

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Paula M. Mendoza, Chair
Jim Graham, Vice Chair
Jim Clancy
Wilhelmina Delco

Tom Harrison
George "Trey" Henderson, III
Tom Ramsay
Chase Untermeyer

AGENDA

Date and Time: 8:30 a.m. on Thursday, October 21, 2010
Location: Room E1.010, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Communication to the commission from the public.
3. Comments by the commissioners.
4. Comments by the executive director.
 - a. Personnel
 - b. Quarterly Report
5. Approve minutes of the August 12, 2010, commission meeting.
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 for the following individuals:

Joel De Los Santos	Kate H. Wedeikes	Gary W. Chaney
Gayle R. Avant	Clinton E. Wells Jr.	Joe A. DaSilva
Daniel Diebschke	Roy Zermeno	Maria Diaz
Clarence E. Glover Jr.	Neely Fortinberry	Maria L. Flores
Joseph M. Grant	Howard Hickman	Howard H. Gano Jr.
Daniel J. Kindred	Daniel J. Kindred	Leslie A. Gower
Steven Leipsner	Daniel Anchondo Sr.	Ursula A. Hall
Cindy Brinker Simmons	Jamie Demericas	David B. Hodgins
John H. Cayce Jr.	Doris Fears	Byron LeFlore Jr.
Charles R. Matthews	Daniel Thomas Finch	Sandee Bryan Marion
Allan D. Cain	Ismael 'Kino' Flores	Brad Morris
Jack E. Calentine	Wayne T. Franke	Julia Morton
Paul Oscar Cardwell Jr.	Rafael Anchia	Maria Perry
Robert L. Carter	Mark W. Hall	Nicolas A. Quezada
Aurora Flores-Ortiz	Brian W. Holk	Robert E. Ray
James R. Dunnam	Ray Hymel	Aida R. Rojas
Peter H. Johnston	Julie K. Klumpyan	Karen R. Sage

For more information, contact David A. Reisman, Executive Director, at (512) 463-5800

Luis Cesar Labrado	W. James Jonas	John David Thompson III
Wendy L. Lewis	Gregory P. Lowery	Lloyd Wilson
Leslie J. Sanderfer III	Brent E. Masel	Christina Wisdom
Robert K. Schaffer	Robert McCreary	Sylvia Barnes
Deb Shafto	Kiran H. Shah	Robyn L. Burwell
Alexia Anne Solis	John S. Anderson	Mimi Rebecca Espinoza
Michael R. Thomas	Lon Burnam	Oscar J. Palma Jr.
Duglas E. Ware	Rebecca J. Cervera	Teresa J. Hawthorne

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 for the following individuals:

William W. Harris
Charles L. Perry
Robert J. Wortham

8. Discussion and possible action regarding the termination of a campaign treasurer appointment of the following inactive candidates:

Phillip D. Greer
John Roland "Bobo" Ross

Discussion and possible action in response to the following Advisory Opinion Draft:

9. AOR-555: Whether a conclusion that an expense is "reimbursable with public money" for purposes of sections 251.001(4) and (9) of the Election Code requires that public funds be appropriated or otherwise available to cover the expense.

Discussion and possible action in response to the following Advisory Opinion Draft:

10. AOR-556: Whether a board member of a state agency may testify as an expert witness on whether a person had committed a violation of laws, rules, or standards within the jurisdiction of the agency.

This opinion construes section 572.051 of the Government Code and section 36.07 of the Penal Code.

Discussion and possible action in response to the following Advisory Opinion Draft:

11. AOR-557: Whether a person must maintain an active campaign treasurer appointment to receive a refund of a campaign expenditure made from personal funds or to make an expenditure to obtain the refund.

This opinion construes section 253.031 of the Election Code.

Discussion and possible action in response to the following Advisory Opinion Draft:

12. AOR-558: Whether communications relating to a measure election comply with section 255.003 of the Election Code.

This opinion construes section 255.003 of the Election Code.

13. Public discussion and possible action on the proposal or adoption and publication in the Texas Register of section 12.81 of the Ethics Commission Rules (Technical, Clerical or *De Minimis* Violations), relating to the procedures for investigating and resolving technical and clerical violations of laws within the Commission's jurisdiction as provided by section 571.0631 of the Government Code.
14. Public discussion and possible action on the proposal and publication in the Texas Register of an amendment to Ethics Commission Rule § 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.
15. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Certifying Official: David A. Reisman, Executive Director

Agency Liaison: Natalia Luna Ashley, General Counsel

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800, (800) 325-8506, or RELAY Texas (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.

For more information, contact David A. Reisman, Executive Director, at (512) 463-5800