

JULY 20, 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 11:00 AM on Wednesday, July 20, 2022, at the W.R. Snodgrass Tower, 312 Rosa L. Parks Ave., Nashville, in the Nashville Room of the 3rd Floor Conference Center.

Presiding over the meeting was Chairwoman Paige Burcham-Dennis. Attending the meeting were Board Members Tom Lawless, Tom Morton, David Golden and Paz Haynes. (Member Haynes arrived shortly after the start of the meeting.) Executive Director Bill Young, Assistant Director Lance Frizzell, General Counsel Lauren Topping, Chief of Staff Janet Williams and Director of Audit Jay Moeck also attended the meeting. The meeting was open to the public. This meeting was recorded via video and audio recording.

Approval of Meeting Minutes

Member Lawless moved to approve the meeting minutes of the Registry’s previous May 18, 2022, meeting as presented. The motion was seconded by Member Morton and unanimously approved by voice vote (4-0).

Audit Review

Scott McCormick, Case No. 22-01: Mr. McCormick was present at the meeting and addressed the Registry. Director of Audit Jay Moeck was also on hand to answer any questions. After a short discussion, Member Lawless moved to take no action on the audit findings. Member Golden seconded the motion, which was unanimously approved by voice vote (4-0).

Settlement Offers

Julie Byrd Ashworth, Case Nos. 20-41, 20-42, 20-43, 21-02, 21-13, and 21-41: Ms. Byrd-Ashworth was not present at the meeting to address her written settlement proposal. After some discussion of the proposal among members, Member Golden moved to accept the proposal submitted by Ms. Byrd-Ashworth on the understanding that if the terms of the settlement agreement were not met, then the entire previously assessed penalty amount would be enforced and pursued for collection. Member Haynes seconded the motion, which was unanimously approved by a roll call vote.

Enlightenn PAC, Case Nos. 18-11 and 18-27: Further consideration of these matters was continued until the Registry's next scheduled meeting to allow Counsel for the organization to personally appear before the Registry.

At this point, Member Lawless moved to not refer any further civil penalty matters for collection to the Tennessee Attorney General's Office pending the Registry Board's decision on whether to refer all pending and/or existing civil penalty collection cases to private counsel and to determine the selection of such private counsel in accordance with recently enacted legislation by the Tennessee General Assembly. Member Goldin seconded the motion. After some discussion, the motion was passed by a voice vote (5-0).

Reconsiderations

Mike McMillan, Case No. 21-34: After a short statement of the facts of this matter and a brief discussion among members, Member Lawless moved to reconsider this matter. Member Golden seconded the motion, which was unanimously approved (5-0). After additional discussion, Member Golden moved to withdraw the previously assessed civil penalties and to take no further action on this matter. Member Lawless seconded the motion, which was unanimously approved (5-0).

Brandon Weise, Case Nos. 21-36 and 21-51: After a short statement of the facts of these matters and a brief discussion among members, Member Lawless moved to reconsider this matter. Member Golden seconded the motion, which was unanimously approved (5-0). After additional discussion, Member Haynes moved to withdraw the previously assessed civil penalties and to assess a combined civil penalty of \$1500 for both matters. Member Golden seconded the motion, which was unanimously approved (5-0).

Enlightenn PAC, Case Nos. 18-46: Further consideration of this matter was continued until the Registry's next scheduled meeting to allow Counsel for the organization to personally appear before the Registry.

Statement Submitted

Jo Atwood (Possible Show Cause): After a short discussion of the facts of this case, Member Golden voted to take no action. Member Lawless seconded the motion, which was unanimously approved (5-0).

Michelle Foreman, Case No. 22-05: After a short recitation of the facts of this case, Member Haynes moved to take no action on this matter. Member Lawless seconded the motion, which was unanimously approved (5-0).

Daniel Joseph Turklay (Possible Show Cause): After a short discussion of the facts of this case, Member Golden moved to take no action on this matter. Member Morton seconded the motion, which was unanimously approved (5-0).

TN Prosperity PAC, Case No. 22-14: Mark Sturgis appeared on behalf of the organization. After a short discussion of the facts of the case, Member Lawless moved to assess a civil penalty of \$250 to cover costs incurred by the Registry to enforce this matter. Member Morton seconded the motion, which was unanimously approved (5-0).

At this point, the Chair moved to suspend the rules to allow certain matters to be addressed out of order to address those matters for which a representative was personally attending the meeting first. The motion was seconded and approved by voice vote. (Although some items on the agenda were taken out of order, these minutes will continue to reflect the scheduled order of events according to the published agenda.)

Consideration of Civil Penalty Orders

Sam Brown, Case No. 22-03: Member Lawless moved to assess a civil penalty of \$10,000. Member Golden seconded the motion, which was unanimously approved (5-0).

Curtis Carney, Case No. 22-04: Member Golden moved to assess a civil penalty of \$10,000. Member Morton seconded the motion, which was unanimously approved (5-0).

Anya Parker, Case No. 22-06: Member Lawless moved to assess a civil penalty of \$10,000. Member Haynes seconded the motion. After a discussion of the facts and circumstances surrounding this matter, the motion was amended to direct that Registry Staff request that the AG's Office return the matter of Case No. 21-47 back to the Registry for reconsideration and consideration of this matter at the same time. Registry staff was also directed to communicate this with Ms. Parker. The motion, as amended, was unanimously approved (5-0); therefore, further consideration of this matter shall be continued to the Registry's next scheduled meeting.

Tilman W. Payne, III, Case No. 22-06: After a short recitation of the facts and circumstances of this case by Ms. Williams, Member Golden moved to take no action in this matter. Member Haynes seconded the motion, which was unanimously approved (5-0).

Katrina Robinson, Case No. 22-08: Member Golden moved to assess a civil penalty of \$10,000. Member Haynes seconded the motion, which was unanimously approved (5-0).

Ashli Shockley, Case No. 22-09, 22-10: After a discussion of the facts and circumstances surrounding these matters, these cases were consolidated. Member Lawless moved to assess a combined civil penalty of \$250 to cover costs incurred by the Registry to enforce these matters. Member Haynes seconded the motion, which was unanimously approved (5-0).

Gen Next PAC, Case No. 22-11: Donald Batiste appeared on behalf of the organization. After a short discussion of the facts of this case, Member Lawless moved to assess a civil penalty of \$150 to cover costs incurred by the Registry to enforce this matter. Member Haynes seconded the motion, which was unanimously approved (5-0).

Montgomery County Democratic Executive Committee, Case No. 22-12: Tangi Smith appeared on behalf of the organization. After a discussion of the facts of the case, Member Morton moved to assess a civil penalty of \$150 to cover costs incurred by the Registry to enforce this matter. Member Lawless seconded the motion, which was unanimously approved (5-0).

Tennessee Society of Pathologists PAC, Case No. 22-13: Further consideration of this matter was continued until the Registry's next scheduled meeting to allow representatives of the organization to continue working to close this account and to allow consideration of this matter to be addressed after all outstanding issues have been addressed.

Persons Subject to Possible Issuance of Show Cause Notice

Director Young requested that further consideration of the matters pertaining to Martin Daniel be deferred to the next meeting to allow additional information to be gathered and presented to the Registry members. After no objections, these matters were continued.

Shante Avant (Shelby County): Ms. Avant and her campaign treasurer personally appeared before the Registry at its meeting and waived any further notice concerning this matter and the opportunity for a hearing at a later date. After discussion of the facts and circumstances surrounding this matter, Member Haynes moved to take no action against Ms. Avant. Member Golden seconded the motion, which was unanimously approved (5-0).

Camp PAC: Leader Camper personally appeared before the Registry at its meeting and waived any further notice concerning this matter and the opportunity for a hearing at a later date. After discussion of the facts and circumstances surrounding this matter, Member Golden moved to take no action against the PAC. Member Haynes seconded the motion, which was unanimously approved (5-0).

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

<i>William Arlinghaus</i>	<i>Take No Action</i>
<i>Bo Burk</i>	<i>Take No Action</i>
<i>Kasey Culbreath</i>	<i>Issue Show Cause</i>
<i>Althea Greene</i>	<i>Issue Show Cause</i>
<i>Donnie Hall</i>	<i>Take No Action</i>
<i>Jonathan Hall</i>	<i>Issue Show Cause</i>
<i>Linda Harris</i>	<i>Issue Show Cause</i>
<i>Kathy Kirk</i>	<i>Issue Show Cause</i>
<i>Katrina Robinson</i>	<i>Issue Show Cause</i>
<i>Brandon Weise</i>	<i>Take No Action</i>
<i>Lemichael D. Wilson</i>	<i>Issue Show Cause</i>
<i>AMG-PAC</i>	<i>Take No Action</i>
<i>Diversity Memphis PAC</i>	<i>Take No Action</i>
<i>Legacy PAC</i>	<i>Issue Show Cause</i>
<i>United States Cellular</i>	<i>Take No Action</i>
<i>Volunteer Republican Women's Club</i>	<i>Take No Action</i>
<i>We Are Ready Nashville PAC</i>	<i>Take No Action</i>
<i>Williamson Business PAC</i>	<i>Issue Show Cause</i>

With respect to Kathleen Murphy, Members Lawless and Haynes abstained from voting; therefore, there was no quorum with respect to this case and this matter was continued until the Registry's next meeting.

Member Haynes abstained with respect to the case of Jonathan Hall.

Member Golden seconded the motion, which was unanimously approved by roll call vote (5-0).

Sworn Complaint

Chris Taylor and We Are Ready Nashville PAC (WARN PAC), Case No. C22-02: After review and discussion of the investigative report submitted by District Attorney General

Ray Whitley, Member Morton moved to take no action and to dismiss the complaint. Member Lawless seconded the motion, which was unanimously approved (5-0).

Update on Implementation of 2022 Tennessee Public Act 1087

Counsel for the Registry presented a summary of the changes and progress in achieving the implementation of Public Chapter 1087 (2022).

Discussion of Guidelines for the Assessment of Civil Penalties

Due to the length of the meeting to this point, it was determined that further consideration of this matter should be deferred for further consideration until the Registry's next meeting and to allow more time for review and comment. There was no objection to the request to defer this matter, therefore, there was no further discussion.

Set date of Registry Board's next meeting

After a brief discussion, the Registry's next meeting was set to be scheduled for August 17, 2022, at 10:00 AM. The location of the meeting will be determined based on conference room availability.

Other Business

None.

Executive Session

After the conclusion of the Agenda, the Members moved into Executive Session to hear from the Executive Director regarding confidential matters. This portion of the meeting was not recorded, and members of the public were not permitted to remain in the room.

After conclusion of the Executive Session, there was a motion to adjourn the meeting. The motion was seconded and unanimously approved by voice vote.