

AGENDA DOCUMENT NO. 01-54

MINUTES OF AN OPEN MEETING
OF THE
FEDERAL ELECTION COMMISSION

THURSDAY, OCTOBER 11, 2001

PRESENT: David M. Mason, Vice Chairman, presiding
 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

Vice Chairman David M. Mason called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, October 11, 2001, with a quorum present.

I. CORRECTION AND APPROVAL OF MINUTES

- A. Minutes for September 20, 2001
Agenda Document No. 01-50
- B. Minutes for September 27, 2001
Agenda Document No. 01-51

Vice Chairman Mason recognized Commissioner Wold, who

MOVED to approve the Minutes for the open meetings of Thursday, September 20, 2001, and Thursday, September 27, 2001, as submitted in Agenda Documents No. 01-50 and No. 01-51, respectively.

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

II. ADVISORY OPINIONS

A. Final Draft Advisory Opinion 2001-12

Democratic Party of Wisconsin by
Linda Honold, Chairperson

Agenda Documents No. 01-47,
No. 01-52, and No. 01-52-A

(Placed on the agenda pursuant to the filing of objections by Commissioners Mason and Smith following circulation of Agenda Document No. 01-52 on a 72-hour tally vote basis.)

Vice Chairman Mason recognized Commissioner Smith, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 01-52-A.

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

II. ADVISORY OPINIONS (continued)

A. Final Draft Advisory Opinion 2001-12
(continued)

The Vice Chairman recognized Mr. Michael Marinelli of the General Counsel's Office who presented the final 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.

Commissioner Wold was recognized, and he reviewed his memorandum, which was Agenda Document No. 01-52-A. Following discussion, Commissioner Wold, who had not voted prior to the meeting, cast a dissenting vote; therefore, the amended pre-meeting tally failed by a vote of 3-3 with Commissioners McDonald, Sandstrom, and Thomas voting affirmatively. Commissioners Mason, Smith, and Wold dissented.

II. ADVISORY OPINIONS (continued)

A. Final Draft Advisory Opinion 2001-12
(continued)

Vice Chairman Mason recognized Commissioner
Thomas, who

MOVED to return draft Advisory
Opinion 2001-12 to the Office
of General Counsel for redrafting
of alternative drafts, pursuant
to the meeting discussion, and
to circulate on a tally vote basis.

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

B. Draft Advisory Opinion 2001-14

Los Angeles County Democratic Central
Committee by counsel, Laurence S. Zakson

Agenda Document No. 01-53

Vice Chairman Mason recognized Mr. Jonathan
Levin of the General Counsel's Office who presented
draft Advisory Opinion 2001-14 concerning the application
of the Federal Election Campaign Act of 1971, as amended
("the Act"), and Commission regulations to the allocation
of an employee's salary and other expenses when the
employee engages in fundraising activity.

II. ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2001-14
(continued)

During his presentation, Mr. Levin noted
the following amendment:

Page 7, Footnote 6, Line 2:

Revise the line to read:

"2002 cycle of 11 percent Federal
and 89 percent non-Federal (one Federal
point and eight non-Federal..."

Vice Chairman Mason recognized Commissioner
Thomas, who

MOVED to approve draft Advisory
Opinion 2001-14, as submitted in
Agenda Document No. 01-53, subject
to the revision noted above.

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

III. ADMINISTRATIVE MATTERS

There were no administrative matters to
come before the Commission.

The meeting adjourned at 10:50 A.M.

Signed:

David M. Mason
Vice Chairman of the
Commission

Attest:

Mary W. Dove
Secretary of the
Commission

