

2009 Lobbyist Registration Audit of John Farris

FINDINGS

Mr. Farris failed to timely register as a lobbyist for eleven employers (See Registrations section).

EMPLOYERS

- City of Germantown¹
- City of Memphis¹
- Home Builders Association of TN
- Kodak Land Co., LLC
- Maximus, Inc.
- Meramec Specialty Company
- Methodist Le Bonheur Healthcare
- Motorola, Inc.
- Oracle America Corporation
- Qsource
- Regional Medical Center of Memphis
- Science Alliance of TN
- Tennessee Marina Association
- TN Cable Telecommunications Assn
- TN Outdoor Advertising Cooperative
- TN Sleep Society
- United Healthcare

¹ The City of Germantown and the City of Memphis were not required to register as an employer of a lobbyist under T.C.A. § 3-6-301(16).

REGISTRATIONS

Mr. Farris registered as a lobbyist for seventeen employers during 2009. Mr. Farris failed to timely register for eleven of his employers.

Mr. Farris registered late for the following four employers with which he had a continuing lobbying agreement from 2008 and therefore was required to register for them for 2009 by December 22, 2008:

- City of Germantown on January 6, 2009, 15 days late.
- City of Memphis on January 6, 2009, 15 days late.
- Methodist Le Bonheur Healthcare on January 6, 2009, 15 days late.
- Oracle America Corporation on February 3, 2009, 43 days late.

Mr. Farris registered late for the following two employers who he appeared to have entered into a lobbying agreement prior to December 15, 2008 and therefore he was required to register for them for 2009 by December 22, 2008:

- Home Builders Association of Tennessee on January 14, 2009, 23 days late.
- Tennessee Sleep Society on January 7, 2009, 16 days late.

The lobbying relationship with Maximus was a written agreement. The agreement for the first part of the 2009 calendar year had a term of February 1, 2009 to October 31, 2009. Based on the agreement the trigger date for registration was determined to be February 1, 2009. Therefore,

the lobbyist had to register by February 8, 2009, seven days later. Mr. Farris, however, registered on March 26, 2009, which is 46 days late.

The lobbying relationship with Motorola, Inc. was a written agreement that was over several years. The modification to the agreement for the 2009 calendar year was dated January 1, 2009. Based on the agreement and modification, January 1, 2009 date was determined to be the trigger date for registration. Therefore, the lobbyist was required to register by January 8, 2009. Mr. Farris registered on February 13, 2009, which is 36 days late.

The lobbying relationship with Regional Medical Center of Memphis was a written agreement for a period of several years. Based on the amendment, dated February 16, 2009, there appears to have been an engagement letter dated January 8, 2009 for the 2009 calendar year. The date of the engagement letter appears to be the best date for determining when a lobbying agreement was reached for 2009 and is the trigger date for registration. Therefore, the lobbyist was required to register by January 15, 2009. Mr. Farris registered on February 13, 2009, which is 29 days late.

The lobbying relationship with Science Alliance of Tennessee was a written agreement. The agreement had terms starting on November 1, 2009 to October 31, 2011. Based on the agreement the trigger date for registration was determined to be November 1, 2009. Therefore, the lobbyist was required to register by November 8, 2009. Mr. Farris, however, registered on November 23, 2009, which is 15 days late.

The lobbying relationship with United Healthcare was a written agreement that was over several years. The agreement for the 2009 calendar year was dated February 1, 2009. February 1 was the trigger date for registration. Therefore, the lobbyist was required to register by February 8, 2009. Mr. Farris registered on February 13, 2009, which is 5 days late.

LOBBYING AGREEMENTS

Based on a review of the audit documentation provided by Mr. Farris, he had written contracts or verbal agreements with each employer. For relationships with verbal agreements the lobbyist and/or employers of the lobbyist provided written statements of the terms of the verbal agreement. The terms of each contract or verbal agreement was reviewed and appear to be within the statutes for lobbying activities including having no terms for contingency payments based on lobbying success.

FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS

Mr. Farris reported he had no business or family relationships with persons who are officials in the legislative branch or officials in the executive branch.

TRAINING & FEES

Based on review of the Bureau of Ethics and Campaign Finance's lobbyist records, Mr. Farris completed his required lobbyist training for the 2009 registration year and paid all associated registration and training fees.

IN-STATE EVENTS

Mr. Farris did not participate in paying the costs of any in-state events.