

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, December 7, 2016, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Tom Lawless. Attending the meeting were board members Patricia Heim, Norma Lester and Tom Morton.

Election of Officers

A motion was made by Heim, seconded by Lawless, to name Tom Morton as chairperson. A motion was made by Heim, seconded by Lester, to name Tom Lawless as secretary for 2017 by acclamation.

Approval of Meeting Minutes

On motion by Heim, seconded by Morton, the board voted unanimously to approve the minutes from the October 12, 2016 regular board meeting.

Requests for Reconsideration

16-55 Memphis PACE, for failure to file a 2016 Pre-Primary 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 September 14, 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.

The board voted at its October 12, 2016 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Reginald Fentress, treasurer for the organization, submitted a statement for the board's consideration.

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

16-29 Tipton 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 a previous matter before the board.

The board voted at its August 10, 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.

The board voted at its October 12, 2016 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Charlotte Kelley, chairman of the organization and Lisa M. Keith, treasurer for the organization, submitted statements for the board's consideration.

On motion by Heim, seconded by Lester, the board voted unanimously to reconsider the \$10,000 civil penalty. A motion was made by Morton to assess the organization a \$500 civil penalty. Morton then rescinded the motion. A motion was made by Heim, seconded by Morton, to reduce the civil penalty from \$10,000 to \$0. The motion to reduce the civil penalty from \$10,000 to \$0 passed the board unanimously.

Show Cause Hearings

C16-09 Miranda Christy, Thom Druffel, Jane Meneely, Jackson Miller and Stand for Children PAC, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation.

The board voted at its September 14, 2016 meeting to issue show cause notices to all parties listed in the complaint.

Director Rawlins informed the board that several representatives in these matters requested that the board defer any further action in this matter until the next regularly scheduled meeting to allow them further opportunity to respond to the show cause notices.

The board voted at its October 12, 2016 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow them further opportunity to respond to the show cause notices.

Gerard Stranch appeared before the board on behalf of the complainant. Stephen Zralek appeared on behalf of Stand for Children. Gif Thornton appeared on behalf of the four school board members, Miranda Christy, Thom Druffel, Jane Meneely and Jackson Miller.

After presentations by Gerard Stranch, Stephen Zralek and Gif Thornton and after discussion by the board, on motion by Lester, seconded by Morton, the board voted unanimously that there was no coordination between the four school board candidates and Stand for Children. On motion by Lester, seconded by Morton, the board voted unanimously that there was no violation of the black-out period prohibiting PACs from making campaign contributions during the 9 days before an election. A motion was then made by Lester, seconded by Morton, to dismiss the complaint. The motion to dismiss the complaint passed the board unanimously.

16-62 Tommy Elsten, for possible violations of the campaign financial disclosure law. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation.

The board voted at its September 14, 2016 meeting to issue Mr. Elsten a show cause notice and to give Registry staff subpoena authority.

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

The board voted at its October 12, 2016 meeting to defer any further action in this matter to allow Mr. Elsten further opportunity to respond to the show cause notice.

Mr. Elsten and Kurt Clemmons, representative for Mr. Elsten, personally appeared before the board.

On motion by Heim, seconded by Lester, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting to allow Mr. Elsten an opportunity to amend his campaign financial disclosure report and submit an amended copy to the Registry.

Statements Submitted

16-70 Felicia Irons, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Irons has had no previous matters before the board.

The board voted at its October 12, 2016 meeting to issue Ms. Irons a show cause notice.

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

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

16-75 Jeanne Richardson, for failure to file a 2016 Annual Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Richardson has had previous matters before the board.

The board voted at its October 12, 2016 meeting to issue Ms. Richardson a show cause notice.

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

A motion was made by Heim, seconded by Morton, to assess Ms. Richardson a \$500 civil penalty. Heim then amended the motion, accepted by Morton, to assess Ms. Richardson a \$250 civil penalty. The motion to assess Ms. Richardson a \$250 civil penalty passed the board unanimously.

Cases Subject to Approval of Civil Penalty Order

16-67 Dennis Clark, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Clark has had previous matters before the board. (see below)

The board voted at its October 12, 2016 meeting to issue Mr. Clark a show cause notice.

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

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

16-38 Stacey Givens, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Givens has had a previous matter before the board. (see below)

The board voted at its September 14, 2016 meeting to issue Ms. Givens a show cause notice.

Ms. Givens filed the required report and submitted an affidavit for the board's consideration.

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

16-37 Stacey Givens, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Givens has had a previous matter before the board. (see above)

The board voted at its September 14, 2016 meeting to issue Ms. Givens a show cause notice.

Ms. Givens filed the required report and submitted an affidavit for the board's consideration.

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

16-69 Patrick Hickey, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Hickey has had a previous matter before the board. (see below)

The board voted at its October 12, 2016 meeting to issue Mr. Hickey 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. Hickey a \$10,000 civil penalty.

16-68 Patrick Hickey, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Hickey has had a previous matter before the board. (see above)

The board voted at its October 12, 2016 meeting to issue Mr. Hickey 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. Hickey a \$10,000 civil penalty.

16-71 Steve Lane, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lane has had a previous matter before the board.

The board voted at its October 12, 2016 meeting to issue Mr. Lane 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. Lane a \$10,000 civil penalty.

16-40 Michael McKamey, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKamey has had a previous matter before the board. (see below)

The board voted at its September 14, 2016 meeting to issue Mr. McKamey 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. McKamey a \$10,000 civil penalty.

16-72 Michael McKamey, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKamey has had a previous matter before the board. (see above)

The board voted at its October 12, 2016 meeting to issue Mr. McKamey 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. McKamey a \$10,000 civil penalty.

16-74 Caitlin Nolan, for failure to file a 2016 Annual Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Nolan has had no previous matters before the board.

The board voted at its October 12, 2016 meeting to issue Ms. Nolan 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 Morton to assess Ms. Nolan a \$2,000 civil penalty. Morton then amended the motion, seconded by Heim, to assess Ms. Nolan a \$5,000 civil penalty. The motion to assess Ms. Nolan a \$5,000 civil penalty passed the board unanimously.

16-73 Wayne White, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. White has had previous matters before the board.

The board voted at its October 12, 2016 meeting to issue Mr. White 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 Morton, seconded by Heim, the board voted unanimously to assess Mr. White a \$5,000 civil penalty.

16-76 Paula Lindsey, for failure to file a 2016 Annual Mid-Year Supplemental campaign financial disclosure report with the Maury County Election Commission. Class

two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Lindsey has had previous matters before the board.

The board voted at its October 12, 2016 meeting to issue Ms. Lindsey 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 Morton, seconded by Heim, the board voted unanimously to assess Ms. Lindsey a \$10,000 civil penalty.

16-44 BMHC PAC, for failure to file a 2016 2nd 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)

The board voted at its September 14, 2016 meeting to issue the organization a show cause notice.

Keith Norman, representative for the organization, filed the required report and personally appeared before the board.

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

16-66 BMHC PAC, for failure to file a 2016 Pre-Primary 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)

The board voted at its October 12, 2016 meeting to issue the organization a show cause notice.

Keith Norman, representative for the organization, filed the required report and personally appeared before the board.

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

16-54 Envision Tennessee, for failure to file a 2016 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 September 14, 2016 meeting to issue the organization a show cause notice.

Jeff Yarbrow, chairman of the organization, filed the required report and submitted a statement for the board's consideration.

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

16-63 White County Democratic Party, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 28 days late, maximum seven hundred (\$700) civil penalty. The organization has had previous matters before the board. (see below)

The board voted at its October 12, 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.

A motion was made by Heim, seconded by Morton, to assess the organization a \$700 civil penalty. The motion to assess the organization a \$700 failed the board 3 to 1, with Lester voting “no.” A motion was then made by Heim, seconded by Morton, to assess the organization a \$200 civil penalty. The motion to assess the organization a \$200 civil penalty passed the board unanimously.

16-64 White County Democratic Party, for failure to timely file a 2016 Pre-Primary 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. (see above)

The board voted at its October 12, 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.

On motion by Heim, seconded by Morton, the board voted unanimously to assess the organization a \$200 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Dennis Clark, for failure to file a 2016 3rd Quarter campaign financial disclosure report. Class two (2), 33 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Clark has had previous matters before the board. (see above)

Mr. Clark submitted a statement for the board’s consideration.

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

Diane George, for failure to file a 2016 3rd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. George has had no previous matters before the board.

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

Harry Ledbetter, for failure to file a 2016 3rd 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 Morton, the board voted unanimously to issue a show cause notice.

John Neubert, for failure to timely file a 2016 Pre-General campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. Mr. Neubert has had a previous matter before the board.

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

Patrick O’Grady, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. Mr. O’Grady has had no previous matters before the board.

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

Antonio Parkinson, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Rep. Parkinson has had previous matters before the board.

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

Amos Scott Powers, for failure to timely file a 2016 Pre-General campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Powers has had no previous matters before the board.

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

Joe Towns, Jr., for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. Rep. Towns has had previous matters before the board.

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

Orrden Williams, for failure to timely file a 2016 Pre-General campaign financial disclosure report. Class one (1), four days late, maximum one hundred (\$100) civil penalty. Mr. Williams has had no previous matters before the board.

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

Scott Williams, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 12 days late, maximum three hundred (\$300) civil penalty. Mr. Williams has had no previous matters before the board.

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

AGC Knoxville PAC, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. The organization has had no previous matters before the board.

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

Assn. Builders & Contractors – Mid-TN Chapter, for failure to timely file a 2016 3rd Quarter 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 Lawless, the board voted unanimously to take no action in this matter.

BMHC PAC, for failure to file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil

penalty. The organization has had previous matters before the board. (see above and below)

Keith Norman, representative for the organization, waived the right to show cause, personally appeared before the board and explained the failure to timely file the required report.

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

BMHC PAC, for failure to file a 2016 Pre-General campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil penalty. The organization has had previous matters before the board. (see above)

Keith Norman, representative for the organization, waived the right to show cause, personally appeared before the board and explained the failure to timely file the required report.

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

Cannon County Democratic Executive Committee, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 20 days late, maximum five hundred (\$500) civil penalty. The organization has had no previous matters before the board.

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

Fentress County Republican Party, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had no previous matters before the board.

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

Friends of the University of Memphis PAC, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. The organization has had a previous matter before the board.

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

Hamilton County Democratic Party, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. The organization has had no previous matters before the board.

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

Harris Shelton Hanover Walsh PAC, for failure to timely file a 2016 3rd 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 Lawless, the board voted unanimously to take no action in this matter.

Jacobs Good Government Fund of Jacobs Engineering Group, for failure to timely file a 2016 3rd Quarter 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 Lawless, the board voted unanimously to take no action in this matter.

National Seating & Mobility Inc., PAC, for failure to timely file a 2016 Pre-General campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had previous matters before the board.

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

Quest PAC, for failure to timely file a 2016 Pre-General 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 Morton, the board voted unanimously to issue a show cause notice.

Smith County Democratic Party, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. The organization has had no previous matters before the board.

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

Tennessee Distillers PAC, for failure to timely file a 2016 3rd 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 Heim, seconded by Morton, the board voted unanimously to issue a show cause notice.

Tennessee Grocers & Convenience Store PAC, for failure to timely file a 2016 3rd Quarter campaign financial disclosure report. Class one (1), 11 days late, maximum two hundred seventy-five (\$275) civil penalty. The organization has had no previous matters before the board.

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

United Campus Workers PAC, for failure to timely file a 2016 Pre-General 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 Lawless, the board voted unanimously to take no action in this matter.

Sworn Complaints

Rhonda Gallman

Director Rawlins provided the board with a sworn complaint filed with the Registry from Tyler Anselmo against Rhonda Gallman.

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

Michael Winton

Director Rawlins provided the board with a sworn complaint filed with the Registry from Temple Bowling, IV against Michael Winton.

After discussion, on motion by Heim, seconded by Morton, the board voted unanimously to issue a show cause notice on the relevant issues in the complaint.

Executive Director's Report

- Director Rawlins updated the board on the progress of Jeremy Durham's audit.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for February 8, 2017.

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