

AGENDA DOCUMENT NO. 01-50

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, SEPTEMBER 20, 2001

PRESENT: Danny L. McDonald, Chairman, presiding
 David M. Mason, Vice Chairman
 Karl J. Sandstrom, Commissioner
 Bradley A. Smith, Commissioner
 Scott E. Thomas, Commissioner
 Darryl R. Wold, Commissioner
 James A. Pehrkon, Staff Director
 Lawrence H. Norton, General Counsel
 Mary W. Dove, Secretary

Chairman Danny L. McDonald called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, September 20, 2001, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

Minutes for August 23, 2001

Agenda Document No. 01-45

Chairman McDonald recognized Vice Chairman Mason, who

MOVED to approve the Minutes for the Open Meeting of Thursday, August 23, 2001, as submitted in Agenda Document No. 01-45.

The motion carried on the vote of 5-0 with Commissioners Mason, McDonald, Sandstrom, Thomas, and Wold voting affirmatively.

III. DRAFT ADVISORY OPINION 2001-12
Democratic Party of Wisconsin by
Linda Honold, Chairperson
Agenda Documents No. 01-47
and No. 01-47-A

Chairman McDonald recognized Vice Chairman
Mason, who

MOVED to suspend the rules
on the timely submission of
agenda documents in order
to consider Agenda Document
No. 01-47-A.

The motion carried on the vote of 5-0 with
Commissioners Mason, McDonald, Sandstrom, Thomas, and
Wold voting affirmatively.

Chairman McDonald recognized Mr. Michael
Marinelli of the General Counsel's staff who presented
draft Advisory Opinion 2001-12 concerning the application
of the Federal Election Campaign Act of 1971, as amended
("the Act"), and Commission regulations to the use of an
office building fund, maintained by the party, for various
purposes related to the renovation or construction of the
party's office building.

II. DRAFT ADVISORY OPINION 2001-12 (continued)

During his presentation, Mr. Marinelli noted the following amendments:

1. Page 1, Line 12: Insert after "August 13" the words "and a letter dated September 18, from counsel."
2. Page 7, Footnote 4, Line 2: Correct the AO cite from 1998-9 to 1998-7.

Without objection, it was agreed to accept the amendments.

Vice Chairman Mason addressed his concerns of the draft, as outlined in Agenda Document No. 01-47-A.

A discussion followed.

Chairman McDonald recognized Commissioner Thomas, who

MOVED to return draft Advisory Opinion 2001-12, as submitted in Agenda Document No. 01-47 to the office of General Counsel for redrafting to specify that the Commission would not allow for payment out of the building fund the costs of office machinery, office equipment, or furniture, but it would allow for payment of fixtures; and, that the revised draft be circulated to the Commission on a tally vote basis.

II. DRAFT ADVISORY OPINION 2001-12 (continued)

The motion carried on the vote of 4-2 with Commissioners McDonald, Sandstrom, Thomas, and Wold voting affirmatively. Commissioners Mason and Smith dissented.

III. ADMINISTRATIVE MATTERS

There were no administrative matters to come before the Commission.

The meeting adjourned at 11:20 A.M.

Signed:

Danny L. McDonald
Chairman of the
Commission

Attest:

Mary W. Dove
Secretary of the
Commission

