

SENATE ETHICS COMMITTEE

2005-2006 Term

**Senator Renee Unterman, 45th, Chairman
Post Office Box 508
Buford, GA 30518**

**Senator Preston Smith, 52nd, Vice-Chairman
P. O. Box 1963
Rome, GA 30162**

**Senator Terrell Starr, 44th, Secretary
2735 Edgewater Court
Jonesboro, GA 30236**

**Senator Don Balfour, 9th
2312 Waterscape Trail
Snellville, GA 30078**

**Senator Robert Brown, 26th
P. O. Box 5742
Macon, GA 31208**

**Senator Jack Hill, 4th
P. O. Box 486
Reidsville, GA 30453**

**Senator Eric Johnson, 1st
128 Baymeadow Point
Savannah, GA 31405**

**Senator Michael Meyer von Bremen, 12th
P. O. Box 72065
Albany, GA 31708**

**Senator Dan Moody, 56th
3977 Merriweather Woods
Alpharetta, GA 30022**

**Senator Kasim Reed, 35th
1755 Loch Lomond Trail
Atlanta, GA 30331**

**Senator Nancy Schaefer, 50th
P. O. Box 294
Turnerville, GA 30580**

**Senator Don Thomas, 54th
184 Haig Mill Road
Dalton, GA 30721**

SENATE ETHICS COMMITTEE

RULES

2005-2006 Term

1. Quorum of the Committee shall be seven (7) members.
2. The chairperson shall determine which bills and resolutions are to be considered and the order in which said measures are considered.
3. The chairperson shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees shall in turn shall have the authority to make recommendations on such measures to the full Committee at such time as shall be designated by the chairperson.
4. The Committee shall convene, recess, and adjourn upon the order of the chairperson.
5. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he or she may designate. The principal author shall be the legislator whose name appears first on the list of authors.
6. Any member or members of the Committee who disagree with the majority report of the Committee shall be privileged to file a minority report if they so desire.
7. (a) There shall be an Executive Subcommittee of the Senate Committee on Ethics. The Executive Subcommittee shall consist of the three officers of the Senate Committee on Ethics (i.e., the chairperson, the vice-chairperson, and the secretary of the Senate Committee on Ethics), except that if there is no Senator from the minority party among the three officers of the Senate Committee on Ethics, then the Executive Subcommittee shall consist of the chairperson and vice-chairperson of the Senate Committee on Ethics and a Senator from the minority party appointed to the Executive Subcommittee by the chairperson.

(b) The Executive Subcommittee shall act as a screening panel for communication received by the Committee that:

(1) Allege violations of Section 1, Part 4 of the Rules of the Senate or otherwise indicate that an investigation by the Senate Committee on Ethics may be warranted; and

(2) Are not formal complaints by a Senator or staff member.

(c) The screening function of the Executive Subcommittee is established in view of the facts that:

(1) The Senate Committee on Ethics is not required to take any action with respect to such a communication that is not a formal complaint; but

(2) The Senate Committee on Ethics is authorized to initiate an investigation on its own initiative and such a communication may be of such a nature as to indicate a need for such an investigation.

(d) Upon receipt of a communication described in subsection (b) of this rule, if the communication is in writing and signed, the chairperson may, but shall not be required to, convene the Executive Subcommittee to consider the matter.

(e) All matters determined by the Subcommittee to be complaints within the meaning of Senate Rule 1-4.11 shall remain confidential until the Committee has determined that substantial cause exists that a violation occurred. If the Committee determines that substantial cause does not exist that a violation occurred, the complaint shall remain confidential.

(f) If the Executive Subcommittee determines that the communication described in subsection (b) of this rule does not meet the standards for a complaint under Senate Rule 1-4.11, the Executive Subcommittee shall treat the communication as confidential. The Executive Subcommittee may refer the communication to the Committee for the Committee to take action under Rule 7(c)(2) of the Senate Ethics Committee Rules. Such referral shall be confidential until and unless disclosure is required by these Rules or the Rules of the Senate.

(g) If the Executive Subcommittee determines that there is a substantial probability that the matter merits the opening of an investigation by the full Committee, that determination shall be communicated to the full Committee. Such communication from the Executive Subcommittee to the Committee shall be confidential. If the Executive Subcommittee determines that there is no substantial probability that the matter merits the opening of an investigation by the full Committee, then no report of such determination to the full Committee shall be required and the matter shall stand disposed of and the matter shall remain confidential subject to the Rules of the Senate.

(h) Nothing in this rule shall operate to preclude or bar any subsequent formal complaint or any subsequent Committee investigation in any case; and no determination by the Executive Subcommittee shall be binding on the full Committee.

(i) Subject to Senate Rule 1-4.11(c), matters referred to the Subcommittee shall be considered confidential unless the Subcommittee finds that valid public policy reasons require the Subcommittee to not treat the matter as confidential.

(j) Any Senate staff or counsel selected by the Ethics Committee, the Executive Subcommittee, or the Chairman of the Ethics Committee to investigate complaints alleging violation of Senate Rules or investigating or responding to any matters deemed confidential by Senate Rules or the Senate Ethics Committee Rules shall maintain at all times the confidentiality of the matter.

8. Requests made pursuant to Senate Rule 1-4.10 for the opinion or advice of the Ethics Committee and any opinions or advice given shall be confidential.

9. These Rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.

10. Where these Rules are silent on a specific issue, the Rules of the Senate in effect at the time shall govern.

**MINUTES OF THE
SENATE ETHICS COMMITTEE
January 31, 2006**

Chairman Unterman called the meeting to order at 10:45am on Tuesday, January 31, 2006 in Room 450 of the State Capitol. Present were Senators Balfour, 9th, Brown, 26th, Hill, 4th, Johnson, 1st, Moody, 56th, Schaefer, 50th, and Thomas, 54th. Quorum of seven (7) satisfied.

SB 409 (Senator Hamrick, 30th) Elections; require courts to determine contested primaries on expedited basis

Senator Hamrick introduced his bill to the Committee, stating that the bill will probably receive more discussion in the House. He will check for any opposition from judges, and if any opposition is expressed, he will work with them to perfect.

Senator Thomas moved, and Senator Moody seconded, that this bill **Do Pass**; motion carried unanimously.

Chairman Unterman pointed out that there was a copy of the Senate Ethics Committee rules, which were passed last year for the 2005-2006 term, in each Senator's folder.

There being no further business before the Ethics Committee, meeting was adjourned at 10:54am.

Respectfully submitted,

/s/ Senator Renee Unterman, Chairman
(in the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE ETHICS COMMITTEE
March 23, 2006**

Chairman Unterman called the meeting to order at 6:50pm on Thursday, March 23, 2006 in Room 450 of the State Capitol. Present were Senators Smith, 52nd, Hill, 4th, Moody, 56th, and duly appointed Ex-officio members Williams, 19th, Douglas, 17th, and Pearson, 51st.

Appointment form for Ex-officio members attached and hereby becomes part of meeting minutes. Quorum of seven (7) satisfied.

HB 1141 (Representative Heard, 104th) Lobbyists; payment of registration; provide.

Representative Heard presented his bill to the Committee, working from Substitute LC 28 3095S, and answered their questions. He stated that the Governor's office was okay with the legislation, and asked for one change, on Page 2, line 5, that "Legislative Fiscal Office" be amended to read "State Accounting Office." Senator Moody moved, and Senator Williams seconded, that this bill **Do Pass by Substitute** as amended; motion carried unanimously.

Senator Unterman will be the Senate sponsor.

There being no further business before the Ethics Committee, meeting was adjourned at 7:00pm.

Respectfully submitted,

/s/ Senator Renee Unterman, Chairman
(in the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary