

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, May 12, 2004, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members William Long, Henry Fincher, Darlene McNeece, Marian Ott and Karen Dunavant.

On motion by Fincher, seconded by McNeece, the minutes from the April 14, 2004 meeting were approved unanimously.

Request for Reconsideration

02-42 and 02-68 Bill Wood, for failure to file a 2002 pre-primary campaign financial disclosure report and 2002 post-primary campaign financial disclosure report. Originally, a \$10,000 civil penalty was assessed in each case. On reconsideration, the two cases were consolidated and a civil penalty of \$5,000 was assessed.

Mr. Hendon, treasurer for Mr. Wood's campaign, requested a reconsideration of the civil penalty assessment against Mr. Wood. Mr. Hendon requested to personally appear at the May 12, 2004 meeting but phoned the day of the meeting and stated that he would be unable to appear before the board because of an examination. Mr. Hendon faxed a sworn statement to the Registry for the board's consideration.

In his statement, Mr. Hendon requested that the board reconsider the assessment against Mr. Wood. Mr. Hendon stated that although the reports were filed late the information on the reports were accurate. Mr. Hendon further stated that he has been active in the public sector for many years and that this incident has damaged his reputation in the professional and public sector.

On motion by Fincher, seconded by Ott, the board voted unanimously not to reconsider the \$5,000 civil penalty assessment against Mr. Wood.

04-03 QCAS Good Government Fund, for failure to file a 2003 4th quarter campaign financial disclosure report. Class two (2), no report filed, for a maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its April 14, 2004 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the assessment.

Ronnie Burkey, representative for the organization, explained in his statement that the organization was no longer active and that they were going to close the PAC. Mr. Burkey further explained that he assumed that if the \$150 PAC registration fee was not paid the PAC would dissolve. Mr. Burkey stated that he misunderstood the reporting requirements and apologized for his failure to file.

On motion by Ott, seconded by McNeece, the board voted unanimously not to reconsider the \$10,000 civil penalty assessment against the organization.

Show Cause Hearings

04-20 Robert Jones, for failure to file a 2003 Statement of Interest report. Class two (2), 64 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Jones has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Jones a show cause notice.

Mr. Jones personally appeared before the board and explained that he was a newly appointed Public Defender from Shelby County. Mr. Jones further explained that he did get the notice to file but that he became extremely busy and so consumed with work projects that he unintentionally forgot to file the report. Mr. Jones apologized for his failure to file and stated that he would promptly file all further reports with the Registry in a timely manner.

On motion by Dunavant, seconded by Fincher, the board voted unanimously to assess Mr. Jones a \$50 civil penalty.

04-25, Edwin Sanders, II, for failure to file a 2003 annual supplemental campaign financial disclosure report. Class two (2), 53 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Sanders has had a previous matter before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Sanders a show cause notice.

Mr. Sanders personally appeared before the board and explained that he thought his campaign account had been closed and disregarded the notices to file because he assumed that he did not owe anything further to the Registry as he had a \$0.00 balance in his account. Mr. Sanders apologized for the misunderstanding and filed the required report with the Registry.

On motion by Fincher, seconded by Dunavant, the board voted unanimously to assess Mr. Sanders a \$75 civil penalty.

Cases Subject to Approval for Civil Penalty

04-16 Jeb Beasley, for failure to file a 2003 year-end lobbying activities report. Class one (1), no report filed, maximum seven hundred fifty (\$750) civil penalty. Mr. Beasley has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Beasley a show cause notice.

Registry staff informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Fincher, seconded by McNeece, the board voted unanimously to assess Mr. Beasley a \$750 civil penalty.

04-22 William Baird, for failure to timely file a 2003 Statement of Interest report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Rep. Baird has had previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Rep. Baird show cause notices.

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

A motion was made by Ott, seconded by Dunavant, to consolidate case nos. 04-18 and 04-22 (see below) and assess Rep. Baird \$300. The motion to consolidate the two cases and assess Rep. Baird a \$300 civil penalty passed the board unanimously.

04-19 Glen Casada, for failure to file a 2003 Statement of Interest report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Casada has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Rep. Casada a show cause notice.

Director Rawlins informed the board that Rep. Casada had requested to personally appear before the board on this matter but legislative session starting time had been changed to an earlier starting time and he could not appear. Rep. Casada requested that his case be postponed until the next regularly scheduled meeting to allow him an opportunity to appear before the board.

A motion was made by Dunavant, seconded by Fincher, to postpone any action in this matter until the next regularly scheduled meeting to allow Rep. Casada an opportunity to appear before the board. The motion to postpone any action passed the board unanimously.

04-22 William Baird, failure to timely file a 2003 annual supplemental campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Rep. Baird has had previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Rep. Baird a show cause notice.

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

A motion was made by Ott, seconded by Dunavant, to consolidate case nos. 04-18 (see above) and 04-22 and assess Rep. Baird \$300. The motion to consolidate the two cases and assess Rep. Baird a \$300 civil penalty passed the board unanimously.

04-23 Robert E. Lee Harris, for failure to file a 2003 annual supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Harris has had previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Harris a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Fincher, seconded by McNeece, the board voted unanimously to assess Mr. Harris a \$10,000 civil penalty.

04-24 William Robinson, Jr., for failure to file a 2003 annual supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Robinson has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Robinson a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Fincher, seconded by Ott, the board voted unanimously to assess Mr. Robinson a \$10,000 civil penalty.

04-26 Mark Thomas, for failure to timely file a 2003 annual supplemental campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred seventy-five (\$475) civil penalty. Mr. Thomas has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Mr. Thomas a show cause notice.

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

A motion was made by Fincher, seconded by Dunavant, to assess Mr. Thomas a \$50 civil penalty. A friendly amendment was made by Ott, accepted by Fincher and Dunavant, to assess Mr. Thomas a \$250 civil penalty. The motion to assess Mr. Thomas a \$250 civil penalty passed the board unanimously.

04-27 Tennessee Latino American PAC, for failure to file 2003 4th quarter campaign financial disclosure statement. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its April 14, 2004 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Ott, seconded by McNeece, the board voted unanimously to assess the organization a \$10,000 civil penalty.

Cases Considered for Issuance of Show Cause Notices

Hamilton County PAC for Education, for failure to timely file a 2004 1st quarter campaign financial disclosure statement. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

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

Shelby County Democratic Executive Committee, for failure to timely file a 2004 1st quarter campaign financial disclosure statement. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had previous matters before the board.

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

Reported Financial Expenses

Director Rawlins presented the expenditure reports for the 2003/2004 fiscal year through March 31, 2004.

Executive Director's Report

Director Rawlins informed the board that the proposed rules are still in Government Operations Committee for approval. Director Rawlins noted that the rules are expected to be approved.

Other Business

After discussion, the Registry decided that the June meeting would be skipped and the next Registry meeting would be held on July 14, 2004.

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