

STATE OF ALABAMA ETHICS COMMISSION



ANNUAL REPORT
FISCAL YEAR
2012-2013

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Annual Report

**Fiscal Year
2012-2013**

for the

Alabama Ethics Commission

is presented to the

Governor

and the

Alabama Legislature

in compliance with

Section 36-25-3(c), Code of Alabama, 1975

Alabama Ethics Commission

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Montgomery, Alabama 36104

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James L. Sumner, Jr., Director



STATE OF ALABAMA ETHICS COMMISSION



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COMMISSIONERS

Anthony Humphries, Chair
Dr. Jewell W. Henderson, Vice-Chair
Timothy P. Chinaris, Esq.
Stewart Hill Tankersley, M.D.
Josephine M. Venable

James L. Sumner, Jr.
Director

February 18, 2014

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The Honorable Robert J. Bentley, Governor
State of Alabama
Montgomery, Alabama 36130

Dear Governor Bentley:

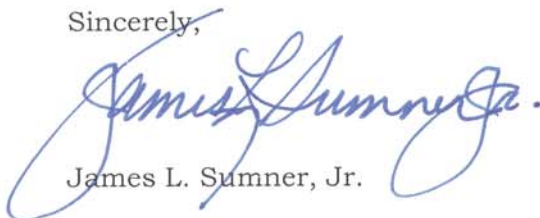
On behalf of the Alabama Ethics Commission, I respectfully present to you and the Alabama Legislature our Annual Report for Fiscal Year 2012-2013, in compliance with Section 36-25-3(c), Code of Alabama, 1975. Included are details of our actions during the year as we strive to fulfill the responsibilities with which we are charged.

Our Commissioners and Staff are very proud of our accomplishments during this fiscal year, and following are some of the highlights:

- **309** Complaints were filed with the Commission
- **70** Cases were presented to the Commission
- **8** Formal and **108** Informal Opinions were rendered by the Commission
- **37,588** Statement of Economic Interests forms filed with **88.48%** filed electronically
- **615** Lobbyists registered with **802** Principals represented; **91.06%** registered on-line
- **\$35,669.83** collected in Fines and Restitution
- **\$76,025.00** deposited into the General Fund

Our Commissioners and Staff are committed to fulfilling our responsibilities to the citizens of the state of Alabama to the fullest extent possible and greatly appreciate your support of the Alabama Ethics Commission.

Sincerely,



James L. Sumner, Jr.

PURPOSE, POWERS AND DUTIES


The Alabama Ethics Commission was established in 1973 by Act No. 1056 of the Alabama Legislature which has subsequently been amended by Acts 75-130, 79-460, 79-698, 82-429, 86-321, 92-342, 95-194, 96-261, 97-651, 2000-797, 2001-474 and Act Nos. 2010-462, 2010-763, 2010-764, 2011-259, 2011-632, 2011-674, 2012-433 and 2012-509.

The Mission of this law is *to ensure that public officials are independent and impartial; that decisions and policies are made in the proper governmental channels; that public office is not used for private gain; and, most importantly, that there is public confidence in the integrity of government.*

With confirmation from the Alabama Senate, members of the Alabama Ethics Commission are appointed by the:

Governor
Lieutenant Governor
Speaker of the Alabama House of Representatives

Duties and Responsibilities of the Commission

Furnish Disclosure Forms	Register Lobbyists and Principals	Make Statement of Economic Interests Forms Available to Public
Investigate Alleged Violations		Issue and Publish Advisory Opinions
Present Educational Programs	Preserve Statement of Economic Interests Forms	Promulgate Rules and Regulations

Commissioners



Josephine M. Venable
Chair
Term Expires 2013

Josephine M. Venable was confirmed by the Alabama Senate on May 28, 2008 for a term which began September 1, 2008 and expired August 31, 2013. Mrs. Venable continues to serve until her successor is confirmed by the Alabama Senate. She was elected Vice-Chair at the February 2, 2011 Commission meeting and served in that position until she was elected Chair at the August 1, 2012 meeting.

Mrs. Venable is a native of Clio, Alabama where she graduated from Barbour County High School. She received a Bachelor of Science degree with Education Certification in Physics, Chemistry and Biology from the University of Alabama in 1961. She taught advanced science and biology in Montgomery before moving with her husband, the late Honorable Jack B. Venable, to Washington, D. C. In 1970 they purchased The Tallahassee Tribune in Tallahassee, Alabama at which time Mrs. Venable became Co-

Owner and Associate Publisher. After the death of her husband, she continued the newspaper as Publisher and Editor. She sold The Tribune in 2007 and remains as Editor Emeritus. She has been an active member of the Alabama Press Association for many years, being named to various committees. Mrs. Venable has served her community as President of the Tallahassee Chamber of Commerce and Secretary/Treasurer of the Tallahassee Industrial Development Board. She has also served as Chairman of the Community Hospital Board of Directors as well as Chairman of the Alabama Council of Hospital Trustees. She continues her service with the board of Community Hospital as a member of the Executive and Finance Committees. She is a member of the Advisory Board, Elmore Division, BankTrust. Mrs. Venable is a member of First United Methodist Church of Tallahassee having served in many areas including Board of Trustees and Lay Leader. She has been named to numerous other community boards and committees. Mrs. Venable and her late husband have two children, daughter Cameron, son-in-law Steve and son Ben.

Commissioners



Anthony Humphries **Vice-Chair** **Term Expires 2014**

Anthony Humphries was confirmed by the Alabama Senate on April 23, 2009, to serve a term on the Alabama Ethics Commission that began on September 1, 2009, and ends on August 31, 2014. He was elected to serve as Vice-Chair at the August 1, 2012 meeting and served in that position until he was elected Chair at the August 1, 2013 meeting.

Mr. Humphries graduated from Good Hope High School in Cullman County in 1973. He received a B.A. degree in Political Science from Auburn University in 1977 and graduated from the Graduate School of Banking at LSU in 1988. He, along with a group of business leaders in Calhoun County, organized a new community bank in 2005. Mr. Humphries has served as the Bank's President & CEO and as a member of the Bank's Board of Directors since September 2005. He has over 30 years of banking experience in the Calhoun County market. He also served on Governor Riley's cabinet as Superintendent of the Alabama Banking Department from 2003 to 2005. Mr. Humphries began his banking career with SouthTrust Bank, gaining experience as he progressed from man-

agement trainee to Assistant Vice President, Vice President and Senior Vice President/Senior Lending Officer. After 6 years with SouthTrust, he was hired by AmSouth Bank where he served as the Senior Vice President/Commercial Banking Sales Manager for 13 years. In 1997, he returned to SouthTrust Bank as the market CEO.

Mr. Humphries volunteers his time with several organizations throughout Calhoun County and the surrounding areas. He is on the Board of Directors of the First National Bankers Bank-Alabama, the Community Bankers Association of Alabama, the Northeast Alabama Regional Medical Center, the Anniston Museum of Natural History Foundation, the Knox Concert Series and the Anniston Country Club. He is a former Chairman of the Calhoun County Chamber of Commerce and serves now as Chairman of its Transportation Task Force. Mr. Humphries is the Vice Chairman of the McClellan Development Authority, the entity charged with the redevelopment of the former Fort McClellan. He is a member of the Anniston Rotary Club and the Oxford Quarterback Club and serves as a Trustee for the Women's Missionary Union (WMU). He is an active member of the First Baptist Church of Oxford where he serves as a Deacon. He is married to the former Cristy Chase and has two sons and one granddaughter.

Commissioners



Dr. Jewell Winlock Henderson **Term Expires 2015**

Dr. Jewell Winlock Henderson was confirmed by the Alabama Senate on May 5, 2011, to serve a term on the Alabama Ethics Commission that began on September 1, 2010, and ends on August 31, 2015.

Dr. Henderson is a native of Tuscaloosa and the oldest daughter of the late Mr. Minor and Mrs. Annie Winlock. Her early childhood was spent in a family of six siblings. After attending school in Tuscaloosa and graduating from Druid High School, she attended Alabama State University, Montgomery, Alabama for two years as a Business Administration/Accounting Major. Jewell completed her undergraduate degree in Business Administration at Tennessee State University in Nashville, Tennessee. Upon graduation, she moved to southern California where she resided for 40 years and ultimately relocated to Montgomery, Alabama in 2003. Upon her return to Montgomery, she accepted a position as Assistant Professor in Edu-

ational Foundation, Leadership and Technology in the College of Education at Auburn University in Auburn, Alabama and served in the position from 2003 until 2008. She was responsible for teaching doctoral level classes and serving on doctoral level dissertation committees.

While residing in California, Dr. Henderson earned a Master's Degree in School Administration from Loyola Marymount University in Los Angeles, California. Her Doctoral Degree in Public Administration (DPA) was earned in 1990 from the University of LaVerne in LaVerne, California. She served as a mathematics classroom teacher at several middle schools, a regional advisor with a dropout prevention focus with the Los Angeles Unified School District, a high school dean and an elementary school principal with the West Covina Unified School District (both in Los Angeles County). In addition, she served as an Assistant Inspector General for the Department of Transportation as a Financial Auditor from 1982 to 1987, examining/auditing grants awarded

Commissioners

Dr. Jewell Winlock Henderson

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by the U. S. Department of Transportation in Region IX.

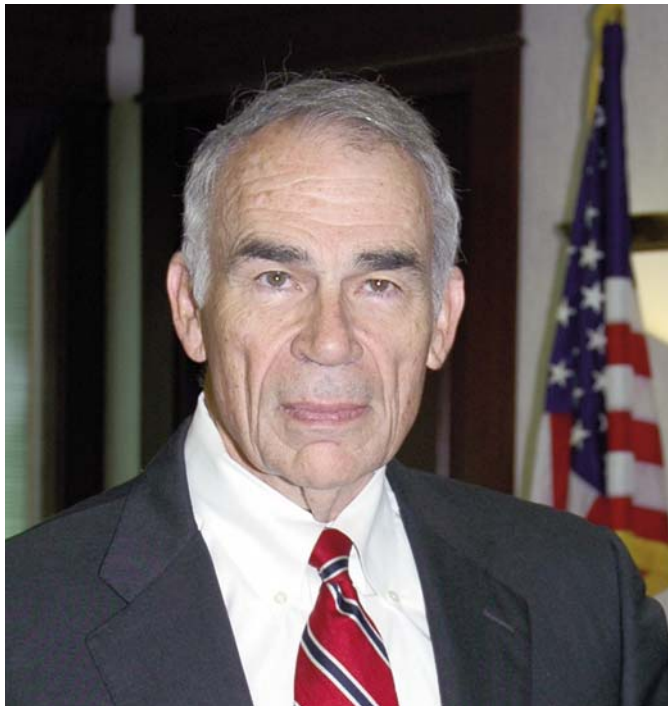
Currently she is President of C & J Enterprises, LLC (Educational Consultants responsible for designing and delivering unique, professional development services to school districts). The emphasis is on improvement of classroom instruction in mathematics for all students, providing in-service for potential teachers preparing to take the ETS Praxis examination, and individual consultation to doctoral students concerning their research and dissertations.

Dr. Henderson's professional affiliations include National Council Teachers of Mathematics, Phi Delta Kappa, Council for Leaders in Alabama Schools (CLAS), Association for Supervision and Curriculum Development (ASCD), Institute of Electrical and Electronic Engineers (IEEE) and the National Middle School Association.

Her community involvement includes Class XXI Leadership Montgomery, One Montgomery, the Fortitude Foundation, Montgomery Education Foundation and Delta Sigma Theta Sorority.

She was married for 30 years to the late Charles A. Henderson.

Commissioners



David B. Byrne, Jr.
Term Expires 2016

David B. Byrne, Jr. was confirmed by the Alabama Senate on March 22, 2012, to serve a term on the Alabama Ethics Commission ending on August 31, 2016. He served until January 2013 when he was appointed by Governor Robert Bentley as Chief Legal Advisor.

Mr. Byrne received a B.S. and J.D. from the University of Alabama and began practicing law in Montgomery, Alabama, in 1971, following a four-year tour of duty with the United States Army Judge Advocate General Corps. Mr. Byrne previously served as Executive Vice President, General Counsel, and Corporate Secretary of The Colonial BancGroup, Inc. and Colonial Bank, and

Senior Vice President and Associate General Counsel for Branch Banking and Trust Company. He also serves as an Adjunct Instructor at the Thomas Goode Jones School of Law, Montgomery, Alabama.

Mr. Byrne is a lifetime Fellow of the American Bar Association Foundation and the Alabama Bar Foundation. He is admitted to practice before the United States Supreme Court, United States Tax Court, United States Courts of Appeal for the Third, Fifth, Sixth and Eleventh Circuits, and the United States District Courts in Alabama. Mr. Byrne is an active member of the First Baptist Church in Montgomery, Alabama, where he serves as a Sunday School teacher. He is married to Alice Ann Byrne and has a son, two daughters, and four grandchildren.

Commissioners



Braxton L. Kittrell, Jr., Esq.
Chair
Term Expired 2012

Braxton L. Kittrell, Jr., was confirmed by the Alabama Senate May 8, 2008, to serve a term on the State of Alabama Ethics Commission ending August 31, 2012. Judge Kittrell continued to serve until his successor was confirmed by the Alabama Senate in February 2013. He was elected Vice-Chair at the August 4, 2010 Commission meeting, and elected Chair on February 2, 2011 and served in that position until August 1, 2012. He served as Chair longer than any other Commission Member.

Kittrell received a J.D. degree from the University of Alabama in 1967 and began practicing law in Mobile in 1969. He was elected Circuit Judge for the 13th Judicial Circuit (Mobile County) in 1976, and served in that office from January, 1977 until he retired in April of 1999. He served as Presiding Circuit Judge from January 18, 1989 until his retirement. Kittrell was a member of the Judicial Inquiry Commission of the State of Alabama from 1987-99, and

served as its Chairman from 1995-99. He was president of the International Academy of State Trial Judges (1982-83); he served as Chairman of the Regional Planning and Advisory Board for Region 6, Alabama Law Enforcement Planning Agency (1980-83) and as a member of the Executive Committee of the State Supervisory Board of the Alabama Law Enforcement Planning Agency (1980-83). He served as Chairman of the Sentencing and Corrections Committee of the American Bar Association, Judicial Administration Division from 1993-97, and as a member of the Executive Committee of the National Conference of State Trial Judges of the American Bar Association from 1995 through 1998. He also served as President of the Alabama Association of Circuit Judges (1996-97), and as a member of the Alabama Supreme Court Advisory Committee on Criminal Procedure (1997-99). He presently holds membership in the American, Alabama and Mobile Bar Associations, the Alabama Association of Circuit Judges, the International Academy of State Trial Judges, the American Judicature Society and serves on the board of directors of the Alabama Forest Resources Center.

Commissioners



Timothy P. Chinaris, Esq.
Term Expires 2016

Timothy P. Chinaris was appointed by Governor Robert Bentley on February 13, 2013 to begin serving immediately the unexpired term of David Byrne on the Alabama Ethics Commission that began on September 1, 2011, and ends on August 31, 2016.

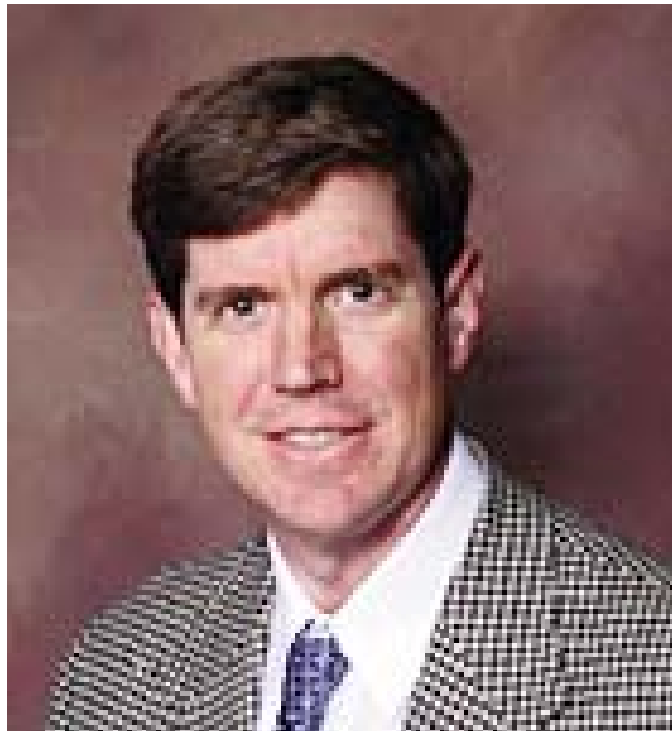
Mr. Chinaris is Associate Dean for Academic Affairs and Information Resources, Director of Law Library and Professor of Law at Thomas Goode Jones School of Law where he directs the law library and teaches courses that include Legal Ethics and Professional Responsibility, Insurance Law, and Antitrust Law. He previously served as Assistant Dean for Information Resources at Appalachian School of Law in Grundy, Virginia and as Associate Dean for Information Resources and Technology at Florida Coastal School of Law in Jacksonville, Florida.

Professor Chinaris was Ethics Director of the Florida Bar from 1989-1997, where his responsibilities included overseeing the bar's popular "ethics hotline" service, which answers 20,000 phone

calls per year from Florida Bar members. Professor Chinaris has a bachelor's degree in Business Administration from Florida State University, received his Juris Doctor with Honors from the University of Texas School of Law, and earned his master's degree in Library and Information Studies from Florida State University. He is admitted to practice law in Alabama, Florida, and Texas. After graduating from law school, he clerked for the Texas Court of Appeals. Professor Chinaris was an associate with the Dallas law firm of Godwin and Carlton, P.C. before accepting a position with the Florida Bar in 1986.

Professor Chinaris writes on legal ethics for various publications, and speaks to local, state, and national organizations on a wide range of professional responsibility issues. He is a member and past chair of the Professional Ethics Committee of the Florida Bar, a member of the Alabama State Bar Unauthorized Practice of Law Committee, and is active in legal and librarianship organizations. He served as an expert witness in the first case decided under the Sarbanes-Oxley Act. He authors the comprehensive legal ethics website "sunEthics.com."

Commissioners



**Stewart Hill Tankersley,
M.D.**

Term Expires 2017

Stewart Hill Tankersley, M.D. was confirmed by the Alabama Senate on February 14, 2013, to serve a term on the Alabama Ethics Commission that began on September 1, 2012 and ends on August 31, 2017.

Date of Birth: December 6, 1966
College: Auburn University – B.S. in History 1990

Medical School: University of Alabama School of Medicine 1998

Residencies: Ochsner Medical Foundation – New Orleans, LA; July 1998-December 1999 in OB/GYN
University of South Carolina School of Medicine – January to August 2000 OB/GYN
Montgomery Family Medicine Residency Program – July 2001 to December 2003

(Gap in training in August 2000-July 2001 – training as a Christian Missionary in Orlando, Florida with YWAM)

Occupation: Board Certified – Family Medicine 2004-2014
Highley and Cox, P.C. (Family Medicine Practice) January 2004 to April 2007
Medical Outreach Ministries ("Free Clinic") 2004-2009 (Part-time)
Jackson Clinic May 2007-October 2011
Private Clinical Practice Montgomery, Alabama – since returning from deployment in March 2012

Medical Organizations: Montgomery County Medical Society – Board 2004-2011;
Vice-President 2008; President-Elect 2009; President 2010
Medical Association of the State of Alabama – Delegate for District and District Coordinator for Recruitment 2006
Family Medicine Association of Alabama – Representative for Young Physician Section at National Conference 2005

Stewart Hill Tankersley, M.D.

Page 2

Military: Enlisted in Alabama Army National Guard 1991 – Cavalry Scout
Air Assault School 1992
Officer Candidate School 1993
Officer Basic Course – Medical Corp 1994
Combat Casualty Care Course 1995
Flight Surgery School 2003
Intermediate Leaders Education (ILE) 2009
Tactical Combat Casualty Care Course 2011

Operation Iraqi Freedom – November 2004 to March 2005 and May – August 2008

Operation New Dawn – November 2011 to March 2012

Awards: Excellence in Cavalry and George S. Patton Award 1991
Command Sergeant Major’s Commendation 1991
Army Commendation Medal 2005 and 2008
Special Recognition for Leadership during ILE 2009
Army Achievement Medal 2012

Director



James L. (Jim) Sumner, Jr.

Currently, Mr. Sumner is the Director of the Alabama Ethics Commission. He was appointed to the position by the Commission in April, 1997. Mr. Sumner holds an additional appointment as a Deputy Attorney General.

From October, 1987 to April, 1997, Mr. Sumner served as Assistant to the Vice Chancellor for External Affairs of the University of Alabama System. The UA System is comprised of campuses in Tuscaloosa, Birmingham and Huntsville. At that time, the System had over 43,000 students, 18,500 employees and an annual budget exceeding \$1.35 billion.

From January to October, 1987, Mr. Sumner served as Vice President/Legislative Affairs for the Alabama Hospital Association.

Mr. Sumner was the Executive Assistant to the Lieutenant Governor and served as Chief of Staff in the Lieutenant Governor's Office from January, 1983 to January, 1987.

From January, 1979 to May, 1982, Mr. Sumner served as Corporate Secretary and in-house counsel of Royal Cup, Inc. of Birmingham, the largest coffee roaster in the South.

Mr. Sumner served as an Assistant Attorney General from October, 1974 to

January, 1979.

Mr. Sumner is a native of Jasper, Alabama and attended Jasper public schools and Walker County High School.

He was graduated from the University of Alabama in 1970 with a Bachelor of Science Degree.

In 1974, Mr. Sumner received his Doctor of Jurisprudence Degree from Cumberland School of Law at Samford University.

Before joining the Attorney General's staff, Mr. Sumner served for three years as Administrative Assistant to the Chairman of the Democratic Party in Alabama, Robert S. Vance. Vance was later appointed by President Carter to the U. S. Court of Appeals for the Eleventh Circuit.

Mr. Sumner holds membership in the American Bar Association and the Alabama State Bar Association.

In 2007, Mr. Sumner was awarded the Douglass Cater Public Service Award by the Department of Political Science and Public Administration at Auburn University at Montgomery.

Mr. Sumner was named 2011 James T. Pursell, Sr. Distinguished Fellow in Ethics by the College of Business at Auburn University.

He is married to Deanna Benefield Sumner of Huntsville and they have three adult children: Matthew, Amelia and Aaron.

ETHICS COMMISSION STAFF

Legal Division

Hugh R. Evans, III, General Counsel

Julie Davis, Executive Secretary and Recording Secretary

Theresa Davis, Legal Research Assistant

Investigative Division

Charles A. Aldridge, Chief Special Agent

Tony Goubil, Special Agent

Rick Lambert, Special Agent

Dustin Lansford, Special Agent

Vicki Wilson, Special Agent

Leigh Ann Cleckler – ASA III

Finance & Administrative Division

Barbi Lee, Chief

Kristin Allen, Account Clerk

Austin Gilmore, Laborer

April Innes, ASA I

Vicky Manning, Lobbyist Liaison

Loretta Webb, Clerk

Janice Wolfe, ASA I

Expenditures for Fiscal Year 2013 October 1, 2012 - September 30, 2013

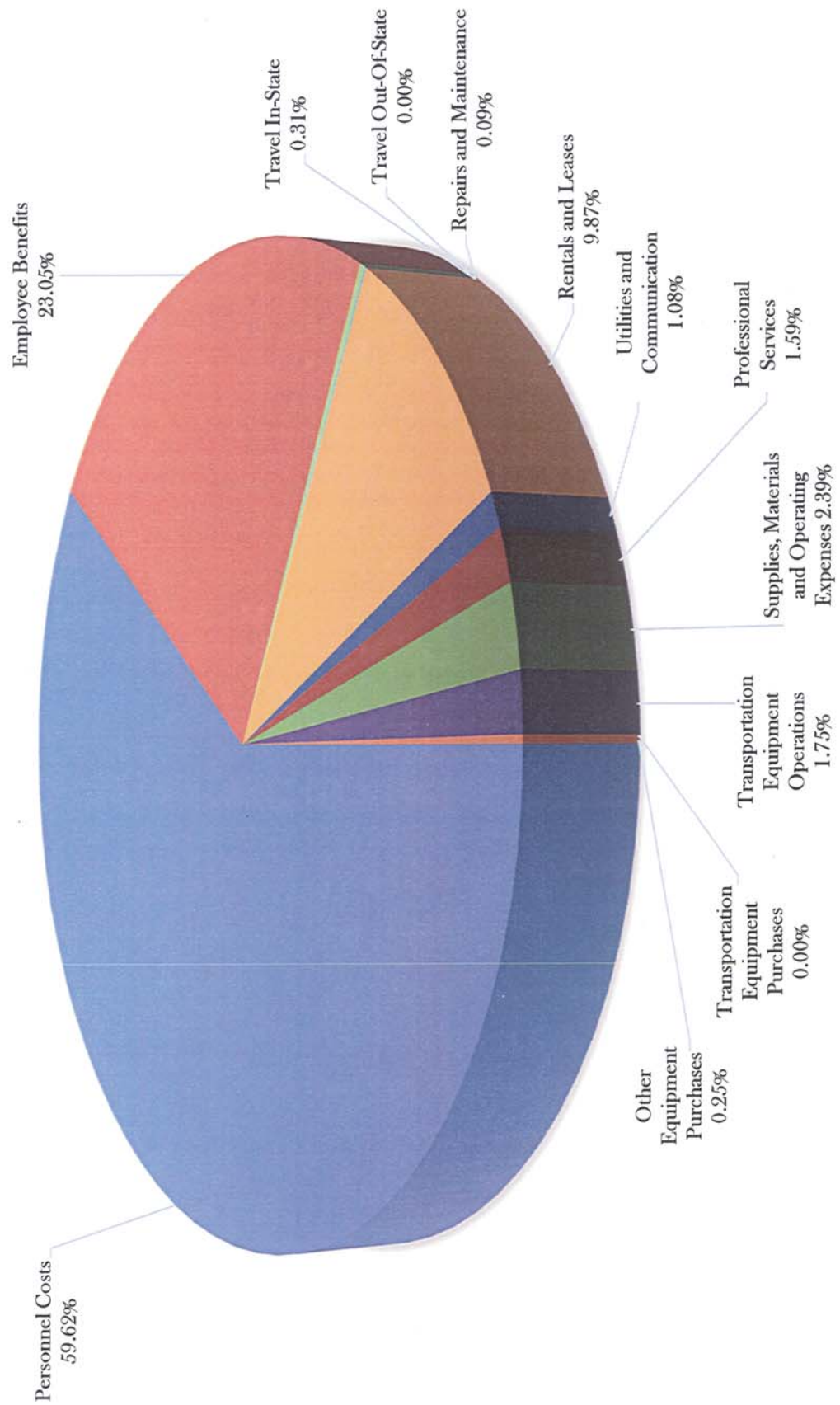
EXPENDITURE	Fiscal Year 2013 Appropriation	13th Accounting Period	Outstanding Purchase Orders	Rollover to FY 14	TOTAL Expenditures	Percent
Personnel Costs	1,023,729.00	0.00	0.00	(87,233.83)	936,495.17	59.62%
Employee Benefits	378,638.00	0.00	0.00	(16,618.52)	362,019.48	23.05%
Travel In-State	20,000.00	120.92	0.00	(15,200.00)	4,800.00	0.31%
Travel Out-of-State	25,000.00	0.00	0.00	(25,000.00)	0.00	0.00%
Repairs and Maintenance	24,000.00	119.75	365.94	(22,600.00)	1,400.00	0.09%
Rentals and Leases	160,000.00	1,864.24	1,041.00	(5,000.00)	155,000.00	9.87%
Utilities and Communication	50,000.00	1,425.43	429.28	(33,000.00)	17,000.00	1.08%
Professional Services	164,000.00	5,555.94	0.00	(139,000.00)	25,000.00	1.59%
Supplies, Materials, and Operating Expenses	261,528.00	3,473.60	0.00	(224,000.00)	37,528.00	2.39%
Transportation Equipment Operations	120,000.00	587.54	4,049.36	(92,500.00)	27,500.00	1.75%
Transportation Equipment Purchases	165,896.00	0.00	0.00	(165,896.00)	0.00	0.00%
Other Equipment Purchases	60,000.00	81.27	0.00	(56,000.00)	4,000.00	0.25%
	2,452,791.00	13,228.69	5,885.58	(882,048.35)	1,570,742.65	100.00%

The annual cost of the Alabama Ethics Commission (based on state population of 4.83 million) is 50.7 cents per person.

The annual cost of the Alabama Ethics Commission (based on 360,620 public officials and public employees covered by the Ethics Law) is \$ 6.80 per person.

Original FY 13 Budget Appropriation	1,460,301.00
Rollover from FY 12	826,594.00
Total FY 13 Appropriation	2,286,895.00
Conditional Approp - Act 2012-600	165,896.00
NET FY 13 Budget Appropriation	2,452,791.00
Total FY 13 Expenditures	(1,570,742.65)
Rollover to FY 14	(882,048.35)
Remaining Balance	0.00
13th Acct Period Overage	869.61
Reversion to General Fund	869.61

Expenditures by Percentages



ANNUAL COMPARISONS FISCAL YEARS 2012 AND 2013

	Fiscal Year 2012	Fiscal Year 2013
Commission Meetings Held	6	6
Educational Programs Presented	29	26
Statements of Economic Interests Forms Received	55,464	37,588
Formal Advisory Opinions	7	8
Informal Advisory Opinions	123	108
Registered Lobbyists	585	615
Principals Represented by Lobbyists	801	802
Complaints Filed with Ethics Commission	300	309
Complaints Closed After Preliminary Inquiry	357	329 ¹
Cases Presented to Commissioners	35	70
Cases Closed by Ruling of Commissioners	0	1
Cases Forwarded to District Attorney or Attorney General	6	14
Administrative Penalties Assessed by Ethics Commission	24	37
Fines Collected by Ethics Commission	\$17,725.00	\$13,925.00
Restitution Collected	\$8,212.06	\$21,744.83
Lobbyists' Fees Collected	\$58,100.00	\$62,000.00 ²
Refunds Against Disbursement	0.00	30.00
Miscellaneous Fees Collected	\$ 40.30	\$ 0.00
General Fund Deposits	\$75,865.00	\$75,925.00
Staff Members	17	17

1 Includes complaints/cases that were received prior to October 1, but closed during the current fiscal year.

2 Actual Receipts \$61,500, but \$500 deposited into Fiscal Year 13 due to FY 12 Registrations.

SIGNIFICANT EVENTS FOR FY 2013

ADVISORY OPINIONS:

- 8 Formal Advisory Opinions were drafted by the General Counsel and rendered by the Commission.
- 108 Informal Advisory Opinions were provided by the General Counsel.
These opinions are issued only when the question asked deals with a matter of black letter law or where the Commission has previously addressed the matter with a formal opinion.
- All formal opinions may be read in their entirety at our website www.ethics.alabama.gov.

DIGEST OF ADVISORY OPINIONS

AO NO. 2013-01

The former Director of Technology for the Trussville City School System may accept employment with Clear Winds Technologies, a vendor who has provided services to the School Board, when he was involved in the awarding of the contract from the School System to Clear Winds in and around 2006 and 2007, and had nothing but ministerial involvement since that time.

AO NO. 2013-02

A retired Captain in the Huntsville Police Department may enter into a contract with the City of Huntsville to provide specific contracting services to the City, when he did not hold a position of authority, nor was he a department head prior to his retirement.

AO NO. 2013-03

A County Commissioner may allocate discretionary funds to improve a church parking lot attached to a storm shelter, when that church has a FEMA storm shelter and it is open for use by the community at large in the event of a storm.

The County Commission and the church should enter into a Memorandum of Understanding, setting out that, if the shelter is no longer open to the general public, then the church will reimburse the County the depreciated cost of the improvements to the parking lot.

Legal Division

SIGNIFICANT EVENTS FOR FY 2013

AO NO. 2013-03, cont.

As public funds are involved, it is suggested the requestor contact the Attorney General's Office to determine if any other statutes are relevant.

AO NO. 2013-04

A retired City Administrator for the City of Huntsville may not, for a period of two years after his retirement, contract back with the City to help in the transition to new City Administrator, as the City Administrator is a department head, and Section 36-25-13(c) specifically precludes department heads from contracting back with that entity for a period of two years.

AO NO. 2013-05

It is a personnel matter within the scope and authority of the Board of Education to increase an employee's pay, even when that employee has requested the pay increase, when the employee does not have the wherewithal to either increase her own pay or influence the Board in their decision.

AO NO. 2013-06

A business owned by a County Commissioner may submit bids on contracts with the County; provided, that the County Commissioner does not vote, attempt to influence or otherwise participate in the transaction, either as a County Commissioner, or as a representative of the business.

The County Commissioner may not use confidential information received during her service as a County Commissioner to provide inside information regarding bids to her company.

AO NO. 2013-07

A City Council member may vote on a matter that directly affects the financial interests of an individual who contributed to his campaign, as the action will adversely affect the individual, and when the campaign contribution was made in the ordinary election cycle.

Legal Division

SIGNIFICANT EVENTS FOR FY 2013

AO NO. 2013-07, cont.

A City Council member may vote on a matter that would adversely affect the financial interests of an individual when that individual is a former employee, business associate and/or commercial tenant of the Council member, but those business relationships no longer exist.

A City Council member who served on the Planning Commission when an issue to be voted on by the Council was before the Planning Commission, may not vote, attempt to influence or otherwise participate in the matter as a Council member, as he may either be a witness or a party to any litigation arising out of the vote, and may not use his Council seat to affect his standing in that litigation.

AO NO. 2013-08

The Limestone County Commission may rent an office building from a limited liability company owned by the District Attorney and his parents for temporary facilities; provided, the County initiated the transaction; that it is the best available location; that it is an otherwise arms-length transaction; and provided further, that the terms of the lease do not exceed the actual time of occupancy and the square foot value of the lease is consistent with the fair market value.

SIGNIFICANT EVENTS FOR FY 2013

COMPLAINTS:

- 309 Complaints were filed with the Ethics Commission

- 329 Complaints were closed by staff after Preliminary Inquiry
This number includes complaints received prior to October 1, 2013, but closed during the current Fiscal Year.

CASE PRESENTATIONS:

- 70 Cases were presented to the Commission

- 1 Case was Closed with No Probable Cause

- 44 Cases were handled Administratively

- 14 Cases were forwarded to the Attorney General of Alabama or the appropriate District Attorney for further action

- 11 Cases were continued for further investigation

FINES AND RESTITUTIONS:

- \$13,925 levied and collected by Commission from Investigations

- \$21,744.83 collected in Restitution recovered for State, County and Municipal Entities from Investigations

Investigative Division

SIGNIFICANT EVENTS FOR FY 2013

STATEMENTS OF ECONOMIC INTERESTS:

The Alabama Ethics Law requires a Statement of Economic Interests Form to be filed no later than April 30th of each year covering the preceding calendar year for individuals who fall into one of 25 categories.



In Fiscal Year 2013:

- 37,588 forms filed with the Ethics Commission
- 33,259 forms or 86.6% were filed online
- Electronic Filing Percentage Increased =1.88%

LOBBYIST REGISTRATIONS:

The Alabama Ethics Law requires all lobbyists to register with the Commission by January 31st of each year or within 10 days after the first undertaking requiring such registration.



In Fiscal Year 2013:

- 615 Lobbyists registered with the Ethics Commission
- 802 Principals were represented
- 509 people or 91.06% registered electronically
- Electronic Filing Percentage Increase = 4.05%

Top 10 Lobbying Subjects

- | | |
|-----------------------|-------------------------|
| 1. Education | 6. Energy |
| 2. Health/Health Care | 7. Telecommunications |
| 3. Business | 8. Economic Development |
| 4. Utilities | 9. Medicaid |
| 5. Insurance | 10. Environmental |

Finance & Administrative Division

SIGNIFICANT EVENTS FOR FY 2013

ACCESS TO COMMISSION RECORDS:



- Our Website, www.ethics.alabama.gov had 67,838 visits.
- 166 Requests Received to Review Lobbyists Registrations

EDUCATIONAL PROGRAMS:

- 6,946 Public Officials and Public Employees trained through agency website on-line Ethics Seminar
- 3,285 Individuals trained on Ethics Law in live setting
- 109 NEW Lobbyists trained on Ethics Law
- 26 Ethics Seminars and Educational Programs Presented

Finance & Administrative Division

COMMISSION MEETING HIGHLIGHTS

October 3, 2012, Montgomery, Alabama

The Commission, chaired by Josephine Venable, was presented seven cases. Two were handled administratively, four were referred to the local District Attorney for further action, and one continued for further investigation.

December 5, 2012, Montgomery, Alabama

Thirty-one cases were presented. Twenty-one were handled administratively, two were referred to the local District Attorney for further action, and eight were continued for further investigation.

February 6, 2013, Montgomery, Alabama

Fourteen cases were presented. Eleven were handled administratively, one was referred to the local District Attorney for further action, one was referred to the Attorney General's Office for further action, and one was closed with no probable cause.

April 3, 2013, Montgomery, Alabama

Mrs. Venable welcomed Mr. Timothy Chinaris and Dr. Stewart Tankersley to their first meeting. Five cases were presented. Three were handled administratively, one was forwarded to the Attorney General's Office for further action and to the Examiners of Public Accounts for an audit, and one was continued for further investigation.

June 5, 2013, Montgomery, Alabama

The Commission heard five cases. One was handled administratively, two were referred to the local District Attorney for further action, one was referred to the Attorney General's Office for further action, and one was continued for further investigation.

August 7, 2013, Montgomery, Alabama

Meeting dates for 2014 were adopted. The Commission elected Mr. Anthony Humphries as Chair and Dr. Jewell Henderson as Vice Chair. Eight cases were presented. Six were handled administratively and two were referred to the local District Attorney for further action.

ALABAMA ETHICS COMMISSION COMMISSIONERS

1973-1976	Donald Comer, III	1989-1993	Lee McGriff
1973-1977	Dr. George E. Bagley	1991-1994	Whit Armstrong
1973-1978	Alto Lee, III	1992-1995	Frank L. Mason
1973-1979	Dr. Leslie S. Wright	1992-1996	H. Dean Buttram, Jr.
1973-1975	Connie Entrekin	1992-1997	James T. Pursell
1977-1980	Maynard Layman	1993-1998	Henry B. Gray, III
1977-1981	Bester Bonner	1994-1999	Camille S. Butrus
1978-1982	Dr. George E. Bagley	1995-2000	Helen Shores Lee, Esq.
1979-1982	Reverend John Vickers	1998-2002	John H. Watson
1979-1983	Adolph Weil, Jr.	1998-2002	Lewis G. Odom, Jr., Esq.
1979-1984	Neil O. Davis	1998-2003	Russell Jackson Drake, Esq.
1981-1985	William H. Lovin	1999-2004	J. Harold Sorrells
1981-1986	Edward C. Sherling, Jr.	2000-2000	Dr. Cordell Wynn
1983-1988	Jack W. Boykin	2000-2005	Raymond L. Bell, Jr., Esq.
1983-1989	Dr. James J. Hicks	2002-2008	Nancy Edwards Eldridge
1984-1991	Dr. Cordell Wynn	2003-2008	John H. Cooper, Esq.
1985-1992	Dr. Sandra K. Martin McLeod	2004-2009	Cameron McDonald Vowell, Ph.D.
1986-1992	James H. Anderson, Esq.	2001-2010	Linda L. Green
1987-1992	J. Ray Warren	2005-2012	Michael K. K. Choy, Esq.
		2010-2011	Rebekah Elgin-Council

Commissioners for Fiscal Year 2012-2013

2008-2013	Josephine M. Venable
2009-2014	Anthony Humphries
2011-2015	Dr. Jewell W. Henderson
2012-2013	David B. Byrne, Esq.
2007-2012	Braxton L. Kittrell, Jr.**
2011-2016	Timothy Chinaris, Esq.
2012-2017	Stewart Hill Tankersley, MD

***Judge Kittrell continued to serve until a replacement was confirmed by the Alabama Senate.*

ALABAMA ETHICS COMMISSION DIRECTORS

1997 – Present

James L. Sumner, Jr., *Director*

February – April 1997

Hugh R. Evans, III, *Acting Director*

1994 – 1997

E. J. “Mac” McArthur, *Director*

April – September 1994

Howard McKenzie, *Acting Director*

1974 – 1994

Melvin Cooper, *Director*