

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

Chase Untermeyer, Chair
Steven D. Wolens, Vice Chair
Hugh C. Akin
Jim Clancy

Chad M. Craycraft
Wilhelmina Delco
Mary K. “Katie” Kennedy
Tom Ramsay

AGENDA

Date and Time:	9:30 a.m., Thursday, December 8, 2016
Location:	Room E1.014, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Comments by the Executive Director.
3. Comments by the Commissioners.
4. Approve minutes for the following meetings:
 - Executive Session (discussion of pending litigation) – October 13, 2016;
 - Pre-Hearing Conference – October 13, 2016;
 - Executive Session (discussion of pending litigation) – October 14, 2016;
 - Public Meeting – October 14, 2016; and
 - Pre-Hearing Conference – October 14, 2016.
5. Presentation of Outstanding Performance of Duty Certificates to Paul Hobby, Tom Harrison, and Natalia Luna Ashley.
6. Discussion about the Commission Presentation at the House General Investigating and Ethics Committee Hearing.

RULEMAKING

7. Discussion about the Commission’s responsibilities under Article III, Section 24a of the Texas Constitution, including possible action on the adoption or proposal and publication in the Texas Register of an amendment to Texas Ethics Commission Rules § 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set by the Commission.

For more information, contact Natalia Luna Ashley, Executive Director, at (512) 463-5800.

8. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of new Ethics Commission Rules § 46.4, to address when a change to a contract is subject to the disclosure requirements of Government Code § 2252.908, which was added by House Bill 1295, 84th Legislative Session.
9. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 20.50 (Total Political Contributions Maintained), regarding the requirement that a campaign finance report include the total amount of political contributions maintained at the end of the reporting period.
10. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 26.1 (Disclosure Statement), to clarify how a political advertising disclosure statement must be included in political advertising in audio form, including broadcasts by radio.
11. Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rules § 34.43 (Compensation and Reimbursement Threshold), regarding the lobby registration requirement for compensation if no more than 5% of a person's compensated time during a calendar quarter is spent engaging in lobby activity.

ADVISORY OPINIONS

These opinion requests construe section 255.003 of the Election Code.

12. Discussion of Advisory Opinion Request No. 616: Whether certain newsletters published by a city officer or employee would constitute political advertising for purposes of section 255.003 of the Election Code.
13. Discussion of Advisory Opinion Request No. 617: Whether a television program produced with city resources, broadcast on a city-owned cable channel, and hosted by a city council member constitutes political advertising.
14. Discussion of Advisory Opinion Request No. 618: Application of section 255.003 of the Election Code to the use of political subdivision facilities for a debate forum and for distributing campaign materials.

OTHER POLICY MATTERS

15. Briefing, discussion, and possible action to waive or reduce the late-filing penalty in connection with a corrected report or to determine whether the corrected report as originally filed substantially complied with the applicable law for the following individuals and political committees:

Julie Countiss (00080055)

Jaime Esparza (00021145)

Raymond G. 'Ray' Wheless (00023298)

John N. Raney (00067602)

Cecilia Wallace, Treasurer, 'TDA-PAC' Texas Deer Association PAC (00059760)

David L. Watts, Jr. (00069332)

John H. Best (00080132)

Joshua A. Estes (00080407)

Susan R. Davis, Treasurer, West Pearland Republican Women (00066458)

Richard A. 'Rick' Green, Jr. (00036491)

D. Wayne Garrett, Treasurer, 'CINC' Citizens to Improve Navarro County (00068205)

Kenneth L. 'Ken' Vaughn, Treasurer, 'MCTP PAC' Montgomery County Tea Party PAC (00080611)

Carol Miller, Treasurer, 'LCARW PAC' Lake Conroe Area Republican Women (00033911)

Mary Colchin Johndroe (00080500)

Byron E. Miller (00038405)

Snapper Carr, Treasurer, 'FA PAC' Focused Advocacy Political Action Committee (PAC) (00066520)

Ana R. Boisselier, Treasurer, El Paso Electric Company Employee PAC (00016999)

Charles R. Kimbrough (00080396)

Christopher S. 'Chris' Shields, Treasurer, Ag Air PAC (00016365)

Sandra Blankenship (00080129)

Hugh D. Shine (00026513)

David Schenck (00062484)

Erin Hill, Treasurer, ActBlue Texas (00059791)

Laura Reyes, Treasurer, AFSCME Texas Correctional Officers PAC (00080729)

Citizen Super PAC, Entity Filing Direct Campaign Expenditure (DCE) Reports (00080702)

Jasmine L. Jenkins (00080559)

Elizabeth A. Gray, Treasurer, 'LAD' Liberal Austin Democrats (00070062)

Mary E. Tucker, Treasurer, Kirby Corporation Political Action Committee (00016899)

Mary K. Ruyle, Treasurer, Texas Thoroughbred Breeders' Association PAC (00016500)

Marilyn J. Schultz, Treasurer, Grimes County Republican Party (CEC) (00053163)

Tom Spilman, Treasurer, 'STATE PAC' The Texas State University System PAC (00080359)

Terence J. 'Terry' Breen (00080450)

Angie L. Highland, Treasurer, NCHA's Texas Events PAC (00064041)

D. Wayne Klotz, Treasurer, Klotz Associates Inc. PAC (00070834)

16. Discussion and possible action on the approval of a format for electronic filing of campaign finance reports, as proposed by Dallas County.
17. Discussion and possible action regarding recommendations for statutory changes to the 85th Legislature, as required by section 571.073 of the Government Code.
18. Report by Nominating Committee of Commissioners regarding the positions of Chair and Vice Chair of the Texas Ethics Commission.
19. Discussion on the 2017 Texas Ethics Commission meeting schedule.
20. Communication to the Commission from the public.
21. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements. Certifying Official & Agency Liaison: Natalia Luna Ashley, Executive Director.

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 or RELAY Texas at (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.