

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, May 14, 2018 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 William (Paz) Haynes, III and Tom Morton. Henry Fincher participated via telephone.

Approval of Meeting Minutes

On motion by Morton, seconded by Haynes, the board voted unanimously to approve the minutes from the March 14, 2018 meeting.

Requests for Reconsideration

17-63 Durham PAC, for possible violations of the campaign finance statutes. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had no previous matters before the board.

At the Registry's June 7, 2017 meeting, the Registry requested staff to provide, at the next meeting, information regarding Durham PAC found during the audit of Jeremy Durham.

At the August 9, 2017 meeting, Director Rawlins provided the board with a memorandum with information regarding Durham PAC found during the audit of Jeremy Durham.

Director Rawlins informed the board that Jessica Durham, treasurer for the organization, has amended several reports to correct the observation items and has closed the PAC account.

The board then voted at its August 9, 2017 meeting to issue the organization a show cause notice on memo items 1 and 2.

Jessica Durham, treasurer for the organization, submitted a statement for the board's consideration.

The board voted at its October 31, 2017 meeting to assess the organization a \$5,000 civil penalty for memo item 1 and a \$5,000 civil penalty for memo item 2. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

A motion was made by Haynes, seconded by Morton, to reconsider the \$10,000 civil penalty assessment. The motion to reconsider the \$10,000 civil penalty assessment failed the board 0 to 4, with Fincher, Haynes, Lawless and Morton voting "no."

17-72 Marion County Women's Democratic Club, for failure to file a 2017 Mid-Year 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 October 31, 2017 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.

The board voted at its December 13, 2017 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Kristy Douglas and Katie Tillman, representatives for the organization, filed the required report, closed the PAC account and submitted statements for the board's consideration.

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

Case Subject to Approval of Civil Penalty Order

18-01 Joe Towns, Jr., for failure to file an Appointment of Treasurer for 2018. Class two (2), form not filed, maximum ten thousand (\$10,000) civil penalty. Rep. Towns has had previous matters before the board.

The board voted at its March 14, 2018 meeting to issue Rep. Towns a show cause notice.

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

On motion by Haynes, seconded by Morton, the board voted unanimously to assess Rep. Towns a \$5,000 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Tracy Allen Clough, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Clough has had a previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Ted Crozier, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), 34 days late, maximum ten thousand (\$10,000) civil penalty. Judge Crozier has had no previous matters before the board.

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

Mark Davidson, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. Mr. Davidson has had no previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Terrence Davis, for failure to timely file a 2018 1st Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Davis has had no previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Linda Elam, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. Ms. Elam has had no previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Ashley Forjet, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. Ms. Forjet has had no previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Jesse Fullington, for failure to file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Fullington has had no previous matters before the board.

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

Daniel Harris, for failure to file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Harris has had previous matters before the board.

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

London Lamar, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), 39 days late, maximum ten thousand (\$10,000) civil penalty. Ms. Lamar has had no previous matters before the board.

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

Steve Lane, for failure to file a 2017 Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lane has had previous matters before the board. (see below)

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

Steve Lane, for failure to file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lane has had previous matters before the board. (see above)

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

Kevin Parsons, for failure to file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Parsons has had no previous matters before the board.

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

Joda Thongnopia, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. Mr. Thongnopia has had no previous matter before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously take no action.

Cedrick Wooten, for failure to file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Wooten has had a previous matter before the board.

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

CenturyLink Inc. Employees' PAC, for failure to pay the 2018 Annual PAC Fee. Class two (2), fee not paid, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

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

Enlightenn, for failure to file a 2017 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.

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

Envision Tennessee, for failure to timely pay the 2018 Annual PAC Fee. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had previous matters before the board.

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

Johnson & Johnson PAC, for failure to timely file a 2017 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.

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

Quest PAC, for failure to pay the 2018 Annual PAC Fee. Class two (2), fee not paid, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

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

Tennessee Distillers PAC, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), 52 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see below)

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

Tennessee Distillers PAC, for failure to pay the 2018 Annual PAC Fee. Class two (2), fee not paid, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see above)

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

Tennessee Funeral Directors Assn. PAC, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class two (2), 37 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

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

Tennessee Treatment & Recovery Coalition PAC, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had no previous matters before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Tennessee Victory PAC, for failure to file a 2017 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.

Director Rawlins informed the board that, after review of Registry records, the organization's report was filed timely.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

Tennessee Volunteer PAC, for failure to pay the 2018 Annual PAC Fee. Class two (2), fee not paid, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

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

TN Flag PAC, for failure to timely file a 2018 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 Morton, seconded by Haynes, the board voted unanimously to take no action.

Tyson Foods, Inc., for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report. Class one (1), 17 days late, maximum four hundred twenty-five (\$425) civil penalty. The organization has had no previous matters before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

IAFF Local 4381, for failure to timely file a 2017 Year-End Supplemental campaign financial disclosure report with the Maury County Election Commission. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. The organization has had previous matters before the board.

On motion by Morton, seconded by Haynes, the board voted unanimously to take no action.

13-18 Woody Degan, for failure to file a 2012 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Degan has had no previous matters before the board.

The board voted at its January 9, 2013 meeting to issue Mr. Degan 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 March 13, 2013 meeting to assess Mr. Degan a \$10,000 civil penalty.

Director Rawlins informed the board that this matter was forwarded to the Attorney General's office for collection. Director Rawlins further informed the board that the Attorney General's Office is requesting that the Registry re-issue the show cause notice because there is not definitive proof that he ever received service.

On motion by Morton, seconded by Haynes, the board voted unanimously to rescind the \$10,000 civil penalty assessment and issue a show cause notice.

Sworn Complaints

C18-04 Beth Harwell and Tennesseans for Good State Government

Director Rawlins provided the board with a sworn complaint filed with the Registry from Sharon Ford against Speaker Beth Harwell and Tennesseans for Good State Government.

Austin McMullen, representative for Speaker Harwell, personally appeared before the board.

The board voted at its March 14, 2018 meeting to defer this matter until the Registry's May 2018 meeting.

Austin McMullen, representative for Speaker Harwell, submitted a statement and personally appeared before the board.

After discussion, a motion was made by Fincher, seconded by Haynes, to dismiss complaints C18-04, C18-05 and C18-06. The motion to dismiss failed the board 2 to 2, with Lawless and Morton voting "no." A motion was then made by Fincher, seconded by

Haynes, to take no action on complaints C18-04, C18-05 and C18-06. The motion to take no action passed the board 3 to 0, with Lawless “passing.”

C18-05 Beth Harwell

Director Rawlins provided the board with a sworn complaint filed with the Registry from Sharon Ford against Speaker Beth Harwell.

Austin McMullen, representative for Speaker Harwell, personally appeared before the board.

The board voted at its March 14, 2018 meeting to defer this matter until the Registry’s May 2018 meeting.

Austin McMullen, representative for Speaker Harwell, submitted a statement and personally appeared before the board.

After discussion, a motion was made by Fincher, seconded by Haynes, to dismiss complaints C18-04, C18-05 and C18-06. The motion to dismiss failed the board 2 to 2, with Lawless and Morton voting “no.” A motion was then made by Fincher, seconded by Haynes, to take no action on complaints C18-04, C18-05 and C18-06. The motion to take no action passed the board 3 to 0, with Lawless “passing.”

C18-06 Beth Harwell and Tennesseans for Good State Government

Director Rawlins provided the board with a sworn complaint filed with the Registry from Sharon Ford against Speaker Beth Harwell and Tennesseans for Good State Government.

Austin McMullen, representative for Speaker Harwell, personally appeared before the board.

The board voted at its March 14, 2018 meeting to defer this matter until the Registry’s May 2018 meeting.

Austin McMullen, representative for Speaker Harwell, submitted a statement and personally appeared before the board.

After discussion, a motion was made by Fincher, seconded by Haynes, to dismiss complaints C18-04, C18-05 and C18-06. The motion to dismiss failed the board 2 to 2, with Lawless and Morton voting “no.” A motion was then made by Fincher, seconded by Haynes, to take no action on complaints C18-04, C18-05 and C18-06. The motion to take no action passed the board 3 to 0, with Lawless “passing.”

C18-08 Mae Beavers

Director Rawlins provided the board with a sworn complaint filed with the Registry from Ann Calabria against Mae Beavers.

Ann Calabria and Dolores Mackey personally appeared before the board.

After discussion, on motion by Haynes, seconded by Morton, the board voted unanimously to issue Ms. Beavers a show cause notice for the staff to conduct an audit review of the transactions between Ms. Beavers’ 2018 Gubernatorial and 2018 Mayoral campaign accounts.

C18-09 Patrick England

Director Rawlins provided the board with a sworn complaint filed with the Registry from Michael Hill against Patrick England.

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

C18-07 Mark Ferguson and Taxpayers Fighting Back in Washington County

Director Rawlins provided the board with a sworn complaint filed with the Registry from Joe Grandy against Mark Ferguson and Taxpayers Fighting Back in Washington County.

Kent Harris and Alpha Bridger personally appeared before the board.

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

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for June 13, 2018.

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