



**AGENDA DOCUMENT NO. 14-32**

**MINUTES OF AN OPEN MEETING**

**OF THE**

**FEDERAL ELECTION COMMISSION**

**THURSDAY, JUNE 12, 2014**

**PRESENT:**

**Lee E. Goodman, Chairman, presiding**

**Ann M. Ravel, Vice Chair**

**Caroline C. Hunter, Commissioner**

**Matthew S. Petersen, Commissioner**

**Steven T. Walther, Commissioner**

**Ellen L. Weintraub, Commissioner**

**Alec Palmer, Staff Director**

**Lisa J. Stevenson, Deputy General Counsel - Law**

**Shelley E. Garr, Acting Secretary and Clerk**

**Chairman Lee E. Goodman called the Federal Election Commission to order in an open meeting at 11:08 A.M. on Thursday, June 12, 2014 with a quorum present.**

**I. CORRECTION AND APPROVAL OF MINUTES**

**Minutes for April 23, 2014  
Agenda Document No. 14-27**

**Minutes for May 8, 2014  
Agenda Document No. 14-28**

**Chairman Goodman recognized Vice Chair Ravel who**

**MOVED to adopt Agenda Document No. 14-27, minutes for the open session held on April 23, 2014 and Agenda Document No. 14-28, minutes for the open session held on May 8, 2014.**

**The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.**

**II. DRAFT ADVISORY OPINION 2014-04**

**Enterprise Holdings, Inc. by Jan Witold Baran, Esq.  
and Eric Wang, Esq.**

**Agenda Document No. 14-30  
(Submitted Late)**

**Agenda Document No. 14-30-A (Draft B)  
(Submitted Late)**

**(Executive Assistant Andrew Woodson is recused.)**

**Chairman Goodman introduced the matter.**

**Chairman Goodman recognized Vice Chair Ravel who**

**MOVED to suspend the rules on the timely submission of agenda documents in order to consider the late submission of Agenda Document No. 14-30 (Draft Advisory Opinion and Draft Dismissal Letter, AO 2014-04) and Agenda Document No. 14-30-A (Draft B, AO 2014-04), Enterprise Holdings, Inc.**

**The motion carried by a vote of 6-0 with Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voting affirmatively for the decision.**

**Chairman Goodman noted that Mr. Jan Baran, Esq., requestor's counsel, was present to answer Commissioners' questions.**

**Chairman Goodman recognized Ms. Esther Gyory of the General Counsel's Office who presented the draft advisory opinion concerning the application of the Federal Election Campaign Act of 1971, as amended, and Commission regulations to Enterprise Holdings, Inc.'s request. The requestor is a corporation that maintains a separate segregated fund ("SSF") that uses a payroll deduction system to facilitate the making of voluntary contributions to its SSF by restricted class employees. Requestor asks whether the Act and Commission regulations preempt New York State law, which purports to prohibit the use of payroll deductions for employees to make voluntary contributions to the SSF. Ms. Gyory summarized the differences between the Drafts and the Draft Dismissal Letter and requested the authority to make any technical and conforming changes to any Draft**

**approved by the Commission. Mr. Adav Notl of the General Counsel's Office and Mr. Baran also participated in the discussion that followed.**

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**Chairman Goodman recognized Commissioner Weintraub who congratulated former President George H. W. Bush on his 90<sup>th</sup> birthday and noted that he marked the occasion by making a parachute jump.**

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**Mr. Baran participated in the discussion that resumed.**

**It was agreed, by consensus, to resume consideration of this matter at the next meeting. Chairman Goodman noted that during the interim, the General Counsel's staff would confer with Mr. Baran to come up with acceptable language for the response.**

**II. MANAGEMENT AND ADMINISTRATIVE MATTERS**

**There being no further business to come before the Commission, the meeting adjourned at 11:46 A.M.**

**Signed:**

**Lee E. Goodman  
Chairman of the Commission**

**Attest:**

**Shelley E. Garr  
Acting Secretary and Clerk of the Commission**