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JOHN T. MITCHELL
MARK G. PETERS
MEMBERS



BARRY GINSBERG
EXECUTIVE DIRECTOR

NEW YORK STATE
COMMISSION ON PUBLIC INTEGRITY

PHONE: (518) 408-3976
FAX: (518) 408-3975

540 BROADWAY
ALBANY, NEW YORK 12207
www.nyintegrity.org

**MINUTES OF COMMISSION MEETING
PUBLIC SESSION**

**February 15, 2011
11:30 A.M.
540 Broadway
Albany, New York**

Present:

Chairman: Mitra Hormozi

Members:

Hon. Richard J. Bartlett
John M. Brickman
Vernon S. Broderick
George F. Carpinello
Richard D. Emery
Howard A. Levine
John T. Mitchell
Mark G. Peters

Staff:

Barry Ginsberg, Executive Director
Theresa A. Schillaci, Special Counsel
Ralph P. Miccio, Special Counsel
Bridget E. Holohan, Associate Counsel
Kathleen H. Burgess, Associate Counsel
Shari Calnero, Associate Counsel
Barbara H. O'Neill, Associate Counsel
Deborah L. Novak, Confidential Assistant

I. OPENING STATEMENT

The meeting was opened by Chair Mitra Hormozi, who welcomed and introduced Commissioner Bartlett and Commissioner Broderick to the Commission.

II. MINUTES – PUBLIC SESSION – DECEMBER 9, 2010

Upon motion made by Commissioner Levine, seconded by Commissioner Emery, the Minutes from the Public Session of the December 9, 2010 Commission Meeting were approved by unanimous vote.

III. EXECUTIVE DIRECTOR'S REPORT

Executive Director Barry Ginsberg provided an overview of the Executive Director's Report and announced that the Governor's proposed budget calls for a 10% reduction in the Commission's allocation. After reviewing the Commission's operations, staff is confident that the Commission will be able to meet all of its statutory obligations and continue to conduct its operations.

Governor Cuomo issued Executive Order No. 3 which requires ethics training for all heads of agencies, counsel and ethics officers, as well as all members of the Executive Chamber. As a result, there has been more of an interest in ethics training.

Staff has moved the on-line lobby application in-house, which has resulted in better and faster access. Now that the Commission has the application in-house, staff hopes to be able to make some improvements to the system.

IV. GIFT REGULATION

Associate Counsel Kathleen Burgess presented and discussed the proposed revised gift regulations. Because staff believes substantial revisions have been made, staff recommends the proposed revised regulations should be resubmitted to the Governor's Office of Regulatory Reform ("GORR") for review prior to publication in the State Register for additional comment.

The three provisions that engendered the most comments were the exceptions for complimentary attendance at charitable and political events, complimentary attendance at a widely attended event and meals for participants at professional and education programs. Upon motion made by Commissioner Levine, seconded by Commissioner Emery, the Commission approved the proposed gift regulations for resubmission to GORR for review prior to publication in the State Register for additional comment, with suggested clarifications. Commissioners Brickman and Peters were opposed.

V. PROPOSED REGULATIONS

Associate Counsel Shari Calnero presented and discussed Proposed Rules Part 930, Honoraria and Part 931, Official Activity/Travel Payments. The proposed rules, that were reviewed and approved by the Commission in April 2009 and received GORR approval, were first published in the State Register in November 2009 and expired in November 2010. Staff will file amended Parts 930 and 931 for pre-approval by GORR, which will re-start the rulemaking process under the State Administrative Procedure Act. No action by the Commission was required or taken.

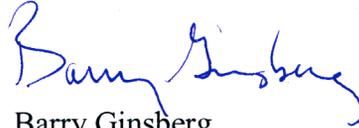
VI. MOTION TO ENTER INTO EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW §105(1)(d)

A motion to enter into Executive Session pursuant to Public Officers Law §105(1)(d) was made by Commissioner Brickman, seconded by Chair Hormozi, and approved by unanimous vote.

VII. MOTION TO ADJOURN THE PUBLIC MEETING

Upon motion made by Commissioner Emery, seconded by Commissioner Peters, the Public Meeting was adjourned by unanimous vote.

Respectfully submitted,



Barry Ginsberg
Executive Director