

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance for the State of Tennessee met Monday, May 12, 1997, at 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending were: Herman Reviere, Gail Vaughn Ashworth, Robert Booker, Karen Dunavant, George Harding, Samella Junior-Spence and Alan Hubbard.

The minutes of the April 14th meeting were approved on motion by Ashworth and seconded by Junior- Spence.

Consideration of Sworn Complaints:

A sworn complaint was filed by Thomas Cuthill against Representative Jason Mumpower for failure to list a date and an address on his pre-general campaign financial disclosure statement for 1996. On April 30, 1997, Chairman Reviere and Acting Director Drew Rawlins met with Rep. Mumpower to discuss Mr. Cuthill's complaint. Chairman Reviere made the recommendation to the board that the complaint be dismissed. On motion by Reviere, seconded by Junior-Spence, the Board voted to dismiss the sworn complaint.

A sworn complaint was filed by Thomas Cuthill against Registry member Alan Hubbard alleging a conflict of interest. On motion by Reviere, seconded by Junior-Spence, the board voted to notify Mr. Cuthill that the complaint should be filed with the State Attorney General or the local District Attorney General.

Sworn Statements:

97-07 - **John Stuemmer**, for failure to file 1996 year end lobbying activities report. Maximum penalty \$750. Mr. Stuemmer filed a sworn statement explaining that he had sent his report to the PBA Legal Office and that they were to forward the report to the Registry. He was not sure why the Registry did not get it. He has now filed his report. On motion by Harding, seconded by Junior-Spence, the board voted to take no action.

97-15 - **Deidre Malone**, for failure to file her supplemental annual campaign financial disclosure statement with Shelby County. Class two (2), maximum civil penalty \$10,000. Ms. Malone filed a sworn statement explaining that she was not aware that she needed to file a report and apologized for the error. Ms. Malone has now filed her report. On motion by Hubbard, seconded by Junior-Spence, the board voted to take no action.

97-09 - **Mark Snyder**, for failure to file his 1996 pre-election campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. Mr. Snyder filed a sworn statement with the Registry along with his disclosure report. The sworn statement explained that

Mr. Snyder had been busy and had failed to file his report. On motion by Harding, seconded by Junior-Spence, the board voted to take no action.

97-10 - **Mark Snyder**, for failure to file his 1996 post-election campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. Mr. Snyder filed a sworn statement with the Registry along with his disclosure report. The sworn statement explained that Mr. Snyder had been busy and had failed to file his report. On motion by Harding, seconded by Junior-Spence, the board voted to take no action.

Approval of Civil Penalty Orders:

97-12 - **V.H. (Sonnye) Dixon**, for failure to file a post primary campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. Mr. Dixon did not respond to the show cause notice. On motion by Asworth, seconded by Dunavant, the board voted four to three to assess a \$1,000 penalty. Voting no were Harding, Hubbard and Junior-Spence.

97-17 - **Representative Joe Towns**, for late filing of post-general campaign financial disclosure statement. Class one (1), maximum civil penalty \$650. On motion by Harding, seconded by Junior-Spence, the board voted to take no action.

97-11 - **Reginald Wiseman**, for failure to file a supplemental annual campaign financial disclosure statement with Shelby County. Class two (2), maximum civil penalty \$10,000. Mr. Wiseman has filed his report with Shelby County. On motion by Hubbard, seconded by Ashworth, the board voted to take no action.

97-14 - **Sara Lewis**, for failure to file supplemental annual campaign financial disclosure statement with Shelby County. Class two (2), maximum civil penalty \$10,000. Disclosure report was filed with the Registry and forwarded to Shelby County. On motion by Hubbard, seconded by Harding the board voted to take no action.

97-16 - **Sara Lewis**, for failure to file a statement of interests with Shelby County. Class two (2), maximum civil penalty \$10,000. Ms. Lewis did not respond to the show cause notice. On motion by Hubbard, seconded by Harding, the board voted unanimously by roll call vote to assess a \$50 civil penalty.

97-13 - **Clifford Lewis**, for failure to file supplemental annual campaign financial disclosure statement with Shelby County. Class two (2), maximum civil penalty \$10,000. Mr. Lewis did not respond to the show cause notice. On motion by Hubbard, seconded by Junior-Spence, the board voted unanimously by roll call vote to assess a civil penalty of \$100.

97-18 - **Jessee Neely**, for failure to file post-election campaign financial disclosure report with Shelby County. Class two (2), maximum civil penalty \$10,000. Mr. Neely did not respond to the show cause notice. Harding motioned to assess civil penalty of \$10,000. On motion by Ashworth, seconded by Hubbard, the board voted unanimously by roll call vote with one abstention to assess a civil penalty of \$1,000. Dunavant abstained from the vote.

Issuance of Show Cause Notices:

Representative Tommie Brown, for failure to file a corrected post-general campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Gary Creasy, for failure to file a corrected post-general campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Hubbard, seconded by Junior-Spence the board voted to issue a show cause notice.

Senator Roscoe Dixon, for failure to file a supplemental annual campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Hubbard, seconded by Ashworth, the board voted to issue a show cause notice.

Charles Drew, for late filing of a corrected post-general campaign financial disclosure statement. Class one (1), maximum civil penalty \$500. On motion by Ashworth, seconded by Harding, the board voted not to issue a show cause notice

Dyral Withers, for late filing of a corrected post-primary campaign financial disclosure report. Class one (1), maximum civil penalty \$50. On motion by Ashworth, seconded by Harding, the board voted not to issue a show cause notice.

Representative Paul Phelan, for failure to file a statement of interests report. Class two (2), maximum civil penalty \$10,000. On motion by Hubbard, seconded by Junior-Spence, the board voted to issue a show cause notice.

Republican Women of Williamson County, for late filing of 1997 first quarter campaign financial disclosure statement. Class one (1), maximum civil penalty \$50. On motion by Ashworth, seconded by Harding, the board voted not to issue a show cause notice.

Shelby County Republican Recruitment Committee, for late filing of 1997 first quarter campaign financial disclosure report. Class one (1), maximum civil penalty \$75. On motion by Harding, seconded by Junior-Spence, the board voted not to issue a show cause notice.

Tennessee Conservative Union Campaign Fund, for failure to file 1996 fourth quarter campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Ashworth, the board voted to issue a show cause notice.

Lobbying Rules:

Acting Director Drew Rawlins reported that the Joint Government Operations committee conducted a hearing on April 28, 1997, regarding Rules 0530-2-1.01(2) (definition of “consideration”) and 0530-2-1-.03 (bookkeeping procedures). The definition of “consideration” was approved without change. The bookkeeping rules were suspended at the recommendation of the Registry. The Registry staff was asked to appear at the next Joint Government Operations Committee to discuss the definition of “delegation”, at the request of Senator Jim Kyle.

Campaign Finance Rules:

Janet Kleinfelter from the Attorney General's Office distributed Attorney General Opinion No. 97-065 on the legality of anonymous campaign contributions. After discussion of the opinion, the board passed consideration of its campaign finance rule relative to anonymous contributions for one month to give the board time to review the opinion.

Budget Report:

March budget statistics were presented to the board for approval. Motion by Harding, seconded by Booker, the board voted to accept the budget as presented.

Executive Director's Report:

The confirmations of Robert Booker, Karen Dunavant and Samella Junior-Spence as members of the Registry of Election Finance are scheduled for consideration by Senate State and Local Government Committee, on Tuesday, May 13, 1997.

Other Business:

The Board congratulated Gail Ashworth on her appointment as a Fellow to the Tennessee Bar Foundation.

The board discussed an invitation being distributed by Senator John Ford for a fundraiser to be held on May 15th. Attorney John Lyell appeared before the board on Senator Ford's behalf. Mr. Lyell informed the board that the fundraiser has been "put off". On motion by Ashworth, seconded by Booker, the board voted unanimously to issue a letter to Senator Ford informing him that solicitation of campaign contributions prior to May 15th is in violation of T.C.A. 2-10-310(a) and is prohibited. In addition, all General Assembly members are to be informed that solicitation of contributions before May 15th is prohibited.

On motion by Ashworth, Ms. Williams will return immediately to her position as executive director and will report monthly to the board on the status of her pending D.U.I. cases. In addition, any further incident will result in her automatic termination without action by the board. The motion was seconded by Hubbard. The board voted unanimously to accept the motion.

Drew Rawlins was congratulated by the board for his performance as acting executive director during Ms. Williams' leave.

The next meeting is scheduled for June 9, 1997 at 10:30 a.m.