

**Tennessee Ethics Commission
January 8, 2014
Minutes**

The Tennessee Ethics Commission met on Wednesday, January 8, 2014 at 9:00 a.m. at the Bureau of Ethics and Campaign Finance office. Members present were: Jim Stranch, Greg Hardeman, Keith Norman, Charles Traughber and Tammy White. Chairman Stranch called the meeting to order.

Election of Chair

Mr. Hardeman nominated Mr. Norman for chairman. Mr. Stranch seconded and the nomination passed 5-0.

September 11, 2013 Minutes

Mr. Hardeman made the motion to approve the September 11, 2013 minutes. Mr. Stranch seconded and the motion passed 5-0.

Show Causes

Jennifer Murphy – 2013-141

TN Disability Coalition – 2013-142

This matter, which was an audit finding of a possible contingency fee, was carried over from the September 11, 2013 meeting. The Commission first heard from John Lyell, attorney representing Jennifer Murphy, and then from Linda Knight, attorney representing the TN Disability Coalition. After discussion, Mr. Stranch made the motion to find no probable cause because the 2002 contract was legally entered into at that time and is an operative agreement. Mr. Norman offered an amendment to the motion to reference Article 1, Section 20, of the state constitution, as it applies to this case. Mr. Stranch accepted the amendment. Mr. Traughber seconded the motion and the motion passed 5-0.

Requests for Reconsideration

Stan O'Neal – 2010-038

Tony Boles – 2008-47 & 2008-47A

These matters were carried over from the September 11, 2013 meeting to give Mr. O'Neal and Mr. Boles the opportunity to file the Statement of Interest.

Mr. O'Neal filed on October 30, 2013. Mr. Stranch made the motion to waive the \$10,000 assessment against Mr. O'Neal and Mr. Hardeman seconded. The motion passed 5-0.

Mr. Boles was also given the opportunity to file and did so on October 18, 2013. Mr. Traughber made the motion to waive the \$10,000 assessment against Mr. Boles and Mr. Hardeman seconded. The motion passed 5-0.

John Walker – 2013-002

Mr. Walker requested reconsideration of the \$675 assessment imposed on May 13, 2013. Mr. Hardeman made the motion to waive the assessment and Mr. Stranch seconded. The motion passed 5-0.

Informal Civil Penalty Assessment – Local Officeholder

James Kenny, 2013-138

Mr. Kenny submitted a statement explaining why he was late filing the Statement of Interests. Mr. Hardeman made the motion to assess no civil penalty and Mr. Stranch seconded. The motion passed 5-0.

Informal Civil Penalty Assessment – Local Candidate

Charles Samples, 2013-144

Mr. Samples submitted a statement explaining why he was late filing the Statement of Interests. Ms. White made the motion to assess no civil penalty and Mr. Hardeman seconded. The motion passed 5-0.

Informal Civil Penalty Assessment – Lobbyists

William Nolan – 2013-143

Mr. Stranch made the motion to assess no civil penalty because Mr. Nolan self-reported the fact that he had failed to register for the City of Oak Ridge and subsequently did file the registrations and paid the fees. Ms. White seconded and the motion passed 5-0.

Melissa Bast – 2013-154

William Nolan – 2013-156

Lindsay Craig Spain – 2013-157

Mr. Nolan spoke and explained his oversight in failing to register himself and Ms. Bast as lobbyists for American Promotional Events. Mr. Nolan and Ms. Bast filed the late registrations and paid the fees. He explained that Ms. Spain did not lobby for the employer but performed administrative duties only. Mr. Traugher moved to assess no civil penalties and Mr. Hardeman seconded. The motion passed 5-0.

Informal Civil Penalty Assessment – Employers of Lobbyists

American Promotional Events – 2013-155

Vince Schilleci appeared before the Commission and explained the oversight for not registering and explained that the registrations have since been submitted and the fees paid. This matter was taken up in the previous motion for Melissa Bast, William Nolan, and Lindsay Craig Spain. No penalty was assessed.

Tennessee Association for Behavior Analysis – 2013-149

RW Armstrong – 2013-150

American Conservative Union – 2013-146

80/20 Entertainment – 2013-151

Statements were received from the above listed employers explaining why they were late filing the employer of lobbyist expenditure report. Mr. Hardeman made the motion to waive any civil penalties and Ms. White seconded. The motion passed 5-0.

National Football League – 2013-145

Mr. Hardeman made the motion to assess a \$750 civil penalty for failure to file the employer expenditure report and Mr. Stranch seconded. The motion passed 5-0.

Food Concepts – 2013-147

Food Concepts submitted a letter stating that they were unaware that a lobbyist had registered them as his employer, so they did not file the expenditure report. Mr. Hardeman made the motion to waive any civil penalty and Ms. White seconded. The motion passed 5-0.

Metro Livery – 2013-151

Mr. Hardeman made the motion to assess a \$750 civil penalty for failure to file the employer expenditure report and Mr. Stranch seconded. The motion passed 5-0.

TN Assn. of Homes & Services for Aging – 2013-153

The employer of lobbyist submitted a statement explaining that it was a typo on the expenditure report and an oversight in correcting the error in a timely manner. Ms. White made the motion to waive a civil penalty and Mr. Hardeman seconded. The motion passed 5-0.

As there was no other business before the Commission, the regularly scheduled meeting concluded.