

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, May 13, 2015, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Norma Lester. Attending the meeting were board members Kent Coleman, Patricia Heim, Tom Lawless and Tom Morton.

Approval of Meeting Minutes

On motion by Coleman, seconded by Heim, the board voted unanimously to approve the minutes from the March 11, 2015 regular board meeting. (Lawless not present at this time.)

Request for Reconsideration

11-39 Jannie Foster, for failure to file a 2011 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Foster has had a previous matter before the board. (see below)

The board voted at its April 13, 2011 meeting to issue Ms. Foster a show cause notice.

The board voted at its May 11, 2011 meeting to assess Ms. Foster a \$10,000 civil penalty. Ms. Foster requested a reconsideration of the \$10,000 civil penalty assessment.

The board voted at its June 11, 2014 meeting to assess Ms. Foster a \$50 civil penalty. Ms. Foster requested a reconsideration of the \$50 civil penalty assessment.

Ms. Foster submitted a statement for the board's consideration.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

11-49 Jannie Foster, for failure to file a 2011 1st quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Foster has had a previous matter before the board. (see above)

The board voted at its June 15, 2011 meeting to issue Ms. Foster a show cause notice.

The board voted at its August 10, 2011 meeting to assess Ms. Foster a \$10,000 civil penalty assessment. Ms. Foster requested a reconsideration of the \$10,000 civil penalty assessment.

The board voted at its May 11, 2011 meeting to assess Ms. Foster a \$10,000 civil penalty. Ms. Foster requested a reconsideration of the \$10,000 civil penalty assessment.

The board voted at its June 11, 2014 meeting to assess Ms. Foster a \$50 civil penalty. Ms. Foster requested a reconsideration of the \$50 civil penalty assessment.

Ms. Foster submitted a statement for the board's consideration.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

11-55 Artie Smith, for failure to file a 2011 1st quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Smith has had previous matters before the board.

The board voted at its October 12, 2011 meeting to issue Mr. Smith a show cause notice.

The board voted at its January 11, 2012 meeting to assess Mr. Smith a \$10,000 civil penalty. Mr. Smith requested a reconsideration of the \$10,000 civil penalty assessment.

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

A motion was made by Heim to reconsider the \$10,000 civil penalty assessment. The motion to reconsider the \$10,000 civil penalty died for a lack of a second.

13-40 Amy Broyles, for failure to file a 2012 year-end supplemental campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Broyles has had previous matters before the board.

The board voted at its June 12, 2013 meeting to issue Ms. Broyles a show cause notice.

The board voted at its August 21, 2013 meeting to assess Ms. Broyles a \$10,000 civil penalty. Ms. Broyles requested a reconsideration of the \$10,000 civil penalty assessment.

Ms. Broyles filed the required report with the Knox County Election Commission and submitted a statement for the board's consideration.

The board voted at its January 14, 2015 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow Ms. Broyles' representative an opportunity to personally appear before the board.

The board voted at its March 11, 2015 meeting to defer any further action in this matter until the next regularly scheduled meeting to allow Ms. Broyles' representative an opportunity to personally appear before the board.

Ms. Broyles and John King, representative for Ms. Broyles, personally appeared before the board and explained her failure to timely file the required report.

On motion by Heim, seconded by Morton, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. (Lawless not present at this time.) A motion was made by Heim, seconded by Morton, to reduce the civil penalty from \$10,000 to \$0. The motion to reduce the civil penalty from \$10,000 to \$0 failed the board 3 to 0, with Lester "abstaining." (Lawless not present at this time.) A motion was made by Lester, seconded by Coleman, to reduce the civil penalty from \$10,000 to \$100. The motion to reduce the civil penalty from \$10,000 to \$100 failed the board 3 to 1, with Heim voting "no" and Lawless "abstaining." A motion was then made by Coleman, seconded by Lawless, to reduce the civil penalty from \$10,000 to \$25. The motion to reduce the civil penalty from \$10,000 to \$25 passed the board unanimously.

14-38 Robert Boyd, for failure to file a 2014 pre-primary campaign financial disclosure report with the Knox County Election Commission. Class two (2), no report

filed, maximum ten thousand (\$10,000) civil penalty. Mr. Boyd has had no previous matters before the board.

The board voted at its August 13, 2014 meeting to issue Mr. Boyd a show cause notice.

The board voted at its September 10, 2014 meeting to assess Mr. Boyd a \$1,000 civil penalty. Mr. Boyd requested a reconsideration of the \$1,000 civil penalty assessment.

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

The request for reconsideration died for a lack of a motion.

14-44 Edward Buck, for failure to timely file a 2014 2nd quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. Mr. Buck has had previous matter before the board.

The board voted at its September 10, 2014 meeting to issue Mr. Buck a show cause notice.

The board voted at its October 8, 2014 meeting to assess Mr. Buck a \$100 civil penalty. Mr. Buck requested a reconsideration of the \$100 civil penalty assessment.

Mr. Buck submitted a statement for the board's consideration.

The request for reconsideration died for a lack of a motion.

14-74 Michael Sparks, for failure to timely file a 2014 pre-general campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. Rep. Sparks has had previous matters before the board.

The board voted at its December 10, 2014 meeting to issue Rep. Sparks a show cause notice.

The board voted at its March 11, 2015 meeting to assess Rep. Sparks a \$650 civil penalty. Rep. Sparks requested a reconsideration of the \$650 civil penalty assessment.

Rep. Sparks personally appeared before the board and explained his failure to timely file the required report.

On motion by Coleman, seconded by Lawless, the board voted unanimously to reconsider the \$650 civil penalty assessment. On motion by Coleman, seconded by Heim, the board voted unanimously to assess Rep. Sparks a \$100 civil penalty.

Show Cause Hearings

C15-03 Vote Yes on 2, LLC, for failure to show original source of campaign contributions. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had no previous matters before the board.

The board voted at its March 11, 2015 meeting to issue the organization a show cause notice.

John Emison, complainant, personally appeared before the board. Brant Philips, representative for the organization, personally appeared before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to dismiss the complaint.

C15-01 Williamson Strong, for failure to register as a PAC and report contributions and expenditures with the Williamson County Election Commission. Class two (2), maximum ten thousand (\$10,000) civil penalty per violation. The organization has had no previous matters before the board.

The board voted at its January 14, 2015 meeting to issue the organization a show cause notice.

The board voted at its March 11, 2015 meeting to defer any further action in this matter until the next regularly scheduled meeting.

Susan Curlee, complainant, and Patsy Wissman personally appeared before the board. Ben Gastel, representative for the organization, personally appeared before the board.

A motion was made by Lawless, seconded by Morton, to assess the organization a \$10,000 civil penalty for failure to register as a PAC and a \$10,000 civil penalty for failure to report contributions and expenditures. The motion to assess the organization a total of \$20,000 in civil penalties failed the board 2 to 3, with Coleman, Heim and Lester voting "no." A motion was made by Lawless, seconded by Morton, to assess the organization a \$2,500 civil penalty for failure to register as a PAC and a \$2,500 civil penalty for failure to report contributions and expenditures. The motion to assess the organization a total of \$5,000 in civil penalties passed the board 4 to 1, with Coleman voting "no." The board then made a motion to issue a show cause notice to Williamson County PACE for failure to register as a PAC and for failure to report contributions and expenditures with the Williamson County Election Commission. The motion to issue a show cause notice to Williamson County PACE for failure to register as a PAC and for failure to report contributions and expenditures with the Williamson County Election Commission passed the board unanimously.

Statements Submitted

15-14 Billy Stephens, for failure to file a 2014 3rd quarter campaign financial disclosure report with the Knox County Election Commission. Class two (2), 56 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Stephens has had no previous matters before the board.

The board voted at its March 11, 2015 meeting to issue Mr. Stephens a show cause notice.

Mr. Stephens submitted a statement for the board's consideration.

On motion by Heim, seconded by Lawless, the board voted unanimously to assess Mr. Stephens a \$100 civil penalty.

Cases Considered for Issuance of Show Cause Notice

Eddie Bass, for failure to timely file a 2014 year-end supplemental campaign financial disclosure report. Class one (1), 23 days late, maximum five hundred seventy-five (\$575) civil penalty. Mr. Bass has had no previous matters before the board.

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

Anthony Cappiello, for failure to timely file a 2014 year-end supplemental campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. Mr. Cappiello has had a previous matter before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Diana Cuellar, for failure to timely file a 2014 4th quarter campaign financial disclosure report. Class one (1), four days late, maximum one hundred (\$100) civil penalty. Ms. Cuellar has had no previous matters before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Bryant Dunaway, for failure to file a 2014 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Dunaway has had a previous matter before the board.

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

Patti Garner, for failure to file a 2014 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Garner has had previous matters before the board.

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

Mike Kernell, for failure to file a 2014 year-end supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Kernell has had previous matters before the board.

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

Daniel Lewis, for failure to file a 2014 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Lewis has had no previous matters before the board.

Director Rawlins informed the board that Mr. Lewis was removed from the agenda because his filing notices were returned to the Registry as “undeliverable.” Mr. Lewis subsequently filed his report before civil penalties began to accrue.

Joseph McCulley, Jr., for failure to timely file a 2014 year-end supplemental campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. Mr. McCulley has had no previous matters before the board. (see above)

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Charles Smith, for failure to file a 2014 4th quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Smith has had a previous matter before the board.

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

William Steakley, for failure to timely file a 2014 4th quarter campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. Mr. Steakley has had previous matters before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Joe Towns, Jr., for failure to file a 2014 4th 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.

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

Sharon Gentry, for failure to timely file a 2014 year-end supplemental campaign financial disclosure report with the Davidson County Election Commission. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. Ms. Gentry has had no previous matters before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Paula Lindsey, for failure to timely file a 2014 4th quarter campaign financial disclosure report with the Maury County Election Commission. Class one (1), 20 days late, maximum five hundred (\$500) civil penalty. Ms. Lindsey has had no previous matters before the board.

On motion by Heim, seconded by Lawless, the board voted unanimously to take no action.

Cheatham County Republican Party, for failure to file a 2014 4th quarter 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 Heim, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Democrats 4 Bradley County, for failure to timely file a 2014 4th quarter campaign financial disclosure report. Class two (2), 42 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

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

Henderson County Republican Party, for failure to timely file a 2014 4th quarter campaign financial disclosure report. Class two (2), 33 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

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

Lauderdale County Democratic Party, for failure to file a 2014 4th quarter 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 Heim, seconded by Lawless, the board voted unanimously to issue a show cause notice.

SBC PAC, for failure to timely file a 2014 4th quarter campaign financial disclosure report. Class two (2), 34 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had no previous matters before the board.

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

Tennessee Conservatives Fund, for failure to file a 2014 4th quarter 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 Heim, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Tennessee Distillers Fund, for failure to file a 2014 4th 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.

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

Tennessee Students Voting No on 1, for failure to file a 2014 4th quarter 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 Heim, seconded by Lawless, the board voted unanimously to issue a show cause notice.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for August 12, 2015 at 10:30 a.m.

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