

Tennessee Ethics Commission
August 20, 2009
Minutes

The Tennessee Ethics Commission met on Thursday, August 20, 2009, at 8:30 a.m., at the Bureau of Ethics and Campaign Finance office. Commissioners Charles H. Farmer, Nathaniel S. Goggans, John K. King, Linda W. Knight, and Dianne F. Neal were present. In the absence of Chairman R. Larry Brown, Vice Chair King presided and called the meeting to order at 8:58 a.m.

June 3, 2009 Minutes

Commissioner Knight moved to approve the minutes. After the motion was seconded, the minutes were unanimously approved.

Penalty Assessment Proceedings

Kenneth Cheatham, 2009-050

Commissioner Knight moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Mr. Cheatham that he may be considered for a Class 2 penalty for filing more than 35 days after receiving notice to file. The motion was seconded and passed unanimously.

Donald Evans, 2009-058

Commissioner Knight moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Mr. Evans that he may be considered for a Class 2 penalty for filing more than 35 days after receiving notice to file. The motion was seconded and passed unanimously.

Marc Harris, 2009-032

Commissioner Goggans moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Mr. Harris that he may be considered for a Class 2 penalty for failure to file more than 35 days after receiving notice to file. The motion was seconded and passed unanimously.

Danny Hartsfield, Jr., 2009-044

Commissioner Farmer moved to assess a Class 1 one hundred twenty-five dollar (\$125.00) penalty. The motion was seconded and passed unanimously.

Treva Maitland, 2009-013

Commissioner Knight moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Ms. Maitland that she may be considered for a Class 2 penalty for filing more than 35 days after receiving notice to file. The motion was seconded and passed unanimously.

Michael McNeal, 2009-035

Vice Chair King moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Mr. McNeal that he may be considered for a Class 2 penalty for failure to file after 35 days of receiving notice to file. The motion was seconded and passed unanimously.

Martin Miles, 2009-051

Commissioner Farmer moved to assess a Class 1 seven hundred fifty dollar (\$750.00) penalty and to advise Mr. Miles that he may be considered for a Class 2 penalty for failure to file after 35 days of receiving notice to file. The motion was seconded and passed unanimously.

Review of Informal Response 09-89

Commissioner Knight requested this item be placed on the agenda pursuant to T.C.A. § 3-6-117(b)(7) because she believed that IR-09-89 was incorrect. Informal Response 09-89 stated that flowers sent to the funeral of a close relative of a state official by a lobbyist or employer of a lobbyist was prohibited under T.C.A. § 3-6-301(11). After discussion, Commissioner Neal moved that sending flowers to a funeral was not prohibited because it was not a gift to the official. The motion was seconded and passed unanimously.

Rules 0580-06 (Filing of Disclosure of Interests Statements)

After discussion, Commissioner Knight moved for approval of Rules 0580-06 as amended. The motion was seconded and passed unanimously.

Conflict of Interest Policy

The Commission requested that the Executive Director of the Bureau, Drew Rawlins, submit a different version of the policy at the next meeting.

Revised Disclosure of Interests Forms

After discussion, Mr. Rawlins requested to bring this back before the Commission after he and staff have the opportunity to review needed changes.

Other Business

Commissioner Knight brought up for discussion the series of newspaper articles in the Tri-Cities area regarding disclosure statements and the Commission. Director Rawlins was asked to review the articles to ascertain if there should be investigative action.

After completion of the Commission's business, the meeting adjourned at 12 noon.