



TEXAS ETHICS COMMISSION MEETING MINUTES

Workshop on Sworn Complaint Procedures and Orders

August 7, 2013, 3:04 p.m.

Capitol Extension, Room E1.010

Austin, Texas 78701



COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None.

STAFF PRESENT:

Natalia L. Ashley, Margie Castellanos, Jessie Haug, Melissa Ramos, David A. Reisman, and Tim Sorrells.

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 Clancy. David A. Reisman, Executive Director, called the roll. All Commissioners were present.

Agenda Item 2: Introduction and comments by the Chair.

Chair Clancy briefed the Commission on the agenda for the next two days.

Agenda Item 3: Discussion on creating or amending rules to establish levels of sworn complaint violations.

Natalia Ashley, Special Counsel, briefed the Commission on this agenda item. Ed Shack spoke before the Commission and discussed the stigma and impact of sworn complaint orders and agreements filed by the Commission against respondents that do not commit serious violations.

Agenda Item 4: Possible action on the proposal and publication in the Texas Register of Texas Ethics Commission rules relating to levels of sworn complaint violations, including but not limited to amending Texas Ethics Commission Rule Section 12.81 (Technical, Clerical, or *De Minimis* Violations).

The discussion from Agenda Item 3 is carried into Agenda Item 4. Chair Clancy created a subcommittee of Commissioners to create a new notice of reporting error form. He appointed Vice Chair Hobby, and Commissioners Long and Mendoza to this subcommittee.

Agenda Item 5: Discussion and possible action on the drafting of sworn complaint orders.

Ed Shack spoke before the Commission on this agenda item proposing the Commission include certain language in its agreements and orders as an incentive to get respondents to sign.

Donna García Davidson spoke before the Commission. Mrs. Davidson suggested the Commission create different categories for respondents that have minor sworn complaint allegations filed against them as an alternative.

Motion by Commissioner Harrison to remove the “no contest” provision from the order of violation pending finalization of the forms discussed in the AM public meeting held August 8, 2013; second by Commissioner Long.

Motion passed by a vote of eight ayes.

Agenda Item 6: Comments by the Commissioners.

None.

Agenda Item 7: Adjourn

Motion by Commissioner Untermeyer to adjourn; second by Commissioner Harrison. **Motion passed by a unanimous vote.**