

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, July 14, 2004, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members William Long, Darlene McNeece, Marian Ott, Lee Anne Murray and Karen Dunavant.

On motion by Dunavant, seconded by Murray, the minutes from the May 12, 2004 meeting were approved unanimously.

Request for Reconsideration

04-27 Tennessee Latino American PAC, for failure to file 2003 4th quarter campaign financial disclosure statement. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board.

The board voted at its May 12, 2004 meeting to assess the PAC a \$10,000 civil penalty. The organization requested a reconsideration of the assessment.

Greg Rodriguez, treasurer of the organization and Winston Sitton appeared before the board on the organization's behalf. Mr. Sitton explained to the board that Mr. Rodriguez's failure to file the required reports was an oversight on his part due to the demands on his time and his lack of expertise in political fundraising. Mr. Sitton further explained that the organization has had no activity and that Mr. Rodriguez was under the impression that the organization's PAC had been terminated.

On motion by Ott, seconded by Murray, the board voted unanimously to reconsider the \$10,000 assessment against the organization. A motion was made by Murray, seconded by Long, to take no action. The motion to take no action passed the board 4 to 1, with Dunavant voting "no."

04-23 Robert E. Lee Harris, for failure to file a 2003 annual supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Harris has had previous matters before the board.

The board voted at its May 12, 2004 meeting to assess Mr. Harris a \$10,000 civil penalty. On June 9, 2004, Mr. Harris filed his 2003 annual supplemental campaign financial disclosure report and requested a reconsideration of the assessment.

Mr. Harris submitted a statement for the board's consideration. In this statement Mr. Harris explained that he did not willfully disregard the Registry's notices to file. Mr. Harris further explained that the notices from the Registry had been delivered to the wrong address and that he had not received any correspondence from the Registry at his new address.

On motion by Ott, seconded by Long, the board voted unanimously to reconsider the \$10,000 assessment against Mr. Harris. A motion was made by Ott, seconded by Long, to assess Mr. Harris a \$250 civil penalty. A friendly amendment was made by

Murray, accepted by Ott and Long, to assess Mr. Harris a \$100 civil penalty. The motion to assess Mr. Harris a \$100 civil penalty passed the board unanimously.

Show Cause Hearings

04-19 Glen Casada, for failure to file a 2003 Statement of Interest report. Class two (2), maximum ten thousand (\$10,000) civil penalty. Rep. Casada filed his report on April 22, 2004. Rep. Casada has had no previous matters before the board.

The board voted at its April 14, 2004 meeting to issue Rep. Casada a show cause notice. Rep. Casada requested to appear before the board at the July 14 meeting.

Rep. Casada appeared before the board and explained that his failure to file the required report was due to miscommunication between himself and the Williamson County Election Commission. Rep. Casada apologized for his failure to file and stated that the report has now been filed with the Registry.

On motion by Dunavant, seconded by Murray, the board voted unanimously to assess Rep. Casada a \$25 civil penalty.

Sworn Statement Submitted

04-26 Mark Thomas, for failure to timely file a 2003 annual supplemental campaign financial disclosure report. Class one (1), 19 days late, and maximum four hundred seventy-five (\$475) civil penalty. Mr. Thomas has had no previous matters before the board.

The board voted at its May 12, 2004 meeting to assess Mr. Thomas a \$250 civil penalty. Mr. Thomas submitted a sworn statement for the board's consideration.

Director Rawlins informed the board that the Registry received a sworn statement from Mr. Thomas sent by FedEx next day delivery on May 11. Director Rawlins further informed the board that since it appeared that Mr. Thomas attempted to respond to the show cause notice in a timely manner, he did not issue the civil penalty order assessing the \$250 civil penalty to Mr. Thomas but placed him back on the agenda for July.

In his statement Mr. Thomas explained that this was his first experience as a candidate for public office and was unfamiliar with the filing process. Mr. Thomas apologized for his failure to timely file and further explained that he will file all subsequent reports in a timely and responsive manner.

On motion by Long, seconded by McNeece, the board voted unanimously to rescind the previous assessment and assess Mr. Thomas a \$25 civil penalty.

Cases Subject to Approval for Civil Penalty

04-28 Shelby County Democratic Executive Committee, for failure to timely file a 2004 1st quarter campaign financial disclosure statement. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had previous matters before the board.

The board voted at its May 12 meeting to issue the organization a show cause notice.

Jeanne Richardson, past treasurer of the organization, submitted a statement for the board's consideration. In this statement, Ms. Richardson explained that she had a number of deadlines at the same time and simply could not keep track of all of them. Ms. Richardson further explained that she has resigned as treasurer for the organization because she has not been able to keep up with the requirements of the position. Ms. Richardson stated that the failure to timely file was not for lack of understanding of the importance to file the required report but human error on her part.

On motion by Long, seconded by Ott, the board voted unanimously to assess the organization a \$175 civil penalty.

Cases Considered for Issuance of Show Cause Notices

Larry Elkins, for failure to timely file a 2003 Statement of Interests report. Class one (1), four days late, maximum one hundred (\$100) civil penalty. Mr. Elkins has had no previous matters before the board.

On motion by Dunavant, seconded by Murray, the board voted unanimously to take no action in this matter.

Basil Marceaux, for failure to timely file a 2003 Statement of Interests report. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Marceaux has had a previous matter before the board.

On motion by Dunavant, seconded by Murray, the board voted unanimously to take no action in this matter.

Scott Marlow, for failure to timely file a 2003 Statement of Interests report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Marlow has had no previous matters before the board.

On motion by Dunavant, seconded by Murray, the board voted unanimously to take no action in this matter.

Sullivan County Democratic Women, for failure to timely file a 2004 1st quarter campaign financial disclosure statement. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had previous matters before the board.

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

Tennessee Veterans PAC, for failure to timely file a 2004 1st quarter campaign financial disclosure statement. Class one (1), 27 days late, maximum six hundred seventy-five (\$675) civil penalty. The organization has had no previous matters before the board.

Hollis Summers, treasurer for the organization, submitted a statement for the board's consideration. In this statement Mr. Summers explained that he misread the notice to file and thought he had 30 days from receipt of the certified notice to file the report. Mr. Summers apologized for the late filing and stated that he will file all future reports timely.

On motion by Murray, seconded by Dunavant, the board voted unanimously to take no action in this matter.

Greg Gaines, for failure to file a 2003 Statement of Interests report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Gaines has had no previous matters before the board.

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

Daved Senters, for failure to timely file a 2003 Statement of Interests report. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. Mr. Senters has had no previous matters before the board.

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

Other matter up for discussion

In the matter of Bill Wood, Case Nos. 02-42 and 02-68. Mr. Wood was assessed a consolidated civil penalty of \$5,000 for his failure to file a 2002 pre-primary and 2002 post-primary campaign financial disclosure statement with the Registry. Mr. Hendon, treasurer for Mr. Wood, requested to appear before the board at the Registry's next meeting.

Director Rawlins informed the board that Mr. Hendon called the day before the meeting and stated that he would be unable to attend the meeting.

Reported Financial Expenses

Director Rawlins presented the expenditure reports for the 2003/2004 fiscal year through May 31, 2004.

Executive Director's Report

Director Rawlins informed the board that the proposed rules reviewed by the Government Operations Committee were approved and are now in effect.

Director Rawlins informed the board that Save Our Schools PAC has been closed by the Registry because they have not responded to any notices to file and have failed to file two consecutive campaign financial disclosure statements.

Director Rawlins informed the board that The Registry was coming up for a sunset review hearing and that the Comptroller's office had submitted a list of questions to be answered before the hearing.

Director Rawlins informed the board that Wil Minter had resigned from the board due to the numerous commitments of his time.

Other Business

Dunavant, seconded by Murray made a motion, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.