

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, September 10, 2003, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members Henry Fincher, Karen Dunavant, Darlene McNeece, Lee Anne Murray and Marian Ott.

On motion by Dunavant, seconded by McNeece, the minutes from the July 9 2003 meeting were approved unanimously.

Request for Reconsideration

03-03 Joe Towns, Jr. for failure to file a 2002 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Towns has had previous matters before the board.

The board voted at the February 12, 2003 meeting to assess Rep. Towns a \$5,000 civil penalty after he failed to timely file the required report. Rep. Towns requested a reconsideration of the assessment.

The board voted at its June 11, 2003 meeting to postpone this matter until the September meeting with the understanding that a new treasurer be appointed and complete training with the Registry staff regarding filing deadlines and how to effectively file disclosure reports.

Director Rawlins informed the board that Rep. Towns appointed a new treasurer for his campaign and that the new treasurer had completed training with the Registry staff.

On motion by McNeece, seconded by Ott, the board voted unanimously to reconsider the \$3,000 assessment against Rep. Towns. A motion was then made by McNeece, seconded by Ott, to assess Rep. Towns a \$2,000 civil penalty. The motion to assess Rep. Towns a \$2,000 civil penalty passed the board unanimously.

02-47 Brenda Woods, for failure to file a 2002 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Woods has had previous matters before the board.

The board voted at its November 13 meeting to defer this case until the December meeting to allow Ms. Woods a chance to complete and file the required pre-primary campaign financial disclosure report.

The board voted at its December 11, 2002 meeting to assess Ms. Woods a \$500 civil penalty for her failure to file the required campaign financial disclosure statement with the Registry.

Ms. Woods requested a reconsideration of the \$500 assessment against her at the board's next regularly scheduled meeting.

Ms. Woods personally appeared before the board at the September 10, 2003 meeting and stated that she had mistakenly marked the wrong box indicating the report

was a pre-primary report when, in fact, it was the post-primary report. Ms. Woods further stated that she filed the reports with the Hardeman County Election Commission with the understanding that the reports would be forwarded on to the Registry.

On motion by Dunavant, seconded by McNeece, the board voted unanimously not to reconsider the \$500 assessment against Ms. Woods.

Show Cause Hearings

03-34 Save Our Schools PAC, for failure to timely file a 2003 1st quarter campaign financial disclosure statement. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. The organization has had a previous matter before the board.

The board voted at its June 11, 2003 meeting to issue the organization a show cause notice for their failure to timely file the required report.

At the organization's request, the board voted at its July 9, 2003 meeting to defer any action in this case until the next regularly scheduled meeting to allow the organization an opportunity to appear and respond to the show cause notice.

Director Rawlins informed the board that he sent notice of the September meeting to the organization but that there had been no response.

On motion by Fincher, seconded by McNeece, the board voted unanimously to assess the organization a \$50 civil penalty.

Cases Considered for Issuance of Show Cause Notices

Lesa Hensley, for failure to timely file a 2003 mid-year lobbying activities report. Class one (1), one day late for a maximum twenty-five (\$25) civil penalty. Ms. Hensley has had no previous matters before the board.

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

Walter Herbison, for failure to timely file a 2003 mid-year lobbying activities report. Class one (1), one day late for a maximum twenty-five (\$25) civil penalty. Mr. Herbison has had no previous matters before the board.

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

Sherry Ross, for failure to timely file a 2003 mid-year lobbying activities report. Class one (1), three days late for a maximum seventy-five (\$75) civil penalty. Ms. Ross has had no previous matters before the board.

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

Hardeman County Democratic Party, for failure to timely file a 2003 2nd quarter campaign financial disclosure report. Class one (1), 23 days late, maximum five hundred seventy-five (\$575) civil penalty. The organization has had no previous matters before the board.

On motion by Fincher, seconded by Murray, the board voted unanimously to issue a show cause notice.

Henderson County Democratic Party, for failure to timely file a 2003 2nd quarter campaign financial disclosure report. Class one (1), two days late for a maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

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

Majority Tennessee, for failure to timely file a 2003 2nd quarter campaign financial disclosure report. Class one (1), three days late for a maximum seventy-five (\$75) civil penalty. The organization has had no previous matters before the board.

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

Shelby County Democratic Executive Committee, for failure to file a 2003 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

On motion by Fincher, seconded by Murray, the board voted unanimously to issue a show cause notice.

Wedge PAC, for failure to file a 2003 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

On motion by Fincher, seconded by Murray, the board voted unanimously to issue a show cause notice.

Reported Financial Expenses

Director Rawlins presented the expenditure reports for the 2002/2003 fiscal year through July 31, 2003.

Additionally, Director Rawlins provided the board members with a list of civil penalties that have been paid year to date.

Other Business

Director Rawlins informed the board that the Registry had received the opinion from the Attorney General regarding the definition of a PAC, what timeframe should be viewed in order to establish when a PAC becomes a PAC and whether there is any state or federal guidance on what constitutes a conduit.

The board requested that Director Rawlins inform RAAMPAC and their representatives that their case would be placed on the agenda for the October 8, 2003 meeting. In addition, the board requested that Director Rawlins inform the organization and its representatives that if they wished to submit a written brief on their interpretation

of the Attorney General's opinion that it should be filed with the Registry no later than September 29, 2003.

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