

Executive Director's Report:

Janet Kleinfelter informed the board that the TN Conservative Union is currently under consideration but due to transition between the old and new Attorney General the response has been delayed.

The Attorney General is also considering questions posed by the board regarding fundraising record keeping and anonymous contributions. Those opinions should be available at the May board meeting.

On motion by Ashworth, seconded by Hubbard, the board voted to discontinue the automatic renewal of the COGEL members for each board members, unless the board member desires the membership. The motion included current memberships for the chairman and board members Booker, Dunavant, Harding and Junior-Spence. The motion was approved.

Other Business:

The Registry discussed the pending D.U.I. charges against Peggy Nance Williams, Executive Director. On motion by Hubbard, seconded by Ashworth, the board voted to continue her leave until the May 12th Registry meeting. The board will revisit the issue at that time.

The next meeting is scheduled for Monday, May 12, 1997, at 10:30 a.m.