

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, December 13, 2000, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members Alan Hubbard, Samella Junior-Spence, Michael McCroskey, and Karen Dunavant via conference call due to inclement weather. George Harding was unable to attend due to medical reasons.

On motion by McCroskey, seconded by Hubbard, the minutes from the October 11, 2000 meeting were approved unanimously.

Sworn Statements Submitted

00-51 Kent Brisby, for failure to timely file a 2000 mid-year lobbying activities report. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Mr. Brisby has had no matters before the board.

Mr. Brisby submitted a sworn statement to the board apologizing for his tardiness in filing his report.

On motion by McCroskey, seconded by Dunavant, the board voted unanimously to take no action in this matter, but to send Mr. Brisby a letter advising him that the reason the board did not take any action was because this was his first matter before the Registry.

00-52 Thomas Carter, for failure to timely file a 2000 mid-year lobbying activities report. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Mr. Carter has had no previous matter before the board.

Mr. Carter faxed a notarized sworn statement to the Registry. Director Rawlins also informed the board that he had a telephone conversation with Mr. Carter and informed him that the Registry had never received his report. Mr. Carter stated that he had mailed the original report, but since the Registry did not receive it, he faxed a copy of the original report.

On motion by Hubbard, seconded by McCroskey, the board voted unanimously to take no action in this matter, but to send Mr. Carter a letter informing him of the board's decision to take no further action since he has had no prior matters before the Registry.

00-54 Phillip McSween, for failure to timely file a 2000 mid-year lobbying activities report. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Mr. McSween has had no prior matters before the board.

Mr. McSween submitted a sworn statement explaining to the board that he had had no lobbying activities.

On motion by Hubbard, seconded by McCroskey, the board voted unanimously to take no action in this matter and to send Mr. McSween a letter advising him of the

board's decision to take no action due to the fact that he does not have a prior history with the Registry.

Cases Subject to Approval for Civil Penalty

00-53 Yusaf Hakeem, for failure to timely file a 2000 mid-year lobbying activities report. Mr. Hakeem registered as a lobbyist for the city of Chattanooga. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Mr. Hakeem has had no previous matters before the board.

Director Rawlins informed the board that there has been no response to the show cause notice.

A motion was made by McCroskey, seconded by Hubbard, and passed unanimously to assess Mr. Hakeem a seven hundred fifty (\$750) civil penalty.

00-55 Michael Ross, for failure to timely file a 2000 mid-year lobbying activities report. Mr. Ross registered as a lobbyist for the National Cabaret Association. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Mr. Ross has had no previous matters before the board.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by McCrosky, seconded by Hubbard, the board voted unanimously to assess a seven hundred fifty (\$750) civil penalty to Mr. Ross.

Cases Considered for Issuance of Show Cause Notices

William Cotton, for failure to timely file a 2000 mid-year lobbying activities report. Class one (1), maximum fifty (\$50) civil penalty. Mr. Cotton has had no previous matters before the board.

A motion to take no action was made by McCroskey, but died for lack of a second. A second motion was then made by Hubbard, seconded by Dunavant to issue a show cause in this matter, which passed unanimously.

Elaine Kehel, for failure to file a 2000 mid-year lobbying activities report. Class one (1), maximum seven hundred fifty (\$750) civil penalty. Ms. Kehel has had no previous matters pertaining to lobbying, however, she is registered as a lobbyist for Tennesseans for Hemp and Cannabis PAC, which has had several matters previously before the board.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

Luke Bright, for failure to timely file an allocation report. Mr. Bright was a candidate in the 2000 primary elections. Class one (1), maximum three hundred fifty (\$350) civil penalty. Mr. Bright has had no previous matters before the board.

On motion by Hubbard, seconded by Dunavant, the board voted unanimously to take no action in this matter, but to send Mr. Bright a letter advising him the reason no

action was taken was due to the fact that he has no prior civil penalty history before the board.

David Evans, for failure to file a 2000 post-primary campaign financial disclosure report. Mr. Evans was a candidate for House of Representatives in the 27th district. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Evans has no prior history before the board.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

Alonzo Grant, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Grant was a candidate for House of Representatives in the 87th district. Class one (1), maximum seven hundred (\$700) civil penalty. Mr. Grant has been before the board for failure to file his 2000 pre-primary campaign financial disclosure report where in which the board assessed Mr. Grant a one thousand (\$1000) civil penalty.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

Robert E. Lee Harris, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Harris was a candidate for House of Representatives in the 93rd district. Class one (1) maximum, one hundred (\$100) civil penalty. Mr. Harris has no prior history before the board.

On motion by Hubbard, seconded by Dunavant, the board voted unanimously to take no action in this matter, but to send Mr. Harris a letter informing him that since he has had no prior matters before the board, no action will be taken.

Alan Johnson, for failure to timely file a 2000 annual supplemental campaign financial disclosure report. Mr. Johnson was a candidate for House of Representatives in the 18th district in the 1998 election. Class one (1) , maximum two hundred fifty (\$250) civil penalty. Mr. Johnson has had no previous matter before the board.

Mr. Johnson submitted a letter along with his report saying that in his last disclosure he attached a letter saying he was closing out his account by giving a charitable contribution, thinking that was sufficient. His 2000 report reflects the contributions, therefore closing out his account.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to take no action in this matter.

Scott Moore, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Moore was a candidate for House of Representatives out of the 19th district. Mr. Moore has had no previous matters before the board.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to take no action in this matter, but to send Mr. Moore an expanded letter explaining why the board did not issue a show cause in this matter, there was a very small balance, it might be in Mr. Moore's best interest to go ahead and close out his account.

Dereck Osborne, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Osborne was a candidate for House of Representatives in the 50th district. Class one (1), maximum fifty (\$50) civil penalty. Director Rawlins informed the board that Mr. Osborne had been before the board on a previous matter where he was assessed a one hundred (\$100) civil penalty..

A motion was made by McCroskey to issue a show cause, but died for lack of a second. Another motion was made by Hubbard, seconded by Dunavant, the board voted to take no action with McCroskey voting “no”.

Helen Owens, for failure to timely file a 2000 post-primary campaign financial disclosure report. Ms. Owens was a candidate for House of Representatives. Class two (2), maximum ten thousand (\$10,000) civil penalty. Ms. Owens filed her report on December 11, 2000. Ms. Owens has a previous history before the Registry, where in which the board assessed her a one hundred (\$100) civil penalty for failure to file a statement of interests report.

On motion by Dunavant, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

Richard Parks, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Parks was a candidate for House of Representatives in district 93. Class one (1), maximum seventy-five (\$75) civil penalty. Mr. Parks has had no prior history before the board.

On motion by Hubbard, seconded by Dunvanat, the board voted unanimously to take no further action in this matter.

Hubert Patty, for failure to file a 2000 post-primary campaign financial disclosure report. Mr. Patty was a candidate for Senate in the 8th district. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Patty has had no previous matters before the board.

A motion was made by Dunavant, seconded by McCroskey, and passed unanimously to issue a show cause in this matter.

John Vinson, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. Vinson was a candidate for Senate in the 28th district. Class one (1), maximum one hundred (\$100) civil penalty. Mr. Vinson has no prior history before the board.

On motion by Dunavant, seconded by Hubbard, the board voted unanimously to take no action in this matter.

Calvin Walk, III, for failure to timely file an annual supplemental campaign financial disclosure report. Mr. Walk was a candidate for House of Representatives in the 86th district in the 1998 elections. Class one (1), maximum four hundred fifty (\$450) civil penalty. Mr. Walk has had no matters previously before the board.

On motion by Dunavant, seconded by McCroskey, the board voted unanimously to issue a show cause in this matter.

Roy Wayne White, for failure to timely file a 2000 post-primary campaign financial disclosure report. Mr. White was a candidate for Senate in the 22nd district. Class one (1), maximum one hundred fifty (\$150) civil penalty. Mr. White has no previous history with the Registry.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to take no action, but to send Mr. White a letter explaining to him that because he had had no prior history with the board, no action was taken.

Rick Williams, for failure to file a 2000 post-primary campaign financial disclosure report. Mr. Williams ran for House of Representatives in the 51st district. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Williams has been before the board on several matters, where in which the board has assessed a total of \$1,200 in civil penalties.

On motion by Dunavant, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

American Pharmacy Cooperative PAC, for failure to timely file a 2000 3rd quarter campaign financial disclosure report. Class one (1), maximum two hundred twenty five (\$225) civil penalty. This PAC has no prior history before the board.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to take no action in this matter, but to send a letter advising the PAC that since there was not a prior history with the Registry no civil penalty was assessed.

Committee Against Frivolous Spending, for failure to timely file a 2000 3rd quarter campaign financial disclosure report. Class one (1), maximum seventy-five (\$75) civil penalty. The Committee Against Frivolous Spending has had no prior matters before the board.

On motion by Hubbard, seconded by McCroskey, the board voted unanimously to take no action in this matter, but to send the committee a letter advising them that because of their lack of history with the board, no penalty was levied.

Davidson County Democratic Women, for failure to file a 2000 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. The Davidson County Democratic Women have been before the board, and assessed a \$300 civil penalty.

A motion was made by Dunavant, seconded by McCroskey, and passed unanimously to issue a show cause in this matter.

Federation of Democratic Women, for failure to file a 2000 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. The Federation of Democratic Women have had no previous matters before the board.

On motion by Dunavant, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

IUE Committee on Political Affairs, for failure to timely file a 2000 3rd quarter campaign financial disclosure report. Class one (1), maximum two hundred fifty (\$250) civil penalty. This committee has no previous issues before the board.

On motion by Dunavant, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

MIM Health Plans PAC, for failure to file a 2000 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. MIM Health Plans PAC has had no previous history with the board.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to issue a show cause in this matter.

Republican Women of Williamson County, for failure to timely file a 2000 3rd quarter campaign financial disclosure report. Class one (1), maximum two hundred seventy-five (\$275) civil penalty. The Republican Women of Williamson County have not been before the board on any previous matters.

On motion by Dunavant, seconded by McCroskey, the board voted unanimously to issue a show cause in this matter.

Shelby County Democratic Executive Committee, for failure to timely file a 2000 3rd quarter campaign financial disclosure report. Class one (1), maximum two hundred twenty-five (\$225) civil penalty. This committee has had no previous matters before the board.

On motion by Dunavant, seconded by McCroskey, the board voted unanimously to issue a show cause in this matter.

Tennessee Republican Assembly PAC, for failure to file a 2000 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. The Tennessee Republican Assembly PAC has had no previous matters before the board.

A motion to issue a show cause was made by Dunavant, seconded by McCroskey, and passed unanimously.

Tennesseans for Hemp and Cannabis, for failure to file a 2000 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. The Tennesseans for Hemp and Cannabis have been before the board on several matters and have been assessed a total of \$5,450 in civil penalties.

On motion by Hubbard, seconded by McCroskey, the board voted unanimously to issue a show cause in this matter.

Sworn Complaint

Director Rawlins presented the board with a sworn complaint filed against Rod DeBerry. The complaint charged that Mr. DeBerry ran an obligation during his federal campaign for congress. The Federal Election Commission shut down his federal account due to inactivity. Once Mr. DeBerry decided to run for state senate, the outstanding

federal obligation balance was paid off. The complaint charges that Mr. DeBerry did not disclose this payment on his state campaign financial disclosure.

Director Rawlins informed the board that it was his opinion that the obligation payment should be disclosed on his federal campaign disclosure, not his state disclosure since it was an outstanding federal obligation.

On motion by Junior-Spence, seconded by Hubbard, the board voted unanimously to write Mr. Hooker a letter stating that the Registry has reviewed the complaint and feels that based on the facts, it is out of their jurisdiction, and that if he would like to pursue this matter, then a complaint needs to be filed with the Federal Election Commission, therefore no further action was taken.

Reported Financial Expenses

Director Rawlins presented the expenditure report for the 2000 fiscal year through October 31, 2000.

Additionally, Director Rawlins reported to the board that there were two civil penalties paid during the months of October and November 2000.

On motion by McCroskey, seconded by Hubbard, the board voted unanimously to accept the financial expenditure report as presented.

Executive Director's Report

Director Rawlins disseminated a letter submitted by Brenda Woods asking for a reconsideration of the \$3,000 civil penalty levied against her for her failure to file an appointment of political treasurer statement. She was a candidate for House of Representatives out of Bolivar, Tennessee. Ms. Woods states in her letter that she was not properly notified and therefore is requesting a reconsideration hearing in this matter. Director Rawlins sent Ms. Woods a list of the civil penalty history for the last three years as she requested.

Other Business

Director Rawlins recommended that the following PACs be closed due to the fact that these committees would not accept service on certified letters, therefore inhibiting the civil penalty process from proceeding.

- Joe Six PAC
- Urban Agenda
- Fraternal Order of Police Lodge #2 PAC
- Tennesseans for Hemp and Cannabis

The board advised Director Rawlins to contact the Attorney General's Office and based on the history of these PACs seek a recommendation to terminate these committees.

A motion was made by Dunavant, seconded by Junior-Spence, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.

The board's next regularly scheduled meeting will be Wednesday, January 10, 2001 at 10:30 am. At 1614 Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.