

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, November 14, 2012, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

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

Approval of Meeting Minutes

On motion by Heim, seconded by Murray, the board voted unanimously to approve the minutes from the October 23, 2012 regular board meeting.

Request for Reconsideration

06-45 David Garrett, Jr., for failure to timely file 2006 pre-primary campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five dollar (\$225) civil penalty. Mr. Garrett has had no previous matters before the board.

The board voted at its December 13, 2006 meeting to assess Mr. Garrett a \$225 civil penalty. Mr. Garrett requested a reconsideration of the assessment.

The board voted at its May 9, 2007 meeting to assess Mr. Garrett a \$150 civil penalty. Mr. Garrett requested reconsideration of the assessment.

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

The board made no motion with the civil penalty being final.

Show Cause Hearing

12-52 Mary Pruitt, for failing to report 7 PAC contributions on her 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Pruitt has had previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Rep. Pruitt a show cause notice.

Rep. Pruitt amended the required reports to include the 7 PAC contributions and personally appeared before the board to explain her failure to report the PAC contributions.

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

Statements Submitted

12-39 John Crandall, for failure to file a 2012 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Crandall has had a previous matter before the board. (see below)

The board voted at its October 23, 2012 meeting to issue Mr. Crandall a show cause notice.

Mr. Crandall filed the required report and submitted a statement for the board's consideration.

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

12-40 John Crandall, for failure to file a 2012 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Crandall has had a previous matter before the board. (see above)

The board voted at its October 23, 2012 meeting to issue Mr. Crandall a show cause notice.

Mr. Crandall filed the required report and submitted a statement for the board's consideration.

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

12-46 Jack PAC, for failure to timely file a 2012 pre-primary campaign financial disclosure report. Class one (1), 29 days late, maximum seven hundred twenty-five (\$725) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 23, 2012 meeting to issue the organization a show cause notice.

Jack Johnson, treasurer for the organization, submitted a statement for the board's consideration.

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

Cases Subject to Approval of Civil Penalty Order

12-41 Jenny Hunt, for failure to file a 2012 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Hunt has had no previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Ms. Hunt a show cause notice.

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

Without objection, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting to allow Ms. Hunt an opportunity to amend her campaign financial disclosure report to correct her incorrect Balance on Hand.

12-42 Randal McKee, for failure to file file a 2012 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKee has had a previous matter before the board.

The board voted at its October 23, 2012 meeting to issue Mr. McKee a 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.

Fincher made a motion to take no further action in this matter. Fincher then withdrew his motion. On motion by Murray, seconded by Heim, the board voted unanimously to assess Mr. McKee a \$25 civil penalty.

12-47 Meigs County Democratic Party, for failure to file a 2012 pre-primary 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 October 23, 2012 meeting to issue the organization a show cause notice.

Laura Smith, treasurer for the organization, submitted a statement for the board's consideration.

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

12-49 Christopher Gallaher, for failure to file a 2012 mid-year supplemental campaign financial disclosure report with the Sumner County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Gallaher has had no previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Mr. Gallaher 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 Pitt, the board voted unanimously to assess Mr. Gallaher a \$3,000 civil penalty assessment.

12-50 Bill Owen, for failure to file a 2012 mid-year supplemental campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Owen has had no previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Mr. Owen a show cause notice.

Director Rawlins informed the board that Mr. Owens requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow him an opportunity to respond to the show cause notice.

Without objection, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting to allow Mr. Owens an opportunity to respond to the show cause notice.

12-53 Jeanne Richardson, for failing to report 4 PAC contributions on her 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Richardson has had previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Rep. Richardson a show cause notice.

Rep. Richardson amended the required reports to include the 4 PAC contributions and submitted a statement for the board's consideration.

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

12-54 Michael (Mike) Turner, for failing to report 4 PAC contributions on his 2012 campaign financial disclosure reports. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Turner has had previous matters before the board.

The board voted at its October 23, 2012 meeting to issue Rep. Turner a show cause notice.

Director Rawlins informed the board that the 4 PAC contributions have been reported but that there has been no response to the show cause notice.

A motion was made by Heim, seconded by Murray, to assess Rep. Turner a \$100 civil penalty. The motion to assess Rep. Turner a \$100 civil penalty failed the board 2 to 2, with Fincher and Pitt voting "no" and Lester "abstaining." A motion was made by Fincher, seconded by Pitt to take no further action in this matter. The motion to take no further action failed the board 2 to 2 to 0, with Heim and Murray voting "no" and Lester "abstaining."

Cases Considered for Issuance of Show Cause Notice

Adam Braeback, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), four days late, maximum one hundred (\$100) civil penalty. Mr. Braeback has had a previous matter before the board.

On motion by Murray, seconded by Lester, the board voted unanimously to take no action.

Evelyn Gill, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Ms. Gill has had no previous matters before the board.

On motion by Murray, seconded by Lester, the board voted unanimously to take no action.

Mike Kernell, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Rep. Kernell has had a previous matter before the board.

On motion by Murray, seconded by Lester, the board voted unanimously to take no action.

David Kimbro, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Kimbro has had no previous matters before the board.

On motion by Murray, seconded by Lester, the board voted unanimously to take no action.

Jon Roy Sloan, for failure to timely file a 2012 3rd quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Sloan has had no previous matters before the board.

On motion by Murray, seconded by Lester, the board voted unanimously to take no action.

Executive Director's Report

- Director Rawlins requested approval to hire Emily Alexander for the Administrative Services Assistant position. Director Rawlins explained that approval was needed by both the Registry and the Ethics Commission to meet the requirement of Bureau approval of the hiring.

On motion by Heim, seconded by Fincher, the board voted 4 to 0 to approve the hiring of Emily Alexander, with Pitt “abstaining.”

- Director Rawlins informed the board that the Madison County Democratic Executive Committee, which has two outstanding civil penalties, would like to request a reconsideration of the assessments. Director Rawlins further informed the board that the organization has been reorganized and is current on all campaign financial disclosure reports.

Without objection, the board stated that the organization can request reconsiderations of the civil penalty assessments.

- Director Rawlins informed the board that Registry staff is performing a cross indexing report for PAC to PAC contributions.
- Director Rawlins provided the board with documentation concerning a possible violation of T.C.A. 2-10-114(b)(2)(E), which prohibits candidates from paying for tuition payments with their campaign funds, by Rep. Mark White.

Without objection, the board requested that Registry staff send Rep. White a letter stating the Registry's concern of the issue and request that he either refund his campaign for the expenses or explain in more detail how using campaign funds for this expense benefits his campaign.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for January 9, 2013.

On motion by Murray, seconded by Pitt, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.