

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, March 8, 2006, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members Karen Dunavant, George Harding, William Long, Darlene McNeece, John McClarty, Lee Anne Murray and Marian Ott.

A motion was made by Long, seconded by McNeece, to approve the January 11, 2006 board minutes. The motion passed the board unanimously.

Requests for Reconsideration

02-57 and 03-02 Ruth Ogles

02-57, For failure to file a 2002 post-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty.

03-02, For failure to file a 2002 pre-general campaign financial disclosure report. Class two (2), 56 days late (was filed with Shelby County Election Commission 2 days late), maximum (\$10,000) civil penalty.

The board voted at its February 12, 2003 meeting to reconsider the \$10,000 civil penalty assessments. The board then voted to consolidate cases 02-57 and 03-02 and assess a combined civil penalty of \$1,000. Ms. Ogles requested a reconsideration of the assessment.

Ms. Ogles submitted a statement for the board's consideration. In this statement, Ms. Ogles explained that because of a miscommunication between herself and her attorney the required reports were not timely filed.

On motion by Long, seconded by McNeece, the board voted unanimously not to reconsider the \$1,000 civil penalty assessment against Ms. Ogles.

05-61 Jennings Bernard, for failure to file a 2005 post-primary/pre-general report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Bernard has had no previous matters before the board.

The board voted at its December 14, 2005 meeting to assess Mr. Bernard a \$10,000 civil penalty. Mr. Bernard requested a reconsideration of the assessment.

Mr. Bernard submitted a statement for the board's consideration. In this statement Mr. Bernard explained that he was unaware that he owed the required report. Mr. Bernard further explained that he filed the report as soon as he was aware of his failure to file.

A motion was made by Long, seconded by Ott, to reconsider the \$10,000 civil penalty assessment and assess Mr. Bernard a \$1,000 civil penalty. The motion to reconsider and assess Mr. Bernard a \$1,000 civil penalty passed the board unanimously.

05-68 Alonzo Grant, for failure to timely file a 2005 post-primary/pre-general report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. Mr. Grant has had previous matters before the board.

The board voted at its January 11, 2006 meeting to assess Mr. Grant a \$400 civil penalty assessment. Mr. Grant requested a reconsideration of the assessment.

Mr. Grant submitted a statement for the board's consideration. In this statement, Mr. Grant explained that the notices sent by the Registry were mailed to his former address and that they were not forwarded to his current address. Mr. Grant further explained that he filed the required report as soon as he was aware of his failure to file.

On motion by Harding, seconded by McNeece, the board voted unanimously not to reconsider the \$400 civil penalty assessment against Mr. Grant.

05-69 Gary Rowe, for failure to timely file a 2005 post-general report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. Rep. Rowe has had no previous matters before the board.

The board voted at its January 11, 2006 meeting to assess Rep. Rowe a \$100 civil penalty assessment. Rep. Rowe requested a reconsideration of the assessment.

Rep. Rowe submitted a statement for the board's consideration. In this statement Rep. Rowe requested a waiver of the civil penalty assessment because he did not receive the notices to file at the address that he requested and was therefore unable to quickly respond to the notices sent by the Registry.

On motion by Harding, seconded by McClarty, the board voted unanimously not to reconsider the \$100 civil penalty assessment against Rep. Rowe.

05-71 Mitchell Thompson, for failure to timely file a 2005 post-general report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Thompson has had no previous matters before the board.

The board voted at its January 11, 2006 meeting to assess Mr. Thompson a \$50 civil penalty. Mr. Thompson requested a reconsideration of the assessment.

Mr. Thompson submitted a statement for the board's consideration. In this statement Mr. Thompson explained that he did attempt to comply with the rules and regulations in reporting his disclosures but that he was unaware that he owed the report. Mr. Thompson further explained that he has now filed the required report.

On motion by Harding, seconded by McClarty, the board voted unanimously not to reconsider the \$50 civil penalty assessment against Mr. Thompson.

05-51 Murfreesboro Firefighters Assn. Local 3035 PAC, for failure to file a 2005 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.

The board voted at its December 14, 2005 meeting to assess the organization a \$500 civil penalty. The organization requested a reconsideration of the assessment.

John Avaritt, new treasurer for the organization, submitted a statement for the board's consideration. In this statement, Mr. Avaritt explained that the previous treasurer, Ricky Jones, worked with the association as a volunteer and that the task of

treasurer that he was given may have been far beyond his abilities. Mr. Avaritt further explained that all future reporting would be done in a timely manner.

A motion was made by Harding, seconded by McClarty to reconsider the \$500 civil penalty assessment against the organization. The motion to reconsider the \$500 civil penalty assessment against the organization failed by a 3 to 3 vote, with Long, McNeece and Ott voting “no” and Dunavant “abstaining.”

Show Cause Hearing

05-70 Billy Stokes, for failure to timely file a 2005 supplemental annual report. Class one (1), 22 days late, maximum five hundred fifty (\$550) civil penalty. Mr. Stokes has had no previous matters before the board.

The board voted at its December 14, 2005 meeting to issue Mr. Stokes a show cause notice.

Mr. Stokes submitted an affidavit for the board’s consideration. In this affidavit, Mr. Stokes explained that he did not intentionally avoid his obligation to timely file the required report but that he wanted to make sure that the report he filed was accurate. Mr. Stokes further explained that he was in contact with the Registry and that he attempted to comply with the best of his ability.

On motion by McNeece, seconded by Ott, the board voted unanimously to assess Mr. Stokes a \$100 civil penalty.

Cases Considered for Issuance of Show Cause Notices

Rhonda Rae Williams, for failure to timely file a 2005 year-end lobbying activities report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Ms. Williams has had no previous matters before the board.

A motion was made by McClarty, seconded by Long, to take no action in this matter. The motion to take no action passed the board 5 to 2, with McNeece and Ott voting “no.”

Regions Financial Corporation PAC, for failure to file a 2005 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

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

Perry County Democrats, for failure to file a 2005 3rd 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. (See below)

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

Perry County Democrats, for failure to file a 2005 4th 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. (See above)

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

Ernie Paquette, for failure to timely file a 2005 year-end lobbying activities report. Class one (1), 12 days late, maximum three hundred (\$300) civil penalty. Mr. Paquette has had no previous matters before the board.

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

Quintessa Hathaway, for failure to timely file a 2005 annual supplemental campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Ms. Hathaway has had no previous matters before the board.

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

Edwin Sanders, II, for failure to timely file a 2005 annual supplemental campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Mr. Sanders has had a previous matter before the board.

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

Bobby Sands, for failure to timely file a 2005 annual supplemental campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Sands has had no previous matters before the board.

Mr. Sands provided a statement for the board's consideration. In this statement Mr. Sands explained that the notices to file were mailed to an old address and were not received by him until past the filing deadline.

A motion was made by Ott, seconded by McNeece, to issue a show cause notice. The motion to issue a show cause notice failed by a 2 to 3 vote, with Harding, Long and McClarty voting "no," Dunavant "abstaining," and Murray "recusing."

Reported Financial Expenses

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

Director Rawlins presented the expenditure reports for the 2004/2005 fiscal year through January 31, 2006.

Executive Director's Report

Director Rawlins provided the board with a summary of the Ethics Bill changes that would affect the Registry.

Director Rawlins provided the 2005 annual report to the board. Included in the report are filing and civil penalty statistics, PAC and Lobbyist contributions and candidate information.

Other Business

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