

# REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, September 8, 2004, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

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

On motion by Fincher, seconded by Dunavant, the minutes from the August 11, 2004 meeting were approved unanimously.

## ***Request for Reconsideration***

***04-30 Greg Gaines***, for failure to file a 2003 Statement of Interests report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Gaines has had no previous matters before the board.

The board voted at its August 11, 2004 meeting to assess Mr. Gaines a \$1,500 civil penalty. Mr. Gaines requested a reconsideration of the assessment.

Director Rawlins informed the board that Mr. Gaines contacted the Registry and explained that he would be unable to attend the Registry's September meeting for personal reasons and requested that his reconsideration be moved to the October meeting.

On motion by Fincher, seconded by Dunavant, the board voted unanimously to postpone any action in this matter until the next regularly scheduled meeting to allow Mr. Gaines an opportunity to appear before the board.

## ***Cases Considered for Issuance of Show Cause Notices***

***Thomas Dean***, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Dean has had no previous matters before the board.

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

***William B. Gemmill, III***, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Gemmill 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.

***Edgar Jewell***, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Jewell 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.

**Jill Maxfield**, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Ms. Maxfield 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.

**John A. Werthing, Sr.**, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Werthing 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.

**Sallie Werthing**, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Ms. Werthing 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.

**William Turner**, for failure to timely file a 2004 mid-year lobbying activities report. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil penalty. Mr. Turner has had no previous matters before the board.

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

**Take Back Tennessee**, for failure to timely file a 2004 2<sup>nd</sup> quarter campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) 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.

**Miles Brooks**, for failure to timely file a 2004 pre-primary campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Brooks 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.

**Jimmy Eldridge**, for failure to timely file a 2004 pre-primary campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Mr. Eldridge 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.

**Champ Langdon**, for failure to timely file a 2004 pre-primary campaign financial disclosure report. Class one (1), 19 days late, maximum four hundred seventy-five (\$475) civil penalty. Mr. Langdon has had no previous matters before the board.

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

**Ron Veasey**, for failure to timely file a 2004 pre-primary campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Veasey 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.

**Rick Williams**, for failure to file a 2003 corrected pre-general campaign financial disclosure report and for failure to file a 2003 pre-runoff campaign financial disclosure report. Class two (2), maximum ten thousand (\$10,000) civil penalty. Mr. Williams has had previous matters with the board. (This case was forwarded to the Registry by the Davidson County Election Commission.)

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

### ***Reported Financial Expenses***

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

Director Rawlins explained that the Registry had not yet received the first expense report for 2004/05 from the Secretary of State's office.

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

Director Rawlins informed the board that the Registry had received the Attorney General opinion on using the dates of "unclaimed" mail for civil penalty purposes. In this opinion, the Attorney General opined that mail sent return receipt requested can be deemed service when returned "unclaimed."

After discussion, the board decided that the Registry staff is to use the date that the certified mail is returned to the Registry "unclaimed" as date of service. Also, after receiving the "unclaimed" mail the Registry staff is to send a copy of the certified letter by regular mail.

Director Rawlins discussed the results of the sunset review hearing that was held on August 12, 2004. The recommendation to extend the Registry four years would now go before the full Government Operations Committee.

### ***Other Business***

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