



**TEXAS ETHICS COMMISSION  
PUBLIC MEETING MINUTES**

October 6, 2011, 8:05 a.m.  
Capitol Extension, Room E1.010  
Austin, Texas 78701



**COMMISSIONERS PRESENT:** Jim Graham, Chair; Wilhelmina Delco, Vice Chair; Jim Clancy, Tom Harrison, Bob Long, Paula M. Mendoza, Tom Ramsay, and Chase Untermeyer.

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Natalie Adelaja, Natalia L. Ashley, Amy Barden, Margie Castellanos, Homer Diaz, Robbie Douglas, Sue Edwards, Susana Esparza, Nick Espinosa, Jessie Haug, Becky Levy, Bobby Mannas, Lowell McCormack, Mike McElhaney, David A. Reisman, Tim Sorrells, Ian Steusloff, and Mary Young.

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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 Graham. 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 stated that Ginger Hunter, Assistant General Counsel, had recently resigned and left to work for another state agency. He said that we were sorry to see her go and that she did a great job.

2. Mr. Reisman stated that Jessie Haug, Computer Services Director, started a few months ago and has been doing a great job. There are a lot of big and new projects that have to be implemented. Her computer services staff has been busy working on these.
3. Mr. Reisman discussed the upcoming Council on Governmental Ethics Laws (COGEL) Conference scheduled for the week of December 5th. He stated that he was on the steering committee.
4. Mr. Reisman discussed the quarterly report. He stated that there are 33 FTE's, less employees due to budget reductions. Mr. Reisman stated that expenditure totals were \$1.9m and the Commission had spent less in FY2011 than in FY 2010. He thanked Mike McElhaney, CFO. He kept right above the levels all year long without any problems with all the reductions and spending issues. Mr Reisman stated that he looks forward to doing the same thing in the next biennium.
5. Mr. Reisman discussed the sworn complaint filings for FY2011. He stated that 374 had been filed, tying the record for FY2010. Mr. Reisman discussed the sworn complaint charts he had prepared.
6. Mr. Reisman discussed the Sunset review. He stated that the Commission had met this week with the Sunset Commission. The Sunset review will be starting soon and the Ethics Commission will be working with the Sunset Commission over the next few months.
7. Mr. Reisman discussed updates to the Ethic Commission's campaign finance training video that is on the website. He stated that there were many legislative changes and that the agency has updated the guides, website, and campaign finance video. Mr. Reisman wanted to thank the Speaker's Office and the House for their work on the campaign finance video.

**Agenda Item 5: Report on trip to Honduras to meet with U. S. State Department and Honduran government officials on governmental anti-corruption efforts by Natalia Luna Ashley, General Counsel.**

Natalia Luna Ashley presented this agenda item. On September 7, 2011, through September 10, 2011, Ms. Ashley participated in the U. S. State Department's speaker and specialist program which was held in the capital of Honduras. Ms. Ashley spoke at a conference and to university students. She participated in round table discussions, was one of three panelists on a live radio show, met with a member of congress, and attended working dinners. The main topic was anti-corruption issues in government and the meetings were conducted in Spanish.

**Agenda Item 6: Approve minutes of the August 10, 2011, filing and enforcement workshop, the August 11, 2011, executive session, and the August 11, 2011, commission meeting.**

Motion by Commissioner Harrison to adopt the minutes of the August 10, 2011, filing and enforcement workshop, the August 11, 2011, executive session, and the August 11, 2011, commission meeting, second by Vice Chair Delco.  
**Motion passed by a vote of eight ayes.**

For Agenda Item 7, 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.**

**5. Mark H. Wilson (00065686)  
Member, Automobile Burglary and Theft Prevention Authority**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Mark Wilson spoke before the Commission. Motion by Commissioner Clancy to waive the \$500 late-filing penalty on Agenda Item 7, number 5; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 7, number 5. **The waiver of the late-filing penalty is adopted on Agenda Item 7, number 5.**

**28. John D. 'Dave' Howard (00058969)  
Candidate, Court of Criminal Appeals Judge**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

John D. Howard spoke before the Commission. Motion by Commissioner Untermeyer to waive the \$500 late-filing penalty on Agenda Item 7, number 28; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 7, number 28. **The waiver of the late-filing penalty is adopted on Agenda Item 7, number 28.**

**29. Mary K. Huls (00065798)  
Candidate, State Representative**

Report: annual report of unexpended contributions due January 18, 2011  
Penalty: \$1,500 (increased at the April 2011 meeting)  
Staff recommendation: no waiver of the late-filing penalty

Mary K. Huls spoke before the Commission. Motion by Commissioner Harrison to reduce the \$1,500 late-filing penalty to \$400 on Agenda Item 7, number 29; second by Commissioner Untermeyer. Motion passed by a vote of eight ayes on Agenda Item 7, number 29. **The reduction of the late-filing penalty is adopted on Agenda Item 7, number 29.**

**53. Donna D. Carter (00057391)**  
**Member, Texas Historical Commission**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

Donna D. Carter spoke before the Commission. Motion by Commissioner Clancy to waive the \$500 late-filing penalty on Agenda Item 7, number 53; second by Commissioner Long. Motion passed by a vote of six ayes on Agenda Item 7, number 53. Vice Chair Delco recused herself. **The waiver of the late-filing penalty is adopted on Agenda Item 7, number 53.**

**55. John A. Ellisor, Jr. (00028632)**  
**District Judge**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the June 2011 meeting, the commission voted not to waive the late-filing penalty.

John A. Ellisor spoke before the Commission. Motion by Commissioner Long to waive the \$500 late-filing penalty on Agenda Item 7, number 55; second by Commissioner Untermeyer. Motion passed by a vote of seven ayes on Agenda Item 7, number 55. Commissioner Ramsay was off the dais. **The waiver of the late-filing penalty is adopted on Agenda Item 7, number 55.**

**1. James R. Marmion (00057416)**  
**Member, Nueces River Authority**

Report: personal financial statement due July 1, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Harrison to adopt staff's recommendation on Agenda Item 7, number 1; second by Commissioner Mendoza. Motion passed by a vote of eight ayes on Agenda Item 7, number 1. **Staff's recommendation is adopted on Agenda Item 7, number 1.**

**2. Manuel J. Barraza (00062515)**  
**Criminal District Court Judge**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**3. Douglas O. Robinson (00050603)**  
**Member, Texas Industrialized Building Code Council**

Report: personal financial statement due July 1, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**4. Jeffrey S. Tallas (00066780)**  
**Member, Brazos River Authority**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Untermeyer to adopt staff's recommendations on Agenda Item 7, numbers 2 through 4; second by Vice Chair Delco. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 2 through 4. **Staff's recommendations are adopted on Agenda Item 7, numbers 2 through 4.**

**6. Michael C. Barnes (00067145)**  
**Treasurer, True Blue Texans United**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

**7. George C. Hanks, Jr. (00050520)**  
**Former Court of Appeals Justice**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

**8. Leticia Van De Putte (00020909)**  
**State Senator**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Untermeyer to adopt staff's recommendations on Agenda Item 7, numbers 6 through 8; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 6 through 8. **Staff's recommendations are adopted on Agenda Item 7, numbers 6 through 8.**

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- 9. David E. Bernsen (00066905)**  
**Treasurer, 'SETX PAC' South East Texas PAC**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
- 10. Stan K. Bradshaw, III (00062371)**  
**Treasurer, 'R3G' Richardson Residents for Responsive Government**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
- 11. Carola Broaddus (00042226)**  
**Treasurer, 'SAHLA PAC' San Antonio Hotel & Lodging Association PAC**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
- 12. Richard W.B. 'Rick' Davis (00037847)**  
**Candidate, State Representative**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
- 13. Ronald D. 'Ronnie' Earle (00038197)**  
**Candidate, Lieutenant Governor**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty
- 14. Mary Kay Green (00051338)**  
**Candidate, Family District Judge**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

**15. Gary L. Steel (00037124)  
District Judge**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

**16. Texas Senate Hispanic Caucus (00034403)**

Report: legislative caucus report due July 15, 2011  
Penalty: \$500  
Staff recommendation: waiver of the late-filing penalty

Motion by Vice Chair Delco to adopt staff's recommendations on Agenda Item 7, numbers 9 through 16; second by Commissioner Long. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 9 through 16. **Staff's recommendations are adopted on Agenda Item 7, numbers 9 through 16.**

**17. Armando G. Barrera (00061532)  
District Attorney**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**18. Amos L. Barton (00061974)  
District Attorney**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**19. John J. Carlton (00025383)  
Lobbyist**

Report: lobby activities report due June 10, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**20. Maria 'Dinorah' Diaz (00065851)  
Candidate, District Judge**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**21. David Emerick (00061159)**  
**Lobbyist**

Report: lobby activities report due July 11, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**22. Wade Emmert (00023868)**  
**Chair, Dallas County Republican Party (P)**

Report: political party semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**23. Christopher L. Garcia (00065193)**  
**Treasurer, 'Bright PAC' Brighter Dallas**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**25. Carlos Isidoro Gutierrez (00053032)**  
**Lobbyist**

Report: lobby activities report due July 11, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**26. Christopher T. Hill (00053162)**  
**Treasurer, 'CCRP' Collin County Republican Party (CEC)**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**27. House Rural Caucus (00058242)**

Report: legislative caucus report due January 18, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty



**30. Felix Klein (00026770)**  
**District Judge**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**31. Michael 'Mike' Krusee (00020407)**  
**Lobbyist**

Report: lobby activities report due July 11, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**32. John M. McClung (00041550)**  
**Treasurer, TPA**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**33. Rick Molina (00051577)**  
**Candidate, State Representative**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**34. Rae Nwosu (00031918)**  
**Treasurer, 'AFT/AEW PAC' Education Austin PAC**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**35. Christopher Ray (00060101)**  
**Treasurer, Gay and Lesbian Victory Fund**

Report: 8-day pre-election report due May 6, 2011  
Penalty: \$3,700  
Staff recommendation: no waiver of the late-filing penalty

- 36. Connie J. Reese (00031247)**  
**Treasurer, Friends Of Bob Reese**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- 37. Robert A. 'Bob' Reese, Jr. (00031249)**  
**Candidate, State Senator**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- 38. Chuck Rice, Jr. (00013547)**  
**Lobbyist**
- Report: lobby activities report due June 10, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- 39. Ingrid M. Robinson (00067140)**  
**Lobbyist**
- Report: lobby activities report due August 10, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- 40. Farrukh Shamsi (00060065)**  
**Treasurer 'AADT PAC' Asian American Democrats of Texas PAC**
- Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty
- 41. Texas Legislative Tourism Caucus (00058243)**
- Report: legislative caucus report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

**42. Women's Health Caucus (00056574)**

Report: legislative caucus report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Motion by Vice Chair Delco to adopt staff's recommendations on Agenda Item 7, numbers 17 through 23, 25 through 27, and 30 through 42; second by Commissioner Untermeyer. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 17 through 23, 25 through 27, and 30 through 42. **Staff's recommendations are adopted on Agenda Item 7, numbers 17 through 23, 25 through 27, and 30 through 42.**

**24. Juan M. Garcia, III (00058452)  
Candidate, State Representative**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: no waiver of the late-filing penalty

Commissioner Untermeyer recused himself on Agenda Item 7, number 24. **There was no motion on Agenda Item 7, number 24. The \$500 late-filing penalty stands on Agenda Item 7, number 24.**

**43. Jeb Brown (00065047)  
Treasurer, Texans for Joan Huffman**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**44. Thad Brundrett (00063826)  
Treasurer, Greater Fort Worth Real Estate Council PAC**

Report: monthly report due July 5, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**45. Ryan A. Guillen (00051797)  
State Representative**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**46. Kevin Hutchinson (00055955)**  
**Treasurer, Libertarian Party of Texas**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**47. Sharon K. Martin (00028792)**  
**Treasurer, 'DOL' Daughters Of Liberty Republican Women**

Report: semiannual report due July 15, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**48. Ruth B. Skow (00064664)**  
**Treasurer, 'McAllen AFT COPE' McAllen Federation of Teachers**

Report: 8-day pre-election report due May 6, 2011  
Penalty: \$500  
Staff recommendation: reduction of the late-filing penalty to \$250

**49. Kelly Smith (00057553)**  
**Treasurer, 'TCSD-PAC' Tarrant County Stonewall Democrats - PAC**

Report: 8-day pre-election report due May 6, 2011  
Penalty: \$3,400  
Staff recommendation: reduction of the late-filing penalty to \$1,000

Motion by Vice Chair Delco to adopt staff's recommendations on Agenda Item 7, numbers 43 through 49; second by Commissioner Long. Motion passed by a vote of eight ayes on Agenda Item 7, numbers 43 through 49. **Staff's recommendations are adopted on Agenda Item 7, numbers 43 through 49.**

**50. Brenda J. Avery (00015622)**  
**Treasurer, 'TOPAC' Texas Optometric PAC**

Report: monthly report due June 6, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

Brenda Avery spoke before the Commission.

**51. J. Michael Bell, Sr. (00037109)**  
**Member, Texas Growth Fund Board Of Trustees**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

**52. Ada Brown (00062544)**  
**Member, Public Safety Commission**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

**54. Luis F. De La Garza, Jr. (00065139)**  
**Member, Texas Appraiser Licensing And Certification Board**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

Luis De La Garza, Jr. spoke before the Commission.

**57. Janie Reyes (00059448)**  
**Member, Harris County - Houston Sports Authority**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

**58. Mary Jane Salgado (00062879)**  
**Member, Texas Board Of Nursing**

Report: personal financial statement due May 2, 2011  
Penalty: \$500  
Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

**There was no motion on Agenda Item 7, numbers 50 through 52, 54, 57, and 58. The late-filing penalties stand on Agenda Item 7, numbers 50 through 52, 54, 57, and 58.**

**56. Brenda C. Pisana (00060551)**  
**Security Director, Texas Lottery Commission**

Report: personal financial statement due May 2, 2011

Penalty: \$500

Staff recommendation: At the August 2011 meeting, the commission voted not to waive the late-filing penalty.

Motion by Commissioner Harrison to waive the \$500 late-filing penalty on Agenda Item 7, number 56; second by Commissioner Untermeyer. Motion failed. **The late-filing penalty stands on Agenda Item 7, number 56.**

**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.**

**1. Michael C. Barnes (00066748)**  
**Candidate, State Party Chair**

Report: 8-day pre-election report due June 17, 2010

Penalty: \$500

Staff recommendation: no waiver of the late-filing penalty

Motion by Vice Chair Delco to adopt staff's recommendation on Agenda Item 8, number 1; second by Commissioner Harrison. Motion passed by a vote of eight ayes on Agenda Item 8, number 1. **Staff's recommendations are adopted on Agenda Item 8, number 1.**

**Agenda Item 9. Reports More than 30-days Late; Imposition of Additional Fine.**

**1. Susan L. Hawk (00051972)**  
**District Judge**

Semiannual Report due July 15, 2011, and filed September 8, 2011; Penalty = \$500

**2. Daniel G. Rios (00062663)**  
**Former District Judge**

Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500

**3. Alice J. O'Neill (00065719)**  
**Candidate for District Judge**

Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500

4. **George E. Emery (00066350)**  
**Candidate for State Representative**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
5. **Sandra R. Kuprion-Thomas**  
**Treasurer, ATTACK PAC, The Anti-Crime PAC (00016097)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
6. **Dagmar Jung Mack**  
**Treasurer, Legislation Action Council for LTC (00057483)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
7. **Ricardo R. Godinez**  
**Treasurer, STEA PAC, South Texas Economic Alliance Political Action Committee (00062618)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
8. **Rebecca Ellisor**  
**Treasurer, Blue Star Democrats SD 11 PAC (00064995)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
9. **Mark Rubalcava**  
**Treasurer, Texans Against Career Politicians (00065579)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
10. **Mark Rubalcava**  
**Treasurer, TOPP – Texans Opposed to Professional Politicians (00065580)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500
11. **Steven J. Navarre**  
**Treasurer, CHS PAC – Conservative Hispanic Society PAC (00066119)**  
Semiannual Report due July 15, 2011 - Report not filed; Penalty = \$500
12. **Dean G. Wright**  
**Treasurer, NRN, New Revolution Now PAC, Inc. (00066397)**  
Semiannual Report due July 15, 2011 - Report not filed; Penalty = \$500
13. **Hispanic Republican Conference**  
**(A Legislative Caucus) (00067194)**  
Semiannual Report due July 15, 2011 – Report not filed; Penalty = \$500

David A. Reisman, Executive Director, briefed the Commission on this agenda item. Staff recommended that Agenda Item 9, number 13 be pulled. Motion by Commissioner Mendoza to pull Agenda Item 9, number 13; second by Vice Chair Delco. Motion passed by a vote of eight ayes. Motion by Commissioner Mendoza to increase each fine by \$1,000 for a total penalty of \$1,500 for each and refer them to the Attorney General's office on Agenda Item 9, numbers 1 through 12; second by Vice Chair Delco. Motion passed by a vote of eight ayes on Agenda Item 9,

numbers 1 through 12. **Staff's recommendations to increase the penalties are adopted on Agenda Item 9, numbers 1 through 12.**

**Agenda Item 10: Discussion and possible action regarding the termination of a campaign treasurer appointment.**

Natalia Luna Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Mendoza to adopt staff's recommendation on Agenda Item 10; second by Commissioner Long. Motion passed by a vote of seven ayes on Agenda Item 10. Commissioner Ramsay was off the dais. **Staff's recommendation is adopted on Agenda Item 10.**

**Agenda Item 11: Public discussion and possible action on the adoption and publication in the Texas Register of amendments to the following Ethics Commission Rules impacted by Senate Bill 1, 82nd Legislative Session, Special Session: Ethics Commission Rules §§ 20.50 (Total Political Contributions Maintained), 20.62 (Reporting Staff Reimbursement), 20.279 (Contents of Officeholder's Sworn Report of Contributions and Expenditures), 20.331 (Contents of Specific-Purpose Committee Sworn Report of Contributions and Expenditures), and 20.433 (Contents of General-Purpose Committee Sworn Report of Contributions and Expenditures), and 34.46 (Registration under Section 305.0041 of the Government Code).**

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Gardner Pate, attorney, spoke before the Commission. Motion by Commissioner Untermeyer to adopt sections 20.50, 20.62, 20.279, 20.331, 20.433, and 34.46 of the Ethics Commission Rules; second by Commissioner Harrison. Motion passed by a vote of seven ayes. Commissioner Ramsay was off the dais. **Sections 20.50, 20.62, 20.279, 20.331, 20.433, and 34.46 of the Ethics Commission Rules are adopted.**

**Agenda Item 12: Public discussion and possible action on the adoption and publication in the Texas Register of amendments and/or repeals to the following Ethics Commission Rules impacted by House Bill 2359, 82nd Legislative Session, Regular Session: Ethics Commission Rules §§ 20.219 (Content of Candidate's Sworn Report of Contributions and Expenditures), 22.6 (Reporting Direct Campaign Expenditures), 24.3 (Prohibitions on Contributions and Expenditures), and 24.9 (Direct Expenditure on Measure).**

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to adopt sections 20.219, 22.6, 24.3, and 24.9 of the Ethics Commission Rules; second by Commissioner Clancy. Motion passed by a vote of seven ayes. Commissioner Ramsay was off the dais. **Sections 20.219, 22.6, 24.3, and 24.9 of the Ethics Commission Rules are adopted.**



**Agenda Item 13: Public discussion and possible action on the proposal and publication in the Texas Register of amendments and/or repeals to Ethics Commission Rules §§ 18.9 (Corrected Reports), 20.63 (Reporting the Use and Reimbursement of Personal Funds), and 40.3 (Expenditures Reported under the Election Code, Title 15).**

Natalia L. Ashley, General Counsel, briefed the Commission on this agenda item. Motion by Commissioner Untermeyer to propose and publish in the Texas Register sections 18.9, 20.63, and 40.3 of the Ethics Commission Rules; second by Commissioner Mendoza. Motion passed by a vote of eight ayes. **Sections 18.9, 20.63, and 40.3 of the Ethics Commission Rules are proposed for publication in the Texas Register for comment.**

**Agenda Item 14: Appointment of a Nominating Committee for the positions of Chair and Vice Chair of the Texas Ethics Commission.**

Chair Graham appointed the following commissioners to the nominating committee: Chair Jim Graham and Commissioner Paula M. Mendoza.

The next Commission meeting is tentatively scheduled for December 14, 2011, at 8:30 A.M.

**Agenda Item 15: Adjourn.**

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