

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, June 8, 2016, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

The meeting was held without a physical quorum present. The meeting was held with Chairperson Tom Lawless and Norma Lester present. Patricia Heim and Tom Morton participated via telephone. The meeting was necessary due to the meeting notice and agenda having been posted.

Election of Officer

A motion was made by Heim, seconded by Lester, to name Tom Morton as secretary for 2016 by acclamation.

Approval of Meeting Minutes

On motion by Lester, seconded by Morton, the board voted unanimously to approve the minutes from the April 13, 2016 regular board meeting.

Show Cause Hearing

16-03 Multi-Disciplinary Consultants LLC, for failure to file a 2015 Year-End Supplemental 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 April 13, 2016 to issue the organization a show cause notice.

Kimberly Farmer, representative for the organization, submitted a statement for the board's consideration.

Director Rawlins informed the board that the organization closed their account as of the 2015 Mid-Year Supplemental and therefore does not owe the 2015 Year-End Supplemental report.

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

Statements Submitted

16-11 Matt Swallows, for failure to timely file a 2015 Year-End Supplemental campaign financial disclosure report. Class one (1), 22 days late, maximum five hundred fifty (\$550) civil penalty. Mr. Swallows has had no previous matters before the board.

The board voted at its April 13, 2016 meeting to issue the organization a show cause notice.

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

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

16-05 Spring Hill Professional Firefighters, for failure to file a 2015 Year-End Supplemental 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 April 13, 2016 meeting to issue the organization a show cause notice.

Garnett Nealy, treasurer for the organization, submitted a statement for the board's consideration.

Director Rawlins informed the board that the organization closed their account as of the 2015 Mid-Year Supplemental and therefore does not owe the 2015 Year-End Supplemental report.

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

Cases Subject to Approval of Civil Penalty Order

16-12 Duane Dominy, for failure to file a 2015 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Dominy has had previous matters before the board.

The board voted at its April 13, 2016 meeting to issue Mr. Dominy a show cause notice.

Mr. Dominy filed the required report and personally appeared before the board.

On motion by Heim, seconded by Lester, the board voted unanimously to assess Mr. Dominy a \$10,000 civil penalty. After discussion, on motion by Lester, seconded by Heim, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. A motion was then made by Lester, seconded by Heim, to take no further action in this matter. The motion to take no further action passed the board unanimously.

16-02 Anderson County Republican Party, for failure to file a 2015 Year-End Supplemental 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.

The board voted at its April 13, 2016 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 the report still has not been filed.

On motion by Lester, seconded by Morton, the board voted unanimously to assess the organization a \$10,000 civil penalty.

16-06 Shelby County Democratic Executive Committee, for failure to file a 2015 Year-End Supplemental 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.

The board voted at its April 13, 2016 meeting to issue the organization 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.

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

16-04 Southern Futures PAC, for failure to file a 2015 Year-End Supplemental 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.

The board voted at its April 13, 2016 meeting to issue the organization 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.

A motion was made by Heim to assess the organization a \$260 civil penalty. Heim then withdrew the motion. A motion was then made by Heim, seconded by Lester, to assess the organization a \$10,000 civil penalty. The motion to assess the organization a \$10,000 civil penalty passed the board unanimously.

16-07 Tennessee Federation of Democratic Women, for failure to file a 2015 Year-End Supplemental 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, 2016 meeting to issue the organization 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.

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

16-08 Victory 2006 PAC, for failure to file a 2015 Year-End Supplemental 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, 2016 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 the report still has not been filed.

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

16-09 White County Democratic Party, for failure to file a 2015 Year-End Supplemental 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.

The board voted at its April 13, 2016 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 the report still has not been filed.

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

Cases Considered for Issuance of Show Cause Notice

Kyle Atkins, for failure to timely file a 2015 Year-End Supplemental campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Judge Atkins has had no previous matters before the board.

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

Patrick Hickey, for failure to file a 2016 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Hickey has had no previous matters before the board.

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

Harry Ledbetter, for failure to file a 2016 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Ledbetter has had no previous matters before the board.

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

Jimmy Matlock, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Rep. Matlock has had no previous matters before the board.

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

Dhruv Patel, for failure to file a 2016 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Patel has had no previous matters before the board.

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

Billy Spivey, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Rep. Spivey has had no previous matters before the board.

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

Anderson County Democratic Executive Committee, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. The organization has had previous matters before the board.

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

Anderson County Republican Party, for failure to file a 2016 1st 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.

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

BMHC PAC, for failure to timely file a 2015 Year-End Supplemental campaign financial disclosure report. Class two (2), 44 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board. (see below)

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

BMHC PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. The organization has had a previous matter before the board. (see above)

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

Bradley County Republican Party PAC, for failure to file a 2015 Year-End Supplemental 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 Heim, seconded by Lester, the board voted unanimously to issue a show cause notice.

Buffalo PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. The organization has had previous matters before the board.

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

Carter County Republican Party, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had a previous matter before the board.

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

Friends of Police PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. The organization has had previous matters before the board.

A motion was made by Heim, seconded by Morton to issue a show cause notice. The motion to issue the organization a show cause notice failed 3 to 1, with Lester voting "no."

Frog-Jump PAC, for failure to file a 2016 1st 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.

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

Home Builders Assn of Chattanooga PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. The organization has had a previous matter before the board.

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

Marsha PAC, for failure to file a 2016 1st 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.

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

Memphis PACE, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had a previous matter before the board.

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

Powell Republican Club, for failure to timely file a 2016 1st 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 Lester, the board voted unanimously to take no action.

Quest PAC, for failure to file a 2016 1st 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.

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

Senate Democratic Caucus, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had no previous matters before the board.

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

Tennessee Assn of Nurse Anesthetists PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. The organization has had previous matters before the board.

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

Tennessee Federation of Democratic Women, for failure to file a 2016 1st 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 Heim, seconded by Lester, the board voted unanimously to issue a show cause notice.

Tennessee Mortgage Bankers PAC, for failure to file a 2016 1st 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.

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

Tennessee Volunteer PAC, for failure to file a 2016 1st 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 Heim, seconded by Lester, the board voted unanimously to issue a show cause notice.

Victory 2006 PAC, for failure to file a 2016 1st 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 Heim, seconded by Lester, the board voted unanimously to issue a show cause notice.

Zeneca Inc. PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. The organization has had previous matters before the board.

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

Sworn Complaint

Sumner Sentinel

Director Rawlins provided the board with a sworn complaint filed with the Registry from Wes Duenkel against Sumner Sentinel.

The board voted at its April 13, 2016 meeting to table this matter until the next regularly scheduled meeting to allow Registry staff an opportunity to gather additional information.

Director Rawlins provided the board with additional information requested on the matter.

After discussion, on motion by Heim, seconded by Morton, the board voted unanimously to dismiss the complaint.

Beverly Burger/Charles “Chuck” Shelton

Director Rawlins provided the board with a sworn complaint filed with the Registry from Julie Hinton against Beverly Burger and Charles “Chuck” Shelton.

On motion by Heim, seconded by Lester, the board voted unanimously to defer any action in this matter pending the final decision of the Williamson Strong matter.

Williamson True

Director Rawlins provided the board with a sworn complaint filed with the Registry from Julie Hinton against Williamson True.

On motion by Heim, seconded by Lester, the board voted unanimously to defer any action in this matter pending the final decision of the Williamson Strong matter.

Unregistered Single-Measure Committee (Claiborne County)

Director Rawlins provided the board with a sworn complaint filed with the Registry from Joseph L. Brooks against an unregistered single-measure committee (Claiborne County).

Director Rawlins informed the board that the organization registered as soon as they were notified by the Claiborne County Election Commission.

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

Audit Reviews

James Coley

On motion by Lester, seconded by Heim, the board voted unanimously to approve Rep. Coley’s 2014 campaign finance audit with no findings.

Courtney Rogers

On motion by Lester, seconded by Heim, the board voted unanimously to approve Rep. Rogers’ 2014 campaign finance audit with the included findings.

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

Other Business

Director Rawlins provided the board with a letter and attachments from the Office of the Attorney General concerning Rep. Jeremy Durham.

After discussion, on motion by Heim, seconded by Lester, the board voted unanimously to audit Rep. Durham’s campaign from the 2014 election cycle forward and

to issue subpoenas to any financial institutions involving his personal, campaign and business activity.

John Allyn provided the board with an update on the Williamson Strong, Case No. 15-01, contested case hearing.

Without objection, the board voted unanimously to schedule the next Registry meeting for August 10, 2016.

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