



## TEXAS ETHICS COMMISSION MEETING MINUTES

### Public Meeting Minutes

January 31, 2013, 8:31 a.m.  
Capitol Extension, Room E1.010  
Austin, Texas 78701



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

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Natalie Adelaja, Natalia L. Ashley, Amy Barden, Margie Castellanos, Homer Diaz, Robbie Douglas, Sue Edwards, Nick Espinosa, Jessie Haug, Brad Johnson, Becky Levy, Bobby Mannas, Mike McElhaney, David A. Reisman, Tim Sorrells, Ian Steusloff, and Melissa Taylor.

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### 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.**

None.

**Agenda Item 4: Comments by the executive director.**

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

1. Mr. Reisman introduced Melissa Taylor, the new legal and executive assistant.

2. The percentage of January semiannual filers filing on the last day dropped from 40 to 32 percent and staff received less callers with filing questions on legal and technical issues.
3. There was a 66 percent drop in late filing of the January 2013 lobby activities report from the January 2012 filing period. This is credited to the three e-mail notices sent to filers informing them of the filing date.
4. A new telecommunications system has been set up with a secure port for Commissioners to access Commission meeting materials from their iPads and laptops. The system has been tested by Commissioner Akin and Vice Chair Clancy. The system was created to help reduce copy and overnight shipping costs.
5. Mr. Reisman reminded the Commissioners and the public of the Ethics Commission's bill tracking system which allows tracking of ethics bills.
6. The Senate Finance Hearing for the Ethics Commission is scheduled for February 6, 2013. The House Appropriations Committee is scheduled to begin hearings on February 11, 2013, which will follow with committee assignments.
7. Mr. Reisman stated this will be Chair Ramsay's last Commission meeting as chair. Mr. Reisman expressed his appreciation of Chair Ramsay's work with staff.

**Agenda Item 5: Approve minutes of the November 29, 2012, Commission meeting.**

Motion by Commissioner Untermeyer to adopt the minutes of the November 29, 2012, Commission meeting; second by Commissioner Mendoza. **Motion passed by a vote of eight ayes.**

**Agenda Item 6: AOR-573: Whether a legislator may receive compensation as the executive director of a non-profit organization and whether he may solicit contributions to that organization if the contributions may be used to compensate him.**

Natalia L. Ashley, Special Counsel, briefed the Commission on this agenda item. Craig McDonald, Texans for Public Justice, spoke before the Commission. Requestor of the opinion, Representative Matt Krause, District 93, and executive director of Torch of Freedom Foundation, spoke before the Commission. Luis Moreno, Senate employee, spoke before the Commission. Motion by Commissioner Akin to adopt AOR-573 with changes; second by Commissioner Harrison. **Motion passed by a vote of eight ayes. AOR-573 is adopted.**

**Agenda Item 7: AOR-575: Whether a parent for-profit corporation may solicit political contributions from employees of its wholly owned and operated subsidiary for-profit corporations to a general-purpose committee assisted by the parent corporation.**

Natalia L. Ashley, Special Counsel, briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to adopt AOR-575; second by Commissioner Long. **Motion passed by a vote of eight ayes. AOR-575 is adopted.**

**Agenda Item 8: AOR-576: Whether a general-purpose committee may accept political contributions by text message.**

Natalia L. Ashley, Special Counsel, briefed the Commission on this agenda item. Requestor of the advisory opinion, Jerad Najvar, Harris County Republicans, spoke before the Commission. Motion by Commissioner Harrison to adopt AOR-576; second by Commissioner Hobby. **Motion passed by a vote of eight ayes. AOR-576 is adopted.**

**Agenda Item 9: AOR-577: Whether a signature on a petition for a place on the ballot constitutes a political contribution that may not be accepted by a judicial candidate during the period in which the candidate is prohibited from accepting political contributions.**

Natalia L. Ashley, Special Counsel, briefed the Commission on this agenda item. Motion by Commissioner Long to adopt AOR-577; second by Commissioner Harrison. **Motion passed by a vote of eight ayes. AOR-577 is adopted.**

**Agenda Item 10: Presentation and discussion on the proposed electronic filing system. David A. Reisman, Executive Director, and Jessie Haug, Director of Computer Services.**

David A. Reisman, Executive Director, and Jessie Haug, Director of Computer Services, gave a verbal and overhead presentation to the Commission.

**For Agenda Item 11, the following represents the actions taken by the Ethics Commission in the order they occurred during the meeting.**

**Agenda Item 11: 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.**

Natalia L. Ashley, Special Counsel, and Amy Barden, Legal Assistant, briefed the Commission on this agenda item.

**35. Carl B. Case, Jr. (00067320)  
Candidate, Court of Appeals Justice**

Report: semiannual report due July 16, 2012  
Penalty: \$1,400  
Categorization: no waiver of the late-filing penalty

Motion by Commissioner Harrison to reduce the late-filing penalty to \$700 on Agenda Item 11, number 35; second by Commissioner Long. Chair Ramsay and Commissioner Akin voted no. Motion passed by a vote of six ayes on Agenda Item 11, number 35. **The reduction of the late-filing penalty to \$700 is adopted on Agenda Item 11, number 35.**

**39. Edward Andres 'Eddie' Casanova (00067858)  
Candidate, District Judge**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$6,000  
Categorization: reduction of the late-filing penalty to \$2,000

Edward 'Eddie' Casanova spoke before the Commission. Motion by Vice Chair Clancy to concur with the categorization on Agenda Item 11, number 39; second by Commissioner Long. Motion passed by a vote of eight ayes on Agenda Item 11, number 39. **The categorization is adopted on Agenda Item 11, number 39.**

**41. David L. Scott (00067969)  
Candidate, State Board of Education**

Report: semiannual report due July 16, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$3,000

David L. Scott spoke before the Commission. Motion by Vice Chair Clancy to reduce the late-filing penalty to \$300 on Agenda Item 11, number 41; second by Commissioner Untermeyer. Motion passed by a vote of eight ayes on Agenda Item 11, number 41. **The reduction of the late-filing penalty to \$300 is adopted on Agenda Item 11, number 41.**

At the Commission's direction staff was asked to include the categorization based on the Commission's guidelines for waivers and reductions in the meeting notice letters sent to filers whose waiver requests will be considered by the Commission.

**11. David Hanschen (00051934)  
Candidate, Court of Appeals Justice**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$400

**73. Emily A. Aikman (00051123)  
Treasurer, Republican Women of Northeast Texas**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$300

Motion by Commissioner Hobby to reduce the late-filing penalty to \$250 on Agenda Item 11, numbers 11 and 73; second by Commissioner Long. Motion passed by a vote of eight ayes on Agenda Item 11, numbers 11 and 73. **The reduction of the late-filing penalties to \$250 is adopted on Agenda Item 11, numbers 11 and 73.**

**25. Nathan L. Hecht (00020155)**  
**Supreme Court Justice**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

Motion by Commissioner Long to concur with the categorization on Agenda Item 11, number 25; second by Commissioner Hobby. Motion passed by a vote of seven ayes on Agenda Item 11, number 25. Commissioner Akin abstained. **The categorization is adopted on Agenda Item 11, number 25.**

**1. Paul A. Heidt, Jr. (00068551)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$1,500 (increased at the November 2012 meeting)  
Categorization: waiver of the late-filing penalty

**2. Omar S. Rivero (00067671)**  
**Candidate, District Judge**

Report: personal financial statement due April 18, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**3. Kevin Dean Dunn (00068113)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$1,500 (increased at the November 2012 meeting)  
Categorization: no waiver of the late-filing penalty

**4. Frederick Leighton Durham, III (00068285)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$1,500 (increased at the November 2012 meeting)  
Categorization: no waiver of the late-filing penalty

**5. Mary K. Brown (00067773)**  
**Candidate, State Representative**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$150

**6. Ronald K. 'Ron' Lovett (00067960)**  
**Candidate, Court of Appeals Justice**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$150

**7. George A. Young (00067830)**  
**Candidate, District Judge**

Report: 8-day pre-election runoff report due July 23, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$300

**8. Thomas J. 'T.J.' Fabby (00067088)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$2,100  
Categorization: reduction of the late-filing penalty to \$300

**9. Colin J. Guerra (00068294)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$2,100  
Categorization: reduction of the late-filing penalty to \$300

**10. Cedric W. 'Mayor' Davis, Sr. (00058170)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$3,900  
Categorization: reduction of the late-filing penalty to \$300

**12. Lawrence A. 'Skully' Allen, Jr. (00056010)**  
**Member, State Board of Education**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**13. David B. Lewis (00058253)**  
**Court of Appeals Justice**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**14. Ray Gutierrez (00067996)**  
**Candidate, District Judge**

Report: semiannual report due July 16, 2012  
Penalty: \$600  
Categorization: reduction of the late-filing penalty to \$500

**15. Rasuali W. 'Bray' Bray (00068283)**  
**Candidate, State Senator**

Report: semiannual report due July 16, 2012  
Penalty: \$1,800  
Categorization: reduction of the late-filing penalty to \$500

**16. Luis C. Labrado (00019418)**  
**Candidate, Court of Appeals Chief Justice**

Report: semiannual report due July 16, 2012  
Penalty: \$1,800  
Categorization: reduction of the late-filing penalty to \$500

**17. Timoteo C. 'TC' Betancourt (00067273)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$4,200  
Categorization: reduction of the late-filing penalty to \$500

**18. Phyllis Lister Brown (00067865)**  
**District Judge**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**19. Mary Edna Gonzalez (00068004)**  
**State Representative**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**20. Rene C. Flores (00067825)**  
**Candidate, District Judge**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**21. Dan Patrick (00057897)**  
**State Senator**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

Trey J. Blocker, attorney, spoke before the Commission on behalf of Senator Dan Patrick and Robert Wells, Treasurer for Texans For Dan Patrick.

**22. Ronald 'Ron' Rangel (00051930)**  
**District Judge**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**23. Alejandro 'Alex' Dominguez (00067897)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**24. Lyle T. Larson (00025726)**  
**State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250



**26. Mark M. Shelton (00058133)**  
**Candidate, State Senator**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**27. Frances Dianne 'Dianne' Williams (00066104)**  
**Candidate, State Representative**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**28. Kris M. Alfrey (00067832)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**29. Howard C. 'Rusty' Cates (00067752)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**30. Gary E. Brown (00068097)**  
**Candidate, State Representative**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**31. Rasuali W. 'Bray' Bray (00068283)**  
**Candidate, State Senate**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**32. Sharon Hemphill (00067872)**  
**Candidate, District Judge**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Sharon Hemphill spoke before the Commission.

**33. Jack C. Lee (00068288)**  
**Candidate, State Representative**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**34. James H. 'Jim' Shoemake (00051277)**  
**District Judge**

Report: semiannual report due July 16, 2012  
Penalty: \$700  
Categorization: no waiver of the late-filing penalty

**36. Robert Garza (00026785)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$1,500  
Categorization: no waiver of the late-filing penalty

**37. David E. Loerwald (00068063)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$2,300  
Categorization: reduction of the late-filing penalty to \$1,500

**38. Patricia L. 'Pat' Carlson (00054721)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$3,900  
Categorization: reduction of the late-filing penalty to \$1,500

**40. Pam M. Little (00067922)**  
**Candidate, State Board of Education**

Report: semiannual report due July 16, 2012  
Penalty: \$6,400  
Categorization: reduction of the late-filing penalty to \$2,000

**42. Miguel 'Mike' Herrera (00042213)**  
**District Judge**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$3,000

**43. Michael W. McClure (00068270)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$3,000

**44. Donald R. Mullins (00068295)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$3,000

**45. Raymond W. 'Ray' Hill (00015073)**  
**Candidate, State Representative**

Report: semiannual report due July 16, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$3,000

**46. Omar S. Rivero (00067671)**  
**Candidate, District Judge**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**47. Jose Menendez (00042411)**  
**State Representative**

Report (a): 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (b): 8-day pre-election report due October 29, 2012  
Penalty: \$700  
Categorization: no waiver of the late-filing penalty

**48. Dana C. 'Chris' Frandsen, Jr. (00068029)**  
**Candidate, State Representative**

Report (a): semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

Report (b): 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (c): 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

Chris Frandsen spoke before the Commission.

**49. Michael Berlanga (00068114)**  
**Candidate, State Senator**

Report: semiannual report due July 16, 2012  
Penalty: \$1,800  
Categorization: no waiver of the late-filing penalty

**50. Rasuali W. 'Bray' Bray (00068283)**  
**Candidate, State Senate**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,500  
Categorization: no waiver of the late-filing penalty

**51. Miguel 'Mike' Herrera (00042213)**  
**District Judge**

Report: semiannual report due July 16, 2012  
Penalty: \$5,700  
Categorization: no waiver of the late-filing penalty

**52. Omar S. Rivero (00067671)**  
**Candidate, District Judge**

Report (a): 8-day pre-election report due May 21, 2012  
Penalty: \$10,000  
Categorization; no waiver of the late-filing penalty

Report (b): semiannual report due July 16, 2012  
Penalty: \$7,600  
Categorization: no waiver of the late-filing penalty

**53. Linda S. McMahan (00029754)**  
**Treasurer, 'TREC PAC' The Real Estate Council Political Action Committee**

Report: monthly report due September 5, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**54. Cynthia M. Saenz (00054442)**  
**Lobbyist**

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

**55. Kandice K. Sanaie (00064265)**  
**Lobbyist**

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

Kandice K. Sanaie was unable to stay at the Commission meeting, but left written testimony.

**56. James W. Dow (00067150)**  
**Lobbyist**

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

**57. Richard Lawson (00051011)**  
**Lobbyist**

Report: lobby activities report due November 13, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**58. Michael Scott Norman, Jr. (00041247)**  
**Lobbyist**

Report: lobby activities report due November 13, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**59. Laura N. Hernandez (00015945)**  
**Treasurer, Travis County Democratic Party**

Report: monthly report due September 5, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$100

**60. Kelly McBeth (00059190)**  
**Lobbyist**

Report: lobby activities report due November 13, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$200

**61. Fred Maldonado (00062106) – RECONSIDERATION**  
**Lobbyist**

Report: lobby activities report due May 10, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$200

**62. Elizabeth A. McGill (00017039)**  
**Treasurer, 'CVRW Club PAC' Concho Valley Republican Women's Club PAC**

Report: monthly report due October 5, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$300

**63. Stephen H. Perry (00010140)**  
**Lobbyist**

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

**64. Robert J. Tessen (00016104)**  
**Treasurer, Texas Osteopathic Medical Assn. PAC**

Report: monthly report due December 5, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**65. Fernando Castillo (00068417)**  
**Candidate, County Party Chair**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**66. Maria D. Montes (00056014)**  
**Treasurer, 'HCYD PAC' Harris County Young Democrats PAC**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$100

**67. Othon Medina (00068731)**  
**Individual Filing Direct Expenditure Report**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$100

**68. E. Steve Bolden, II (00054753)**  
**Treasurer, 'DPCC' Democratic Party of Collin County (CEC)**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$200

**69. LeAnn T. Russell (00016815)**  
**Treasurer, Parker County Republican Women's PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$800  
Categorization: reduction of the late-filing penalty to \$200

**70. Angela M. Dowdle (00057960)**  
**Candidate, District Attorney**

Report: semiannual report due July 16, 2012  
Penalty: \$1,100  
Categorization: reduction of the late-filing penalty to \$200

**71. Billy Charles Oliver, Jr. (00024020)**  
**Chair, Jefferson County Republican Party (P)**

Report: 50-day pre-election political party report due September 17, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$200

**72. Joe R. Serna (00051019)**  
**Treasurer, Texas Carpenters Regional Council Texas Working Families Political Action Committee**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$2,500  
Categorization: reduction of the late-filing penalty to \$200

**74. Jerry Nevlud (00015573)**  
**Treasurer, 'Houston AGC PAC' Houston Associated General Contractors PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$2,700  
Categorization: reduction of the late-filing penalty to \$500



**75. Esther Francis (00067072)**  
**Treasurer, 'TAMC PAC' Texas Association of Minority Contractors**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$4,300  
Categorization: reduction of the late-filing penalty to \$500

**76. Rod Ponton (00067854)**  
**District Attorney**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$5,400  
Categorization: reduction of the late-filing penalty to \$500

**77. Fernando Castillo (00068417)**  
**Candidate, County Party Chair**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$10,000  
Categorization: reduction of the late-filing penalty to \$500

**78. Johnny J. Peet (00058241)**  
**Treasurer, Friends of Brandon Creighton**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**79. Robert Wells (00064090)**  
**Treasurer, Texans for Dan Patrick**

Report: semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

Trey J. Blocker, attorney, spoke before the Commission on behalf of Senator Dan Patrick and Robert Wells, Treasurer for Texans For Dan Patrick.

**80. Robert M. Franklin (00062066)**  
**Treasurer, 'FNDD' Far North Dallas Democrats**

Report: 8-day pre-election runoff report due July 23, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**81. Mike Gibson (00024021)**  
**Chair, Fort Bend County Republican Party (P)**

Report: 50-day pre-election political party report due September 17, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**82. Trey V. Reginelli (00064953)**  
**Treasurer, 'TAG' Texans for Accountable Government**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**83. Gilberto Hinojosa (00015831)**  
**Treasurer, Texas Democratic Party**

Report: 8-day pre-election runoff report due July 23, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**84. Rod Ponton (00067854)**  
**District Attorney**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**85. Lloyd E. Sandefer (00067651)**  
**Treasurer, 'CPFA PAC' Conroe Professional Firefighters Association – PAC**

Report: 30-day pre-election report due April 12, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**86. James Frinzi (00066880)**  
**Treasurer, 'G-NET PAC' Goodman Networks, Inc. Texas PAC**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**87. Deborah J. Kyle (00015553)**  
**Treasurer, 'Sur PAC' Texas Society Of Professional Surveyors PAC**

Report: 30-day pre-election report due October 9, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**88. Jane Kilcrease Adams (00068139)**  
**Treasurer, Committee for Judicial Integrity**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$600  
Categorization: no waiver of the late-filing penalty

**89. Kimberly K. Yturri (00068192)**  
**Treasurer, 'CVC-PAC' Conservative Values Coalition PAC**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: no waiver of the late-filing penalty

**90. David B. 'Dave' Wilson (00068712)**  
**Treasurer, Responsible Government Spending**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$800  
Categorization: no waiver of the late-filing penalty

**91. Sylvia Garza-Perez (00068412)**  
**Candidate, County Party Chair**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$900  
Categorization: no waiver of the late-filing penalty

**92. James E. Wiggins (00015765)**  
**Treasurer, Montgomery County Republican Party (CEC)**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,400  
Categorization: reduction of the late-filing penalty to \$1,000

James E. Wiggins spoke before the Commission.

**93. William K. Perkison (00065537)**  
**Treasurer, Kerr County Area Chapter of Texas Democratic Women**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,800  
Categorization: reduction of the late-filing penalty to \$1,000

Darrel Young, incoming treasurer, spoke before the Commission.

**94. Swati N. Patel (00065303)**  
**Treasurer, New American PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$2,200  
Categorization: reduction of the late-filing penalty to \$1,000

**95. Delton G. Thrasher (00064604)**  
**Treasurer, 'TCLEA/PAC' Tarrant County Law Enforcement Association PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$2,500  
Categorization: reduction of the late-filing penalty to \$1,000

**96. Gregory P. Lowery (00063376)**  
**District Attorney**

Report: semiannual report due July 16, 2012  
Penalty: \$2,600  
Categorization: reduction of the late-filing penalty to \$1,000

**97. Jimmy Studer (00016561)**  
**Treasurer, 'APFFA PAC' Arlington Professional Fire Fighters Assn. PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$2,700  
Categorization: reduction of the late-filing penalty to \$1,000

**98. Grace M. Uzomba (00059802)**  
**Treasurer, 'BCDP' Bexar County Democratic Party (CEC)**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$5,400  
Categorization: reduction of the late-filing penalty to \$1,250

**99. Ernesto L. Cisneros (00068464)**  
**Treasurer, Committee for the Re-election of Justice Ann Crawford McClure**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$5,700  
Categorization: reduction of the late-filing penalty to \$1,250

**100. Norma H. Kaehler (00016651)**  
**Treasurer, 'AAPAC' American Airlines PAC**

Report (a): 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (b): 8-day pre-election report due May 21, 2012  
Penalty: \$1,900  
Categorization: reduction of the late-filing penalty to \$1,000

**101. Sandra G. McGee (00015654)**  
**Treasurer, 'BACPAC' Texas Assn. Of Business and Commerce PAC**

Report (a): special pre-election report due May 21, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (b): special pre-election report due May 22, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (c): special pre-election report due May 23, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**102. Sandra G. McGee (00015654)**  
**Treasurer, 'BACPAC' Texas Assn. Of Business and Commerce PAC**

Report (a): special pre-election report due May 24, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Report (b): special pre-election report due May 25, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**103. Doris Fears (00061700)**  
**Treasurer, 'SD13' Senate District 13 PAC**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**104. K. Michael Apodaca (00057830)**  
**Treasurer, 'TYD PAC' Texas Young Democrats PAC**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**105. James Neale (00064019)**  
**Member, Trinity River Authority of Texas**

Report: personal financial statement due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

James Neale spoke before the Commission.

**106. Hudson Old (00067387)**  
**Member, North East Texas Regional Mobility Authority**

Report: personal financial statement due June 29, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**107. Michael Allen Mitchell (00059193)**  
**Member, Texas Physician Assistant Board**

Report: personal financial statement due June 29, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**108. Johnny Torres, Jr. (00024965)**  
**Treasurer, 'GMP Local Union #259' GMP Local Union #259**

Report (a): semiannual report due January 17, 2012  
Penalty: \$1,500 (increased at the April 2012 meeting)  
Categorization: no waiver of the late-filing penalty

Report (b): semiannual report due July 16, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**109. Curtis H. Nelson (00023716)**  
**Chair, Bexar County Republican Party (P)**

Report: 50-day pre-election political party report due September 17, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$150

**110. Mary Ellen Hamm (00015817)**  
**Chair, Chambers County Democratic Party (P)**

Report: 50-day pre-election political party report due September 17, 2012  
Penalty: \$500  
Categorization: reduction of the late-filing penalty to \$250

**111. Shawn Stevens (00024032)**  
**Chair, Collin County Democratic Party (P)**

Report: political party 8-day pre-election report due May 21, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**112. Paul J. Gebolys (00054569) – RECONSIDERATION**  
**Treasurer, 'C.C.M.C.' Conservative Coalition of Montgomery County**

Report: 30-day pre-election report due April 30, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Motion by Commissioner Long to concur with the categorization on Agenda Item 11, numbers 1 through 10, 12 through 24, 26 through 34, 36 through 38, 40, 42 through 72, and 74 through 112; second by Commissioner Hobby. Motion passed by a vote of eight ayes on Agenda Item 11, numbers 1 through 10, 12 through 24, 26 through 34, 36 through 38, 40, 42 through 72, and 74 through 112. **The categorization is adopted on Agenda Item 11, numbers 1 through 10, 12 through 24, 26 through 34, 36 through 38, 40, 42 through 72, and 74 through 112.**

**For Agenda Item 12, the following represents the actions taken by the Ethics Commission in the order they occurred during the meeting.**

**Agenda Item 12: Briefing, discussion, and possible action to waive or reduce certain penalties in connection with certain corrected reports or to determine whether certain corrected reports as originally filed substantially complied with the applicable law.**

**1. Gabrielle Adams (00057770)**  
**Treasurer, EZCORP, Inc. Political Action Committee**

Report (a): 8-day pre-election report due May 4, 2012 (for May 12th uniform election)  
Penalty: \$10,000  
Categorization: the original report substantially complied with the applicable law

Report (b): 8-day pre-election report due May 21, 2012 (for May 29th primary election)  
Penalty: \$10,000  
Categorization: the original report substantially complied with the applicable law

**2. Trenton E. 'Trent' Ashby (00067800)**  
**State Representative**

Report: 8-day pre-election report due May 21, 2012  
Penalty: \$10,000  
Categorization: the original report substantially complied with the applicable law

**3. Mary K. Brown (00067773)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: the original report substantially complied with the applicable law

**4. Randy Cain (00056637)**  
**Treasurer, Texans for Joe Straus**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: the original report substantially complied with the applicable law

**5. Myra E. Crownover (00037222)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$700  
Categorization: the original report substantially complied with the applicable law

**6. Patrick E. 'Pat' Fallon (00067539)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: the original report substantially complied with the applicable law



**7. Colleen Isdale (00054439)**  
**Treasurer, 'Central Texas RW; CTRW' Central Texas Republican Women**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,900  
Categorization: the original report substantially complied with the applicable law

**8. Linda L. Harper-Brown (00051665)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: the original report substantially complied with the applicable law

**9. Alma Perez Jackson (00067822)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: the original report substantially complied with the applicable law

**10. Phillip S 'Phil' King (00036483)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: the original report substantially complied with the applicable law

**11. Dana F. 'Rick' Miller (00062278)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,000  
Categorization: the original report substantially complied with the applicable law

**12. Becky S. Moore (00058402)**  
**Treasurer, 'CIA' Conservatives in Action**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,000  
Categorization: the original report substantially complied with the applicable law

**13. Oscar Javier Ornelas (00068446)**  
**Treasurer, Amigos of Dee Margo**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$800  
Categorization: the original report substantially complied with the applicable law

**14. Mark T. Price (00054824)**  
**District Judge**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$2,200  
Categorization: the original report substantially complied with the applicable law

**15. Connie L. Scott (00061976)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: the original report substantially complied with the applicable law

**16. Allan R. Sutherlin (00016934)**  
**Treasurer, 'EXPAC' Exxon Mobil Corporation Political Action Committee of Texas**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$5,300  
Categorization: the original report substantially complied with the applicable law

Allan Sutherlin spoke before the Commission.

**17. Frances Dianne 'Dianne' Williams (00066104)**  
**Candidate, State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$700  
Categorization: the original report substantially complied with the applicable law

**18. Margarito Zapata, Jr. (00054063)**  
**Treasurer, Caldwell County Tejano Democrats**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,100  
Categorization: the original report substantially complied with the applicable law

**19. James N. Higdon (00068569)**  
**Treasurer, Judicial Roundup PAC in support of Renee McElhaney and Victor Negrón**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**20. Jason A. Isaac (00066236)**  
**State Representative**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**21. Stefani Danielle Carter (00064029)**  
**State Representative**

Report: special pre-election report due November 2, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**22. Tom Mechler (00015662)**  
**Treasurer, Republican Party Of Texas**

Report: special pre-election report due November 5, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**23. Robert D. Miller (00067958)**  
**Treasurer, Friends of Barry Smitherman**

Report: special pre-election report due November 2, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**24. McBride Stafford (00066399)**  
**Treasurer, Urban/Rural Community Conservation**

Report (a): 8-day pre-election report due May 4, 2012 (for May 12th uniform election)  
Penalty: \$10,000  
Categorization: waiver of the late-filing penalty

Report (b): 8-day pre-election report due May 21, 2012 (for May 29th primary election)  
Penalty: \$10,000  
Categorization: waiver of the late-filing penalty

**25. Douglas Stanley (00067083)**  
**Treasurer, Friends of Dan Huberty**

Report: special pre-election report due May 22, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**26. David W. Evans (00037734)**  
**Court of Appeals Justice**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,000  
Categorization: reduction of the late-filing penalty to \$500

**27. Rebeca A. Huddle (00067587)**  
**Court of Appeals Justice**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$1,000  
Categorization: reduction of the late-filing penalty to \$500

**28. Phyllis Lister Brown (00067865)**  
**District Judge**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$900  
Categorization: reduction of the late-filing penalty to \$500

**29. Teana V. Watson (00068251)**  
**Candidate, District Judge**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$800  
Categorization: reduction of the late-filing penalty to \$500

**30. Eldon J. White (00059393)**  
**Treasurer, 'TSCRA State PAC' Texas and Southwestern Cattle Raisers Association State PAC**

Report: 8-day pre-election report due October 29, 2012  
Penalty: \$600  
Categorization: reduction of the late-filing penalty to \$500

**31. Ryan K. Patrick (00067364)  
District Judge**

Report (a): 8-day pre-election report due October 29, 2012  
Penalty: \$900  
Categorization: reduction of the late-filing penalty to \$500

Report (b): special pre-election report due October 31, 2012  
Penalty: \$500  
Categorization: waiver of the late-filing penalty

**32. David M. Smith (00059913)  
Treasurer, 'TDWCC' Texas Democratic Women of Collin County**

Report: 8-day pre-election report due October 29, 2012 (original filed one day late)  
Penalty: \$1,500  
Categorization: reduction of the late-filing penalty to \$1,250

**33. Raul Torres (00061992)  
Candidate, State Senator**

Report: special pre-election report due November 5, 2012  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

**34. Sylvester Turner (00020872)  
State Representative**

Report: special pre-election report due November 2, 2012 (original filed late)  
Penalty: \$500  
Categorization: no waiver of the late-filing penalty

Motion by Commissioner Untermeyer to adopt the categorizations as based on the Commission's previous decisions on Agenda Item 12, numbers 1 through 34; second by Commissioner Akin. Motion passed by a vote of eight ayes. **The categorizations as based on the Commission's previous decisions are adopted on Agenda Item 12, numbers 1 through 34.**

**Agenda Item 13: Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rule § 18.23 (Administrative Waiver of Fine).**

Motion by Commissioner Untermeyer to adopt the amendment of section 18.23 of the Ethics Commission Rules; second by Commissioner Akin. Motion passed by a vote of eight ayes. **The amendment of section 18.23 of the Ethics Commission Rules is adopted.**

**Agenda Item 14: Public discussion and possible action on the adoption or 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.**

David A. Reisman, Executive Director, briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to republish in the Texas Register the amendment of section 50.1 of the Ethics Commission Rules to set the per diem at \$150 in Exhibit B and withdraw the \$179 per diem in Exhibit A; second by Commissioner Harrison. Motion passed by a vote of six ayes. Vice Chair Clancy and Commissioner Akin voted no. **The amendment of Ethics Commission Rule 50.1 is proposed for publication in the Texas Register for comment.**

**Agenda Item 15: Presentation of the Nominating Committee report regarding the positions of Chair and Vice Chair of the Texas Ethics Commission. Election of Chair and Vice Chair of the Texas Ethics Commission.**

Chair Ramsay briefed the Commission on this agenda item. The nominating committee members, Commissioners Mendoza and Harrison, nominated Vice Chair Clancy as Chair and Commissioner Hobby as Vice Chair. Motion passed by a vote of eight ayes.

The next Commission meeting is tentatively scheduled for March 27, 2013.

**Agenda Item 16: Adjourn.**

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