

ANNUAL REPORT

FISCAL YEAR 2019



State of Alabama
ETHICS COMMISSION

ANNUAL REPORT

FISCAL YEAR 2019

FOR THE ALABAMA ETHICS COMMISSION
PRESENTED TO THE GOVERNOR AND
THE ALABAMA LEGISLATURE

IN COMPLIANCE WITH SECTION 36-25-3(C), CODE OF ALABAMA, 1975

ALABAMA ETHICS COMMISSION

RSA Union Building, Suite 104
100 North Union Street
Montgomery, Alabama 36104
(334) 242-2997
(334) 242-0248 Fax
www.ethics.alabama.gov



COMMISSIONERS

Charles Price, Ret. Circuit Judge, Chair
Beverlye Brady, Vice-Chair
John Plunk
Lyn Stuart, Ret. Chief Justice
Stanton H. McDonald

STATE OF ALABAMA
ETHICS COMMISSION

MAILING ADDRESS
P.O. BOX 4840
MONTGOMERY, AL
36103-4840

STREET ADDRESS
RSA UNION
100 NORTH UNION STREET
SUITE 104
MONTGOMERY, AL 36104



Thomas B. Albritton
Executive Director

TELEPHONE (334) 242-2997
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WEB SITE: www.ethics.alabama.gov

May 1, 2020

The Honorable Kay Ivey, Governor
State of Alabama
600 Dexter Avenue
Montgomery, Alabama 36130

Dear Governor Ivey:

On behalf of the Alabama Ethics Commission and in compliance with Section 36-25-3(c), Code of Alabama, 1975, I respectfully present to you and the Alabama Legislature the Annual Report for Fiscal Year 2019. Our Commissioners and Staff are very proud of the accomplishments presented in this report, and we continue diligently working to fulfill the responsibilities with which we are charged.

As shown herein, the number of cases filed and opinions, formal and informal, increase each year. The Commission continues to collect fines and fees more effectively, and administrative efforts have reduced technological support costs and leased office expenses over the past year. Again, this past year, we did more with less. As is expected in the first year of the quadrennium, requests for live training presentations were abundant and 5,638 individuals were trained in addition to those who were trained through our online video. These are just a few of the Commission's accomplishments during 2019.

The Commission is dedicated to building public confidence in the integrity of government. We greatly appreciate your support of the Alabama Ethics Commission.

Sincerely,

Thomas B. Albritton
Executive Director

OVERVIEW

HISTORY

The State of Alabama Ethics Commission was created by the Alabama Legislature in 1973 by Act No. 1056. The Code of Alabama §36-25-1 through §36-25-30 is also known as the Alabama Ethics Law. This portion of the Code of Alabama established the Ethics Commission and dictates the scope of work for the Commission. Changes to the Alabama Ethics Law have been passed by the State Legislature at various times since the Commission's inception and are always a possibility in the future. Acts 75-130, 79-460, 79-698, 82-429, 86-321, 82-342, 95-194, 96-261, 97-651, 2000-797, 2001-474, 2010-462, 2010-763, 2010-764, 2011-259, 2011-632, 2011-674, 2012-433, 2012-509, 2013-172, 2014-71-, 2014-440, 2015-495, and 2016-128.

MISSION

The mission of this Commission 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. See §36-25-2.

COMMISSION APPOINTMENTS

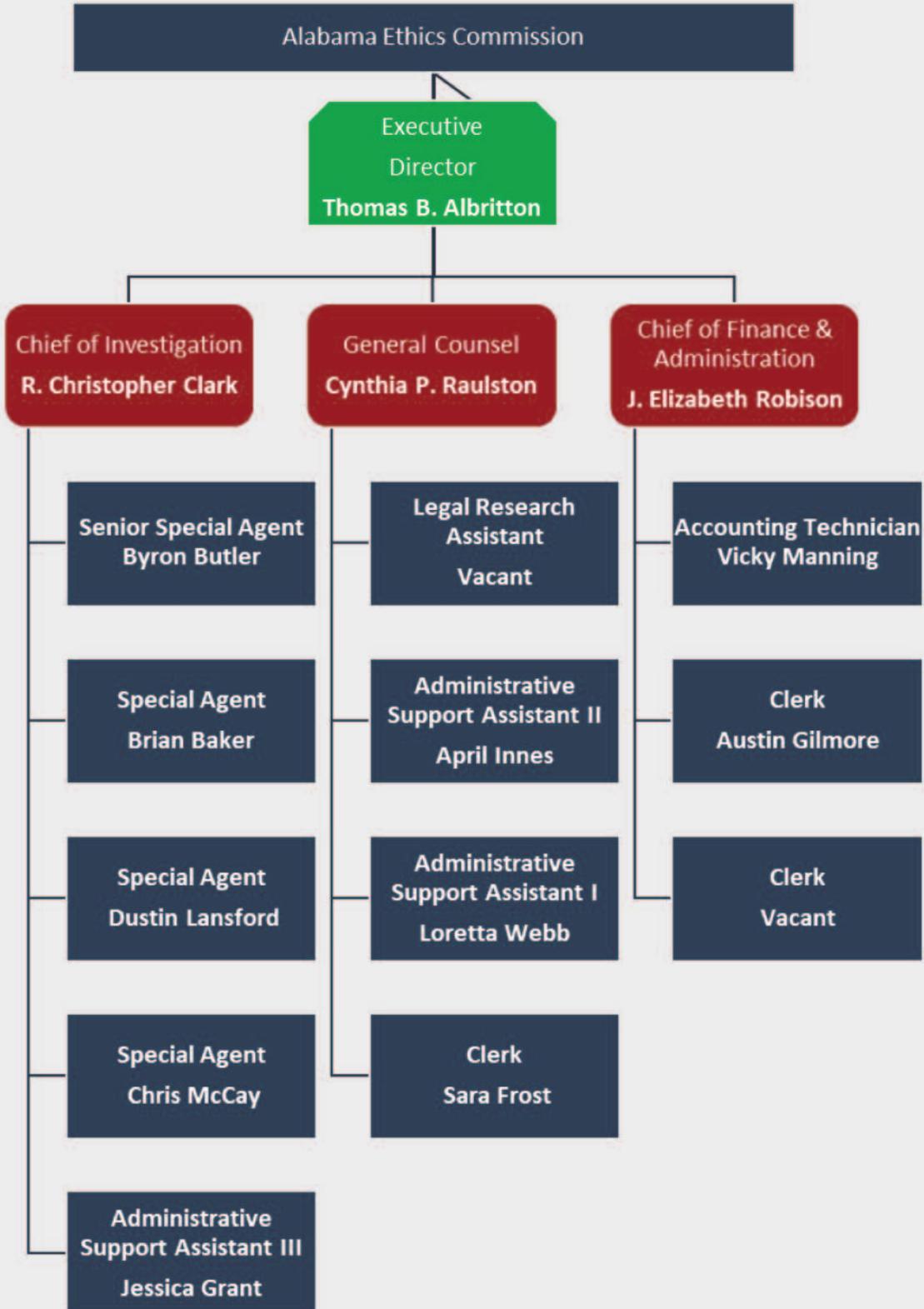
Members of the Alabama Ethics Commission are appointed for five-year terms by the Governor, Lieutenant Governor, or Speaker of the Alabama House of Representatives on a rotating basis. Any member who vacates his or her position before their term has expired may be replaced in the same manner.

DUTIES

The duties of the Ethics Commission include investigating complaints; issuing advisory opinions; pre-certifying the legality of activities; ethics training; collecting Statement of Economic Interests forms; enforcing Statement of Economic Interests form requirements; maintaining lobbyist and principal registration and filings; and maintaining extraordinary filings.

STAFF

FISCAL YEAR 2019

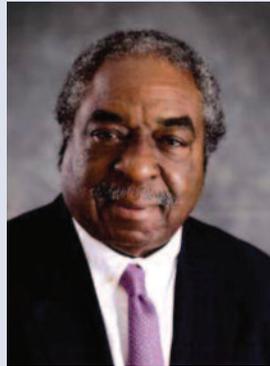


COMMISSIONERS

FISCAL YEAR 2019



JERRY L. FIELDING
Chairman
Sylacauga
Term Expires 8/31/2019



CHARLES PRICE
Vice-Chairman
Montgomery
Term Expires 8/31/2020



BEVERLYE BRADY
Auburn
Term Expires 8/31/2021



JOHN PLUNK
Athens
Term Expires 8/31/2022



LYN STUART
Bay Minette
Term Expires 8/31/2023

FISCAL YEAR 2019 COMMISSION MEETING DATES

October 3, 2018
December 19, 2018
February 6, 2019
April 3, 2019
June 5, 2019
August 7, 2019

All Commission meetings were held in the Public Service Commission Hearing Room on the 9th floor of the RSA Union Building beginning at 9:30 a.m.

STATISTICAL COMPARISONS

	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019
Commission Meetings	7	7	6
Training Presentations	59	30	68
Statement of Economic Interests Forms Received	50,508	45,531	49,884
Formal Advisory Opinions	20	12	17
Informal Advisory Opinions	809	863	982
Registered Lobbyists	605	629	653
Principals Represented by Lobbyists	812	787	837
Complaints Filed	513	502	546
Complaints Closed After Preliminary Inquiry	199	247	252
Cases Presented to the Commissioners	63	79	80
Cases Referred for Prosecution	21	17	19
Cases Prosecuted by Commission Staff	0	0	0
Cases Closed – No Probable Cause	9	7	9
Cases Dismissed By Commission	150	139	101
Administrative Penalties Assessed	22	55	48
Cases Continued	8	2	2
Fines Collected	20,033.50	46,587.93	42,273.00
Restitution Collected	14,286.62	63,182.13	14,334.31
Lobbyists' Fees Collected	60,000.00	63,200.00	65,300.00
Other Fines	-	15.00	-
Refunds Against Disbursements	-	-	-
Prior Year Refunds	-	288.10	17.60
Prior Period Adjustment	-	-	100.00
Insurance Claims	5,287.80	-	-
General Fund Deposits	85,321.30	110,091.03	107,690.60
Staff Members on Sept. 30	15	16	14

EXPENDITURES FOR FISCAL YEAR 2019

October 1, 2018 - September 30, 2019

EXPENDITURE	Fiscal Year 2019 Appropriation	13th Accounting Period	Outstanding Purchase Orders	Rollover to FY 20	TOTAL Expenditures	Percent
*Personnel Costs	1,030,882.00	0.00	0.00	(16,877.64)	1,014,004.36	53.35%
Employee Benefits	440,276.00	0.00	0.00	(32,788.00)	407,488.00	21.44%
Travel In-State	12,000.00	0.00	0.00	(3,784.90)	8,215.10	0.43%
Travel Out-of-State	13,000.00	0.00	0.00	(10,382.77)	2,617.23	0.14%
Repairs and Maintenance	38,377.00	150.00	500.00	(33,267.48)	5,109.52	0.27%
Rentals and Leases	178,895.00	2,000.00	1,742.58	(18,603.41)	160,291.59	8.43%
Utilities and Communication	101,700.00	2,200.00	1,477.40	(51,325.29)	50,374.71	2.65%
Professional Services	231,900.00	4,390.00	9,169.15	(137,024.73)	94,875.27	4.99%
Supplies, Materials, and Operating Expenses	193,800.00	500.00	756.87	(148,393.57)	45,406.43	2.39%
Transportation Equipment Operations	97,000.00	200.00	1,500.79	(80,406.69)	16,593.31	0.87%
Transportation Equipment Purchases	140,000.00	0.00	0.00	(46,413.41)	93,586.59	4.92%
Other Equipment Purchases	104,990.00	0.00	0.00	(103,037.11)	1,952.89	0.10%
Miscellaneous	10.00	0.00	0.00	0.00	10.00	0.00%
	2,582,830.00	9,440.00	15,146.79	(682,305.00)	1,900,525.00	100.00%

*Pursuant to Section 36-25-3(c), Code of Alabama, this amount includes the Executive Director's salary of \$186,237.60.

Original FY 19 Budget Appropriation	2,064,053.00
Rollover from FY 18	518,777.00
Other	0.00
Total FY 19 Appropriation	<u>2,582,830.00</u>
Total FY 19 Expenditures	(1,900,525.00)
Rollover to FY 20	(682,305.00)
Remaining Balance	0.00
13th Acct Period Coverage	7.67
Reversion to General Fund	<u><u>7.67</u></u>

ADVISORY OPINIONS APPROVED IN FISCAL YEAR 2019

October 1, 2018 - September 30, 2019

Advisory Opinion No. Based on Calendar Year	Topic Summary
2018-11	Fair Campaign Practices Act/Reduction of Offenses
2018-12	Revolving Door/Public Employees
2018-13	Bonus for Official Travel
2018-14	Revolving Door/Private employment/direct regulation
2018-15	Revolving Door/Position of Authority
2018-16	Revolving Door/Two-year Waiting Period
2018-17	Revolving Door/Former Public Official Working for 501(c)(3) Organization
2018-18	Conflict of Interest/Use of Office for Personal Gain
2019-01	Use of Office for Personal Gain/Use of Confidential Information
2019-02	Use of Office for Personal Gain/Use of Confidential Information
2019-03	Use of Office for Personal Gain/Conflict of Interest
2019-04	Public Official/Use of Office for Personal Gain
2019-05	Use of Office for Personal Gain/Fundraising Through Social Media
2019-06	Use of Office for Personal Gain/Nonprofit Fundraising
2019-07	Public Officials/Public Employees Definition/Marketing/Birmingham Airport Authority
2019-08	Public Officials/Public Employees/Use of Office for Personal Gain
2019-09	Conflict of Interest/Architecture and Engineering Firm Partially Owned By A Member of the City of Mountain Brook Board of Education Contracting With the Board

