

STATE ETHICS COMMISSION

200 Piedmont Avenue | Suite 1402, West Tower | Atlanta, Georgia 30334
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COMMISSION MEETING MINUTES NOVEMBER 4, 2010 | 2:00 PM | TELECONFERENCE

Present:

Commission Members:

Patrick N. Millsaps, Commission Member, via telephone
Hilary S. Stringfellow, Commission Member, via telephone
Josh Belinfante, Commission Member, in person
Kevin Abernethy, Commission Member, via telephone

Others Present:

Stacey Kalberman, Executive Secretary
Sherilyn Streicker, Deputy Executive Secretary
Meron Dagnew, Office of the Attorney General

• **Call to Order:**

The meeting was called to order by Mr. Belinfante at 2:05 P.M.

• **Election of Commission Chairman:**

Patrick N. Millsaps elected Commission Chairman.

Motion to elect Patrick N. Millsaps as Commission Chairman:

Moved by Mr. Abernethy Seconded by Mrs. Stringfellow Carried 4 – 0 Abstain: None

• **Election of Commission Vice Chairman:**

Josh Belinfante elected Commission Vice Chairman.

Motion to elect Josh Belinfante as Commission Vice Chairman:

Moved by Mr. Millsaps Seconded by Mr. Abernethy Carried 4 – 0 Abstain: None

- **Rule Making Authority of Commission Discussion:**

The discussion of the rule making authority of the State Ethics Commission was tabled till the next Commission meeting.

Ms. Stringfellow expressed the need for the Commission to receive and review the response from the Attorney General's office regarding this topic prior to discussion.

Motion to table discussion regarding Commission rule making authority till next Commission meeting:

Moved by Mr. Belinfante Secoded by. Mr. Abernethy Carried 4 – 0 Abstain: None

- **Advisory Opinions:**

Advisory Opinion 2010-04:

Presented by Stacey Kalberman, Executive Secretary

Discussion and consideration for adoption of the response to Advisory Opinion Request 2010-04 regarding whether a federally-registered PAC of a regulated entity may contribute to a candidate for an elected executive office which regulates such entity was conducted. The Advisory Opinion Request was submitted by Michael Zolandz of Sonnenschein Nath & Rosenthal, LLP on July 30, 2010.

Discussion regarding providing the requestors and the public the opportunity to review the Advisory Opinion prior to the meeting was discussed and agreed to.

Motion to, on a trial basis, post the draft advisory opinion responses on the Commission website and allow the public to provide comment prior to the Commission's ruling was moved by Mr. Millsaps.

Secoded by: Mrs. Stringfellow Carried 4 – 0 Abstain: None

Advisory Opinion 2010-05:

Presented by Stacey Kalberman, Executive Secretary

Discussion and consideration for adoption of response to Advisory Opinion Request 2010-05 regarding whether Advisory Opinion 2001 32 is still valid and whether the GA campaign finance laws apply to activity limited to independent spending that does not use express words of advocacy was conducted. The Advisory Opinion Request was submitted by Jan Witold Baran and Caleb P. Burns of Wiley Rein LLP on August 5, 2010 and supplemental submission to initial request on September 23, 2010.

Discussion regarding providing the requestors and the public the opportunity to review the Advisory Opinion prior to the meeting was discussed and agreed to.

Discussion regarding the need to wait for the Attorney General's response to the Commission's request regarding the Commission's rule making authority was also discussed.

Motion to, on a trial basis, post the draft advisory opinion responses on the Commission website and allow the public to provide comment prior to the Commission's ruling was moved by Mr. Millsaps.

Secoded by: Mrs. Stringfellow Carried 4 – 0 Abstain: None

Advisory Opinion 2010-05: Continued

Motion to wait for the Attorney General's response regarding the question of the Commission's rule making authority was presented by Mr. Abernethy.

Seconded by: Mr. Millsaps Carried 4 – 0 Abstain: None

Advisory Opinion 2010-07:

Presented by Sherilyn Streicker, Deputy Executive Secretary

Discussion and consideration for adoption of response to Advisory Opinion Request 2010-07 regarding whether the exemption from spending limits in support of a group or named candidates apply to legislative caucuses in the Georgia House and Senate. The Advisory Opinion Request was submitted by: Jim Walls on September 21, 2010.

Motion to, on a trial basis, post the draft advisory opinion responses on the Commission website and allow the public to provide comment prior to the Commission's ruling was moved by Mr. Millsaps.

Seconded by: Mrs. Stringfellow Carried 4 – 0 Abstain: None

Advisory Opinion 2010-10:

Advisory Opinion 2010-10 was removed from the agenda.

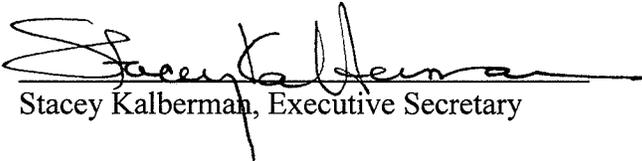
• Future Commission Meeting Date

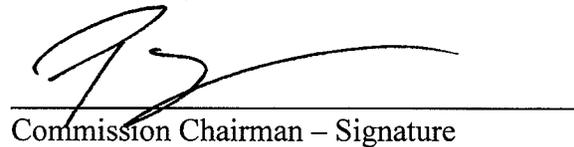
A Commission meeting was tentatively set for December, 2010. An exact date and time will be determined at a later date.

The Meeting was adjourned at approximately 3:30 p.m.

Official Minutes Statement

The foregoing Minutes for the November 4, 2010 meeting of the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on December 2, 2010.


Stacey Kalberman, Executive Secretary


Commission Chairman – Signature

Patrick N. Millsaps
Commission Chairman – Print Name

December 2, 2010
Date