



**TEXAS ETHICS COMMISSION
PUBLIC MEETING MINUTES**

April 18, 2012, 8:34 a.m.
Capitol Extension, Room E1.010, Austin, Texas 78701



COMMISSIONERS PRESENT: Tom Ramsay, Chair; Jim Clancy, Vice Chair; Hugh Akin, Tom Harrison, Paul W. Hobby, Bob Long, Paula M. Mendoza, and Chase Untermeyer.

COMMISSIONERS ABSENT: None.

STAFF PRESENT: Natalia L. Ashley, Amy Barden, Lauren Bellomy, Margie Castellanos, Robbie Douglas, Sue Edwards, Susana Esparza, Nick Espinosa, Jessie Haug, Becky Levy, Bobby Mannas, Mike McElhaney, David A. Reisman, Tim Sorrells, and Mary Young.

MINUTES

This meeting was recorded. These minutes are a summary record of the Commission's actions at the meeting. For a detailed record of discussions and statements made by persons speaking at the meeting, please consult the audio recordings on file at the Commission's office.

Agenda Item 1: Call to order; roll call.

The meeting was called to order by Chair Ramsay. David A. Reisman, Executive Director, called the roll. All Commissioners were present.

Agenda Item 2: Communication to the Commission from the public.

None.

Agenda Item 3: Comments by the Commissioners.

Chair Ramsay discussed sending notices to file by e-mail. He directed staff to draft a rule regarding e-mail notices.

Agenda Item 4: Comments by the executive director.

David A. Reisman, Executive Director, made the following comments:

1. Mr. Reisman stated that the personal financial statements are due April 30, 2012. The commissioners can ask for an extension. The extension would extend the filing deadline to June 29, 2012.

2. Mr. Reisman discussed the quarterly report. He stated that the Ethics Commission is on track regarding the budget. Mr. Reisman also stated that the pending sworn complaints have been maintained at less than 200.
3. Mr. Reisman stated that the Sunset Advisory Commission review process went well. The Sunset Advisory Commission hearing is scheduled on June 5th or June 6th. The Sunset Advisory Commission will address their decisions regarding the Ethics Commission at this hearing. The Sunset bill will then be drafted from those decisions. Mr. Reisman stated that the Ethics Commission will then post the decisions on the Ethics Commission's website.
4. Mr. Reisman stated that the appointment of a subcommittee on legislative recommendations will be on the June 2012 Commission meeting's agenda.

Agenda Item 5: Approve minutes of the February 8, 2012, Commission meeting.

Motion by Commissioner Mendoza to adopt the minutes of the February 8, 2012, Commission meeting, second by Commissioner Long. **Motion passed by a vote of eight ayes.**

For Agenda Items 6 and 7, the following represents the actions taken by the Ethics Commission in the order they occurred during the meeting.

Agenda Item 6: Briefing, discussion, and possible action to waive or reduce certain penalties assessed for late filing of campaign finance reports, lobby reports, or personal financial statements.

**43. Isidro R. 'Chilo' Alaniz (00062184)
District Attorney**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

Isidro Alaniz spoke before the Commission. Motion by Commissioner Mendoza to waive the \$500 late-filing penalty on Agenda Item 6, number 43; second by Commissioner Hobby. Motion passed by a vote of eight ayes on Agenda Item 6, number 43. **The waiver of the late-filing penalty is adopted on Agenda Item 6, number 43.**

**16. Brad Shields, II (00056074)
Lobbyist**

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Brad Shields spoke before the Commission. Motion by Commissioner Mendoza to adopt staff's recommendation on Agenda Item 6, number 16; second by Commissioner Clancy. Motion passed by a vote of eight ayes on Agenda Item 6, number 16. **Staff's recommendation is adopted on Agenda Item 6, number 16.**

**35. Sandra McKenzie (00068090)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Sandra McKenzie spoke before the Commission. Motion by Commissioner Untermeyer to waive the \$500 late-filing penalty on Agenda Item 6, number 35; second by Commissioner Akin. Motion passed by a vote of eight ayes on Agenda Item 6, number 35. **The waiver of the late-filing penalty is adopted on Agenda Item 6, number 35.**

Agenda Item 7: Briefing, discussion, and possible action to waive or reduce late-filing penalties in connection with certain corrected reports or to determine whether certain corrected reports as originally filed substantially complied with the applicable law.

**4. Ismael 'Kino' Flores (00031847)
Former State Representative**

- (a) Report: personal financial statement due February 11, 2004
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
- (b) Report: personal financial statement due May 2, 2005
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
- (c) Report: personal financial statement due February 13, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
- (d) Report: personal financial statement due April 30, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Total penalties: \$2,000

Ismael 'Kino' Flores spoke before the Commission. Motion by Commissioner Harrison to waive the total \$2,000 late-filing penalties on Agenda Item 7, number 4; second by Commissioner Mendoza. Motion passed by a vote of seven ayes on Agenda Item 7, number 4. Commissioner Clancy voted no. **The waiver of the late-filing penalties is adopted on Agenda Item 7, number 4.**

Return to Agenda Item 6.

Agenda Item 6: Briefing, discussion, and possible action to waive or reduce certain penalties assessed for late filing of campaign finance reports, lobby reports, or personal financial statements.

**1. Dennis Borel (00066751)
Lobbyist**

Report: lobby registration for 2011
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**2. Beryl R. Burgess (00068165)
Candidate, Railroad Commissioner**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**3. Rhonda Renee Diehl (00054176)
Treasurer, Fayette County Republican Women**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**4. Nicole Elizalde Henning (00067765)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

5. **Mary H. Horton (00058065)**
Treasurer, 'KCRW' Kleberg County Republican Women
- Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
6. **Grace M. Uzomba (00059802)**
Treasurer, 'BCDP' Bexar County Democratic Party (CEC)
- Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Harrison to adopt staff's recommendations on Agenda Item 6, numbers 1 through 6; second by Commissioner Long. Motion passed by a vote of eight ayes on Agenda Item 6, numbers 1 through 6. **Staff's recommendations are adopted on Agenda Item 6, numbers 1 through 6.**

7. **Dora G. Alcalá (00055943)**
Candidate, State Representative
- Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
8. **Tom Banning (00039479)**
Lobbyist
- Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
9. **Kevin Forest Bruce (00066856)**
Lobbyist
- Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**10. Richard Carrizales (00067694)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**11. Bonnie C. Ericson (00035577)
Candidate, District Attorney**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**12. Shareen Larmond (00065181)
Lobbyist**

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**13. Hollis C. Lewis, Jr. (00068197)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**14. Juan M. Medina (00068207)
Candidate, County Party Chair**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**15. Julie W. Moore (00013688)
Lobbyist**

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**17. Armando Vera (00068067)
Candidate, State Representative**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**18. Ronald G. Walker, Esq. (00068080)
Candidate, District Attorney**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

**19. Rickey N. 'Rick' Williams (00058596)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Harrison to adopt staff's recommendations on Agenda Item 6, numbers 7 through 15 and 17 through 19; second by Commissioner Akin. Motion passed by a vote of eight ayes on Agenda Item 6, numbers 7 through 15 and 17 through 19. **Staff's recommendations are adopted on Agenda Item 6, numbers 7 through 15 and 17 through 19.**

**42. Thomas E. 'Smitty' Smith (00013462)
Lobbyist**

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Amy Barden briefed the Commission on this agenda item. Based on new information that Mr. Smith recently paid an outstanding late-filing penalty, staff recommended waiver of the \$500 late-filing penalty at issue. Motion by Commissioner Long to adopt staff's recommendation on Agenda Item 6, number 42; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 6, number 42. **Staff's recommendation to waive the late-filing penalty is adopted on Agenda Item 6, number 42.**

29. Kate Thornberry Hill (00035563)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Untermeyer to waive the \$500 late-filing penalty on Agenda Item 6, number 29; second by Commissioner Akin. Motion passed by a vote of eight ayes on Agenda Item 6, number 29. **The waiver of the late-filing penalty is adopted on Agenda Item 6, number 29.**

37. Ray J. Olivarri, Jr. (00068085)
Candidate, District Judge

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Untermeyer to waive the \$500 late-filing penalty on Agenda Item 6, number 37; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 6, number 37. **The waiver of the late-filing penalty is adopted on Agenda Item 6, number 37.**

41. Orinaldo Ybarra (00068186)
Candidate, State Representative

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Untermeyer to waive the \$500 late-filing penalty on Agenda Item 6, number 41; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 6, number 41. **The waiver of the late-filing penalty is adopted on Agenda Item 6, number 41.**

20. Grant A. Billingsley (00010769)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

21. Frederick H. 'Fred' Brown (00037009)
Former State Representative

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

22. Lauro A. Bustamante, Jr. (00041226)
Candidate, District Judge

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

23. Ben Campbell (00019797)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

24. Mark R. Clark (00010015)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

25. Jack R. Fickessen (00013556)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

26. Karen Hadden (00054020)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

27. Mark D. Harkrider (00031035)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

28. Ted A. Heydinger (00035570)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

30. Hispanic Republican Conference (00067194)
Legislative Caucus

Report: legislative caucus report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

31. Dorothy A. Holguin (00067505)
District Attorney

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

32. Brett R. Kerr (00061161)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

33. Frank Liu (00066727)
Treasurer, Smart City PAC

Report: runoff report due December 2, 2011
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

34. Chuck McDonald (00051202)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

36. David M. Medina (00033991)
Supreme Court Justice

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

38. Randall Dale 'Randy' Parker (00066274)
Candidate, District Judge

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

39. Herman C. Roark, Jr. (00017193)
Treasurer, Texas Telephone Assn. PAC

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

40. Gabriela Saenz (00056857)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Long to adopt staff's recommendations on Agenda Item 6, numbers 20 through 28, 30 through 34, 36, and 38 through 40; second by Commissioner Hobby. Motion passed by a vote of eight ayes on Agenda Item 6, numbers 20 through 28, 30 through 34, 36, and 38 through 40. **Staff's recommendations are adopted on Agenda Item 6, numbers 20 through 28, 30 through 34, 36, and 38 through 40.**

44. Regina B. Arditti (00062870)
District Judge

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

45. Fred C. Bosse (00013321)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

46. John F. Boyle, Jr. (00017369)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

47. David A. Dean (00039219)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

48. Ann L. Quest (00015498)
Treasurer, 'DEF' Dallas Eagle Forum

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

49. Kerry E. Russell (00017375)
Lobbyist

Report: lobby activities report due January 10, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

**50. Joshua S. Tetens (00067641)
Candidate, State Representative**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

**51. Raul Torres (00061992)
State Representative**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

**52. Pablo E. 'Paul' Vasquez (00065894)
Candidate, District Judge**

Report: semiannual report due January 17, 2012
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

Motion by Commissioner Mendoza to adopt staff's recommendations on Agenda Item 6, numbers 44 through 52; second by Commissioner Untermeyer. Motion passed by a vote of eight ayes on Agenda Item 6, numbers 44 through 52. **Staff's recommendations are adopted on Agenda Item 6, numbers 44 through 52.**

**53. Joshua Daniel Baker (00067676)
Candidate, State Representative**

Report: personal financial statement due November 3, 2011
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

There was no motion on Agenda Item 6, number 53. The \$500 late-filing penalty stands on Agenda Item 6, number 53.

Return to Agenda Item 7.

Agenda Item 7: Briefing, discussion, and possible action to waive or reduce late-filing penalties in connection with certain corrected reports or to determine whether certain corrected reports as originally filed substantially complied with the applicable law.

**1. Brian D. Birdwell (00062137)
State Senator**

Report: 8-day pre-election report due April 30, 2010

Penalty: \$10,000

Staff recommendation: that the original report substantially complied with the applicable law

Motion by Commissioner Harrison to adopt staff's recommendation on Agenda Item 7, number 1; second by Commissioner Akin. Motion passed by a vote of eight ayes on Agenda Item 7, number 1. **Staff's recommendation is adopted on Agenda Item 7, number 1.**

**2. Jim Oberwetter (00067213)
Treasurer, Educate Dallas (DRC)**

Report: 8-day pre-election report due May 6, 2011

Penalty: \$10,000

Staff recommendation: reduction of the late-filing penalty to \$500

Motion by Commissioner Harrison to adopt staff's recommendation on Agenda Item 7, number 2; second by Commissioner Mendoza. Motion passed by a vote of six ayes on Agenda Item 7, number 2. Commissioners Akin and Untermeyer recused themselves. **Staff's recommendations are adopted on Agenda Item 7, number 2.**

**3. Lenora Sorola-Pohlman (00054190)
Treasurer, H.C.T.D. Harris County Tejano Democrats**

Report: 8-day pre-election report due October 25, 2010

Penalty: \$10,000

Staff recommendation: reduction of the late-filing penalty to \$500

Motion by Commissioner Long to adopt staff's recommendation on Agenda Item 7, number 3; second by Commissioner Hobby. Motion passed by a vote of eight ayes on Agenda Item 7, number 3. **Staff's recommendation is adopted on Agenda Item 7, number 3.**

Agenda Item 8: Reports More Than 30-days Late; Discussion and possible action regarding the imposition of additional fines.

**1. Bob Leonard (00014532)
Candidate for State Representative**

Semiannual report due January 17, 2012 – Report not filed; \$500 penalty

2. **Rick W. Neudorff (00055168)**
Candidate for Collin County Republican Party Chair
Unexpended funds report due January 17, 2012 – Report not filed; \$500 penalty
3. **Gena N. Slaughter (00058502)**
District Judge, 191st District Court, Dallas County
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
4. **Daniel G. Rios (00062663)**
Former District Judge, 449th Judicial District, Hidalgo County
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
5. **Vernard G. Solomon (00062675)**
Candidate for District Judge, 71st Judicial District, Harrison County
Unexpended funds report due January 17, 2012 – Report not filed; \$500 penalty
6. **Guadalupe A. ‘Lupe’ Gonzalez (00062846)**
Candidate for State Board of Education, District 2
Unexpended funds report due January 17, 2012 – Report not filed; \$500 penalty
7. **Michael E. Holdman (00066258)**
Candidate for State Representative, District 119
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
8. **George E. Emery (00066350)**
Candidate for State Representative, District 46
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
9. **Silvia M. Mintz (00066400)**
Candidate for State Representative, District 132
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
10. **Jeremy B. DuCote (00067608)**
Candidate for District Judge, 10th Judicial District, Galveston County
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
11. **Lyman King (00067666)**
Candidate for Dallas County Democratic Party Chair
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
12. **Paula Colvin Hand (00067734)**
Candidate for State Representative, District 14
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty

13. **Marlon C. Rollins (00067756)**
Candidate for State Representative, District 101
Semiannual report due January 17, 2012 – Report filed late; \$500 penalty
14. **Anthony B. Schram (00068084)**
Candidate for District Judge, 408th Judicial District, Bexar County
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
15. **Sandra R. Kuprion-Thomas, Treasurer**
ATTACK-PAC: the anti-crime pac (00016097)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
16. **Hope A. Hart, Treasurer**
Texas Coalition of Black Democrats – Dallas Chapter (00016677)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
17. **Daniel G. Simmons, Treasurer**
Harris County Council of Organizations Political Action Committee (00016955)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
18. **Sydney C. Leonard, Treasurer**
Fort Worth Republican Women PAC (00016966)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
19. **Johnny Torres, Jr., Treasurer**
GMP Local Union #259 (00024965)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
20. **Charlie H. Harvey, Treasurer**
Concerned Citizens of Washington Co. (00053143)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
21. **Phyllis Campbell, Treasurer**
Texas Association of Benefit Administrators PAC (00055126)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
22. **Ken Grays, Treasurer**
Friends of Spring Schools (00062734)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
23. **Suzanne Bellsnyder, Treasurer**
Texas Republicans Online PAC (00065458)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty

24. **John H. Spivey, Treasurer**
Trinity River Improvement Partnership PAC (00066964)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
25. **Jonathan Kennedy, Treasurer**
Stonewall Democrats of El Paso (00067621)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
26. **Todd M. Smith, Treasurer**
Peace Officers for Perry (00067678)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
27. **Todd M. Smith, Treasurer**
Stop Sharia PAC (00067961)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
28. **Todd M. Smith, Treasurer**
Christmas PAC (00067962)
Semiannual report due January 17, 2012 – Report not filed; \$500 penalty
29. **Gaylord Armstrong (00014810)**
Lobbyist
Annual lobby activities report due January 10, 2012 – Report not filed; \$500 penalty
30. **Steven C. Ray (00053923)**
Lobbyist
Annual lobby activities report due January 10, 2012 – Report not filed; \$500 penalty
31. **William David Floyd (00067175)**
Lobbyist
Annual lobby activities report due January 10, 2012 – Report not filed; \$500 penalty
32. **Katharine Viola (00067657)**
Lobbyist
Monthly lobby activities report due October 11, 2011 – Report not filed; \$500 penalty

David A. Reisman, Executive Director, briefed the Commission on this agenda item. Motion by Commissioner Harrison to increase each fine by \$1,000 for a total penalty of \$1,500 for each and refer the late filers to the Attorney General's office on Agenda Item 8 numbers 1 through 32; second by Commissioner Mendoza. Motion passed by a vote of six ayes on Agenda Item 10, number 1. Commissioner Untermeyer recused himself. Motion passed by a vote of seven ayes on Agenda Item 10, numbers 2 through 32. Commissioner Hobby was off the dais. **Staff's recommendations to increase the penalties are adopted on Agenda Item 10, numbers 1 through 32.**

Agenda Item 9: Discussion and possible action regarding the termination of a campaign treasurer appointment of the following inactive candidates and political committee.

- 1. Michael E. Holdman (00066258)
Candidate for State Representative**
- 2. Silvia M. Mintz (00066400)
Candidate for State Representative**
- 3. South Texas Economic Alliance Political Action Committee (00062618)
Ricardo R. Godinez, Treasurer**

Natalia Luna Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Harrison to adopt staff's recommendation on Agenda Item 9, numbers 1 through 3; second by Commissioner Mendoza. Motion passed by a vote of eight ayes on Agenda Item 9, numbers 1 through 3. **Staff's recommendations are adopted on Agenda Item 9, numbers 1 through 3.**

Agenda Item 10: AOR-568: Whether a communication relating to a measure election complies with section 255.003 of the Election Code.

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Akin to adopt AOR-568; second by Commissioner Untermeyer. **AOR-568 is adopted.**

Agenda Item 11: AOR-569: Whether a complainant or respondent to a sworn complaint filed with the Texas Ethics Commission may disclose a dismissal order issued by the commission that dismisses the complaint.

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Harrison to adopt AOR-569; second by Commissioner Akin. **AOR-569 is adopted.**

Agenda Item 12: Public discussion and possible action on the proposal or adoption and publication in the Texas Register of amendments and/or repeals to Ethics Commission Rules §§ 24.1 (Corporations and Certain Associations Covered), 24.7 (Contribution on Measure), 24.11 (Political Expenditures to Communicate with Stockholders, Members, and Families), 24.13 (Expenditures for a General-Purpose Committee), 24.14 (Administrative Expenditure), 24.15 (Payments to a Corporation of the Candidate or Officeholder), and 24.19 (Contribution to a Political Party).

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to adopt sections 24.1, 24.7, 24.11, 24.13, 24.14, 24.15, and 24.19 of the Ethics Commission Rules; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Sections 24.1, 24.7, 24.11, 24.13, 24.14, 24.15, and 24.19 of the Ethics Commission Rules are adopted.**

Agenda Item 13. Public discussion and possible action on the proposal and publication in the Texas Register of amendments and/or repeals to Ethics Commission Rules §§ 18.23 (Administrative Waiver of Fine), 18.24 (Personal Financial Statement Administrative Waiver and Reduction of Fines), 18.25 (Administrative Waiver and Reduction of Fines (Other than Personal Financial Statements)), and 18.27 (Sworn Complaints).

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Mendoza to propose for publication in the Texas Register sections 18.23, 18.24, 18.25, and 18.27; second by Commissioner Harrison. Motion passed by a vote of eight ayes. **Sections 18.23, 18.24, 18.25, and 18.27 of the Ethics Commission Rules are proposed for publication in the Texas Register for comment.**

Agenda Item 14. Public discussion and possible action on the proposal and publication in the Texas Register of the new Ethics Commission Rule § 12.51 (Non-Complying Complaint).

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Jack Gullahorn, Professional Advocacy Association of Texas, spoke before the Commission. Motion by Commissioner Harrison to propose for publication in the Texas Register section 12.51 of the Ethics Commission Rules; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Section 12.51 is proposed for publication in the Texas Register for comment.**

The next Commission meeting is scheduled for June 6, 2012. The August Commission meeting is scheduled for August 30, 2012.

Agenda Item 15: Adjourn.

Commission meeting adjourned by unanimous consent. Motion passed by unanimous vote.