

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, September 14, 2016, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Chairperson Tom Lawless. Attending the meeting were board members Patricia Heim, Norma Lester and Tom Morton. Hank Fincher participated via telephone.

Approval of Meeting Minutes

On motion by Lester, seconded by Heim, the board voted unanimously to approve the minutes from the August 10, 2016 meeting.

Requests for Reconsideration

16-22 Tennessee Mortgage Bankers PAC, for failure to file a 2016 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board. (see below)

The board voted at its June 8, 2016 meeting to issue the organization a show cause notice.

The board voted at its August 10, 2016 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Steve Smith, treasurer for the organization, submitted a statement for the board's consideration. John Ryder, representative for the organization, personally appeared before the board.

On motion by Lester, seconded by Morton, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. A motion was made by Lester to take no action. The motion to take no action died for a lack of a second. A motion was made by Heim, seconded by Morton, to assess the organization a \$575 civil penalty. The motion to assess the organization a \$575 civil penalty failed the board 2 to 3, with Fincher, Lawless and Lester voting "no." A motion was then made by Lester, seconded by Heim, to assess the organization a \$250 civil penalty. The motion to assess the organization a \$250 civil penalty passed the board unanimously.

16-23 Tennessee Volunteer PAC, for failure to file a 2016 1st Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its June 8, 2016 meeting to issue the organization a show cause notice.

The board voted at its August 10, 2016 meeting to assess the organization a \$10,000 civil penalty. The organization requested a reconsideration of the \$10,000 civil penalty assessment.

Ronnie Carter, treasurer for the organization, submitted a statement for the board's consideration.

On motion by Heim, seconded by Morton, the board voted unanimously to reconsider the \$10,000 civil penalty assessment. On motion by Heim, seconded by Fincher, the board voted unanimously to take no further action in this matter.

Cases Subject to Approval of Civil Penalty Order

16-34 Davidson County Republican Party, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. The organization has had no previous matters before the board.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Aaron Snodderly, treasurer for the organization, personally appeared before the board and explained his failure to timely file the required report.

On motion by Heim, seconded by Fincher, the board voted unanimously to take no further action in this matter and informed Mr. Snodderly that the organization could close the Davidson County Republican Party PAC and instead make all campaign contributions from their other registered PAC, DCRP Candidate Fund. Thus, the organization would only be required to file for the DCRP Candidate Fund.

16-33 DCRP Candidate Fund, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 26 days late, maximum six hundred fifty (\$650) civil penalty. The organization has had previous matters before the board.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Aaron Snodderly, treasurer for the organization, personally appeared before the board and explained his failure to timely file the required report.

On motion by Heim, seconded by Fincher, the board voted unanimously to take no further action in this matter.

16-32 Knox County Democratic Women, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class two (2), 43 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Morton, seconded by Heim, the board voted 4 to 1 to assess the organization a \$4,000 civil penalty, with Fincher voting "no."

16-31 Middle TN Republican Women (MTRW) PAC, for failure to file a 2016 1st 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.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Connie Hunter, treasurer for the organization, filed the required report and personally appeared before the board and explained the organization's failure to timely file the required report.

On motion by Morton, seconded by Lester, the board voted unanimously to defer any further action in this matter until the next regularly scheduled meeting to allow the organization an opportunity to file a final report and close the PAC account.

16-30 Tennessee Liberty Fund, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class two (2), 36 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had a previous matter before the board.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

A motion was made by Heim, seconded by Morton, to assess the organization a \$2,000 civil penalty. Heim then amended the motion, accepted by Morton, to assess the organization a \$4,000 civil penalty. The motion to assess the organization a \$4,000 civil penalty passed the board 4 to 0. (Fincher not present for vote)

16-28 White County Democratic Party, for failure to file a 2016 1st 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.

The board voted at its August 10, 2016 meeting to issue the organization a show cause notice.

Director Rawlins informed the board that the report has been filed but that there has been no response to the show cause notice.

On motion by Heim, seconded by Morton, the board voted unanimously to assess the organization a \$10,000 civil penalty.

16-27 Evelyn Gill, for failure to timely file a 2016 1st Quarter campaign financial disclosure report with the Knox County Election Commission. Class two (2), 36 days late, maximum ten thousand (\$10,000) civil penalty. Ms. Gill has had previous matters before the board.

The board voted at its August 10, 2016 meeting to issue Ms. Gill a show cause notice.

Ms. Gill submitted a sworn statement for the board's consideration.

On motion by Heim, seconded by Lester, the board voted unanimously to take no further action in this matter.

Cases Considered for Issuance of Show Cause Notice

Eric Chance, for failure to timely file a 2016 Mid-Year Supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Chance has had no previous matters before the board.

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

Michael Floyd, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. Mr. Floyd has had no previous matters before the board.

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

Keith Svadba, for failure to timely file a 2016 Mid-Year Supplemental campaign financial disclosure report. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Svadba has had no previous matters before the board.

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

Diane George, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. George has had no previous matters before the board.

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

Stacey Givens, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Givens has had a previous matter before the board. (see below)

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

Stacey Givens, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Givens has had a previous matter before the board. (see above)

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

Daniel Harris, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. Mr. Harris has had no previous matters before the board.

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

Bill Ketron, for failure to file a 2016 Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Sen. Ketron has had previous matters before the board.

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

Michael McKamey, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. McKamey has had no previous matters before the board.

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

John Neubert, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Neubert has had no previous matters before the board.

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

Russell Perkins, for failure to file a 2016 Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Judge Perkins has had no previous matters before the board.

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

Ian Randolph, for failure to file a 2016 Mid-Year Supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Randolph has had a previous matter before the board.

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

Kathleen Swift-Lawson, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. Ms. Lawson has had no previous matters before the board.

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

BMHC PAC, for failure to file a 2016 2nd 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 Morton, the board voted unanimously to issue a show cause notice.

Carter County Republican Party, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. The organization has had no previous matters before the board.

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

The CEA Group PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 14 days late, maximum three hundred fifty (\$350) civil penalty. The organization has had no previous matters before the board.

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

Envision Tennessee, for failure to file a 2016 Pre-Primary 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 Morton, the board voted unanimously to issue a show cause notice.

Frog-Jump PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had a previous matter before the board.

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

GlaxoSmithKline LLC PAC, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), 16 days late, maximum four hundred (\$400) civil penalty. The organization has had no previous matters before the board.

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

Marsha PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. The organization has had a previous matter before the board.

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

Memphis PACE, for failure to file a 2016 Pre-Primary 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 Morton, the board voted unanimously to issue a show cause notice.

Memphis Progressives, for failure to file a 2016 Pre-Primary 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 Morton, the board voted unanimously to issue a show cause notice.

My Home, My Tennessee, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), seven days late, maximum one hundred seventy-five (\$175) civil penalty. The organization has had a previous matter before the board.

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

NASH PAC, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had no previous matters before the board.

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

National Seating & Mobility Inc. PAC, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. The organization has had a previous matter before the board.

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

Quest PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), 44 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board. (see below)

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

Quest PAC, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), 25 days late, maximum six hundred twenty-five (\$625) civil penalty. The organization has had previous matters before the board. (see above)

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

Southern Futures PAC, for failure to timely file a 2016 1st Quarter campaign financial disclosure report. Class one (1), 27 days late, maximum six hundred seventy-five (\$675) civil penalty. The organization has had previous matters before the board (see below).

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

Southern Futures PAC, for failure to file a 2016 2nd Quarter campaign financial disclosure report. Class two (2), 35 days late, maximum ten thousand (\$10,000) civil penalty. The organization has had previous matters before the board (see above and below).

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

Southern Futures PAC, for failure to file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), 24 days late, maximum six hundred (\$600) civil penalty. The organization has had previous matters before the board (see above).

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

The Tennessee Group Practice Coalition PAC, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five (\$125) civil penalty. The organization has had previous matters before the board.

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

Tennessee Mortgage Bankers PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), 23 days late, maximum five hundred seventy-five (\$675) civil penalty. The organization has had previous matters before the board. (see above and below)

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

Tennessee Mortgage Bankers PAC, for failure to timely file a 2016 Pre-Primary campaign financial disclosure report. Class one (1), six days late, maximum one hundred fifty (\$150) civil penalty. The organization has had previous matters before the board. (see above)

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

Tennessee Realtors PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. 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 Heim, seconded by Morton, the board voted unanimously to issue a show cause notice.

Zeneca Inc. PAC, for failure to timely file a 2016 2nd Quarter campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. The organization has had previous matters before the board. (see below)

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

Zeneca Inc. PAC, for failure to file a 2016 Pre-Primary 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. (see above)

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

Sworn Complaints

Jim Tracy

Director Rawlins provided the board with a sworn complaint filed with the Registry from Corey Smith against Jim Tracy.

After discussion, on motion by Morton, seconded by Lester, the board voted unanimously to request an Attorney General's Opinion and to defer any action in this matter until the Attorney General's Opinion is received by the Registry.

Miranda Christy, Thom Druffel, Jane Meneely, Jackson Miller and Stand for Children PAC

Director Rawlins provided the board with a sworn complaint filed with the Registry from Jennifer M. Baldwin and Tennessee Citizen Action against Miranda Christy, Thom Druffel, Jane Meneely, Jackson Miller and Stand for Children PAC.

After discussion, on motion by Fincher, seconded by Lester, the board voted unanimously to issue show cause notices to all parties listed in the complaint.

Tommy Elsten

Director Rawlins provided the board with a sworn complaint filed with the Registry from Adam Wagner against Tommy Elsten.

After discussion, on motion by Morton, seconded by Heim, the board voted unanimously to dismiss the complaint due to the fact that Mr. Wagner was not an eligible voter in the election.

After further discussion, on motion by Heim, seconded by Lester, the board voted to issue a show cause notice to Mr. Elsten. A friendly amendment was then made by Lawless, accepted by Heim and Lester, to issue a show cause notice and to give Registry staff subpoena authority. The motion to issue Mr. Elsten a show cause notice and give Registry staff subpoena authority passed the board unanimously.

Executive Director's Report

Director Rawlins updated the board on the progress of Jeremy Durham's audit.

After discussion, without objection, the board voted unanimously to subpoena Mr. Durham's tax returns.

Other Business

Without objection, the board voted unanimously to schedule the next Registry meeting for October 12, 2016.

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