

JUNE 15, 2023, MEETING MINUTES REGISTRY OF ELECTION FINANCE

The Registry of Election Finance (“the Registry” or “the Board”) of the Bureau of Ethics and Campaign Finance (“the Bureau”) met at 9:30 AM on Thursday, June 15, 2023 in House Hearing Room IV of the Cordell Hull Building located at 425 N. Rep. John Lewis Way, Nashville, TN 37243.

Presiding over the meeting was Chairman Tom Morton. Attending the meeting were Board Members Tom Lawless, Paige Burcham-Dennis, Hank Fincher, and Paz Haynes. Member Golden participated in the meeting via telephone. Executive Director Bill Young, Assistant Director Lance Frizzell, General Counsel Lauren Topping, and Chief of Staff Janet Williams also were in attendance. The meeting was open to the public. This meeting was recorded via video and audio recording.

Executive Director Young opened the meeting by noting that a physical quorum of the Registry members was present.

At the outset of the meeting, Member Lawless moved to suspend the usual rules to allow Member Golden to participate in the meeting by phone. The motion was seconded by Member Burcham-Dennis and approved by voice vote.

Approval of Meeting Minutes

Member Lawless moved to approve the meeting minutes of the Registry’s previous April 20, 2023, meeting as presented. Member Burcham-Dennis seconded the motion, which was unanimously approved by voice vote (6-0).

Chairman Morton moved to suspend the rules to allow the Registry to proceed out of order so that those present in the room with matters before the Registry could be heard first. The motion was seconded and unanimously approved. *Nonetheless, the minutes will reflect the matters in the order they were placed on the Registry’s published agenda.*

Tennessee Next : Reconsideration/Settlement of Case Nos. 19-29, 19-30, 19-31 and 19-47

Tennessee Next was represented at the Registry’s meeting by Counsel Matt McAdoo and its former treasurer, John Kerns. Counsel for the Registry advised that this matter was inadvertently omitted from the Registry’s agenda due to a miscommunication between staff and Mr. McAdoo. Registry Counsel also advised the members of the facts of each

of the matters under consideration by the Registry at this time, and Mr. McAdoo waived any objection to receiving formal notice of these proceedings to address these matters at the present time. Mr. McAdoo also presented a short statement of Tennessee Next's position regarding these matters. Tennessee Next requested to settle these matters for a proposed settlement of \$1,500 (total) to avoid further litigation.

After a short discussion, Member Burcham Dennis moved to accept the proposed settlement offer of \$1,500. Member Fincher seconded the motion. Member Lawless offered a friendly amendment, which was accepted, to also require Tennessee Next to pay any associated filing and/or court costs, if any, which were incurred during the pendency of these matters. The motion was unanimously approved as amended.

Discussion of Humble Audit/Subpoena

Mr. Humble was present at the Registry's meeting and represented by Counsel Larry Crain. Counsel Topping provided the Members of the Registry with an update of the procedural posture of this matter and made a recommendation for the Registry's consideration. Mr. Crain also presented his legal position to the Registry members. After additional discussion, Mr. Humble was allowed to present a statement to the Registry members concerning the audit.

Following further discussions among the members, as well as the discussion of several questions presented to Mr. Humble or his counsel, Member Fincher moved to re-issue the audit request to Mr. Humble, reflecting the meeting's discussions, covering the time period of January 1 through September 30, 2022 relative to Mr. Humble's Senate campaign and to table all other matters currently pending before the Board concerning Mr. Humble. Registry Counsel was directed to work with Mr. Crain to expedite production of records by Mr. Humble and the processing of records by the Registry's Director of Audit, and to seek a mutually agreeable tolling agreement pending the audit review. Member Haynes seconded the motion, which was approved by roll call vote (5-0, Member Lawless abstaining).

Petition for Repeal of Rule 0530-01-01.07 by Tennesseans for Sensible Election Laws

Attorney Daniel Horowitz was present at the Registry's meeting and represented Tennesseans for Sensible Election Laws. Counsel Topping presented a short summary of this matter and recommended that the petition be granted. Mr. Horowitz was offered the opportunity to address the petition. After a short discussion, Member Haynes moved

to grant the petition. Member Lawless seconded the motion, which was unanimously approved.

Discussion of Request for an Advisory Opinion by Mr. Campbell

Counsel Topping presented a short summary of this matter and presented a recommendation to the Registry members. After a short discussion, Member Fincher moved to decline to respond to the request for an advisory opinion. Member Lawless seconded the motion, which was unanimously approved.

Discussion of 2022 Interim Pre-General Reports

Due to time constraints, further discussion of this matter was deferred to the Registry's next scheduled meeting.

Audit for Review and Discussion: Timothy Hill

Director Young presented a short summary of the audit findings and the procedural history of this matter. After a short discussion, Member Lawless moved to approve and accept the audit and to take no further action concerning the audit findings. Member Fincher seconded the motion, which was unanimously approved.

Sworn Complaint: Jennifer Frensley Webb

Director Young presented a short summary of this sworn complaint, which was received from the Office of the District Attorney General for Davidson County ("DA"), and a summary of the DA's investigative findings. Member Lawless moved to issue a show cause notice and set this matter for a show cause hearing. Member Burcham-Dennis seconded the motion, which was unanimously approved.

Settlement Proposals

Rick Williams, Case Nos. 04-33, 03-34: Mr. Williams was present at the Registry's meeting and was allowed an opportunity to address the Registry. After a short discussion, Member Fincher moves to accept the settlement of these cases for a total civil penalty of \$500.00. Member Burcham-Dennis seconded the motion, which was unanimously approved (5-0, Member Lawless abstaining).

Robert Roger Young, Case Nos. 22-36, 23-19: Mr. Young was present at the Registry's meeting. After a short discussion of the facts of each case, Member Lawless moved to

rescind the penalty previously assessed in Case No. 22-36. Member Morton seconded the motion, which was unanimously approved.

Case No. 23-19 was consolidated with Case No. 23-56 (show cause hearing). After additional short discussions, Member Morton moved to accept a settlement of \$750 (total) in these two cases. Member Fincher seconded the motion, which was approved (5-1, Lawless opposed).

Show Cause Hearings

Kyle D. Parks, Case No. 23-46, 23-47: Mr. Parks was present at the Registry's meeting and presented a short statement to the Registry. After a short discussion of the facts of this case, Member Fincher moved to take no action in both matters. Member Haynes seconded the motion, which was unanimously approved.

Katrina Robinson, Case Nos. 23-15, 23-65: (*Case No. 23-65 was assigned following the meeting.*) Consideration of these matters was consolidated with Case Nos. 21-19, 21-48, 22-08, 22-23, and 22-52, which were all scheduled for reconsideration. Ms. Robinson was present at the Registry's meeting and presented a statement to the Registry members. After a short discussion, Member Morton moved to take no action on Case No. 23-65. Member Haynes seconded the motion, which was unanimously approved. After additional discussion, Member Lawless moved to reconsider Case Nos. 21-19, 21-48, 22-08, 22-23, and 22-52. Member Golden seconded the motion, which was unanimously approved. After additional discussion, Member Lawless moved to assess a combined civil penalty of \$5000 in all matters. This motion failed for lack of a second. Following additional discussion, Member Haynes moved to assess a combined civil penalty of \$3,000 in all matters. Member Lawless seconded the motion. After additional discussion, the motion was unanimously approved by roll call vote.

Robert Roger Young, Case No. 23-56: Consolidated with Case No. 23-19. (See above.)

Southern AG Coalition PAC, Case Nos. 23-30, 23-31: Elizabeth Murphy appeared before the Registry and presented a short statement to the Registry concerning these matters. After a short discussion, Member Burcham-Dennis moved to assess a civil penalty of \$500 (total) in these matters. Member Lawless seconded the motion, which was unanimously approved (5-0, Member Fincher absent).

Tennessee College Democrats, Case No. 23-62: Walker Kinsler appeared at the Registry meeting and presented a short statement to the Registry concerning this matter. Member

Burcham Dennis moved to take no action in this matter. Member Lawless seconded the motion, which was unanimously approved.

Reconsiderations

Sergio Gutierrez, Case No. 23-07: Mr. Gutierrez appeared at the Registry's meeting and presented a statement to the Registry concerning this matter. After a short discussion, Member Burcham-Dennis moved to defer further consideration of this matter to the Registry's August meeting to allow Mr. Gutierrez an additional opportunity to submit proof that his outstanding campaign financial disclosure report had been filed with Rutherford County. Member Lawless seconded the motion, which was unanimously approved.

Katrina Robinson, Case Nos. 21-19, 21-48, 22-08, 22-23, and 22-52: Consolidated with Case No. 23-15 (see above).

Lemichael D. Wilson, Case No. 22-24: After a short discussion of the facts of this case, Member Lawless moved to deny the request for reconsideration. Member Fincher seconded the motion, which was unanimously approved.

Statements Submitted

Julian Bolton, Case No. 23-35: After a short discussion of the facts of this case, Member Lawless moved to take no action in this matter. Member Fincher seconded the motion, which was unanimously approved.

Kent Griffy, Case No. 23-42: After a short discussion of the facts of this case, Member Fincher moved to assess a civil penalty of \$250 in this matter. Member Burcham-Dennis seconded the motion, which was unanimously approved.

Samuel D. Winnig, Case No. 23-54: After a short discussion of the facts of this case, Member Fincher moved to take no action in this matter. Member Haynes seconded the motion, which was unanimously approved.

Brian Woliver, Case No. 23-55: After a short discussion of the facts of this case, Member Fincher moved to take no action in this matter. Member Lawless seconded the motion, which was unanimously approved.

Hawkins County Republican Committee, Case No. 23-61: After a short discussion of the facts of this case, Member Lawless moved to take no action in this matter. Member

Fincher seconded the motion, which was unanimously approved, with Member Golden abstaining.

Consideration of Civil Penalty Orders

Melissa Boyd, Case Nos. 23-01, 23-36, and 23-37: These matters were continued to the Registry's next scheduled meeting at the request of Judge Boyd's counsel.

Kenya Brooks, Case No. 23-38: After a short discussion, Member Fincher moved to assess a civil penalty of \$10,000 in this matter. Member Lawless seconded the motion, which was unanimously approved.

Curtis Carney, Case No. 23-39: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Mark Davidson, Case Nos. 23-04, 23-40: These matters were continued to the Registry's next scheduled meeting at General Davidson's request.

Juliette Eskridge, Case No. 23-41: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Donnie Hall, Case No. 23-43: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Pime Hernandez, Case No. 23-44: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Thomas Jefferson, Case No. 23-45: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Hannah Parton, Case No. 23-48: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Dominique Primer, Case No. 23-49: Ms. Primer was present at the Registry's meeting and presented a short statement to the Registry. After a short discussion, Member Lawless moved to take no action in this matter. Member Fincher seconded the motion, which was unanimously approved.

Will Richardson, Case No. 23-50: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Ross A. Sampson, Case No. 23-51: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Mitchell Skelton, Case No. 23-52: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Lemichael D. Wilson, Case No. 23-53: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Chattanoogans for Responsible Government, Case No. 23-57, 23-58: Due to time constraints, these matters were continued to the Registry's next scheduled meeting.

Clarksville Firefighters PAC, Case Nos. 23-59, 23-60: Kenneth Vickrey was present at the Registry's meeting and offered a statement on behalf of the Clarksville Firefighters PAC. After a short discussion, Member Lawless moved to take no action in these matters. Member Fincher seconded the motion, which was unanimously approved.

Vote No on 1 (SMC), Case No. 23-63: Due to time constraints, this matter was continued to the Registry's next scheduled meeting.

Persons Subject to Possible Issuance of Show Cause Notice

Member Morton moved to take the following actions in each of the following matters:

Jonathan Hall	Issue Show Cause
Pime Hernandez	Issue Show Cause
Amanda Leigh Alley Leonard	Take No Action
BMHC PAC	Issue Show Cause
Chattanoogans for Responsible Government	Issue Show Cause

Member Lawless seconded the motion, which was unanimously approved by roll call vote.

Other Business. None.

Next Meeting set for 9:30 a.m. CST on August 17, 2023

Executive Session. None.

Meeting Adjourned.