



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

WHEREAS: A complaint was filed with my office by Harold Williams, Petitioner, alleging that Threet Brown, Respondent, a member of the East Point Business and Industrial Development Authority, violated provisions of O.C.G.A. § 45-10-3; and,

WHEREAS: By letter dated December 23, 2002, Governor Roy Barnes designated that an Administrative Law Judge ("ALJ") assigned by the Chief State ALJ should conduct a hearing into this matter, in accordance with O.C.G.A. § 45-10-4 and the Georgia Administrative Procedure Act; and,

WHEREAS: Respondent filed with the ALJ a motion to dismiss on the basis that O.C.G.A. § 45-10-3 applies only to boards, commissions, and authorities created by general statute, which does not include the East Point Business and Industrial Authority; and,

WHEREAS: In an order dated June 17, 2003 and transmitted July 28, 2003, the ALJ granted said motion and has recommended that Respondent not be removed from office because the ethics provision at issue, O.C.G.A. § 45-10-3, does not apply to members of the East Point Business and Industrial Development Authority; and,

WHEREAS: I have reviewed the record of these proceedings and the conclusions of law and recommendations of the ALJ;

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Georgia, it is hereby

ORDERED: That the recommended determination of the ALJ in Harold Williams v. Threet Brown, Docket No.: OSAH-GOV-REF-0322994-60-LSM, is hereby adopted as the determination of the Governor in this matter.

This 19 day of August 2003.


GOVERNOR