

**Minutes
Legal Committee
South Carolina Education Lottery Commission
December 18, 2006
11:30 a.m.**

A meeting of the Legal Committee of the South Carolina Education Lottery was held on Monday, December 18, 2006, at 11:30 a.m. in the Third Floor Conference Room at 1333 Main Street, Columbia, South Carolina.

The following committee members participated via teleconference:

Marvin Quattlebaum, Jr., Chair
Timothy Madden
Jimmy Bailey, Jr.
Lisa Stevens

Staff present included Ernie Passailaigue, Bethany Parler, Tony Cooper, Hogan Brown, Carl Stent, Jay Johnson, Laura Collins, and Kaye Mullinax. Ms. Deloris Harmon participated via teleconference. A court reporter was present to record the proceedings.

The Chair called the meeting to order for the purpose of the consideration of the appeal of Ms. Deloris Harmon. The Chair reminded the Legal Committee members of the motion adopted by the Board in its July 30, 2002 meeting, authorizing the Legal Committee, as it deems appropriate, to refer consideration of an appeal to a single member of the Committee, refer it to the entire Board, or render a decision on behalf the Board.

The Chair explained the appropriate scope of review for an appeal at the Commission level as well as the appropriate grounds to reverse a decision of the Executive Director or his designated Hearing Officer. No new evidence is allowed at this stage of the appeal, and the decision of the committee must be based on the record before the Hearing Officer. The Chair then allowed Ms. Harmon and Mr. Johnson ten minutes to address the committee.

Ms. Harmon requested a postponement of the committee's consideration of her appeal as she had not obtained a copy of the transcript. She also presented the grounds for her appeal. Mr. Johnson briefly presented the procedural history of the appeal and stated the grounds for upholding the decision of the Hearing Officer.

Motion Adopted

Commissioner Stevens moved to proceed with the consideration of the appeal of Ms. Deloris Harmon on behalf of the entire Commission. Commissioner Bailey seconded the motion which was unanimously approved.

Motion Adopted

Commissioner Stevens moved to adopt the record of the hearing below as the record on appeal. Commissioner Bailey seconded the motion which was unanimously approved.

Motion Adopted

Commissioner Stevens moved to affirm the Hearing Officer’s Decision. Commissioner Bailey seconded the motion which was unanimously approved.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

On December 20, 2006, the Chairman of the Legal Committee signed an Order executing the actions taken during the meeting. A copy was mailed to Ms. Harmon as required by law. This Order is the final administrative act of the Board of Commissioners regarding the matters decided in the hearing held on December 18, 2006.

/s/
Marvin Quattlebaum, Jr., Chair

February 14, 2007
Date

As required by Section 30-4-80, notification for this meeting was posted at SCEL headquarters, 1333 Main Street in Columbia. As provided in the Commission bylaws, the meeting notice and agenda were also posted on the SCEL website: sceducationlottery.com, and sent via facsimile transmission pursuant to requests made by media outlets and other organizations. These notifications included the time, date, place and agenda of the meeting.