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# PUBLIC NOTICE

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The REGISTRY OF ELECTION FINANCE will meet on January 12, 1998 for its regularly scheduled meeting. The meeting will begin at 10:30 a.m. on Monday, January 12, 1998, in Suite 1614 of Parkway Towers, located at 404 James Robertson Parkway.

The agenda for the meeting is as follows:

1. Approval of minutes from Registry's December 8, 1997 meeting.

2. Show cause hearings:

In the Matter of United Cities Gas, Case No. 97-50

In the Matter of Tennessee NARAL PAC, Case No. 97-52

3. Sworn statement submitted for Registry's consideration:

In the Matter of Tennessee Sierra Club PAC, Case No. 97-49

4. Reconsideration:

In the Matter of Alan Beauchamp, Case No. 97-40 (Anderson County)

## **SHOW CAUSE HEARING**

### **Case No. 97-50, In the Matter of United Cities Gas PAC**

In a September 26, 1997 letter, the Registry staff notified United Cities Gas PAC that it was required to file a 1997 third quarter campaign financial disclosure report by October 14, 1997. When the PAC's report was not filed with the Registry, a certified civil penalty assessment letter was mailed to the organization on October 23, 1997. This letter was acknowledged as received on October 28, 1997.

Class one (1) civil penalties began to accrue against United Cities Gas PAC on November 2, 1997. By December 2, 1997, United Cities Gas PAC's failure to file the third quarter report had become a class two (2) offense. The Registry voted to issue a show cause notice to United Cities Gas PAC at its December 8, 1997 meeting.

On December 12, 1997, United Cities Gas PAC filed their third quarter campaign financial disclosure report with the Registry. On December 30, 1997, the Registry received a letter from Tom Stephens, Director of Governmental Affairs, requesting that Worrick Robinson be allowed to represent United Cities Gas PAC at the January 12, 1998 meeting.

**Case No. 97-52, In the Matter of Tennessee NARAL PAC**

In a September 26, 1997 letter, the Registry staff notified Tennessee NARAL PAC that it was required to file a 1997 third quarter campaign financial disclosure report by October 14, 1997. When the PAC's report was not filed with the Registry, a certified civil penalty assessment letter was mailed to the organization on October 23, 1997. This letter was acknowledged as received on November 3, 1997.

Class one (1) civil penalties began to accrue against Tennessee NARAL PAC on November 8, 1997. On November 26, 1997, Tennessee NARAL PAC filed its third quarter campaign financial disclosure report. By the date that the report was filed, class one (1) civil penalties of \$450 had accrued against the organization. The Registry voted to issue a show cause notice to Tennessee NARAL PAC at its December 8, 1997 meeting.

On January 5, 1998, the Registry staff received a request from Jim Todd, treasurer of Tennessee NARAL PAC, to personally appear before the Registry at the January 12, 1998 meeting.

# 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 and seconded by Harding to approve amended minutes. The minutes were approved on motion by Reviere and seconded by Dunavant.

## **Show Cause Hearing:**

97-32 – **James Ball**, for failure to timely file mid-year lobbying activities report. Maximum civil penalty \$750. Mr. Ball appeared before the board and explained the reason he failed to meet the filing deadline. On motion by Harding, seconded by Junior-Spence the board voted to take no action.

## **Sworn Statements:**

**Ronald J. Spencer**, for failure to file 1997 mid-year lobbying activities report. Maximum civil penalty \$750. 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. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$25 fine.

#### **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 Reviere, seconded by Harding, the board voted to issue a \$50 fine.

**Tennesseans for Good Government**, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Reviere, seconded by Junior-Spence, the board voted to issue a \$25 fine.

**Lynn Cobb**, for failure to file 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. On motion by Harding, seconded by Junior-Spence, the board voted for a continuance.

**Jerry Johnson**, for failure to file 1997 mid-year lobbying activities report. On motion by Reviere, seconded by Junior-Spence, the board voted to issue a \$250 fine. Dunavant will try to contact him.

**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 is closed-out. 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.

**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.

#### **Issuance of Show Cause Notices:**

**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.

#### **Budget Report:**

Drew Rawlings, Financial Disclosure Auditor, presented the budget statistics for July 1 through September 30, 1997. This is the last quarter of the budget fiscal year. There was no request for additional revenue to be added to the budget.

### **Executive Director's Report:**

Director Williams distributed the resignation letter for board member, Robert Booker. She also distributed other various reports.

Director Williams stated that Rawlings and herself will be holding seminars for all registrars and members of the General Assembly on selected Saturdays. Those dates are December 6, January 10 and January 24.

The issue was addressed whether judicial candidates could accept contributions.

### **Other Business:**

A visitor requested the help of the board to ask that candidate information be made available to the public without disclosing proper personal identification because he feels that this is unconstitutional. The visitor stated that a number of other states have passed a law of this nature and that while we are entering the 21<sup>st</sup> century it would be beneficial to access public records through the internet, etc.

This issue has been requested to the Attorney General's office several times in the past. It was stated that in order for the board to consider this type of request again that he should get a judgement for the Attorney General's office. If he is not successful in his efforts the board would be available to assist him.

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.

The REGISTRY OF ELECTION FINANCE will meet on January 12, 1998 for its regularly scheduled meeting. The meeting will begin at 10:30 a.m. on Monday, January 12, 1998, in Suite 1614 of Parkway Towers, located at 404 James Robertson Parkway.

The agenda for the meeting is as follows:

1. Approval of minutes from Registry's December 8, 1997 meeting.
2. Show cause hearing:  
In the Matter of United Cities Gas, Case No. 97-50
5. Sworn statements submitted for Registry's consideration:  
In the Matter of Tennessee Sierra Club PAC, Case No. 97-49
6. Reconsideration:  
In the Matter of Alan Beauchamp, Case No. 97-40 (Anderson County)
7. Approval of civil penalty orders:  
In the Matter of Americans for Tenable Sentences and Court Support,  
Case No. 97-53

In the Matter of Tennessee NARA PAC, Case No. 97-52

In the Matter of Century Telephone Enterprises, Inc. PAC, Case No. 97-45

In the Matter of Fraternal Order of Police Lodge #2 PAC, Case No. 97-46

In the Matter of Alan Beauchamp, Case No. 97-40 (Anderson County)

6. Budget report.
7. Executive Director's report.
8. Other business.

## **SHOW CAUSE HEARING**

### **Case No. 97-32, In the Matter of James Ball**

During the 1997 registration period, Mr. Ball registered as a lobbyist for Corrections Corporation of America.

On July 1, the staff mailed a notification letter to Mr. Ball informing him of the need to file a 1997 mid-year lobbying activities report by July 30. When the report was not timely filed with the Registry, the staff mailed a certified assessment letter to Mr. Ball. That letter was acknowledged as received at his business office on August 12 by "Nicole Benson."

Civil penalties of \$25 a day began to accrue against Mr. Ball on August 17. By September 16, the maximum of \$750 in penalties had accrued against Mr. Ball. His lobbying activities report was filed with the Registry on September 19.

The board voted at its October meeting to issue a show cause hearing notice to Mr. Ball. He has requested a personal appearance before the board.

**SWORN STATEMENTS  
SUBMITTED FOR  
REGISTRY'S CONSIDERATION**

**Case No. 97-34, In the Matter of IUE Committee on Political Education**

In a June 24, 1997 letter, the Registry staff notified IUE Committee on Political Education that it was required to file a 1997 second quarter campaign financial disclosure report by July 11, 1997. When the PAC's report was not filed with the Registry, a certified civil penalty assessment letter was mailed to the organization's treasurer, Edward Fire, on July 21, 1997. This letter was acknowledged as received on July 28, 1997.

Class one (1) civil penalties began to accrue against IUE Committee on Political Education on August 2, 1997. By September 1, 1997, IUE Committee on Political Education's failure to file the second quarter report had become a class two (2) offense. The Registry voted to issue a show cause notice to IUE Committee on Political Education at its October 13 meeting.

On November 4, 1997, the Registry staff received a sworn statement from the Assistant Comptroller, stating that she believed that the PAC was being terminated in Tennessee.

**Case No. 97-31, In the Matter of Ronald J. Spencer**

Mr. Spencer registered as a lobbyist for United Parcel Service during the 1997 registration period. His business address is disclosed as being in Norcross, Georgia.

On July 1, the staff mailed a letter to Mr. Spencer at his business address notifying him that his 1997 mid-year lobbying activities report was due to be filed on July 30. When the report was not timely received, a certified assessment letter was mailed to Mr. Spencer on August 8. Receipt of that letter was acknowledged on August 13 by "P. Trainer."

Civil penalties of \$25 a day began to accrue against Mr. Spencer on August 18, and the maximum of \$750 in penalties had accrued against him by September 17. The Registry voted to issue a show cause hearing notice to Mr. Spencer at its October 13 meeting.

On October 29, Mr. Spencer filed his lobbying activities report with the Registry. Additionally, Mr. Spencer's attorney filed affidavits on behalf of Mr. Spencer, which are attached. (Please note that in paragraph 1 of Mr. Spencer's affidavit he states that the Registry's show cause notice was incorrectly issued under the name of "Robert Spencer." That notice was inadvertently issued on October 14 and was re-issued on October 24 under the correct name of "Ronald J. Spencer." All previous correspondence to Mr. Spencer, including the certified civil penalty assessment letter, was issued under the correct name.)

November 10, 1997

Herman Reviere  
121 Jackson Avenue  
Ripley, TN 38063

Dear Herman:

Enclosed are the agenda and related materials for our November 17 meeting. If you need any additional information concerning any of the items on the agenda, please give us a call.

I have made you a reservation at the Doubletree for Sunday night for \$65. The confirmation number is 752287.

We look forward to seeing you Monday at 10:30 a.m.

Sincerely,

Peggy Nance Williams  
Executive Director

PNW:cm

Enclosures

## **REGISTRY OF ELECTION FINANCE**

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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 and seconded by Harding to approve amended minutes. The minutes were approved on motion by Reviere and seconded by Dunavant.

#### **Show Cause Hearing:**

97-32 – **James Ball**, for failure to timely file mid-year lobbying activities report. Maximum civil penalty \$750. Mr. Ball appeared before the board and explained the reason he failed to meet the filing deadline. On motion by Harding, seconded by Junior-Spence the board voted to take no action.

#### **Sworn Statements:**

**Ronald J. Spencer**, for failure to file 1997 mid-year lobbying activities report. Maximum civil penalty \$750. 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. On motion by Harding, seconded by Junior-Spence, the board voted to issue a \$25 fine.

#### **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 Reviere, seconded by Harding, the board voted to issue a \$50 fine.

**Tennesseans for Good Government**, for failure to file second quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Reviere, seconded by Junior-Spence, the board voted to issue a \$25 fine.

**United Neighbors of S.E. Shelby County**, for failure to file first quarter 1997 campaign financial disclosure report. Class two (2), maximum civil penalty \$10,000. On motion by Harding, seconded by Dunavant, the board voted to issue a \$25 fine. The staff will write a letter to stating that notification needs to be in writing to close the account.

**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 Harding, seconded by Dunavant, the board voted to issue a \$25 fine.

**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 Herman, seconded by Dunavant, the board voted to issue a \$10,000 fine.

**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 Reviere, seconded by Harding, the board voted to issue a \$250 fine.

**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 Reviere, seconded by Junior-Spence, the board voted to issue a \$500 fine.

**Lynn Cobb**, for failure to file 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. On motion by Harding, seconded by Junior-Spence, the board voted for a continuance.

**Issuance of Show Cause Notices:**

**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.

**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.

**Budget Report:**

Drew Rawlings, Financial Disclosure Auditor, presented the budget statistics for July 1 through September 30, 1997. This is the last quarter of the budget fiscal year. There was no request for additional revenue to be added to the budget.

**Executive Director's Report:**

Director Williams distributed the resignation letter for board member, Robert Booker. She also distributed other various reports.

Director Williams stated that Rawlings and herself will be holding seminars for all registrars and members of the General Assembly on selected Saturdays. Those dates are December 6, January 10 and January 24.

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**Other Business:**

A visitor requested the help of the board to ask that candidate information be made available to the public without disclosing proper personal identification because he feels that this is unconstitutional. The visitor stated that a number of other states have passed a law of this

nature and that while we are entering the 21<sup>st</sup> century it would be beneficial to access public records through the internet, etc.

This issue has been requested to the Attorney General's office several times in the past. It was stated that in order for the board to consider this type of request again that he should get a judgement for the Attorney General's office. If he is not successful in his efforts the board would be available to assist him.

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

5. Approval of civil penalty orders:

In the Matter of Americans for Tenable Sentences and Court Support,  
Case No. 97-53

In the Matter of Century Telephone Enterprises, Inc. PAC, Case No. 97-45

In the Matter of Fraternal Order of Police Lodge #2 PAC, Case No. 97-46

In the Matter of Republican National State Elections Committee, Case No. 97-47

In the Matter of Tennessee Campaign for the Family, Case No. 97-48

In the Matter of Tennesseans for Good Government, Case No. 97-51

6. Issuance of show cause notices.
7. Budget report.
8. Executive Director's report.
9. Other business.

# **SWORN STATEMENT SUBMITTED FOR REGISTRY'S CONSIDERATION**

Case No. 97-49, **In the Matter of Tennessee Sierra Club PAC**

In a September 26, 1997 letter, the Registry staff notified Tennessee Sierra Club PAC that it was required to file a 1997 third quarter campaign financial disclosure report by October 14, 1997. When the PAC's report was not filed with the Registry, a certified civil penalty assessment letter was mailed to the organization on October 23, 1997. This letter was acknowledged as received on November 4, 1997.

Class one (1) civil penalties began to accrue against Tennessee Sierra Club PAC on November 9, 1997. By December 9, 1997, Tennessee Sierra Club PAC's failure to file the third quarter report had become a class two (2) offense. The Registry voted to issue a show cause notice to Tennessee Sierra Club PAC at its December 8, 1997 meeting.

On December 17, 1997, the Registry received Tennessee Sierra Club PAC's third quarter campaign financial disclosure statement. In addition, the Registry staff received a sworn statement from Janet Suber, treasurer of Tennessee Sierra Club PAC, explaining that she is a volunteer and has not paid enough attention to the filing of the campaign financial disclosure organization reports with the Registry.

January 5, 1998

Alan Hubbard  
J.C. Bradford  
P.O. Box 1469  
Kingsport, TN 37662

Dear Alan:

Enclosed is the agenda for our January 12, 1998 board meeting, along with summaries of pertinent cases.

Please give us a call if you need any additional information prior to the meeting. We look forward to seeing you Monday.

Sincerely,

Peggy Nance Williams  
Executive Director

PNW:cm

Enclosures

## RECONSIDERATION

Case No. 97-40, **In the Matter of Alan Beauchamp**

Mr. Beauchamp was a candidate for city council in the June 6, 1997 Oak Ridge Municipal Election.

On July 14, the Anderson County Election Commission notified Mr. Beauchamp that he was required to file a post-election campaign disclosure report by July 21. When the report was not filed, the commission mailed a certified assessment letter to Mr. Beauchamp. That letter was acknowledged as received at his mailing address on August 25.

Class one (1) civil penalties began to accrue against Mr. Beauchamp on August 30. By September 29, his failure to file a post-election report became a class (2) offense. (Mr. Beauchamp did file his report with the commission on September 30.) The Anderson County Election Commission forwarded this case to the Registry for disposition.

The Registry voted to issue a show cause hearing notice to Mr. Beauchamp on October 13. He did not respond to the board's notice, and an order assessing Mr. Beauchamp a \$500 class two (2) civil penalty was issued on November 19.

On December 9, Mr. Beauchamp sent a letter to the board requesting reconsideration of the assessment of the civil penalty against him. In both a telephone conversation and in a December 17 letter, Mr. Beauchamp was informed by the Director that this case would be placed on the January agenda for reconsideration but that he must either personally appear before the board or submit a sworn statement to ensure the reconsideration of this matter. (As of January 5, 1998, no personal appearance has been requested, nor has a statement been submitted.)