

2015 Senate Committee on Ethics Members

Sen. Dean Burke, Chairman

District 11
1500 East Shotwell Street
Bainbridge, GA 39819

Sen. Michael Williams, Vice-Chairman

District 27
3482 Keith Bridge Rd Ste. 310
Cumming, GA 30041

Sen. Gloria S. Butler, Secretary

District 55
6241 Southland Trace
Stone Mountain, GA 30087

Sen. Ed Harbison

District 15
P.O. Box 1292
Columbus, GA 31902

Sen. Bill Jackson

District 24
P.O. Box 528
Appling, GA 30802

Sen. Rick Jeffares

District 17
1300 Keys Ferry Ct.
McDonough, GA 30253

Sen. William T. Ligon, Jr.

District 3
158 Scranton Connector
Brunswick, GA 31525

Sen. Joshua McKoon

District 29
P.O. Box 2565
Columbus, GA 31902

Sen. Butch Miller

District 49
2420 Browns Bridge Road
Gainesville, GA 30504

Sen. Jesse Stone

District 23
827 N. Liberty Street
Waynesboro, GA 30830

Sen. Curt Thompson

District 5
6320 Glenbrook Drive
Tucker, GA 30084

Sen. Ben Watson

District 1
1326 Eisenhower Drive #2
Savannah, GA 31406

SENATE COMMITTEE ON ETHICS

Monday, February 2, 2015

The Senate Committee on Ethics held its first meeting of the 2015 Legislative Session on Monday, February 2, 2015 at 2:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Burke (11th), Chairman
Sen. Williams (27th), Vice-Chairman
Sen. Butler (55th), Secretary
Sen. Harbison (15th)
Sen. Jackson (24th)
Sen. Ligon, Jr. (3rd)
Sen. Miller (49th)
Sen. Stone (23rd)
Sen. Watson (1st)

NOTE: Sen. Jeffares (17th), Sen. McKoon (29th) and Sen. Thompson (5th) were absent.

Chairman Burke (11th) called the meeting to order at 2:05 p.m.

The Committee Rules were presented, discussed, and voted on.

Sen. Stone (23rd) brought to attention that on page two of the Rules, in number nine, on the fourth line, the word “if” should be added, to read “except that if there is no Senator.”

Chairman Burke (11th) asked for any additional comments. Hearing no further comments, Sen. Miller (49th) made a motion of “**DO PASS**” and Sen. Harbison (15th) seconded the motion. The vote was unanimous. A copy of the Rules is attached.

Chairman Burke (11th) stated that the members and Chairmen of Subcommittees would be announced in the near future. Having no further business, Chairman Burke (11th) adjourned the meeting at 2:10 p.m.

Respectfully submitted,

/s/ Sen. Butler (55th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON ETHICS RULES
2015 Session

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 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 only consider bill/resolution substitutes or amendments received twenty-four (24) hours before a Committee meeting unless waived by the Chairperson.
5. The author of the bill/resolution must write a letter to the Chairperson one week prior to a Committee meeting requesting it to be heard by the Committee.
6. The Committee shall convene, recess, and adjourn upon the order of the Chairperson.
7. 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.
8. 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. Any majority or minority report pertaining to the Committee proceedings in an ethics investigation under these Committee rules shall be considered as part of the record in such proceedings.
 - 8.1 (a)(1) Proceedings on formal complaints brought by a Senator or staff person pursuant to Senate Rule 1-4.10 shall be governed by such Senate Rule and the Rules of this Committee.
 - (2) Proceedings on formal complaints brought pursuant to O.C.G.A. Sec. 45-10-91 shall be governed by Part 6 of Article 2 of Chapter 10 of Title 45 of the O.C.G.A. and the Rules of this Committee.
 - (b)(1) The Chairperson of the Committee shall appoint a Subcommittee consisting of three members of the Committee and delegate thereto the authority and duty to conduct an investigation of any formal complaint received by the Committee pursuant to Senate Rule 1-4.10 or O.C.G.A. Sec. 45-10-91.
 - (2) Upon completing such an investigation, the Subcommittee shall submit a report of its findings to the full Committee.

(c) Upon the adoption by the Committee of a report of the findings of an investigatory Subcommittee, the Committee shall then determine whether it has jurisdiction over the complaint. If the Committee determines that it has jurisdiction, then:

(1) In the case of a complaint within the meaning of Senate Rule 1-4.10, the Committee shall determine whether substantial cause exists that a violation occurred; or

(2) In the case of a complaint within the meaning of O.C.G.A. Sec. 45-10-91, the Committee shall determine whether reasonable grounds exist to believe that improper conduct or sexual harassment has occurred.

(d) (1) All complaints within the meaning of Senate Rule 1-4.10 and other records related thereto in the possession of the Committee or a Subcommittee thereof shall remain confidential unless and until the full Committee, after an investigation, has determined that substantial cause exists that a violation occurred. If the Committee determines that such substantial cause does not exist or that the Committee has no jurisdiction over the complaint, then the complaint shall be dismissed and, along with other records related thereto, shall remain confidential.

(2) All complaints within the meaning of O.C.G.A. Sec. 45-10-91 and other records related thereto in the possession of the Committee or a Subcommittee thereof shall remain confidential unless and until the full Committee, after an investigation, has determined that reasonable grounds exist to believe that improper conduct or sexual harassment has occurred. If the Committee determines that such reasonable grounds do not exist or that the Committee has no jurisdiction over the complaint, then the complaint shall be dismissed and, along with other records related thereto, shall remain confidential.

(e) Any settlement of, Committee evidentiary hearing on, or rendering of judgment on a complaint brought pursuant to Senate Rule 1-4.10 or O.C.G.A. Sec. 45-10-91 shall be subject to Senate Rule 1-4.10(e) and (f).

(f) (1) Any penalty imposed pursuant to judgment on a complaint brought pursuant to Senate Rule 1-4.10 shall be subject to Senate Rule 1-4.10 (g).

(2) Any penalty imposed pursuant to judgment on a complaint brought pursuant to O.C.G.A. Sec. 45-10-91 shall be the same as provided by Senate Rule 1-4.10(g).

9. (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 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) Alleged violations of Section 1, Part 4 of the Rules of the Senate or otherwise indicates that an investigation by the Senate Committee on Ethics may be warranted; and
- (2) Are not formal complaints by the 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 1-4.10 shall remain confidential unless and until the Committee has determined that substantial cause exists that a violation occurred. If the Committee determines that such substantial cause does not exist, the complaint shall be dismissed and 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 1-4.10, 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.

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

10.1 Any Senate staff or counsel selected by the Ethics Committee, the Executive Subcommittee, an investigatory Subcommittee, or the Chairperson of the Ethics Committee to investigate complaints made pursuant to Senate Rule 1-4.10 or O.C.G.A. Sec. 45-10-91 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.

10.2. (a) Upon the final disposition of any ethics matter under these Committee Rules, whether by dismissal, settlement, judgment, or otherwise, the Committee shall deposit all records relating to such proceedings that are in its possession or in the possession of a Subcommittee with the Office of Legislative Counsel for physical custody thereof until such time as the records are withdrawn in accordance with subsection (b) of this rule. Any such records that are required to be kept confidential shall be sealed by the Committee prior to such deposit.

(b) (1) The Committee, an investigatory Subcommittee, or the Executive Subcommittee, for purposes of a subsequent investigation against the same member based on new evidence, and subject to the confidentiality provisions of these Committee Rules, may withdraw and unseal records of a related prior complaint or investigation.

(2) The Committee shall withdraw and promptly cause to be destroyed its records relating to ethics proceedings upon:

(A) The expiration of six years following the date the formal complaint was filed or the Executive Subcommittee was convened in the matter, whichever is applicable; or

(B) The expiration of one year following the date of termination or interruption of the accused member's service in the Senate by death, resignation, removal from office, or failure to be reelected, whichever first occurs.

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

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

SENATE COMMITTEE ON ETHICS

Monday, February 23, 2015

The Senate Committee on Ethics held its second meeting of the 2015 Legislative Session on Monday, February 23, 2015 at 2:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Burke (11th), Chairman
Sen. Williams (27th), Vice-Chairman
Sen. Harbison (15th)
Sen. Jackson (24th)
Sen. Jeffares (17th)
Sen. Ligon, Jr., (3rd)
Sen. Stone (23rd)
Sen. Thompson (5th)
Sen. Watson (1st)

NOTE: Sen. Butler (55th), Sen. McKoon (29th) and Sen. Miller (49th) were absent.

Chairman Burke (11th) called the meeting to order at 2:11 p.m.

SB 127 (Sen. Jeffares, 17th) Ethics in Government; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office

Sen. Jeffares (17th) presented SB 127. He briefly explained that this was a bill to provide waivers of specific civil penalties and fees incurred by candidates of local elections only. A lengthy discussion followed.

Chairman Burke (11th) recognized Bethany Whetzel and Robert Lane, Staff Attorneys from the Georgia Government Transparency and Campaign Finance Commission, to testify and answer questions regarding SB 127.

Marci Rubensohn from the Georgia Municipal Association testified in support of the bill.

William Perry, Executive Director of Common Cause Georgia, testified against the bill. He suggested that the bill be tabled to allow for further edits and be given more time for discussion.

Sen. Ligon, Jr. (3rd) stated that the current version of SB 127 was too broad, and therefore should be tabled and edited for further discussion. Chairman Burke (11th) agreed and stated that the bill would be “**TABLED**” to allow time to refine the language.

SB 127 TABLED

Chairman Burke (11th) stated that bills assigned to the Ethics Committee had been assigned to Subcommittees and that the members and Chairmen would be so notified.

There were two Subcommittees. Not all bills were assigned to a Subcommittee.

Elections:

Chairman, Sen. Jeffares (17th)

Sen. Butler (55th)

Sen. Williams (27th)

Sen. McKoon (29th)

Sen. Stone (23rd)

Ethics:

Chairman, Sen. Miller (49th)

Sen. Harbison (15th)

Sen. Jackson (24th)

Sen. Stone (23rd)

Sen. Watson (1st)

Having no further business, Chairman Burke (11th) adjourned the meeting at 2:58 p.m.

Respectfully submitted,

/s/ Sen. Burke (11th), Chairman

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON ETHICS

Monday, March 2, 2015

The Senate Committee on Ethics held its third meeting of the 2015 Legislative Session on Monday, March 2, 2015 at 2:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Burke (11th), Chairman
Sen. Williams (27th), Vice-Chairman
Sen. Butler (55th), Secretary
Sen. Harbison (15th)
Sen. Jackson (24th)
Sen. McKoon (29th)
Sen. Stone (23rd)
Sen. Thompson (5th)
Sen. Watson (1st)

NOTE: Sen. Jeffares (17th), Sen. Ligon, Jr. (3rd) and Senator Miller (49th) were absent.

Chairman Burke (11th) called the meeting to order at 2:09 p.m.

SB 102 (Sen. McKoon, 29th) Elections; revise the dates for primaries and elections and runoffs resulting therefrom; revise times for qualifying for office

Sen. McKoon (29th) presented SB 102. He briefly explained that this was a bill to alter the dates for elections, primaries and runoffs to change the times for qualifying for office. Sen. McKoon (29th) further commented on the plan to change the current nine-week runoff and return to a three-week runoff.

SB 102 HEARING ONLY

SR 27 (Sen. McKoon, 29th) Senate; lower the age requirements for members; qualifications of members of General Assembly –CA

Sen. McKoon (29th) presented SR 27. He briefly explained that this bill sought to lower the age requirement for candidates to run for State Senate from 25 to 21 and for the House from 21 to 18. The bill would also require candidates to be legal residents of Georgia for four years prior to running for office.

A discussion followed regarding chronological age versus maturity level.

SR 27 HEARING ONLY

SB 127 (Sen. Jeffares, 17th) Ethics in Government; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office

Due to a committee meeting conflict, Senator Jeffares (17th) was not available to present the newest substitute of SB 127, LC 28 7568ERS, to the Committee. Therefore, Chairman Burke (11th) presented the changes contained in the substitute to the Committee. This bill had been discussed at length in a prior Committee meeting.

NOTE: Senator McKoon (29th) left at 2:38 p.m.

Chairman Burke (11th) addressed the change on lines 80-82, in which the Commission is provided more leeway to determine issues on a case-by-case basis.

Sen. Thompson (5th) made a motion SB 127 **DO PASS BY SUBSTITUTE (LC 28 7568ERS)**. Senator Watson (1st) seconded the motion. The motion passed unanimously, with a vote of 7-0.

SB 127 DO PASS BY SUBSTITUTE

Having no further business, Chairman Burke (11th) adjourned the meeting at 2:45 p.m.

Respectfully submitted,

/s/ Sen. Butler (55th), Secretary

/s/ Diana Hauser, Recording Secretary

SENATE COMMITTEE ON ETHICS

Monday, March 23, 2015

The Senate Committee on Ethics held its fourth meeting of the 2015 Legislative Session on Monday, March 23, 2015 at 2:00 p.m. in Room 310 of the Coverdell Legislative Office Building.

MEMBERS PRESENT:

Sen. Burke (11th), Chairman

Sen. Butler (55th), Secretary

Sen. Harbison (15th)

Sen. Jackson (24th)

Sen. Jeffares (17th)

Sen. Ligon, Jr. (3rd)

Sen. Miller (49th)

Sen. Thompson (5th)

Sen. Watson (1st)

NOTE: Sen. Williams (27th), Vice-Chairman, Sen. Stone (23rd) and Sen. McKoon (29th) were absent.

Chairman Burke (11th) called the meeting to order at 2:16 p.m.

HB 121 (Rep. Hamilton, 24th) Elections; write-in candidacy filings to include authorization by candidate if not done by candidate; require notice

Rep. Mark Hamilton (24th) presented HB 121. He began by confirming the correct LC number, LC 28 7386, and then proceeded to summarize the sections of the bill.

Sen. Ligon, Jr. (3rd) moved **HB 121 DO PASS**. Sen. Jackson (24th) seconded the motion. The motion passed by a vote of 8-0. Sen. Watson (1st) agreed to be the Senate sponsor for the bill.

HB 121 DO PASS

NOTE: Sen. Stone (23rd) arrived at 2:29 p.m.

HB 370 (Rep. Fleming, 121st) Elections; provide for waivers of certain civil penalties and fees incurred by candidates for local elected office; provisions

Chairman Burke (11th) called upon Rep. Barry Fleming (121st) to present HB 370, LC 28 7556ERS. He briefly explained the similar aspects of HB 370 and SB 127.

Sen. Ligon, Jr. (3rd) and Sen. Stone (23rd) expressed their concern that some individuals may not be aware they have a fine until they attempt to qualify as a candidate and would

then be prohibited from qualifying. Rep. Fleming (121st) stated that the penalty for not filing should serve to encourage candidates to be proactive in paying their fines.

Sen. Ligon, Jr. (3rd) requested that Legislative Counsel be consulted and an amendment be written.

As Legislative Counsel worked on creating the amendment, Chairman Burke (11th) asked those who signed up to testify for HB 370 to come forward.

Mr. Ryan Splitlog from Common Cause Georgia expressed his opposition to the bill.

Mr. Tom Gehl of the Georgia Municipal Association testified in support of HB 370.

NOTE: Sen. Harbison (15th) left the meeting at 2:45 p.m.

Sen. Ligon, Jr. (3rd) and Mr. Jeff Lanier from Legislative Counsel explained that the amendment proposed would protect candidates unaware of outstanding fines from being barred from running for office. Mr. Lanier suggested striking Section 1 in its entirety.

Chairman Burke (11th) asked for a motion regarding the suggestion to remove Section 1 from HB 370 (LC 28 7556ERS). Sen. Ligon, Jr. (3rd) made the motion to strike Section 1 from the bill and Sen. Miller (49th) seconded it. The motion passed unanimously. Chairman Burke (11th) asked Mr. Lanier to create a substitute for the bill with Section 1 removed.

Sen. Ligon, Jr. (3rd) moved HB 370 **DO PASS BY SUBSTITUTE (LC 28 7655S)**. Sen. Miller (49th) seconded the motion. The motion passed unanimously. Sen. Mullis (53rd) was named the Senate sponsor of the bill.

HB 370 DO PASS BY SUBSTITUTE

Having no further business, Chairman Burke (11th) adjourned the meeting at 2:54 p.m.

Respectfully submitted,

/s/ Sen. Butler (55th), Secretary

/s/ Diana Hauser, Recording Secretary

DEAN BURKE

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May 7, 2015

Mr. David Cook
Secretary of the Senate
Room 353 State Capitol
Atlanta, GA 30334

Dear Mr. Cook:

The following bills are being reported as having no action taken on them by the Senate Ethics Committee during the 2015 Legislative Session:

[Senate Bill 21](#)

[Senate Bill 22](#)

[Senate Bill 25](#)

[Senate Bill 26](#)

[Senate Bill 27](#)

[Senate Bill 28](#)

[Senate Bill 31](#)

[Senate Bill 33](#)

[***Senate Bill 102***](#)

[***Senate Bill 146***](#)

[***Senate Bill 151***](#)

[Senate Bill 199](#)

[Senate Bill 235](#)

[Senate Resolution 27](#)

[Senate Resolution 44](#)

[***Senate Resolution 330***](#)

The highlighted bills and resolution might need to be reprinted if not located.

Respectfully submitted,

Diana Hauser
Senate Ethics Committee
Recording Secretary