



## TEXAS ETHICS COMMISSION MEETING MINUTES

October 26, 2007, 9:30 a.m.

Capitol Extension, Room E1.014, Austin, Texas 78701



**COMMISSIONERS PRESENT:** Raymond R. "Tripp" Davenport, III, Chair; Tom Harrison, Vice Chair; Ross Fischer; Jim Graham; Cullen R. Looney; Paula M. Mendoza; David Montagne; and Nicholas C. Taylor.

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Natalia L. Ashley, Amy Barden, Margie Castellanos, Homer Diaz, Robbie Douglas, Sharon Finley, Becky Levy, Bobby Mannas, Mike McElhaney, Sandy Mitchell, David A. Reisman, Linda Rodriguez, Veronica Scott, Tim Sorrells, Ian Steusloff, and Mary Young.

---

### MINUTES

This meeting was tape 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 tapes on file at the commission's office.

**Agenda Item 1: Call to order; roll call.**

The meeting was called to order by Chair Davenport. 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.**

Chair Davenport stated that this might be Commissioner Looney's last commission meeting. Chair Davenport appointed Commissioner Montagne to the nomination committee to appoint a new chair and vice chair.

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

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

1. Staff has been busy addressing new requirements of the 80th Legislative Session. Staff has been updating the campaign finance software to include new requirements for general-purpose committees filing a special report near election. Also, a new feature has been added to prompt filers to update to the latest campaign finance software version.

2. Mr. Reisman introduced Linda Rodriguez, receptionist in Administration, and Michael McElhaney, Director of Administration/Chief Financial Officer. The Texas Ethics Commission is concluding its search to fill the Attorney I position.
3. This calendar year, a total of 214 sworn complaints have been received. Twenty-two sworn complaints have been received since the August 21, 2007, commission meeting.
4. The Texas Ethics Commission's Annual Picnic is scheduled for November 17, 2007, which the commissioners are invited to attend.

**Agenda Item 5: Approve minutes of the August 21, 2007, meeting.**

Motion by Commissioner Taylor to adopt the August 21, 2007, meeting minutes; second by Commissioner Mendoza. Motion passed by a vote of eight ayes.

**Agenda Item 6: Briefing, discussion, and possible action regarding penalty guidelines.**

David A. Reisman, Executive Director, briefed the commission on this agenda item. Motion by Commissioner Taylor to refer this agenda item to the Legislature; second by Commissioner Fischer. Motion passed by a vote of eight ayes.

**For Agenda Items 7 and 8, the following represents the actions taken by the Ethics Commission in the order they occurred during the meeting.**

**Agenda Item 7: 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.**

19. Lisa O. Barton, Lobbyist (00053682)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Lisa O. Barton spoke before the commission. Motion by Commissioner Fischer to reduce the \$500 late-filing penalty to \$100 on Agenda Item 7, number 19; second by Vice Chair Harrison. Motion passed by a vote of eight ayes. **Reduction of the late-filing penalty to \$100 is adopted on Agenda Item 7, number 19.**

48. Patrick L. Brockett, Member, Texas Property & Casualty Insurance Guaranty Assn. (00050958)  
Report: personal financial statement due April 30, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted not to waive the late-filing penalty

Patrick L. Brockett spoke before the commission. **The late-filing penalty for Agenda Item 7, number 48, stands due to lack of a motion.**

29. Mike Meroney, Lobbyist (00050806)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Mike Meroney spoke before the commission. Motion by Commissioner Fischer to reduce the \$500 late-filing penalty to \$100 on Agenda Item 7, number 29; second by Commissioner Graham. Motion passed by a vote of eight ayes. **Reduction of the late-filing penalty to \$100 is adopted on Agenda Item 7, number 29.**

51. Margaret Lopez, Treasurer, 'P4' P4: Power of People Praying for Peace (00056025)  
Report: monthly report due June 5, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted not to waive the late-filing penalty

Margaret Lopez spoke before the commission. Motion by Vice Chair Harrison to reduce the \$500 late-filing penalty to \$100 on Agenda Item 7, number 51; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Reduction of the late-filing penalty to \$100 is adopted on Agenda Item 7, number 51.**

2. Irismelda R. Benavides, Treasurer, Austin Women's Political Caucus (00015717)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Irismelda R. Benavides spoke before the commission. Motion by Commissioner Montagne to adopt staff's recommendation on Agenda Item 7, number 2; second by Commissioner Fischer. Motion passed by a vote of eight ayes. **Staff's recommendation is adopted on Agenda Item 7, number 2.**

54. Dorothy M. Olmos, Candidate, State Representative (00041785)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted to reduce the late-filing penalty to \$250. Ms. Olmos failed to respond within 30 days and the fine reverted to the original assessment of \$500

**Agenda Item 8: 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.**

17. Dorothy M. Olmos, Candidate, State Representative (00041785)  
Report: semiannual report due January 16, 2007  
Penalty: \$10,000  
Reconsideration: August 2007 meeting, the commission voted to reduce the late-filing penalty to \$500. Ms. Olmos failed to respond within 30 days and the fine reverted to the original assessment of \$10,000

Dorothy M. Olmos spoke before the commission. Motion by Commissioner Graham to reduce the late-filing penalties back to \$250 on Agenda Item 7, number 54, and to \$500 on Agenda Item 8, number 17, for a total of \$750, to be made in three installment payments of \$250 per month, within 90 days; second by Commissioner Montagne. **Late-filing penalties are reduced to \$250 on Agenda Item 7, number 54, and reduced to \$500 on Agenda Item 8, number 17.**

**Return to Agenda Item 7.**

1. Kevin Anderson, Interim Executive Director, Structural Pest Control Board (00061699)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
3. Edward J. Dees, Treasurer, Texas Bail PAC (00016323)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
4. Tim Williams, Treasurer, 'APOA PAC' Amarillo Police Officer's Assn. PAC (00025544)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Montagne to adopt staff's recommendations on Agenda Item 7, numbers 1, 3, and 4; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Staff's recommendations are adopted on Agenda Item 7, numbers 1, 3, and 4.**

5. James A. Allred, Treasurer, United Steelworkers Of America Local #746 (00016880)  
Report: monthly report due August 6, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
6. Yvonne Barton, Lobbyist (00052912)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
7. Mark A. Calhoon, District Judge (00061400)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
8. Rodney E. Haper, Treasurer, Sharpstown Democrats (00055744)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

9. Harvey S. Jackson, Treasurer, 'GPIVC' Grand Prairie & Irving Values Coalition (00058339)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
10. Laurence B. McCullough, Treasurer, Braeswood Democrats (00050394)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
11. Elizabeth McGill, Treasurer, 'CVRW Club PAC' Concho Valley Republican Women's Club PAC (00017039)  
Report: monthly report due August 6, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
12. Shannon Phillips Meroney, Lobbyist (00054590)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
13. Wallace D. 'Dean' Robbins, Jr., Lobbyist (00034350)  
Report: lobby activities report due September 10, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
14. Teresa Cearley Smith, Treasurer, 'HCRW PAC' Hidalgo County Republican Women Political Action Committee (00055273)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
15. Lawrence D. 'Larry' Weiman, Candidate, District Judge (00060041)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Taylor to adopt staff's recommendations on Agenda Item 7, numbers 5 through 15; second by Commissioner Fischer. Motion passed by a vote of eight ayes. **Staff's recommendations are adopted on Agenda Item 7, numbers 5 through 15.**

16. Steven G. Alford, Treasurer, 'CFF' Citizens For Freeport (00057919)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

17. Robert R. 'Ray' Allen, Lobbyist (00019678)  
Report: lobby activities report due August 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
18. Lisa Barsumian, Lobbyist (00060197)  
Report: lobby activities report due August 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
20. Jeffrey Joseph 'Jeff' Daiell, Candidate, Governor (00021104)  
Report (a): 30-day pre-election report due October 7, 2002  
Penalty: \$100  
Staff recommendation: no waiver of the late-filing penalty
- Report (b): semiannual report due January 15, 2003 (combined report)  
Penalty: \$100  
Staff recommendation: no waiver of the late-filing penalty
- Report (c): semiannual report due July 15, 2003 (combined report)  
Penalty: \$100  
Staff recommendation: no waiver of the late-filing penalty
- Report (d): semiannual report due January 15, 2004 (combined report)  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- Report (e): semiannual report due July 15, 2004 (combined report)  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- Report (f): semiannual report due January 18, 2005 (combined report)  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- Report (g): semiannual report due July 15, 2005 (combined report)  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- Total penalties: \$2,300
21. Darrell L. Dingmore, Jr., Lobbyist (00029855)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

22. Harold V. Dutton, Jr., State Representative (00021133)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
23. Mike Freden, Treasurer, Tarrant Citizens for a Fair Judiciary, Inc. (00050874)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
24. David A. Guenthner, Lobbyist (00060635)  
Report: lobby activities report due August 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
25. Jack R. Hamilton, Member, Prepaid Higher Education Tuition Board (00040261)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
26. David L. Hodges, Treasurer, 'H.O.T. Real Force PAC' Heart of Texas Real Force PAC (00056020)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
27. William P. Mahomes, Jr., Member, Texas Youth Commission (00022779)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
28. Kelly McBeth, Lobbyist (00059190)  
Report: lobby activities report due August 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
30. Onetta B. Pierce, Treasurer, Local #2337 (00015942)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
31. Ed Rankin, Member, Texas Council For Developmental Disabilities (00052960)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

32. Kelly S. Rodgers, Lobbyist (00029901)  
Report: lobby activities report due July 10, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
33. Nelda V. Rodriguez, Justice, Court of Appeals (00025722)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
34. Marcellus A. Taylor, Member, Texas Public Finance Authority (00057216)  
Report: personal financial statement due April 30, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
35. Raymond H. White, Jr., Treasurer, Wichitans First (00052214)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
36. Wanda Williams, Treasurer, 'GMP Local Union #216' Glass, Molders, Pottery, Plastics & Allied Workers Local #216 (00017077)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
37. Pat L. Wilson, Treasurer, 'SACPA PAC' San Antonio Certified Public Accountants PAC (00016423)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
38. Ronald W. Witt, Treasurer, 'O.P.E.R.A.T.E.' Operator's Political Educational and Recruitment Awareness Towards Elections (00053429)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Fischer to adopt staff's recommendations on Agenda Item 7, numbers 16 through 18, 20 through 28, and 30 through 38; second by Commissioner Mendoza. Motion passed by a vote of seven ayes on Agenda Item 7, number 17. Chair Davenport abstained on Agenda Item 7, number 17. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 16 and 18, 20 through 28, and 30 through 38. **Staff's recommendations are adopted on Agenda Item 7, numbers 16 through 18, 20 through 28, and 30 through 38.**

39. Carlos J. Contreras, Treasurer, KBSA PAC (00016009)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250



40. Cynthia N. Dunbar, Member, State Board of Education (00058333)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250
41. Glenn F. Fuller, Treasurer, Plumbers PAC (00053204)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250
42. Richard Levy, Lobbyist (00010024)  
Report: lobby activities report due January 10, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$100
43. Borris Lee Miles, State Representative (00052983)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250
44. James Parnell, Treasurer, 'DPOPAC' Dallas Police Officer's PAC (00016133)  
Report: monthly report due July 5, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250
45. David L. Richards, Senior Judge (00023436)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$100
46. Ralph H. Walton, Jr., District Judge (00026446)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

Motion by Commissioner Montagne to adopt staff's recommendations for Agenda Item 7, numbers 39 through 46; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Staff's recommendations are adopted on Agenda Item 7, numbers 39 through 46.**

50. Martha Failing, Treasurer, 'HCDLA' Harris County Democratic Lawyers' Association, Inc. (00055728)  
Report: 8-day pre-election report due October 30, 2006  
Penalty: \$8,200 (reduced to \$700)  
Reconsideration: June 2007 meeting, the commission voted to reduce the late-filing penalty to \$700  
Staff recommendation: waiver of the late-filing penalty (based on the new information in a letter from Ms. Failing)

Motion by Commissioner Taylor to adopt staff's recommendation on Agenda Item 7, number 50; second by Commissioner Montagne. Motion passed by a vote of seven ayes. Commissioner Looney was off the dais. **Staff's recommendation is adopted on Agenda Item 7, number 50.**

47. Debbie Lynn Benningfield, Member, Texas Forensic Science Commission (00059156)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted not to waive the late-filing penalty
49. John Alcus Cotten, Jr., Member, Lavaca – Navidad River Authority (00055946)  
Report: personal financial statement due April 30, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted not to waive the late-filing penalty
52. Edwin D. McCrory, III, Treasurer, 'CREIT PAC' Commercial Real Estate Industry of Texas Political Action Committee (00056572)  
Report: semiannual report due January 16, 2007  
Penalty: \$500  
Reconsideration: June 2007 meeting, the commission voted not to waive the late-filing penalty
53. Juan Sanchez Munoz, Ph.D., Member, Texas Youth Commission (00059536)  
Report: personal financial statement due April 30, 2007  
Penalty: \$500  
Reconsideration: August 2007 meeting, the commission voted not to waive the late-filing penalty
55. Charles R. Ramsay, District Judge (00020722)  
Report: personal financial statement due April 30, 2007  
Penalty: \$500  
Reconsideration: June 2007 meeting, the commission voted not to waive the late-filing penalty

**The late-filing penalties for Agenda Item 7, numbers 47, 49, 52, 53, and 55, stand due to lack of a motion.**

#### **Return to Agenda Item 8.**

14. Hector De Leon, Treasurer, Associated Republicans Of Texas Campaign Fund (00015555)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Thomas P. Washburn, Attorney, spoke before the commission on behalf of Mr. De Leon. **The late-filing penalty for Agenda Item 8, number 14, stands due to lack of a motion.**

1. Barbara P. Hervey, Judge, Court of Criminal Appeals (00041408)  
Report: 8-day pre-election report due October 30, 2006  
Penalty: \$10,000  
Staff recommendation: that the original report substantially complied with the applicable law

2. Cecilia Phalen Abbott, Member, State Board of Educator Certification (00051697)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
3. Greg Abbott, Attorney General of Texas (00019652)  
Report: personal financial statement due June 29, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
4. Frederick H. 'Fred' Brown, State Representative (00037009)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
5. James R. Dunnam, State Representative (00019900)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
6. Charles L. Geren, State Representative (00029493)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
7. Joseph J. 'Tad' Halbach, Jr., District Judge (00032116)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
8. William R. Keffer, Former State Representative (00027906)  
Report (a): 8-day pre-election report due October 30, 2006  
Penalty: \$10,000  
Staff recommendation: waiver of the late-filing penalty  
  
Report (b): semiannual report due January 16, 2007  
Penalty: \$10,000  
Staff recommendation: waiver of the late-filing penalty
9. William C. 'Bud' Kirkendall, District Judge (00020348)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
10. Oliver S. 'Stan' Kitzman, Jr., Candidate, State Representative (00058415)  
Report: 30-day pre-election report due February 6, 2006  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

11. Steven C. Laird, Candidate, District Judge (00061560)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
12. Ashlea J. Quinonez, Treasurer, 'MARW' McKinney Area Republican Women (00054554)  
Report: 8-day pre-election report due October 30, 2006  
Penalty: \$10,000  
Staff recommendation: waiver of the late-filing penalty
13. Patricia Williams, Treasurer, 'WPRW' West of the Pecos Republican Women (00017226)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Taylor to adopt staff's recommendations on Agenda Item 8, numbers 1 through 13; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Staff's recommendations are adopted on Agenda Item 8, numbers 1 through 13.**

15. Ricardo P. Rodriguez, Jr., District Judge (00058067)  
Report: semiannual report due July 16, 2007  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Montagne to adopt staff's recommendation on Agenda Item 8, number 15; second by Commissioner Fischer. Motion passed by a vote of seven ayes. Commissioner Looney abstained on Agenda Item 8, number 15. **Staff's recommendation is adopted on Agenda Item 8, number 15.**

16. Tommy Townsend, Treasurer, Texas Trial Lawyers Assn. PAC (00015666)  
Report: semiannual report due January 16, 2007  
Penalty: \$10,000  
Staff recommendation: reduction of the late-filing penalty to \$500

Motion by Vice Chair Harrison to adopt staff's recommendation on Agenda Item 8, number 16; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Staff's recommendation is adopted on Agenda Item 8, number 16.**

**Agenda Item 9: Discussion and possible action regarding the termination of a campaign treasurer appointment of an inactive candidate.**

Motion by Commissioner Looney to adopt staff's recommendation on Agenda Item 9; second by Vice Chair Harrison. Motion passed by a vote of eight ayes. **Staff's recommendation is adopted on Agenda Item 9.**

**Agenda Item 10: Public discussion and possible action on the proposal and publication in the Texas Register of rules implementing conflict of interest provisions of H.B. 3560, 80th Legislature, Regular Session.**

**Chair Davenport tabled Agenda Item 10 and instructed staff to continue the dialogue with the Comptroller's Office.**

**Agenda Item 11: Public discussion and possible action on the adoption and publication in the Texas Register of Ethics Commission Rule § 18.7 (Timely Reports and Complete Reports), regarding the filing deadline for any report filed electronically with the Ethics Commission.**

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Motion by Commissioner Looney to adopt and publish in the Texas Register Ethics Commission Rule § 18.7; second by Commissioner Fischer. Motion passed by a vote of eight ayes. **Ethics Commission Rule § 18.7 is adopted.**

**Agenda Item 12: Public discussion and possible action on the adoption and publication in the Texas Register of Ethics Commission Rule § 20.62 (Reporting Staff Reimbursement), regarding the reporting of a political expenditure made out of personal funds by a staff member of either a candidate or political committee.**

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Motion by Vice Chair Harrison to adopt and publish in the Texas Register Ethics Commission Rule § 20.62; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Ethics Commission Rule § 20.62 is adopted.**

**Agenda Item 13: Public discussion and possible action on the adoption and publication in the Texas Register of Ethics Commission Rules, Chapter 20 (Reporting Political Contributions and Expenditures), relating to the reporting of political contributions and political expenditures.**

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Edward Shack, Attorney, spoke before the commission on Ethics Commission Rule § 20.435. Motion by Commissioner Taylor to adopt and publish in the Texas Register Ethics Commission Rules, Chapter 20, excluding Ethics Commission Rule § 20.435; second by Commissioner Montagne. Motion passed by a vote of eight ayes. **Ethics Commission Rules, Chapter 20, excluding Ethics Commission Rule § 20.435, are adopted.**

**Agenda Item 14: Public discussion and possible action on the proposal and publication in the Texas Register of Ethics Commission Rule § 26.2 (Public Officer of a Political Subdivision Newsletters), relating to a newsletter of an officer of a political subdivision.**

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Jack Gullahorn, Attorney, Professional Advocacy Association of Texas, spoke before the commission. Motion by Vice Chair Harrison to publish for public comment in the Texas Register Ethics Commission Rule § 26.2; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Ethics Commission Rule § 26.2 to be published in the Texas Register for comments.**

**Agenda Item 15:** Public discussion and possible action on the proposal and publication in the Texas Register of the following Ethics Commission Rules: (1) an amendment to Ethics Commission Rule § 34.11 (Attribution of Expenditure to More Than One Person; Reimbursement of Lobby Expenditure), relating to the reporting of a joint lobby expenditure; (2) an amendment to Ethics Commission Rule § 34.43 (Compensation and Reimbursement Threshold), relating to lobby registration requirements; (3) the repeal of Ethics Commission Rule § 34.19 (Conflicts of Interest), relating to a lobbyist representation of lobby clients; and (4) the repeal of Ethics Commission Rules §§ 34.61 (Registration Fee) and 34.62 (Temporary Increase in Registration Fees) relating to lobby registration fees.

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Motion by Commissioner Looney to publish for public comment in the Texas Register Ethics Commission Rules §§ 34.11, 34.43, 34.19, 34.61, and 34.62; second by Commissioner Fischer. Motion passed by a vote of eight ayes. **Ethics Commission Rules §§ 34.11, 34.43, 34.19, 34.61, and 34.62 to be published in the Texas Register for comments.**

**Agenda Item 16:** 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.

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Motion by Commissioner Taylor to publish for public comment in the Texas Register Ethics Commission Rule § 50.1; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Ethics Commission Rule § 50.1 to be published in the Texas Register for comments.**

**The next Ethics Commission meeting is scheduled for December 10 and 11, 2007.**

**Agenda Item 14: Adjourn.**

Commission meeting adjourned by unanimous consent.