

# **TEXAS ETHICS COMMISSION**

**IN THE MATTER OF**  
**DEBBY WADDELL, RESPONDENT**  
**SC-93021**

**§        BEFORE THE**  
**§        TEXAS ETHICS COMMISSION**  
**§        §**

## **ORDER and AGREED RESOLUTION**

### **I. Recitals**

The Texas Ethics Commission ("commission") met on September 2, 1993, to consider sworn complaint SC-93021 filed against DEBBY WADDELL, (the "Respondent"). A quorum of the commission was present. Based on the investigation conducted by commission staff to date, the commission determined there was credible evidence of violations of §§ 252.001, 253.031(b), 254.124, and 255.001, *Texas Election Code*, laws administered and enforced by the commission. To resolve and settle this complaint without further proceedings, the commission proposes this agreed resolution to Respondent.

### **II. Facts Supported by Credible Evidence**

Credible evidence available to the commission would support the following findings of fact:

1. On or about April 21, 1993, Respondent, acting in concert with at least one other person under the name the "Meadows Good Government Group" ("MG3"), distributed a letter supporting the election of two candidates in the May 1, 1993, Meadows City Council election, Meadows, Texas.
2. Respondent failed to file with the City Secretary of Meadows an appointment of campaign treasurer for "The Meadows Good Government Group" or any other political committee by any name.
3. Respondent, while acting in concert with one other person, made political expenditures to support the two candidates named in the letter.
4. Respondent failed to file a "30 day before election" or an "8 day before election" sworn report of contributions and expenditures, either as an individual or on behalf of MG3 or any other political committee.
5. The April 21, 1993, letter from MG3 includes the name of the committee, the address of the committee, and is signed by Debbie Waddell as the Chair. It does not disclose that it is political advertising.
6. By letter to the commission dated June 5, 1993, Respondent stated that MG3 was a group of neighbors who got together to support two candidates that were running for office; that they were a bi-partisan group; and further, that they solicited no money. All political expenditures made were from the members of MG3.

### **III. Conclusions of Law**

The facts described in Section II would support the following findings and conclusions of law:

1. The "Meadows Good Government Group" is a specific-purpose political committee, as that term is defined in § 251.001(13), *Texas Election Code*.
2. Respondent violated § 252.001, *Texas Election Code*, by failing to file an appointment of campaign treasurer for the "Meadows Good Government Group" with the City Secretary of Meadows, Texas.
3. Respondent violated § 253.031(b), *Texas Election Code*, by making political expenditures on behalf of MG# at a time when a campaign treasurer appointment for that committee was not in effect.
4. Respondent violated § 254.124, *Texas Election Code*, by failing to file a "30th day before election report" and an "8th day before election report" before the May 1, 1993, election.
5. The letter dated April 21, 1993, signed by Respondent as Chair of Meadows Good Government Group, was political advertising.
6. Respondent violated § 255.001, *Texas Election Code*, by entering into an agreement to print political advertising that did not include the disclosure required by that section.

### **IV. Representations and Agreement by Respondent**

By signing this ORDER and AGREED RESOLUTION and returning it to the commission:

1. Respondent neither admits nor denies the facts detailed under Section II and the commission's findings and conclusions of law detailed under Section III, and consents to the entry of this ORDER and AGREED RESOLUTION solely for the purpose of resolving and settling this sworn complaint.
2. Respondent consents to the entry of this Order before any adversarial evidentiary hearings or argument before the commission, and before any formal adjudication of law or fact by the commission. Respondent waives any right to a hearing before the commission or an administrative law judge appointed by the commission, and further waives any right to a post-hearing procedure established or provided by law.
3. Respondent acknowledges that § 252.001, *Texas Election Code*, requires anyone acting in concert with another to support or oppose one or more candidates to file an appointment of campaign treasurer for a political committee with the proper authority.
4. Respondent acknowledges that § 253.031, *Texas Election Code*, prohibits a political committee from accepting political contributions or making political expenditures at a time when a campaign treasurer appointment for the committee was not in effect.
5. Respondent acknowledges that § 254.124, *Texas Election Code*, requires a specific-purpose political committee involved in an election to file at least two reports of contributions and expenditures, the 30th day before election report, and the 8th day before election report.
6. Respondent acknowledges that § 255.001, *Texas Election Code*, requires a disclosure to be included on political advertising. The disclosure must state that the material is political advertising, and must

identify the name and address of either (i) the person who arranged to have the advertising printed or published, or (ii) the person represented by the person who arranged to have the advertising printed or published.

7. Notwithstanding any other provisions of this ORDER and AGREED RESOLUTION, Respondent understands and agrees that the commission will consider the Respondent to have committed the violations detailed in Section III if it is necessary to consider a sanction to be assessed in any future sworn complaint proceedings against the Respondent.

## **V. Confidentiality**

This ORDER and AGREED RESOLUTION describes an alleged violation that the commission has determined would be neither technical nor *de minimis*. Accordingly, this ORDER and AGREED RESOLUTION is not confidential under *Texas Government Code, § 571.140(b)*, and may be disclosed by members and staff of the Texas Ethics Commission.

## **VI. No Sanction**

After considering the seriousness of the alleged violation described under Sections II and III, including the nature, circumstances, consequences, extent, and gravity of the violation; that no previous violations by this Respondent are known to the commission; and the sanction, if any, deemed necessary to deter future violations; the commission imposes no sanctions for the violations described under Section III.

## **VII. Order**

The Texas Ethics Commission hereby ORDERS:

- (1) that this proposed AGREED RESOLUTION be presented to Respondent;
- (2) that if Respondent consents to the proposed AGREED RESOLUTION, this ORDER and AGREED RESOLUTION is a final and complete disposition of SC-93021;
- (3) that Respondent may consent to the proposed AGREED RESOLUTION only by signing an original of this document and mailing the signed original to the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711, no later than November 15, 1993;
- (4) that the executive director shall promptly refer SC-93021 to an administrative law judge to conduct hearings on the commission's behalf and to propose findings of fact and conclusions of law to the commission in accordance with law if Respondent does not agree to the disposition of SC-93021 as proposed in this ORDER and AGREED RESOLUTION.

AGREED to by Respondent on this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

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**DEBBY WADDELL, RESPONDENT**

EXECUTED ORIGINAL received by the commission on: \_\_\_\_\_.  
DATE

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**JOHN STEINER  
EXECUTIVE DIRECTOR  
TEXAS ETHICS COMMISSION**