

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, November 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 Haynes, seconded by Morton, the board voted unanimously to approve the minutes from the October 10, 2018 meeting.

Requests for Reconsideration

18-29 Leaders of Tennessee, 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.

The board voted at its June 13, 2018 meeting to issue the organization a show cause notice.

Troy Brewer, treasurer for the organization, paid the PAC fee, closed the PAC account and submitted a statement for the board's consideration.

The board voted at its October 10, 2018 meeting to assess the organization a \$750 civil penalty. The organization requested a reconsideration of the \$750 civil penalty assessment.

Troy Brewer, treasurer for the organization, submitted a statement for the board's consideration.

Without objection, the board voted unanimously to defer any further action in this matter to allow Mr. Brewer an opportunity to personally appear before the board.

Show Cause Hearing

18-69 COPART PAC, for failure to file a 2018 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 10, 2018 meeting to issue the organization a show cause notice.

D. Joseph Meister, representative for the organization, submitted a sworn statement for the board's consideration. Mandy Young, representative of the organization, personally appeared before the board and explained the organization's failure to timely file the required report.

On motion by Fincher, seconded by Lawless, the board voted 3 to 1 to take no further action in this matter, with Morton voting "no."

Statements Submitted

18-84 Wayne County Republican Party, for failure to file a 2018 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 October 10, 2018 meeting to issue the organization a show cause notice.

Lynn Bryant, treasurer for the organization, filed the required report and submitted a statement for the board's consideration.

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

Case Subject to Approval of Civil Penalty Order

18-50 Jesse Chism, for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Chism has had no previous matters before the board.

The board voted at its October 10, 2018 meeting to issue Mr. Chism a show cause notice.

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

On motion by Morton, seconded by Lawless, the board voted unanimously to assess Rep. Chism a \$10,000 civil penalty. A motion was then made by Haynes, seconded by Morton, to reconsider the \$10,000 civil penalty assessment and assess Rep. Chism a \$5,000 civil penalty. The motion to reconsider the \$10,000 civil penalty assessment and assess Rep. Chism a \$5,000 civil penalty passed the board unanimously.

18-51 Dennis Clark, for failure to file a 2018 2nd Quarter 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 10, 2018 meeting to issue Mr. Clark 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 Haynes, seconded by Morton, the board voted unanimously to assess Mr. Clark a \$10,000 civil penalty.

18-52 Dennis Clark, for failure to file a 2018 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 above)

The board voted at its October 10, 2018 meeting to issue Mr. Clark 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 Haynes, seconded by Morton, the board voted unanimously to assess Mr. Clark a \$10,000 civil penalty.

18-53 Doris DeBerry-Bradshaw, for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Bradshaw has had no previous matters before the board.

The board voted at its October 10, 2018 meeting to issue Ms. Deberry-Bradshaw a show cause notice.

Director Rawlins informed the board that the report was filed closing Ms. DeBerry-Bradshaw's campaign account 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 Ms. DeBerry-Bradshaw a \$5,000 civil penalty.

18-54 G. A. Hardaway, for failure to file a 2018 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Hardaway has had previous matters before the board. (see below)

The board voted at its October 10, 2018 meeting to issue Rep. Hardaway a show cause notice.

Director Rawlins informed the board that the report was filed but that there has been no response to the show cause notice. Additionally, Director Rawlins provided the board with a summary of Rep. Hardaway's campaign finance reports.

After discussion, without objection, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting and requested that Rep. Hardaway explain the issues in the summary within a week of the next regularly scheduled meeting.

18-55 G. A. Hardaway, for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Rep. Hardaway has had previous matters before the board. (see above)

The board voted at its October 10, 2018 meeting to issue Rep. Hardaway a show cause notice.

Director Rawlins informed the board that the report was filed but that there has been no response to the show cause notice. Additionally, Director Rawlins provided the board with a summary of Rep. Hardaway's campaign finance reports.

After discussion, without objection, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting and requested that Rep. Hardaway explain the issues in the summary within a week of the next regularly scheduled meeting.

18-56 Bill Ketron, for failure to file a 2018 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mayor Ketron has had previous matters before the board.

The board voted at its October 10, 2018 meeting to issue Mayor Ketron 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 Fincher, the board voted unanimously to assess Mayor Ketron a \$10,000 civil penalty.

18-57 Howard Jones, Jr., for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Jones has had no previous matters before the board.

The board voted at its October 10, 2018 meeting to issue Mr. Jones 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 Haynes, the board voted unanimously to assess Mr. Jones a \$10,000 civil penalty.

18-58 London Lamar, for failure to timely file a 2018 2nd Quarter campaign financial disclosure report. Class one (1), 27 days late, maximum six hundred seventy-five (\$675) civil penalty. Rep. Lamar has had previous matters before the board. (see below)

The board voted at its October 10, 2018 meeting to issue Ms. Lamar a show cause notice.

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

On motion by Morton, seconded by Haynes, the board voted unanimously to assess Rep. Lamar a \$675 civil penalty.

18-59 London Lamar, for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Lamar has had previous matters before the board. (see above)

The board voted at its October 10, 2018 meeting to issue Ms. Lamar 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 Haynes, seconded by Fincher, the board voted unanimously to assess Rep. Lamar a \$7,500 civil penalty.

18-60 Lonnie Miller, for failure to file a 2018 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Miller has had a previous matter before the board. (see below)

The board voted at its October 10, 2018 meeting to issue Mr. Miller 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 Fincher, seconded by Morton, the board voted unanimously to assess Mr. Miller a \$10,000 civil penalty.

18-61 Lonnie Miller, for failure to file a 2018 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Miller has had a previous matter before the board. (see above)

The board voted at its October 10, 2018 meeting to issue Mr. Miller 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 Fincher, the board voted unanimously to assess Mr. Miller a \$10,000 civil penalty.

18-62 Toby Shaffer, for failure to timely file a 2018 Pre-Primary campaign financial disclosure report. Class one (1), 29 days late, maximum seven hundred twenty-five (\$725) civil penalty. Mr. Shaffer has had no previous matters before the board.

The board voted at its October 10, 2018 meeting to issue Mr. Shaffer a show cause notice.

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

On motion by Lawless, seconded by Haynes, the board voted unanimously to assess Mr. Shaffer a \$500 civil penalty.

18-63 Joe Towns, Jr., for failure to file a 2018 2nd 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. (see below)

The board voted at its October 10, 2018 meeting to issue Rep. Towns 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 Lawless, seconded by Haynes, the board voted unanimously to assess Rep. Towns a \$10,000 civil penalty.

18-64 Joe Towns, for failure to file a 2018 Pre-Primary 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. (see above)

The board voted at its October 10, 2018 meeting to issue Rep. Towns 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 Haynes, the board voted unanimously to assess Rep. Towns a \$10,000 civil penalty.

18-66 Brandon Woodruff, for failure to file a 2018 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Woodruff has had a previous matter before the board. (see below)

The board voted at its October 10, 2018 meeting to issue Mr. Woodruff a show cause notice.

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

On motion by Haynes, seconded by Morton, the board voted unanimously to assess Mr. Woodruff a \$2,500 civil penalty.

18-67 Brandon Woodruff, for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Woodruff has had a previous matter before the board. (see above)

The board voted at its October 10, 2018 meeting to issue Mr. Woodruff a show cause notice.

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

On motion by Haynes, seconded by Morton, the board voted unanimously to assess Mr. Woodruff a \$2,500 civil penalty.

18-68 John York, Jr., for failure to file a 2018 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. York has had a previous matter before the board. (see below)

The board voted at its October 10, 2018 meeting to issue Mr. York 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 Lawless, seconded by Haynes, the board voted unanimously to request that Registry staff contact Mr. York by letter and email regarding his failure to file the required report.

18-70 Education Reform Now Advocacy, for failure to file a 2018 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 October 10, 2018 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 Morton, seconded by Lawless, the board voted unanimously to assess the organization a \$10,000 civil penalty.

18-71 Education Reform Now Advocacy, for failure to file a 2018 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 10, 2018 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 Morton, seconded by Haynes, the board voted unanimously to assess the organization a \$10,000 civil penalty.

18-72 Empower Women PAC, for failure to file a 2018 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 10, 2018 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 Lawless, seconded by Morton, the board voted unanimously to assess the organization a \$700 civil penalty.

18-73 Friends of the University of Memphis PAC, for failure to file a 2018 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 October 10, 2018 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 Haynes, seconded by Morton, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting and requested that Registry staff contact the organization by letter requesting an explanation for the late filing of the report.

18-74 Liberty PAC of TN, for failure to file a 2018 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 10, 2018 meeting to issue the organization a show cause notice.

Jeremy Hayes, representative for the organization, filed the required report and submitted a statement for the board's consideration.

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

18-75 Robertson County Democratic Party, for failure to file a 2018 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 October 10, 2018 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 Haynes, seconded by Morton, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting and requested that Registry staff contact the organization by letter requesting an explanation for the late filing of the report.

18-76 Quest PAC, for failure to file a 2018 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 10, 2018 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 Morton, seconded by Haynes, the board voted unanimously to assess the organization a \$10,000 civil penalty.

18-77 Tennessee Liberty Fund, for failure to file a 2018 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 October 10, 2018 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 Lawless, seconded by Morton, the board voted unanimously to assess the organization a 10,000 civil penalty.

18-78 Tennessee Outdoor Advertising Cooperative PAC, for failure to file a 2018 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 October 10, 2018 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 Morton, seconded by Haynes, the board voted unanimously to assess the organization a 10,000 civil penalty.

18-79 Tennessee Outdoor Advertising Cooperative PAC, for failure to file a 2018 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 10, 2018 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 Morton, seconded by Haynes, the board voted unanimously to assess the organization a 10,000 civil penalty.

18-80 The Unity Fund, for failure to file a 2018 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 10, 2018 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 Haynes, seconded by Morton, the board voted unanimously to assess the organization a 10,000 civil penalty.

18-81 Three Star PAC, for failure to file a 2018 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 10, 2018 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 Morton to defer any further action in this matter until the next regularly scheduled meeting to allow the organization an opportunity to personally appear before the board. The motion to defer any further action in this matter until the next regularly scheduled meeting to allow the organization an opportunity to personally appear before the board died for a lack of a second. A motion was then made by Fincher, seconded by Haynes, to take no further action in this matter. The motion to take no further action passed the board 3 to 1, with Lawless voting “no.”

18-82 TN Refined, for failure to file a 2018 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 October 10, 2018 meeting to issue the organization a show cause notice.

J. C. Oden, treasurer of the organization, closed the PAC and submitted a statement for the board’s consideration.

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

18-83 TN Refined, for failure to file a 2018 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 10, 2018 meeting to issue the organization a show cause notice.

J. C. Oden, treasurer of the organization, closed the PAC and submitted a statement for the board’s consideration.

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

Cases Considered for Issuance of Show Cause Notice

G. A. Hardaway, for failure to timely file a 2018 3rd Quarter campaign financial disclosure report. Class one (1), one day late, maximum twenty-five (\$25) civil penalty. Rep. Hardaway has had previous matters before the board. (see above)

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

Dan Hughes, for failure to timely file a 2018 3rd Quarter campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Hughes has had no previous matters before the board.

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

John York, Jr., for failure to timely file a 2018 3rd Quarter campaign financial disclosure report. Class one (1), 12 days late, maximum three hundred (\$300) civil penalty. Mr. York has had a previous matter before the board. (see above)

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

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

Assn Builders & Contractors – Mid. TN Chapter, for failure to timely file a 2018 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 Morton, seconded by Haynes, the board voted unanimously to take no action.

Tennessee Assn of Nurse Anesthetists PAC, for failure to timely file a 2018 3rd Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) 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 Volunteer PAC, for failure to timely file a 2018 3rd Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) 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.

Audit Review

Mary Alice Carfi

On motion by Morton, seconded by Haynes, the board voted unanimously to approve Ms. Carfi's 2017 Fourth Quarter Contribution Audit with the included findings.

Without objection, the board voted to take no further action in this matter.

Other Matters

William “Bill” Morrison

Director Rawlins provided the board with a referral from the Shelby County District Attorney's Office regarding William “Bill” Morrison at the August 22, 2018 meeting.

The board requested at the August 22, 2018 meeting that Registry staff request that Mr. Morrison provide documentation for the time period he collected and expended funds for his campaign.

Mr. Morrison provided campaign records and personally appeared before the board.

After discussion, on motion by Morton, seconded by Haynes, the board voted unanimously to take no further action in this matter.

Executive Director's Report

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for January 9, 2019 at 10:00 a.m.

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