



THE BLUE PAGES

TENNESSEE SECRETARY OF STATE

Tre Hargett

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NATIONAL POPULAR VOTE PROPOSAL: POPULAR BUT PERILOUS

From the Secretary's Desk

The Office of the Secretary of State is on the frontlines regarding initiatives that would change election processes. Sometimes these proposed changes are risky experiments with questionable benefits. One proposal gaining traction nationally would forever change how presidents are elected in this country and, in my opinion, permanently lessen Tennessee's status to that of "flyover" state in future national elections.

Known as the "National Popular Vote" and marketed as a way to "make your vote count," this scheme seeks to merge Tennessee's votes with all

others across the country into a collective pool for national elections. As of now, eight states and the District of Columbia have enacted laws that would deliver their Electoral College power to the candidate winning the most popular votes nationwide. Across the country, many legislatures are poised to consider joining the NPV compact.

Before the idea takes root in Tennessee, there is good cause to take another look.

The National Popular Vote campaign would shift away from our founding fathers' Electoral College system, which assigns electors to states based on the size of their congressional delegations and requires

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a presidential candidate to win 270 of the 538 electoral votes to attain office. Instead, all votes would be combined on a nationwide scale with states' electoral votes going to whichever candidate garnered the largest national total, irrespective of who might have won individual states.

Choosing a president solely by popular vote and shelving the Electoral College appears harmless at first glance. But our current system effectively serves as a firewall insulating the rest of the country from areas with voter fraud, a key protection lost if the compact is approved.

Additional concerns arise when examining how voter qualifications vary from state to state. In Tennessee, for example, we've removed about 12,000 ineligible felons from voter registration rolls. We've also delisted deceased voters. But as recently as 2008, Michigan had 102.5 percent of its eligible voting population registered to vote, a mathematical impossibility that indicates significant fraud could be occurring.

Granting voting rights for felons is another area of great disparity among jurisdictions. Maine and Vermont grant felons and inmates great latitude to vote; in fact, Maine has held voter registration drives at prisons. This is in stark contrast to Tennessee, where felons must

restore their voting rights before heading to the polls.

These situations demonstrate what's wrong with commingling votes from different states into a collective pool and reveal how lax procedures elsewhere can disenfranchise those lawfully qualified to vote in Tennessee. By adopting a national vote tally, we put our eligible voters on equal footing with felons and those impersonating deceased voters in other states - an idea offensive to Tennesseans, given our efforts to protect our elections by preventing such conduct here.

The National Popular Vote plan also mandates that Tennessee's formal choice for president be consistent with the majority of states' choice. This creates a scenario in which a presidential candidate could receive only a handful of votes here but still "win" the state.

Tennesseans deserve to have their voices heard at the ballot box and we should seek to continuously improve the integrity of our elections. However, initiatives like the National Popular Vote would only erode the votes of our citizens and minimize Tennessee's influence in national elections.

NEW VOTER PHOTO ID LAW NOW IN EFFECT

Division of Elections officials are continuing their efforts to inform people about a new law that went into effect January 1 that will require voters to show photo identification at the polls.

"Our focus, up to this year's elections and beyond, is informing voters about what this law will mean to them," said Secretary Hargett, who oversees the division. "Our voter outreach efforts so far have been unprecedented. I commend Coordinator of

Elections Mark Goins, his staff, county election officials and all the other individuals and groups across the state who have worked so hard to get the message out."

"This new law is a tool that will help us combat a specific type of election fraud known as voter identity theft," Coordinator Goins said. "This type of fraud is very difficult to detect, absent safeguards like requiring photo IDs. Most people

are accustomed to showing photo IDs to cash checks, purchase cold medicine, board airplanes and perform many other ordinary daily tasks. So they are not going to object to showing photo IDs as a way to prevent voter fraud.”

A national poll conducted last year by Rasmussen Reports indicated that 75 percent of respondents support a photo ID requirement for voting. Other polls have put support for photo IDs even higher.

Republican- and Democrat-controlled legislatures have recently passed photo ID laws in several states.

In November, Mississippi residents voted by a large margin to amend the state

constitution to require photo IDs for voting.

To date, Tennessee’s voter outreach campaign on the photo ID law has included events hosted by election administrators in all 95 counties, more than a million pieces of literature being distributed and hundreds of public talks presented. Many of the presentations have been personally conducted by Secretary Hargett or Coordinator Goins.

The division has partnered with groups as diverse as AARP, the Vanderbilt University College Republicans and the Tennessee Intercollegiate State Legislature (TISL) to target specific groups that might be affected by the new law. AARP hosted a series of town hall meetings across the state while TISL representatives are spreading the word on college campuses. The College Republicans are offering free rides to people who need to get photo IDs. Media tools ranging from billboards to social media networks have also been used as part of the campaign to distribute information about the law.

Several hundred articles have been written about the law since it was adopted by the General Assembly earlier this year.

The law requires voters to show a state- or federally-issued ID unless an exemption applies. People who vote absentee by mail are not required to show photo IDs, nor are people who are voting from hospitals, nursing homes or assisted living facilities. People who have religious objections to being photographed and those who are indigent and unable to obtain a photo ID without paying a fee are exempted.

People who forget to bring photo IDs with them to the polls can cast provisional ballots, then return to their local election commission offices within two business days after elections to present valid photo ID.

The law requires people to show a valid state or federal government-issued photo ID in order to vote. Examples of acceptable forms of ID include driver licenses, U.S. passports, Department of Safety photo ID cards, U.S. military photo IDs and other state or federal government photo ID cards. College student IDs are not acceptable.

If you do not have an acceptable form of photo ID or would like more information about the new law, call 1-877-850-4959 or visit the Division of Elections web site at <http://www.GoVoteTN.com>.

A NATIONAL POLL CONDUCTED LAST YEAR BY RASMUSSEN REPORTS INDICATED THAT 75 PERCENT OF RESPONDENTS SUPPORT A PHOTO ID REQUIREMENT FOR VOTING.



DIVISION OF ELECTIONS CERTIFIES CANDIDATES FOR PRESIDENTIAL DELEGATES

Every four years, the Division of Elections is responsible for certifying the candidates who wish to serve as presidential primary delegates.

For this election cycle, more than 400 petitions were pulled by Republicans interested in participating in the political process as delegates. Of that total, 208 actually filed petitions to run and 158 qualified for the ballot. Democrat delegates are selected by a different process and do not appear on the ballot.

The following list contains the names of the people who qualified to run as a Republican delegate in the March 6 Presidential Preference Primary:

Delegate Type*	Delegate Candidate	Committed to:	City
CD01	Linda D. Buckles	Newt Gingrich	Kingsport
CD01	Phil Hoskins	Newt Gingrich	Kingsport
CD01	Linda L. Osborne	Newt Gingrich	Blountville
CD02	Ted Boyatt	Newt Gingrich	Maryville
CD02	Leonard W. Brown	Newt Gingrich	Knoxville
CD02	Monta Hirzel	Newt Gingrich	Loudon
CD02	Aaron Garcia Margulies	Newt Gingrich	Farragut
CD02	Scott David Smith	Newt Gingrich	Powell
CD03	John S. Stanbery	Newt Gingrich	Cleveland
CD03	Bobby Wood	Newt Gingrich	Harrison
CD03	Jeanne E. Wood	Newt Gingrich	Harrison
CD03	Teresa Wood	Newt Gingrich	Chattanooga
CD04	Annette Sapp	Newt Gingrich	Crossville
CD05	Bob Schwartz	Newt Gingrich	Nashville
CD06	Joe Carr	Newt Gingrich	Lascassas
CD06	Christopher Stephen Hughes	Newt Gingrich	Hendersonville
CD06	Terri Lynn Weaver	Newt Gingrich	Lancaster
CD06	Susan Witcher	Newt Gingrich	Red Boiling Springs
CD07	Reta Galbraith	Newt Gingrich	Savannah
CD07	Martha "Jane" Pleasant	Newt Gingrich	Arlington
CD07	W.C. "Bubba" Pleasant	Newt Gingrich	Arlington
CD08	Mike Peery	Newt Gingrich	Jackson
CD08	James William Shore	Newt Gingrich	Martin
CD08	Emily H. Shore	Newt Gingrich	Martin
At-large	Willis Ayres	Newt Gingrich	Memphis
At-large	Martha Ruth Brown	Newt Gingrich	Nashville
At-large	Stacey Campfield	Newt Gingrich	Knoxville
At-large	Crom Carmichael	Newt Gingrich	Nashville
At-large	John Gardner	Newt Gingrich	Kingsport
At-large	Matthew Jerry Johnson	Newt Gingrich	Kingsport
At-large	Gail D. Patton	Newt Gingrich	Kingsport

Delegate Type	Delegate Candidate	Committed to:	City
At-large	C. Mack Patton	Newt Gingrich	Kingsport
At-large	Tony Shipley	Newt Gingrich	Kingsport
At-large	Mark Winslow	Newt Gingrich	Nashville
CD02	Joan Ashe	Jon Huntsman	Knoxville
At-large	Victor Ashe	Jon Huntsman	Knoxville
At-large	Alexander Oaks Waters	Jon Huntsman	Knoxville
CD01	Charles Cook	Ron Paul	Morristown
CD01	P K Lowrey	Ron Paul	Greeneville
CD01	Gregg Richardson	Ron Paul	Elizabethton
CD01	Michael H. Simpson	Ron Paul	Kingsport
CD02	J. Clay Atherton	Ron Paul	Knoxville
CD02	Sheree Callaway	Ron Paul	Englewood
CD02	Tona Monroe	Ron Paul	Greenback
CD03	Daniel Appleget	Ron Paul	Hixson
CD03	Barbara Dallanegra	Ron Paul	Cleveland
CD03	J.B. Underwood	Ron Paul	Ooltewah
CD04	David G. Bearden	Ron Paul	Crossville
CD04	Amanda Griffith	Ron Paul	McMinnville
CD04	Steven Lane	Ron Paul	Crossville
CD04	Mary Ellen Redford	Ron Paul	Franklin
CD06	Mark Abbotoy	Ron Paul	Hartsville
CD06	Sofia Carnicelli Grey	Ron Paul	Smyrna
CD07	Kenny Crenshaw	Ron Paul	Millington
CD07	Gary Shane Goolsby	Ron Paul	Arlington
CD07	Corey M. Stockman	Ron Paul	Arlington
CD08	Tiffany Doyle	Ron Paul	Bradford
CD08	Adrian Eddleman	Ron Paul	Three Way
CD08	Jeremie Schultz	Ron Paul	Puryear
CD09	Vivien Higgins	Ron Paul	Memphis
CD09	Jeffrey Trembley	Ron Paul	Memphis
At-large	Gary Allen	Ron Paul	Johnson City
At-large	Donna K. Appleget	Ron Paul	Hixson
At-large	Joel Crenshaw	Ron Paul	Millington
At-large	Jason Davis	Ron Paul	Soddy-Daisy
At-large	Gary Ellis	Ron Paul	Whitwell
At-large	Andre Flanary	Ron Paul	Church Hill
At-large	Ronald Lanfear	Ron Paul	Clarksville
At-large	Jeff Pedigo	Ron Paul	Spring Hill
At-large	Kyle Gregory Perry	Ron Paul	Cunningham
At-large	Daniel Rawls	Ron Paul	Cleveland
At-large	Steven Warhurst	Ron Paul	Kingsport
CD01	Dustin Goforth	Rick Perry	Bristol

Delegate Type	Delegate Candidate	Committed to:	City
CD01	Jordan G. Young	Rick Perry	Kingsport
CD02	Matthew Herriman	Rick Perry	Knoxville
CD02	Jimmy Matlock	Rick Perry	Lenoir City
CD02	Dick Powell	Rick Perry	Knoxville
CD03	Milan M. Blake	Rick Perry	Cleveland
CD04	Tommy Lee Francis	Rick Perry	Wartburg
CD04	Kristopher D. Miller	Rick Perry	Columbia
CD05	Raul Lopez	Rick Perry	Hermitage
CD06	Justin Wax	Rick Perry	Murfreesboro
CD07	John Elkington	Rick Perry	Germantown
CD07	Monty Lankford	Rick Perry	Franklin
CD08	Mark E. Green	Rick Perry	Ashland City
CD08	Jim Summerville	Rick Perry	Dickson
CD08	Ted Williams	Rick Perry	Dickson
CD09	Anne Conrad	Rick Perry	Memphis
CD09	Arnold Weiner	Rick Perry	Memphis
At-large	Larry Bates	Rick Perry	Middleton
At-large	Jessica Frizzell	Rick Perry	Lascassas
At-large	Tiffany Ramsey Goforth	Rick Perry	Bristol
At-large	Elaine "Laney" Heard	Rick Perry	Nashville
At-large	Brian Kelsey	Rick Perry	Germantown
At-large	Shalia Lankford	Rick Perry	Franklin
At-large	Ron Ramsey	Rick Perry	Blountville
At-large	Sindy Ramsey	Rick Perry	Blountville
At-large	Matthew Smith	Rick Perry	Nashville
At-large	Thomas Smith	Rick Perry	Nashville
CD01	David Golden	Mitt Romney	Kingsport
CD01	Warren Jones	Mitt Romney	Johnson City
CD01	Alicia Mumpower	Mitt Romney	Bristol
CD02	Russell Barber	Mitt Romney	Knoxville
CD02	Richard Barnes	Mitt Romney	Knoxville
CD02	Ryan Haynes	Mitt Romney	Knoxville
CD03	Emily Beaty	Mitt Romney	Cleveland
CD03	Oscar Brock	Mitt Romney	Lookout Mountain
CD03	Jennifer Inman Little	Mitt Romney	Bean Station
CD03	Hobart L. Rice	Mitt Romney	Dandridge
CD04	David French	Mitt Romney	Columbia
CD04	Nancy French	Mitt Romney	Columbia
CD04	Jason Whatley	Mitt Romney	Columbia
CD05	Shiri Anderson	Mitt Romney	Antioch
CD05	Chrissy Hagerty	Mitt Romney	Nashville
CD05	John Patrick Shorter	Mitt Romney	Nashville
CD05	George B. Stadler	Mitt Romney	Nashville

Delegate Type	Delegate Candidate	Committed to:	City
CD06	Debra K. Copass	Mitt Romney	Mount Juliet
CD06	Beth Cox	Mitt Romney	Hendersonville
CD06	Randy Stamps	Mitt Romney	Hendersonville
CD06	Chad White	Mitt Romney	Murfreesboro
CD07	Mary Kate Brown	Mitt Romney	Franklin
CD07	Barrett Rich	Mitt Romney	Eads
CD07	Ammon Smartt	Mitt Romney	Brentwood
CD08	Betty Anderson	Mitt Romney	Paris
CD08	Bob D. Anderson	Mitt Romney	Paris
CD08	Steve Maroney	Mitt Romney	Jackson
CD08	Oneida Wagoner	Mitt Romney	Mansfield
CD09	Paul Boyd	Mitt Romney	Memphis
CD09	Frank Colvett, Jr.	Mitt Romney	Memphis
CD09	Kelley Hankins	Mitt Romney	Memphis
CD09	Dennis Patrick Hawkins	Mitt Romney	Memphis
At-large	Rob Ailey	Mitt Romney	Seymour
At-large	Steve Allbrooks	Mitt Romney	Franklin
At-large	Randal Boyd	Mitt Romney	Knoxville
At-large	Josh Brown	Mitt Romney	Franklin
At-large	Steve Buttry	Mitt Romney	Knoxville
At-large	Beth Campbell	Mitt Romney	Nashville
At-large	John Crisp	Mitt Romney	Brentwood
At-large	John Wayne Cropp	Mitt Romney	Hixson
At-large	Winfield Dunn	Mitt Romney	Nashville
At-large	Ruth B. Hagerty	Mitt Romney	Gallatin
At-large	Julia Hurley	Mitt Romney	Lenoir City
At-large	Jim Looney	Mitt Romney	Lawrenceburg
At-large	Wendell Moore	Mitt Romney	Brentwood
At-large	Justin Pitt	Mitt Romney	Franklin
At-large	Mark White	Mitt Romney	Memphis
At-large	Susan Richardson Williams	Mitt Romney	Knoxville
CD01	Jennifer Flanary	Uncommitted	Church Hill
CD01	Jesse Overbey	Uncommitted	Johnson City
CD01	Jeffrey "Bo" Shultz	Uncommitted	Russellville
CD02	Ted Hatfield	Uncommitted	Knoxville
CD02	J. Christopher Lane	Uncommitted	Knoxville
CD04	Robert Crigger	Uncommitted	Columbia
CD06	Terry Barnes	Uncommitted	Murfreesboro
At-large	Sandy Crawford	Uncommitted	Collierville
At-large	Rosine Ghawji	Uncommitted	Memphis
At-large	Robert Tyler Prince	Uncommitted	Nashville
At-large	Juanita Thouin	Uncommitted	Murfreesboro

*CD = Congressional District

“FRANKLIN COUPLE’S ADOPTED, BIOLOGICAL DAUGHTERS ARE “SIBLINGS THROUGH AND THROUGH”

The thought of adopting a child with a serious medical condition might have scared off a lot of couples. Not Franklin residents Daren and Rachel Phillips, who already had a daughter, McHaney, who had undergone surgery for a heart condition.

So when the Phillipses learned there was a baby available for adoption in China who had

in Taiyuan City in the Chinese province of Shanxi, they had to make a decision very quickly. Another potential adoptive family had just turned down Alba because the wife had gotten pregnant.

“Because of that, we had 24 hours to decide whether we wanted Alba,” Rachel said. “Daren and I received her informational packet the next



DAREN, ALBA, MCHANEY AND RACHEL

been diagnosed with a heart condition just over a year ago, it sparked their interest.

“When McHaney was two, we went through heart surgery with her and we knew it was a scary process, but we could do it again and were comfortable with the process,” Daren said.

It had taken the Phillipses seven months to finalize the paperwork to reach that stage of the adoption process. However, once they heard about Alba, who was living with a foster family

day, went straight to our pediatrician to figure out if we could adopt a special needs child and – after the OK for our doctor and discussion between us – we accepted her.”

Rachel and Daren Phillips traveled to Taiyuan City nearly a year later. Alba was in foster care, and thankfully for the Phillipses, she lived with a very loving family who helped Alba get to know them.

Daren, Rachel and Alba spent 10 days getting acquainted in China. It was not an easy transition. For the most part, Alba was crying and fighting to get back to her foster parents; Rachel and Daren were trying their best to open their hearts to a child who initially did not want to be with them.

RACHEL SAID: "THEY'RE SIBLINGS THROUGH AND THROUGH, LIKE ALBA HAS BEEN HERE HER WHOLE LIFE."

"Alba didn't realize that she was leaving her foster parents," Daren said. "Understandably, she was scared and very upset."

To help aid in the transition to the U.S., the Phillipses videoconferenced with biological daughter McHaney daily, making sure the two sisters would know each other's faces and voices before seeing one another in person. They also told their family and friends they could come to the airport, but to lay low because they were worried how Alba would react given how hard the transition had been on her already.

"We got off the plane and it was like a whole new child was in front of us," Daren said. "She was playing with balloons she was handed from our family, she was running around and giggling with her cousins, it was great to see."

"She saw McHaney for the first time in person and shouted 'Jie-Jie,' which is 'sister' in Mandarin," Rachel said. "It was like she was home."

The two act like they've been sisters their entire lives.

"The first couple of weeks had their rough spots, but that's life with a sibling," Rachel said.

"The two take naps together, they play together, they watch movies together, and they even beg to sleep together at night, which we don't allow because they wouldn't sleep. They're siblings through and through, like Alba has been here her whole life."

Alba clearly looks up to her older sister, too.

"Anything Alba is timid or unsure about – if McHaney does it, she believes she can do it too," Rachel said. "McHaney tells her she loves her, parents her, watches out for her - it's great to see. As parents, we can't give her that bond and that sibling love and we're so thankful it's there."

Documents from Tennessee that are used in international adoptions require an apostille or authentication, forms of legal documentation that are provided by the Tennessee Secretary of State's office.

"Our department's role is a small but important part of the adoption process," Secretary Hargett said. "We are honored to provide this service for families like the Phillipses across Tennessee." 

INTERNATIONAL ADOPTIONS

Some people may have the impression that the only thing state employees do is push paper around. This story is an example of how state employees positively impact Tennessean's lives and the lives of children worldwide. International adoptions require an apostille or authentication, depending on the nation of origin, by the secretary of state in the state where the documents were signed. This certification of the signatures' validity on the documents is much like the notary publics would be on the local level. Apostilles/authentications are processed in the Secretary of State Division of Business Services. Over 12,100 apostilles and authentications were processed last year.

Documents may be submitted by mail or in person.

For more information, contact: Division of Business Services, 312 Rosa L. Parks Avenue, Snodgrass Tower, 6th Floor, Nashville, TN 37243, 615.741.0536, business.services@tn.gov, or visit http://www.tn.gov/sos/bus_svc/apostilles.htm

SENATOR BECKY DUNCAN MASSEY'S ELECTION CERTIFIED BY SECRETARY HARGETT, GOVERNOR HASLAM AND ATTORNEY GENERAL COOPER

On Wednesday, December 21, 2011, Coordinator of Elections Mark Goins presented Secretary Hargett, Governor Haslam and Attorney General Cooper documentation required to formally certify the election of the state Senate's newest member, Senator Becky Duncan Massey. Senator Massey, a Republican representing District 6, was elected in a special election last year to fill the unexpired term of former Speaker Pro Tem Jamie Woodson.

***“SENATOR MASSEY IS SMART AND INQUISITIVE, BOTH OF WHICH ARE QUALITIES THAT WILL SERVE HER WELL IN THE STATE SENATE,”
SECRETARY HARGETT SAID.***

Senator Massey is from Knoxville, where she has served as executive director of the Sertoma Center for 14 years. Sertoma Center provides job training, part-time employment opportunities, mental health support, life skills coaching and residential services for more than 100 adults with intellectual disabilities.

Senator Massey has been involved in numerous community organizations and events throughout her career. She is the president-elect of Tennessee Community Operators and has served on the boards of directors for the Akima Club of Knoxville, Big Brothers Big Sisters, Overlook Center, Sertoma Center and the University of Tennessee-Knoxville Alumnae Chapter. She has also been a longtime volunteer and former co-chair of the Dogwood Arts Festival.

Senator Massey comes from a family with a long history of public service. Her brother,

Congressman Jimmy Duncan, has represented Tennessee's 2nd Congressional District since 1988. Senator Massey's father, the late John Duncan, Sr., was a former mayor of Knoxville and represented the same congressional district as Senator Massey's brother from 1965 until his death in June of 1988.



SENATOR MASSEY WAS ELECTED IN A SPECIAL ELECTION LAST YEAR TO FILL THE UNEXPIRED TERM OF FORMER SPEAKER PRO TEM JAMIE WOODSON.

“Senator Massey is smart and inquisitive, both of which are qualities that will serve her well in the state Senate,” Secretary Hargett said. “Her years of community service and civic work coupled with her family’s rich heritage of exemplary public service will also add to the value she brings to the Senate. I look forward to working with her.” 

PROTECT YOURSELF AGAINST BUSINESS IDENTITY THEFT

As 2012 begins, many people have made New Year's resolutions to eat healthier or lose weight. So what resolutions do online criminals make? Why, to steal more money, of course, which begins by stealing someone's identity.

Over the years, online criminals have become more sophisticated. They have figured out that it is much more lucrative to steal the identity of

credit. Once the credit has been established, the criminals purchase goods and have them shipped to temporary addresses where they can pick up the goods and then sell them for cash and leave the legitimate business owners "holding the bag" for the credit card charges that have been made.

As a business owner, there are some ways to avoid business identity theft:

Protect Your Business from Identity Theft

Regularly review your business entity registration information online. Go to the Business Information Search Page at tnbear.tn.gov/Ecommerce/FilingSearch.aspx and view your business entity history and details.

Safeguard your business identifiers. Protect your business FEIN / EIN / TIN numbers as you would your own Social Security Number. Thieves can access or open many types of accounts with your business information. Keep all documents containing business information or business identifiers in a secure location and securely shred old or unnecessary documents that contain your business information.

Carefully review account statements as soon as you receive them. Promptly notify the creditor if you discover any unrecognized or fraudulent transactions.

Keep your business computers and network secure. Use regularly updated anti-virus / anti-spyware and internet security software, and restrict the use of your business computers to only business activities. Utilize WPA2 encryption to secure your business wireless network.
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Division of Business Services

Tennessee Secretary of State Tre Hargett

THIS IS AN INFORMATIONAL INSERT MAILED TO TENNESSEE BUSINESSES WITH THEIR ANNUAL REPORT REMINDERS.

a business than it is to steal the identity of an individual. Why? Because in some cases they can commit crimes before the business owners ever realize that their identities have been stolen.

In today's business environment, more and more business transactions are conducted online. Many businesses collect sensitive personal information such as names, dates of birth, Social Security numbers, credit card numbers, and account data. This information is often used for valid business reasons such as filling orders or meeting payroll. However, if criminals can gain access to this information, they can use it to steal the identities of businesses as well as business owners. Criminals can also sell data to others who will then use stolen identities to establish fraudulent businesses and apply for business

Secure your information.

Inventory the personal information that you maintain on yourself, your employees, your vendors, and your customers. This information can be either in paper or electronic form. Only keep what you need. Also, be sure to secure the information so that only authorized individuals who have a valid reason to access the data can get to it.

Keep your business computers and network secure.

Use regularly updated anti-virus /anti-spyware and Internet security software, and restrict the use of your business computers to only business activities. Utilize WPA2 encryption to secure your business wireless network.

Safeguard your business identifiers.

Protect your business FEIN / EIN / TIN numbers as you would Social Security numbers. Thieves can access or open many types of accounts with your business information. Keep all documents containing business information or business identifiers in a secure location and securely shred old or unnecessary documents that contain your business information.

Be alert for suspicious activity.

Misaddressed business mail, missing or late account statements or telephone calls and correspondence regarding unknown accounts are all potential indicators that something may be wrong. Thieves use haste, carelessness, and lack of attention to detail to their advantage. The longer you wait to follow up, the more damage they can do.

Carefully review account statements as soon as you receive them.

Promptly notify creditors if you discover any unrecognized or fraudulent transactions.

Regularly review your business entity registration information online.

Most business owners only review their business entity information once per year when they file their annual reports. Periodically go to the Business Information Search Page at tnbear.tn.gov/Ecommerce/FilingSearch.aspx and view your business entity history and details.

Regularly review your business credit reports.

Request copies of your business credit reports and review them for accuracy and suspicious activity:

Dun & Bradstreet	http://smallbusiness.dnb.com/	1-800-234-3867
Equifax	http://www.equifax.com/small-business/home/en_sb	1-800-525-6285
Experian	http://www.experian.com/small-business/services.jsp	1-888-397-3742
TransUnion	http://www.transunion.com/corporate/business/business.page	1-800-680-7289

Know your fraud liability limits and reporting requirements.

Under the Uniform Commercial Code (UCC), business banking accounts have shorter reporting time lines, fewer protections, and greater liability for fraud than consumer accounts. Your financial institution's own policies can significantly impact your business' liability for fraudulent transactions.

Secretary Hargett currently serves as a member of the National Association of Secretaries of State (NASS) Business Identity Theft Task Force along with numerous other Secretaries of State from around the country. The task force was established last April and is working with business industry representatives, consumer advocates and representatives from federal, state and local law enforcement agencies, including

the U.S. Federal Trade Commission and U.S. Secret Service/Electronic Crimes Task Force, to develop business identity theft prevention strategies. More information on these initiatives will be published in the future.

For more information on how to prevent business identity theft, visit our web site at http://www.tn.gov/sos/bus_svc/idtheft.htm. 

ADMINISTRATIVE PROCEDURES DIVISION ASSISTS WITH SEMINAR FOR LOCAL GOVERNMENTS

Representatives from the Office of the Secretary of State's Administrative Procedures Division recently helped train a group of local government officials about the administrative hearing process.

This first-of-its-kind seminar was organized by the University of Tennessee Municipal Technical Advisory Service (MTAS) in response to a new law (T.C.A. 6-54-1001) that allows cities to create their own administrative hearing offices to handle certain types of cases, including those involving building codes and property maintenance ordinances. The law allows certified administrative hearing officers to levy fines in excess of \$50 to ordinance violators.

The 27 attendees received 12 hours of instruction about the mechanics of the law, housing and property maintenance codes, the administrative hearing process and laws dealing with open meetings and open records. Completion of the training allows the participants to serve as administrative hearing officers.

"The administrative hearing officer training class provided extremely valuable information about the new statute," said former Franklin city attorney Karen Beyke, who attended the session. "The administrative law judges from the Secretary of State's office were thoroughly prepared, having

fully digested the statutes and presented them in a mock hearing, small group sessions and great question/answer periods. The participants were always engaged, making for lively discussion about the do's and don'ts, the practicalities and the pitfalls of administering such a program that one could only glean from their vast experience. This class is definitely a 'don't miss' for those cities using an administrative hearing officer."

Josh Jones, legal consultant for MTSA, said the training should be a first step in providing cities with another tool to ensure compliance with local building and property maintenance codes, which, in turn, will result in safer communities.

Presenters from the Administrative Procedures Division were Chief Administrative Judge Tom Stovall and administrative law judges Mary Collier, Lynn England and Ann Johnson. Secretary Hargett also spoke during the first day of the two-day session.

Others presenting information at the seminar included representatives from MTAS, Metro Nashville's Department of Codes and Building Safety and the state Comptroller's Office of Open Records Counsel. 

MORE GOOD NEWS ABOUT THE STATE'S CREDIT RATING

Tennessee's strong financial position was reaffirmed last month when Moody's Investors Service revised its outlook of the state's credit rating from "negative" to "stable."

Moody's assigned the "negative" outlook last August as a sign that could have foreshadowed a drop in the state's AAA credit rating. At the time, Moody's was particularly concerned with how Tennessee and several other states would



*SECRETARY HARGETT MAKES A PRESENTATION TO
BOND RATING ANALYSTS.*

manage the loss of federal funding if Congress decided to make severe budget cutbacks.

State officials, including Secretary Hargett, traveled to New York twice to convince representatives from Moody's and two other major rating agencies, Fitch Inc. and Standard and Poor's, that a ratings downgrade was not necessary. They presented the steps the state was prepared to take if the federal government initiated the cuts. Secretary Hargett was tasked with making the case for the strength of the state's economy.

Moody's also reaffirmed the state's AAA rating, which is the highest score available. The state also

has an AAA rating from Fitch and an AA+ rating from Standard and Poor's, which is the second highest score available.

"It's essential to have high credit ratings because that translates into lower interest rates on the money the state borrows," Secretary Hargett said. "Maintaining the state's high credit rating is something I feel strongly about because it provides a quantifiable benefit to the citizens."

Despite borrowing more money last fall, the state's long-term general obligation debt remains relatively low at \$2.07 billion. 

2011-12 TENNESSEE BLUE BOOK TO BE AVAILABLE SOON

A wealth of information about Tennessee state government and other facts and figures will soon be available in the 2011-2012 *Tennessee Blue Book*. The book contains more than 800 pages of information about current General Assembly members, their respective leadership positions, committees, boards and commissions, departments within state government, history, state symbols and much more.

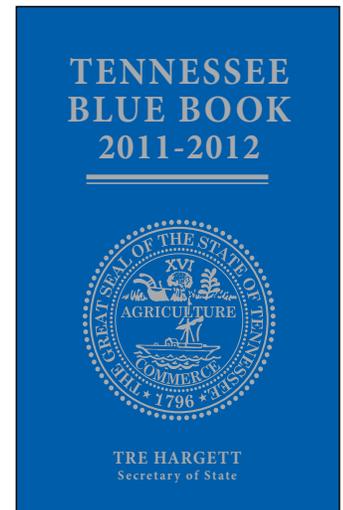
It's a reference book used by everyone from elementary school students to business executives who have frequent dealings with state government.

The Office of the Secretary of State's Publications Division produces an updated version of the Blue Book every two years.

The Secretary of State dedicates each *Tennessee Blue Book*. The last edition was dedicated by Secretary of State Tre Hargett to Tennessee's most cherished sons and daughters who paid the highest price in our nation's War on Terror. Each Tennessee native who lost their life fighting for our freedom is listed in that edition. Secretary Hargett will continue that list in the 2011-2012 edition and into the future, recognizing and honoring those fallen heroes.

This edition is dedicated to the speakers of both houses of the General Assembly.

"I dedicate the 2011-2012 *Tennessee Blue Book* to Lieutenant Governor Ronald L. Ramsey and Speaker of the House Beth Harwell for their exemplary commitment to public service," Secretary Hargett said. "In addition to that public service, they continue to be dedicated members of their families, who have so generously shared these two individuals with the state of Tennessee."



If you are interested in obtaining a 2011-2012 *Tennessee Blue Book*, please contact your state senator or representative. Contact information can be found at <http://www.capitol.tn.gov/legislators/>.

The books will be available in the coming weeks. 

TENNESSEE ELECTRONIC LIBRARY USAGE INCREASES BY 4.5 MILLION

There were 4.5 million more searches using the Tennessee Electronic Library (TEL) in 2011 than there were in 2010, indicating more Tennesseans are finding the free resources available to them through TEL's databases.

Last year, there were 33,862,736 searches on TEL, compared with 29,331,338 searches in 2010, which represents an increase of 15 percent.

newspapers – and each included a logo for the library to use and talking points for library staff and volunteers.

“Learning Express Library (LEL), which includes courses, practice tests and e-books, normally drops off in usage during the summer months,” Cornelisen said. “I believe the April release of the Test Prep Toolkit spurred the



THIS TEL BILLBOARD IN JACKSON, TENNESSEE WAS ONE OF TWENTY AROUND THE STATE.

“TEL is an important part of the Tennessee Library and Archives,” Secretary Hargett said. “I am pleased more citizens are becoming aware of the resources available through TEL, which, in turn, is increasing the use of TEL.”

TEL Coordinator Wendy Cornelisen attributes the increase to a number of factors.

“The addition of the World Book Encyclopedia to TEL is a big factor for this increase,” Cornelisen said. “Also, the TEL ‘EM Toolkits, the TEL billboards, posters and a well-informed staff of libraries across the state all contributed to the increase in numbers this past year.”

TEL ‘EM Toolkits are promotional packages released to libraries each month. Each toolkit focused on a different service available through TEL – issues, research, genealogy, test prep,

doubling of LEL usage for May, June and July of 2011, compared to the same months in 2010.”

“The goal for TEL has always been to become more visible so that everyone in the state knows it is available for them to use,” Cornelisen said. “I think we have demonstrated with the toolkits that timely, friendly reminders to our libraries and news releases to the media can have a very powerful effect.”

TEL is a free online resource with more than 400,000 reference materials, journals, essays, podcasts, videos and e-books. It provides free test preparation, family history materials, and access to Tennessee’s metropolitan newspapers and World Book Encyclopedia. 

UNIVERSITY OF MEMPHIS HOSTS ‘AGENT DAY’ FOR STUDENT-ATHLETES

Student-athletes at the University of Memphis considering pro sports careers recently got a chance to learn more about that process without leaving campus. More than 20 student-athletes and their families, along with about 15 athlete agents, attended an ‘Agent Day’ last month hosted by the University of Memphis and the Collegiate Sports Advisors (CSA). A representative from the Office of the Secretary of State also attended the event to explain the office’s role in regulating agents.

CSA helps universities provide information and support to their student-athletes as they navigate the process of selecting agents, with hopes of preventing corrupt or deceptive practices. The University of Memphis event provided an opportunity for athletes from the football and men’s and women’s basketball teams to learn about protecting their amateur status, professional agent selection and relevant National Collegiate Athletic Association rules and regulations.

The event also gave draft eligible student-athletes and their families an opportunity to meet with athlete agents to discuss potential

representation opportunities for future professional sports careers.

The Office of the Secretary of State maintains records of registered athlete agents who wish to do business in the state of Tennessee and investigates potential illegal activity by athlete agents. The Athlete Agent Reform Act of 2011, which was passed during the last legislative session, expanded

“IT IS IMPORTANT THAT COLLEGE ATHLETES KNOW THE REGULATIONS INVOLVED IN TURNING PRO AND THE ROLE ATHLETE AGENTS HAVE IN THAT PROCESS,” SECRETARY HARGETT SAID.

the definition of who qualifies as an athlete agent and extended additional protections for student-athletes and schools.

“It is important that college athletes know the regulations involved in turning pro and the role athlete agents have in that process,” Secretary Hargett said. “I know the event at the University of Memphis was helpful and I hope that the provisions of the Athlete Agent Reform Act of 2011 will encourage other institutions to provide opportunities like that for Tennessee’s student-athletes.”

If you have any questions about Tennessee’s athlete agent law, please contact Andrew Dodd at 615-741-7956 or Andrew.Dodd@tn.gov. 

IS YOUR ORGANIZATION MAKING PLANS TO VISIT THE STATE CAPITOL?

Every legislative session, many chambers of commerce, youth organizations and other groups visit the Capitol to discuss important issues and to learn more about state government. In the past, some groups have expressed interest in

meeting with Secretary Hargett. If you would like for Secretary Hargett to speak to your group about the office’s operations, please call (615) 741-2819 to schedule a time. 

FOUR OFFICE EMPLOYEES RECEIVE AWARDS

Within a 24-hour time period, three current and one former Secretary of State employees received awards last month. Three graduated from the LEAD Tennessee program and one was given the Information Technology Management Association (ITMA) Outstanding Information Technology Professional Award.

Elections Specialist Andrew Dodd, Business Services Division Director Nathan Burton and



ANDREW DODD WITH REBECCA HUNTER, COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES

former employee Lauren Plunk, now the state's Small Business Advocate with the Comptroller's office, graduated from the LEAD Tennessee is a year-long, intense training experience to help current and future leaders develop the skills needed to be successful in their careers with the state.



NATHAN BURTON WITH REBECCA HUNTER, COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES

Division of Information Systems Assistant Director Greg Harris was given Information

Technology Management Association (ITMA) Outstanding Information Technology Professional Award for his work with the IP Telephony (IPT) project.

IPT is a cost-effective program that allows phones to be run on a network, similar to a computer, instead of using the old phone line system. This allows the state to manage their phones quickly, and for half the cost of the old system.



LAUREN PLUNK WITH REBECCA HUNTER, COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES



SECRETARY TRE HARGETT WITH GREG HARRIS

“Greg ensured that key business personnel in the Secretary of State's office participated in the detailed design workshops in order to guarantee acquisition of an appropriate and cost effective solution,” Secretary Hargett said.

The Information Technology Management Association is a state government association made up of IT professionals in state government. The association provides a forum for directors to connect and work together on projects like the new phone system. 🇺🇸

MORE CHARITIES REGISTER IN TENNESSEE DURING 2011

The Division of Charitable Solicitations and Gaming saw an increase in the number of charitable organizations that registered last year when compared to 2010.

“There is a need for citizens to be educated consumers by being aware of where their money is going if it is donated to a charitable organization or professional fundraiser,” Secretary Hargett said. “Tennesseans can learn more about registered charities, solicitors and fundraising councils by visiting our web site at www.tn.gov/sos/charity.”

Todd Kelley, the division’s director, attributes the increase to the success of his staff’s efforts to raise awareness among charities that they are required to register with the division if they solicit contributions from or within Tennessee. Additionally, he noted that the division has increased its enforcement efforts in the last few years against those organizations that failed to register.

“We’re seeing an increase in organizations registered, which means that the public awareness and enforcement efforts of the division are getting the message across,” Kelley said.

The Charitable Solicitations Act requires charitable organizations which solicit contributions directly or indirectly from or within the State of Tennessee to register with the division, unless the organizations are statutorily exempt from registering (e.g. churches and schools). Professional solicitors and fundraising councils must also register with the division. The

act also prohibits charities and their professional fundraisers from engaging in false or misleading fundraising practices.

Last year, 6,255 charitable organizations, 70 professional solicitors and 225 fundraising councils were registered in the state. For comparison, in 2010, there were 5,820 charitable organizations, 89 professional solicitors and 200 fundraising councils registered.

If an organization or entity fails to register or engages in false or misleading fundraising practices, it is subject to the assessment of a civil penalty

“THERE IS A NEED FOR CITIZENS TO BE EDUCATED CONSUMERS BY BEING AWARE OF WHERE THEIR MONEY IS GOING IF IT IS DONATED TO A CHARITABLE ORGANIZATION OR PROFESSIONAL FUNDRAISER,” SECRETARY HARGETT SAID.

of up to \$5000 for each violation. People who suspect violations of the act may have occurred can call (615) 741-2555 or e-mail Charitable.solicitations@tn.gov.

“If we think an organization is in violation of the Charitable Solicitations Act, we will open an investigation,” Kelley said. “In 2011, we opened 515 investigations and we assessed approximately 200 civil penalties against entities or individuals in violation of the act, resulting in assessments totaling nearly \$2 million.”

The division also assists Tennessee citizens by providing financial information about registered charities seeking their contributions. This allows individuals to review how such organizations are spending the money contributed to them and make educated decisions regarding their donations. 

OFFICE CLOSED FOR MARTIN LUTHER KING JR. DAY HOLIDAY

Martin Luther King Jr. Day is a state holiday. The Office of the Secretary of State will be closed Monday, January 16. If you have business with any of the office's divisions, please plan accordingly.

RULE MAKING HEARINGS AND LISTS OF RULES

Rule making hearings are open to the public. The web link below will provide information about the location and times of the hearings. Information about the rules going into effect includes changes or additions to rules.

To view the rule-making meeting notices online, go to: <http://tnsos.org/rules/RulemakingHearings.php?>

To view the rules scheduled to go into effect, go to: <http://tnsos.org/rules/PendingRules.php?>

If you have suggestions on how the online posting of the state's rules could be more "user-friendly," please contact Cody York at 615-741-2650 or email him at: Cody.York@tn.gov. 

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