STATE OF SOUTH CAROLINA COUNTY OF RICHLAND	)	BEFORE THE STATE ETHICS COMMISSION
IN THE MATTER OF: COMPLAINT C2014-112	)	
Michael A. Wilson, Respondent.	)	**DECISION AND ORDER**
Krista Thom, Complainant.	)	

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STATE ETHICS COMMISSION

Pursuant to S. C. Code Ann. § 8-13-320(10)(i)(Supp. 2014), the State Ethics Commission reviewed the above captioned complaint on November 19, 2014 charging the Respondent, Michael A. Wilson, with violation a of Section 8-13-1314(A)(1) and Section 8-13-1320(1). Present at the meeting were Commission Members James I. Warren, III, Chair, Sandy Templeton, Frank Grimball, Julie S. Jeffords-Moose, Twana N. Burris-Alcide, Regina H. Lewis, and Sherri A. Lydon. Thomas M. Galardi recused. The following allegation was considered:

ALLEGATION

On March 11, 2014 the State Ethics Commission received a complaint filed by Krista Thom of Kansasville, WI against Attorney General Michael A Wilson. The complaint alleged that the Respondent received contributions from a single donor, The Law Office of Richard J. Breibart, which exceeded the $3,500.00 per election cycle contribution limit.

FINDINGS OF FACT

Having carefully reviewed the evidence presented, the Commission finds as fact:

1. The Respondent, Michael A. Wilson, is and at all times relevant was the South Carolina Attorney General. He was re-elected in November 2014.

2. A review of Respondent's 2009 July 10th CD, filed on July 10, 2009 for the June 8, 2010 Primary election, revealed that on May 29, 2009 Respondent disclosed a campaign contribution from The Law Office of Richard J. Breibart in the amount of $3,500.00.

3. A review of Respondent's 2010 July 10th CD filed on July 15, 2010 for the June 8, 2010 primary election, revealed that on June 9, 2010 Respondent disclosed a campaign contribution from The Law Office of Richard J. Breibart in the amount of $3,500.00.

4. A review of Respondents CDs revealed that between June 27, 2009 and June 9, 2010 Respondent received contributions from The Law Office of Richard J. Breibart in the amount of $7,000.00.

5. According to Respondent's written response, Respondent did not deny that he received the aforementioned contributions as reported on his CD. Respondent reported that "...there is an ambiguity in the Ethics Act and the per election cycle contribution limits..." Respondent reported that the alleged excess contribution made within seven days after the primary was made to influence the runoff election, and therefore should be treated as a runoff contribution. Respondent reported that "any errors or omissions on the Respondent's campaign reports are inadvertent and unintentional..." Respondent denied any violation of any provisions of the Ethics Act. Respondent reported that the alleged excess contributions were refunded prior to being served with the complaint.

6. As early as March 7, 2014 the media began asking questions regarding contributions received by Respondent and others, and several articles began appearing days after receipt of the complaint.

7. Respondent's attorney was personally served with the complaint on March 18, 2014. Staff reviewed a copy of check number 1419 drafted from Respondent's' First Community Bank campaign account. The check was dated March 16, 2014, for payment to The Law Office of Richard J. Breibart in the amount of $3,500.00.

CONCLUSIONS OF LAW

1. The Respondent was a candidate, as defined by Section 8-13-1300(4).

2. The State Ethics Commission has personal and subject matter jurisdiction.

3. Section 8-13-1314(A)(1) limits campaign contributions to a statewide candidate to $3,500 per election cycle.

4. Section 8-13-1320(1) provides that a contribution made on or before the seventh day after a primary or primary runoff is attributed to the primary or primary runoff, respectively.

DECISION

THEREFORE, based upon evidence presented, the State Ethics Commission has determined that there is not probable cause to indicate that the Respondent, Michael A. Wilson, violated Section 8-13-1313(A)(1) or Section 8-13-1320(1) based on SEC AO2014-004. Further the complaint is dismissed due to the Complainant, Krista Thom's, failure to cooperate at all in the investigation, which gives rise to the belief that she did not have personal knowledge of the allegations in the complaint. The Commission has

therefore dismissed the charges in accordance with Section 8-13-320(10)(i), and the rules and regulations promulgated thereunder.

IT IS SO ORDERED THIS 24th DAY OF December, 2014.

STATE ETHICS COMMISSION

JAMES I. WARREN, III
CHAIRMAN

COLUMBIA, SOUTH CAROLINA