

# REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, August 10, 2011, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Lee Anne Murray. Attending the meeting were board members Henry Fincher, Patricia Heim, Darlene McNeece and Justin Pitt.

## *Approval of Meeting Minutes*

On motion by Heim, seconded by McNeece, the board voted unanimously to approve the minutes from the June 15, 2011 regular board meeting.

## *Requests for Reconsideration*

**11-29 Nikkisha Phillips**, for failure to file a 2010 3<sup>rd</sup> quarter campaign financial disclosure report with the Madison County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Phillips has had no previous matters before the board.

The board voted at its March 9, 2011 meeting to issue Ms. Phillips a show cause notice.

The board voted at its April 13, 2011 meeting to assess Ms. Phillips a \$10,000 civil penalty. Ms. Phillips requested a reconsideration of the \$10,000 civil penalty assessment.

Ms. Phillips filed the required report and submitted a statement for the board's consideration.

On motion by Pitt, seconded by Heim, the board voted unanimously to reconsider the civil penalty assessment and reduce the civil penalty from \$10,000 to \$0.

## *Statements Submitted*

**11-49 Jannie Foster**, for failure to file a 2011 1<sup>st</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Foster has had a previous matter before the board.

The board voted at its June 15, 2011 meeting to issue Ms. Foster a show cause notice.

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

On motion by Fincher, seconded by Heim, the board voted unanimously to assess Ms. Foster a \$10,000 civil penalty assessment.

## ***Case Subject to Approval of Civil Penalty Order***

**11-35 Johnny Chad Faulkner**, for failure to file a 2010 4<sup>th</sup> quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Faulkner has had no previous matters before the board.

The board voted at its April 13, 2011 meeting to issue Mr. Faulkner a show cause notice.

Director Rawlins informed the board that Mr. Faulkner has filed the required report but that it was incomplete and has been returned to him for correction. Director Rawlins further informed the board that there has been no response to the show cause notice.

The board voted at its June 15, 2011 meeting to take no further action in this matter until the next regularly scheduled meeting to allow Mr. Faulkner an opportunity to amend his campaign financial disclosure report.

Director Rawlins informed the board that because Mr. Faulkner amended his 3<sup>rd</sup> quarter 2010 campaign financial disclosure report closing out his campaign account, he does not owe the 4<sup>th</sup> quarter report.

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

**11-32 Consolidation PAC**, for failure to file a 2010 4<sup>th</sup> 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.

The board voted at its April 13, 2011 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the organization requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow them an opportunity to file the required report and respond to the show cause notice.

The board voted at its June 15, 2011 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow the organization an opportunity to file the required report and respond to the show cause notice.

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

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

**11-42 Joe Towns, Jr.**, for failure to file a 2010 4<sup>th</sup> 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.

The board voted at its May 11, 2011 meeting to issue Rep. Towns a show cause notice.

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

On motion by Fincher, seconded by Murray, the board voted 4 to 1 to take no further action in this matter, with McNeece voting "no."

**11-47 Stephanie Gatewood**, for failure to timely file a 2011 1<sup>st</sup> quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. Ms. Gatewood has had a previous matter before the board.

The board voted at its June 15, 2011 meeting to issue Ms. Gatewood a show cause notice.

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

On motion by Heim, seconded by McNeece, the board voted unanimously to assess Ms. Gatewood a \$350 civil penalty.

**11-48 Bill Durham**, for failure to file a 2010 4<sup>th</sup> quarter campaign financial disclosure report with the Wilson County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Durham has had a previous matter before the board.

The board voted at its June 15, 2011 meeting to issue Mr. Durham 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 Heim, seconded by McNeece, the board voted unanimously to assess Mr. Durham a \$10,000 civil penalty.

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

**Marion County Women's Democratic Club**, for failure to timely file a 2011 mid-year supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no action.

**Iron Workers LU 492 PAC**, for failure to timely file a 2011 mid-year supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had previous matters before the board.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no action.

**Tommy Kilby**, for failure to timely file a 2011 mid-year supplemental campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Mr. Kilby has had no previous matters before the board.

On motion by Heim, seconded by McNeece, the board voted unanimously to take no action.

## ***Sworn Complaint***

Director Rawlins provided the board with a sworn complaint filed with the Registry from Alice E. Gadler against Bo Mitchell.

On motion by Pitt, seconded by Murray, the board voted 4 to 0 to issue Mr. Mitchell a show cause notice, with Heim “abstaining.”

## ***Audit Review***

### ***Tonya Miller***

On motion by Heim, seconded by Fincher, the board voted unanimously to approve Ms. Miller’s 2010 campaign finance audit with the included findings. On motion by Fincher, seconded by Heim, the board voted unanimously to take no action.

## ***Other Business***

***11-44 Dan Daugherty***, for failure to file a 2010 4<sup>th</sup> quarter campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Daugherty has had no previous matters before the board.

The board voted at its May 11, 2011 meeting to issue Mr. Daugherty a show cause notice.

The board voted at its June 15, 2011 meeting to assess Mr. Daugherty a \$10,000 civil penalty.

Director Rawlins informed the board that the Knox County Election Commission informed him that Mr. Daugherty closed his campaign account on his 2010 3<sup>rd</sup> quarter report and therefore does not owe the 4<sup>th</sup> quarter report.

On motion by Fincher, seconded by McNeece, the board voted unanimously to rescind the \$10,000 civil penalty assessment.

Without objection, the board voted unanimously to schedule the next Registry meeting for September 14, 2011.