

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, March 11, 2009, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Wade Hinton. Attending the meeting were board members Patricia Heim, William Long and Lee Anne Murray.

On motion by Heim, seconded by Long, the board voted unanimously to approve the minutes from the February 11, 2009 regular board meeting.

Reconsideration

08-65 Kevin Fisher, for failure to file a 2008 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Fisher has had previous matters before the board.

The board voted at its December 17, 2008 meeting to issue Mr. Fisher a show cause notice.

The board voted at its January 14, 2009 meeting to defer any action in this matter until the next regularly scheduled meeting to allow Mr. Fisher an opportunity to receive the show cause notice.

The board did not receive a response to the show cause notice and the report still had not been filed.

The board voted at its February 11, 2009 meeting to assess Mr. Fisher a \$10,000 civil penalty. Mr. Fisher requested a reconsideration of the assessment.

Mr. Fisher submitted a statement for the board's consideration.

Director Rawlins informed the board that the required report still has not been filed.

On motion by Heim, seconded by Long, the board voted unanimously not to reconsider the \$10,000 civil penalty assessment.

Show Cause Hearings

09-09 Richard Floyd, for failing to report 3 PAC contributions on his 2008 pre-general campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Floyd has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Floyd a show cause notice.

Rep. Floyd personally appeared before the board and explained his failure to report the PAC contributions.

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

09-12 Sherry Jones, for failing to report 5 PAC contributions on her 2008 pre-primary and 3rd quarter campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Jones has had previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Jones a show cause notice.

Rep. Jones personally appeared before the board and explained her failure to report the PAC contributions.

On motion by Murray, seconded by Long, the board voted 3 to 1 to take no further action in this matter, with Heim voting “no.”

09-16 James Ryal, for failing to report 4 PAC contributions on his 2008 2nd quarter, 3rd quarter and pre-general campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Mr. Ryal has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Mr. Ryal a show cause notice.

Mr. Ryal personally appeared before the board and explained his failure to report the PAC contributions.

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

09-11 Beth Halteman Harwell, for failing to report 4 PAC contributions on her 2008 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Harwell has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Harwell a show cause notice.

Rep. Harwell personally appeared before the board and explained her failure to report the PAC contributions.

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

Sworn Statements Submitted

09-06 Roger Byrge, for failing to report 6 PAC contributions on his 2008 3rd quarter and pre-general campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Mr. Byrge has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Mr. Byrge a show cause notice.

Mr. Byrge submitted a sworn statement for the board’s consideration.

A motion was made by Long, seconded by Heim to assess Mr. Byrge a \$100 civil penalty. Long then withdrew the motion. A motion was made by Heim, seconded by Murray, to take no further action in this matter. The motion to take no further action passed the board unanimously.

09-13 Joe McCord, for failing to report 3 PAC contributions on his 2008 pre-primary and 3rd quarter campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. McCord has had a previous matter before the board.

The board voted at its February 11, 2009 meeting to issue Rep. McCord a show cause notice.

Rep. McCord submitted a statement for the board's consideration.

A motion was made by Heim to assess Rep. McCord a \$50 civil penalty. The motion to assess Rep. McCord a \$50 civil penalty died for a lack of a second. A motion was made by Long, seconded by Murray, to take no further action in this matter. The motion to take no further action passed the board 3 to 1, with Heim voting "no."

09-14 Dennis Roach, for failing to report 3 PAC contributions on his 2008 3rd quarter campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Roach has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Roach a show cause notice.

Rep. Roach submitted a sworn statement for the board's consideration.

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

09-15 Becky Ruppe, for failing to report 1 PAC contribution on her 2008 pre-general campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Ms. Ruppe has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Ms. Ruppe a show cause notice.

Ms. Ruppe submitted a sworn statement for the board's consideration.

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

09-17 Mike Turner, for failing to report 4 PAC contributions on his 2008 pre-primary and 3rd quarter campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Turner has had a previous matter before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Turner a show cause notice.

Rep. Turner submitted a sworn statement for the board's consideration.

On motion by Heim, seconded by Murray, the board voted unanimously to assess Rep. Turner a \$100 civil penalty.

Cases Subject to Approval of Civil Penalty Order

09-01 Joe Towns, Jr., for failure to file a 2008 3rd quarter 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. (see below)

The board voted at its January 14, 2009 meeting to issue Rep. Towns a show cause notice.

The board voted at its February 11, 2009 meeting to defer any action in this matter until the next regularly scheduled meeting to allow Rep. Towns an opportunity to receive the show cause notice.

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

On motion by Murray, seconded by Heim, the board voted unanimously to assess Rep. Towns a \$10,000 civil penalty.

09-02 Joe Towns, Jr., for failure to file a 2008 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. (see above)

The board voted at its January 14, 2009 meeting to issue Rep. Towns a show cause notice.

The board voted at its February 11, 2009 meeting to defer any action in this matter until the next regularly scheduled meeting to allow Rep. Towns an opportunity to receive the show cause notice.

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

On motion by Murray, seconded by Heim, the board voted unanimously to assess Rep. Towns a \$10,000 civil penalty.

09-04 Robert Spence, Jr., for failure to correct a 2008 mid-year supplemental campaign financial disclosure report. Class two (2), report not corrected, maximum ten thousand (\$10,000) civil penalty. Mr. Spence has had a previous matter before the board.

The board voted at its January 14, 2009 meeting to issue Mr. Spence a show cause notice.

The board voted at its February 11, 2009 meeting to defer any action in this matter until the next regularly scheduled meeting to allow Mr. Spence an opportunity to receive the show cause notice.

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

On motion by Long, seconded by Heim, the board voted unanimously to assess Mr. Spence a \$1,000 civil penalty.

09-05 Tennessee Anesthesiologists PAC, for failure to amend a 2007 year-end supplemental campaign financial disclosure report. Class two (2), report not corrected, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its February 11, 2009 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 that report still has not been corrected.

A motion was made by Heim to assess the organization a \$10,000 civil penalty. A friendly amendment was made by Murray, accepted by Heim, to assess the organization a

\$1,000 civil penalty. The motion made by Heim to assess the organization a \$1,000 civil penalty was seconded by Murray and passed the board unanimously.

09-07 Joe Carr, for failing to report 1 PAC contribution on his 2008 pre-general campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Carr has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Rep. Carr a show cause notice.

Rep. Carr submitted a statement for the board's consideration.

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

09-08 Tim Cook, for failing to report 1 PAC contribution on his 2008 pre-general campaign financial disclosure report. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Carr has had no previous matters before the board.

The board voted at its February 11, 2009 meeting to issue Mr. Cook a show cause notice.

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

On motion by Long, seconded by Murray, the board voted unanimously to assess Mr. Cook a \$200 civil penalty.

Cases Considered for Issuance of Show Cause Notice

J. W. Hampton, Sr., for failure to timely file a 2008 4th quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Hampton has had no previous matters before the board.

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

Leif Jeffers, for failure to timely file a 2008 year-end supplemental campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Jeffers has had no previous matters before the board.

Director Rawlins informed the board that Mr. Jeffers had difficulties with the electronic filing system and was unable to timely file.

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

Russell Johnson, for failure to timely file a 2008 year-end supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Johnson has had previous matters before the board.

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

Timothy Lee, for failure to timely file a 4th quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Lee has had no previous matters before the board.

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

National Conservative Alliance, for failure to timely file a 4th quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. The organization has had no previous matters before the board.

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

Tennessee Society of Oral and Maxillofacial Surgeons PAC, for failure to timely file a 4th quarter campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. The organization has had no previous matters before the board.

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

West Fayette Republican Club, for failure to timely file a 4th quarter campaign financial disclosure report. Class one (1), 5 days late, maximum one hundred twenty-five (\$125) civil penalty. The organization has had no previous matters before the board.

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

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 2006/2007 fiscal year through January 31, 2009.

Executive Director's Report

- Director Rawlins provided the 2008 annual report to the board for approval.
- The board approved the policy of handling each LLC and LLP as a "person" subject to the "person" limits established in the Campaign Contribution Limits.

Other Business

The board members wished to reflect in the minutes their condolences to Mr. Harding for the passing of his wife.

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