

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

Paula M. Mendoza, Chair
Wilhelmina Delco
Ross Fischer
Jim Graham

Tom Harrison
George "Trey" Henderson, III
David Montagne
Chase Untermeyer

AGENDA

Date and Time: 9:00 a.m. on Thursday, February 11, 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. Quarterly Report
 - b. 5% Budget Reduction Plan
 - c. Report on Campaign Finance, Lobby, and Personal Financial Statement Filings
5. Approve minutes of the December 2, 2009, 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:

Elizabeth A. 'Liz' Lara-Carreno	John Marshall
Kristin Carlisle	Jesse Romero
Lance D. Lively	Gary K. Underwood, Jr.
Jack Drake	David Dunn
Susan Hays	Hobart M. Hukill
Tom A. Jones	Amanda Thomas
Angus Kelly McGinty	William Michael Wachel

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:

Leslie L. Ward
Clifford A. Schulman

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

8. Public discussion and possible action on the proposal 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.
9. Public discussion and possible action on the proposal and publication in the Texas Register of section 20.61 of the Ethics Commission Rules (Description of Expenditure), relating to the description of the purpose of an expenditure under section 254.031 of the Election Code.

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

10. SP-11: Examples of acceptable ways to report certain expenditures under section 254.031 of the Election Code and section 20.61 of the Ethics Commission Rules.

This opinion construes section 254.031 of the Election Code and section 20.61 of the Ethics Commission Rules.

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

11. AOR-552: The Texas Ethics Commission has been asked whether a communication relating to a measure that a city is considering including with a city newsletter that is paid for with public funds complies with section 255.003 of the Election Code.

This opinion construes section 255.003 of the Election Code.

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

12. SP-10: Whether in light of the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, the Texas Ethics Commission can enforce the prohibition on direct campaign expenditures made by corporations and labor organizations, and whether the Texas Ethics Commission can enforce the requirements to include certain disclosures on political advertising.

This opinion construes Title 15 of the Election Code.

13. Creation of a subcommittee of commissioners to consider the reporting of direct campaign expenditures in light of *Citizens United v. Federal Election Commission*.
14. Presentation of the Nominating Committee report regarding the position of Vice Chair of the Texas Ethics Commission. Election of Vice Chair of the Texas Ethics Commission.
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.