



TEXAS ETHICS COMMISSION MEETING MINUTES
April 13, 2007, 10:00 a.m.
Texas Workforce Commission Building
101 E. 15th Street, Conference Room 244, Austin, Texas 78701



COMMISSIONERS PRESENT: Tom Harrison, Vice Chair; Ross Fischer; Jim Graham; Cullen R. Looney; Paula M. Mendoza; and Nicholas C. Taylor.

COMMISSIONERS ABSENT: Raymond R. "Tripp" Davenport, III, Chair; and David Montagne.

STAFF PRESENT: Natalia L. Ashley, Amy Barden, Margie Castellanos, Homer Diaz, Sharon Finley, Jeanine C. Hudson, Becky Levy, Veronica Medrano, Robbie Miller, Cherri Phelps, David A. Reisman, Sandra Smith, 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 Vice Chair Harrison. David A. Reisman, Executive Director, called the roll. All commissioners were present except Chair Davenport and Commissioner Montagne.

Agenda Item 2: Communication to the commission from the public.

None.

Agenda Item 3: Comments by the commissioners.

Vice Chair Harrison presented former Chair Looney with a gavel in appreciation for his service as chair of the commission.

Agenda Item 4: Comments by the executive director.

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

1. Texas Ethics Commission staff has been working with the Legislature on bills, answering questions, and providing other assistance as needed.
2. Texas Ethics Commission staff is tracking approximately 100 bills that might affect the laws administered by the Ethics Commission. Commissioners received a summary of the bills in their packets. A tracking spreadsheet was distributed to the commissioners that contained asterisk marks on bills that pertained to the

- taskforce recommendations. Approximately 30 bills addressed the commission's taskforce recommendations. Staff will continue to answer questions, attend committee hearings, and testify on bills as resource witnesses throughout the session. At the end of session the Texas Ethics Commission will immediately begin to update the guides, software, and website to reflect any changes to laws we administer.
3. The Texas Ethics Commission is tracking the budget through the process. The House and Senate budget bills have both passed and now will go to Conference Committee. Staff will also serve as a resource in that process by answering questions on our commission and our needs to the Legislature. Mr. Reisman will advise the commissioners of the result of the budget recommendations once complete.
 4. Included in the commissioners' packets are the internal staff guidelines for penalties, including relevant laws and commission rules and the statutorily set fines.
 5. Mr. Reisman introduced Cherri Phelps, administrative assistant in the Disclosure Filing Section, and Sandra Smith, Director of Administration/Chief Financial Officer. The Texas Ethics Commission currently has an Attorney I position posted on our website.
 6. This calendar year, 45 sworn complaints have been received.
 7. Mr. Reisman reminded the commissioners that personal financial statements are due by April 30, 2007, unless an extension to June 29, 2007, is requested.
 8. Mr. Reisman expressed his appreciation to the Texas Workforce Commission for the use of their conference room.

Agenda Item 5: Approve minutes of the February 2, 2007, meeting.

Motion by Commissioner Fischer to adopt the February 2, 2007, meeting minutes; second by Commissioner Mendoza. Motion passed by a vote of six ayes.

For Agenda Items 6 and 7, the following represents the actions taken by the Ethics Commission in the order they occurred during the meeting.

Agenda Item 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.

8. Bryan A. Fitzpatrick, Treasurer, 'ATCEMSE PAC' Austin Travis County Emergency Medical Services Employee PAC (00053202)
Report: monthly report due January 5, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Bryan A. Fitzpatrick spoke before the commission. Motion by Commissioner Looney to adopt staff's recommendation on Agenda Item 6, number 8; second by Commissioner Graham. Motion passed by a vote of six ayes. **Staff's recommendation to waive the late-filing penalty is adopted on Agenda Item 6, number 8.**

33. Ken Myers, Treasurer, Texas Pest Control Assn. PAC (00016096)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Ken Myers spoke before the commission. Motion by Commissioner Taylor to adopt staff's recommendation on Agenda Item 6, number 33; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendation to waive the late-filing penalty is adopted on Agenda Item 6, number 33.**

63. Henry Thomas Nichols, Jr., Treasurer, 'TPGA PAC' Texas Propane Gas Association PAC (00015773)
Report: semiannual report due January 16, 2007
Penalty: \$3,100
Staff recommendation: no waiver of the late-filing penalty

Henry Thomas Nichols, Jr., and Jackie Richards spoke before the commission. Motion by Commissioner Looney to reduce the \$3,100 late-filing penalty to \$1,500 for Agenda Item 6, number 63; second by Commissioner Fischer. Motion passed by a vote of six ayes. **Reduction of the late-filing penalty to \$1,500 is adopted on Agenda Item 6, number 63.**

78. Jeffrey S. Beyer, Treasurer, 'TACCA PAC Fund' Texas Air Conditioning Contractors Assn. PAC Fund (00031591)
Report: semiannual report due January 16, 2007
Penalty: \$1,700
Staff recommendation: reduction of the late-filing penalty to \$500

Shannon Noble, Attorney, spoke before the commission. Motion by Commissioner Fischer to adopt staff's recommendation on Agenda Item 6, number 78; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendation to reduce the late-filing penalty to \$500 is adopted on Agenda Item 6, number 78.**

80. Mickey W. Chance, Treasurer, 'TCSOA PAC' Travis County Sheriff's Officers Assn. PAC (00017278)
Report: semiannual report due January 16, 2007
Penalty: \$5,200
Staff recommendation: reduction of the late-filing penalty to \$500

Mickey Chance and Shane Poole spoke before the commission. Motion by Commissioner Fischer to adopt staff's recommendation on Agenda Item 6, number 80; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendation to reduce the late-filing penalty to \$500 is adopted on Agenda Item 6, number 80.**

81. Judith Ann Cobbett, DDS, Candidate, State Representative (00058930)
Report: semiannual report due January 16, 2007
Penalty: \$4,000
Staff recommendation: reduction of the late-filing penalty to \$500

Dean Tucker spoke before the commission. Motion by Commissioner Looney to reduce the \$4,000 late-filing penalty to \$100 for Agenda Item 6, number 81; second by Commissioner Taylor. Motion passed by a vote of six ayes. **Reduction of the late-filing penalty to \$100 is adopted on Agenda Item 6, number 81.**

82. Mandy Dealey, Treasurer, Capital Area Democratic Women PAC (00051024)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$2,700
Staff recommendation: reduction of the late-filing penalty to \$700

Mandy Dealey spoke before the commission. Motion by Commissioner Fischer to reduce the \$2,700 late-filing penalty to \$350 for Agenda Item 6, number 82; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Reduction of the late-filing penalty to \$350 is adopted on Agenda Item 6, number 82.**

91. Bradford T. Shields, Treasurer, Texas Hospital Pharmacy PAC (00017063)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$3,300
Staff recommendation: reduction of the late-filing penalty to \$1,000

Bradford T. Shields spoke before the commission. **The staff's recommendation of reduction of the late-filing penalty to \$1,000 for Agenda Item 6, number 91, is adopted.**

96. Jim H. Restine, Treasurer, Potter-Randall Democratic Club (00052979)
(a) Report: 30-day pre-election report due October 10, 2006
Penalty: \$500

(b) Report: 8-day pre-election report due October 30, 2006
Penalty: \$1,600

Total penalties: \$2,100

Reconsideration: February 2007 meeting, the commission voted not to waive the late-filing penalties

Jim H. Restine spoke before the commission. Motion by Commissioner Fischer to reduce the \$2,100 late-filing penalties to \$500 total on Agenda Item 6, number 96; second by Commissioner Taylor. Motion passed by a vote of six ayes. **Reduction of the late-filing penalties to \$500 total is adopted on Agenda Item 6, number 96.**

Agenda Item 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.

19. Alfred H. 'Al' Bennett, Candidate, State Representative (00057938)
(a) Report: semiannual report due January 17, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

(b) Report: 30-day pre-election report due February 6, 2006
 Penalty: \$500
 Staff recommendation: no waiver of the late-filing penalty

(c) Report: 8-day pre-election report due February 27, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$1,000

Total penalties: \$11,000 Total recommended penalties: \$2,000

Alfred H. Bennett spoke before the commission. Motion by Commissioner Looney to reduce the \$500 late-filing penalty to \$250 in connection with the report due January 17, 2006, reduce the \$500 late-filing penalty to \$250 in connection with the report due February 6, 2006, and to adopt staff's recommendation in connection with the report due February 27, 2006, on Agenda Item 7, number 19; second by Commissioner Fischer. Motion passed by a vote of six ayes. **Reduction of the late-filing penalties to \$250 each in connection with the reports due January 17, 2006, and February 6, 2006, and staff's recommendation to reduce the late-filing penalty to \$1,000 in connection with the report due February 27, 2006, are adopted on Agenda Item 7, number 19.**

23. Hector De Leon, Treasurer, Associated Republicans Of Texas Campaign Fund (00015555)
 Report: 8-day pre-election report due October 30, 2006
 Penalty: \$8,400
 Staff recommendation: reduction of the late-filing penalty to \$500

Thomas P. Washburn, Attorney, spoke before the commission. **Agenda Item 7, number 23, is postponed until the next commission meeting.**

36. Ritesh Moza, Treasurer, Clean Government Advocates for Chris Bell (00060191)
 Report: 8-day pre-election report due October 30, 2006
 Penalty: \$1,900
 Reconsideration: February 2007 meeting, the commission voted to reduce the late-filing penalty to \$500

Ritesh Moza spoke before the commission. **The reduction of the late-filing penalty to \$500 for Agenda Item 7, number 36, stands due to lack of a motion.**

37. Selena Walsh, Treasurer, 'BVPAC' Buena Vista PAC (00060074)
 Report: 8-day pre-election report due October 30, 2006
 Penalty: \$4,200
 Reconsideration: February 2007 meeting, the commission voted to reduce the late-filing penalty to \$2,000

Selena Walsh spoke before the commission. Motion by Commissioner Graham to reduce the \$4,200 late-filing penalty to \$1,400 on Agenda Item 7, number 37; second by Commissioner Taylor. Motion passed by a vote of six ayes. **Reduction of the late-filing penalties to \$1,400 is adopted on Agenda Item 7, number 37.**

Return to Agenda Item 6.

1. Bailey C. Moseley, Justice, Court of Appeals (00058546)
Report: semiannual report due January 16, 2007
Penalty: \$700
Staff recommendation: waiver of the late-filing penalty
2. Kandice E. Poteet, Treasurer, Texas Cotton Assn. Merchants Fund (00016852)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
3. Jim A. Stott, Treasurer, 'TPA-PAC' Texas Probation Association PAC (00055185)
(a) Report: 30-day pre-election report due February 6, 2006
Penalty: \$500

(b) Report: 8-day pre-election report due October 30, 2006 (reconsideration)
Penalty: \$600

Motion by Commissioner Looney to adopt staff's recommendations on Agenda Item 6, numbers 1 through 3; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendations are adopted on Agenda Item 6, numbers 1 through 3.**

4. David A. H. Baker, Treasurer, 'CLGG' Citizens and Labor for Good Government (00054454)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$1,300
Staff recommendation: waiver of the late-filing penalty
5. Michael Buehler, Treasurer, Dallas Fire Fighters Public Safety Committee (00015649)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$7,700
Staff recommendation: waiver of the late-filing penalty
6. Daniel A. 'Dan' Corbin, Candidate, State Representative (00037518)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
7. Jackie Croft, Treasurer, 'ICED' International Center For Entrepreneurial Development, Inc. Action Committee (00017260)
Report: monthly report due February 5, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

9. Tom Graham, M.D., Treasurer, Texas Association of Neurological Surgeons Political Action Committee (00059184)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
10. Mazie M. Jamison, Lobbyist (00010252)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
11. Linda C. Keller, Treasurer, 'NSR' North Shore Republicans (00059469)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
12. Andrea T. Parker, Treasurer, 'SHPOA PAC' South Houston Police Officers Association Political Action Committee (00061249)
Report: monthly report due March 5, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
13. John Pike, Treasurer, 'FAST-PAC' Texas Ambulatory Surgery Center Society Political Action Committee (00060328)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
14. Gary J. Selph, Treasurer, 'NHCBT' North Harris County for a Better Texas (00059843)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
15. Anastasia Semos, Lobbyist (00055958)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
16. Bev Walsh, Treasurer, 'CroTC' Conservative Republicans of Tarrant County (00059800)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Taylor to adopt staff's recommendations on Agenda Item 6, numbers 4 through 7 and 9 through 16; second by Commissioner Graham. Motion passed by a vote of six ayes. **Staff's recommendations are adopted on Agenda Item 6, numbers 4 through 7 and 9 through 16.**

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17. J. Gaylord Armstrong, Treasurer, 'TCFA PAC' Texas Consumer Finance Assn. PAC (00017165)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty
 18. Willie B. Boone, Treasurer, 'H-BAD PAC' Houston Black American Democrats PAC (00027567)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
 19. Eric A. Brandler, Candidate, State Representative (00054876)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty
 20. Curtis L. Calhoun, Treasurer, 'AFACT' Association of Fire & Casualty Cos. Of Texas PAC (00017277)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
 21. George S. Christian, Treasurer, 'Cantey Hanger PAC' Cantey Hanger L.L.P. Political Action Committee (00059801)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty
 22. Roberto E. 'Eddie' De La Garza, Candidate, Court of Appeals Justice (00019835)
Report: semiannual report due January 16, 2007
Penalty: \$700
Staff recommendation: waiver of the late-filing penalty
 23. Hector De Leon, Treasurer, Associated Republicans Of Texas Campaign Fund (00015555)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
 24. Eddy D. Edmondson, Treasurer, 'TNLA-PAC' Texas Nursery & Landscape Assn. PAC (00015571)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
 25. Laura Ehrlich, Treasurer, Populist PAC (00016782)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

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26. Tommy Engelke, Treasurer, 'TACC PAC' Texas Agricultural Cooperative Council PAC (00017363)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty
28. Carlos G. Lopez, Candidate, District Judge (00034144)
Report: annual report of unexpended contributions due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
29. James Martin, Treasurer, 'PharmPAC' Texas Pharmacy Association PAC (00016271)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
30. Mexican American Legislative Caucus (00034395)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
31. Howard Frederick 'Buddy' Meyer, Candidate, District Judge (00057836)
Report: annual report of unexpended contributions due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
32. Brigido H. Mireles, Treasurer, Citizens For Diversity In Leadership Roles (00053454)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
34. John Osborne, Treasurer, Texas Chapter of the American College of Cardiology (TCACC) HeartPAC (00056201)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
35. Carl Pendergrass, District Judge (00041377)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: waiver of the late-filing penalty
36. Robert C. 'Bert' Richardson, District Judge (00041161)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
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37. Mary Román, District Judge (00020698)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
38. Jose M. 'Joe' Rubio, Jr., District Attorney (00020732)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
39. Farrukh Shamsi, Treasurer, 'AADT PAC' Asian American Democrats of Texas PAC (00060065)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
40. Lenora Sorola-Pohlman, Treasurer, Harris County Tejano Democrats (00054190)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
41. Lenora Sorola-Pohlman, Treasurer, State Tejano Democrats (00056106)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
42. Marsha Van Duyn, Treasurer, Lone Star Republican Women's Club PAC (00016499)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
43. David Van Os, Candidate, Attorney General (00017493)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
44. Allen R. Vaught, State Representative (00058275)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
45. Selena Walsh, Treasurer, 'BV PAC' Buena Vista PAC (00060074)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

46. Jerry T. Wright, II, Treasurer, 'WAREPAC' Texas Warehouse Assn. (00031074)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
47. Tom Yturri, Treasurer, 'TAPA-PAC' Texas Academy of Physician Assistants – PAC (00051030)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Looney to adopt staff's recommendation on Agenda Item 6, numbers 17 through 26, 28 through 32, and 34 through 47; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendation to waive the late-filing penalty is adopted on Agenda Item 6, numbers 17 through 26, 28 through 32, and 34 through 47.**

27. Henry G. Flores, Treasurer, EMBARQ Employees' PAC of Texas (00016175)
Report: semiannual report due January 16, 2007
Penalty: \$900
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Looney to assess the \$900 penalty; second by Commissioner Fischer. Motion passed by a vote of six ayes. **The late-filing penalty is adopted on Agenda Item 6, number 27.**

48. Smithie Leon Bennett, Lobbyist (00013607)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
49. John V. Blain, Jr., Lobbyist (00052403)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
50. Art Brender, Tarrant County Democratic Party PAC (00015705)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$900
Staff recommendation: no waiver of the late-filing penalty

Agenda Item 6, number 50, postponed at the filer's request.

51. Daniel T. Casey, Lobbyist (00013900)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

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52. Errlinda Castillo, Candidate, Court of Appeals Justice (00037256)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
53. Victor DeFilippis, Treasurer, Owens Corning Better Government Fund (00034688)
Report: monthly report due November 6, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
54. Douglas Dunsavage, Lobbyist (00055935)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
55. John C. Estlinbaum, District Judge (00041580)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
56. William A. Hefner, Treasurer, Texas Rice Producers Legislative Group PAC (00034268)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
57. Clemon Maddox, Lobbyist (00050982)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
58. Ronald Martin, Treasurer, 'HPOU-PAC' Houston Police Officers Union PAC (00015604)
Report: monthly report due February 5, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
59. John M. McClung, Treasurer, TPA (00041550)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
60. Dennis R. McKee, Treasurer, Mesquite Police Assn. PAC (00015488)
Report: monthly report due February 5, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

61. Lynn M. Moak, Lobbyist (00024362)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
62. Doanh T. 'Zone' Nguyen, Candidate, District Judge (00054643)
Report: annual report of unexpended contributions due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
64. Jack Lane North, II, Treasurer, Sportfishing Enhancement Advocates Political Action Committee (00053834)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
65. Sidney D. Rich, Lobbyist (00010008)
Report: lobby activities report due February 12, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
66. Tom Sanders, Lobbyist (00050818)
Report: lobby activities report January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Agenda Item 6, number 66, postponed at the filer's request.

67. William R. Schleusner, Jr., Lobbyist (00029425)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
68. Jim I. Sewell, Lobbyist (00012847)
Report: lobby activities report due December 11, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
69. Relvin Kent Sharp, Candidate, State Representative (00054850)
Report: annual report of unexpended contributions due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
70. Robert A. Stluka, Jr., Lobbyist (00018549)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

71. Jim C. Terrell, Lobbyist (00053686)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
72. Texas Association of REALTORS, Lobbyist (00011645)
Report: lobby activities report due February 12, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
73. Phyllis A. Traylor, Treasurer, 'MCLEA' Montgomery County Law Enforcement Association (00055658)
Report: monthly report due February 5, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
74. Joe D. Valenzuela, Lobbyist (00050742)
Report: lobby activities report due February 12, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
75. Frank H. Vejil, Treasurer, 'EPIC' Electric Political Involvement Committee (00016999)
Report: semiannual report due January 16, 2007
Penalty: \$600
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Fischer to adopt staff's recommendation on Agenda Item 6, numbers 48 through 49, 51 through 62, 64 through 65, and 67 through 75; second by Commissioner Graham. Motion passed by a vote of six ayes. **Staff's recommendations are adopted on Agenda Item 6, numbers 48 through 49, 51 through 62, 64 through 65, and 67 through 75.**

76. Steven G. Alford, Treasurer, 'CFF' Citizens For Freeport (00057919)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
77. Donald R. Beeth, Treasurer, 'FriendsPAC' Friendswood Taxpayers PAC (00057860)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
79. Noel Candelaria, Treasurer, 'YEPAC' Ysleta Educators PAC (00015639)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

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83. Sharon M. Easley, Candidate, District Judge (00057482)
Report: semiannual report due July 17, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
84. Stephanie Heitman, Treasurer, Pearland Life (00051040)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
85. Mike Higgins, Treasurer, 'TSAFF' Texas State Assn. Of Fire Fighters Action Committee (00015648)
Report: 30-day pre-election report due October 10, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
86. Gregory D. Hooser, Lobbyist (00012987)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
87. David A. Lopez. District Judge (00058478)
Report: semiannual report due January 16, 2007
Penalty: \$3,300
Staff recommendation: reduction of the late-filing penalty to \$1,000
88. Geraldine E. 'Tincy' Miller, Chair, State Board of Education (00020544)
Report: semiannual report due January 16, 2007
Penalty: \$2,700
Staff recommendation: reduction of the late-filing penalty to \$500
89. Bee Moorhead, Lobbyist (00053703)
Report: lobby activities report due January 10, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
90. Donny R. Myers, Lobbyist (00036124)
Report: lobby activities report due February 12, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250
92. Rhett R. Smith, Candidate, Governor (00057521)
(a) Report: semiannual report due July 17, 2006
Penalty: \$1,200
Staff recommendation: reduction of the late-filing penalty to \$500

(b) Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Total penalties: \$1,700 Total recommended penalties: \$500

93. Valerie G. Standifer, Treasurer, League Of Women Voters Of Texas Action Committee (00015627)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$250

Motion by Commissioner Fischer to adopt staff's recommendations on Agenda Item 6, numbers 76, 77, 79, 83 through 90, 92, and 93; second by Commissioner Looney. Motion passed by a vote of six ayes. **Staff's recommendations are adopted on Agenda Item 6, numbers 76, 77, 79, 83 through 90, 92, and 93.**

94. Rhonda K. Coleman, Treasurer, 'KANDO' Katy Area New Democratic Organization (00056208)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$3,700
Reconsideration: February 2007 meeting, the commission voted to reduce the \$3,700 late-filing penalty to \$600

The reduced late-filing penalty for Agenda Item 6, number 94, stands due to lack of a motion.

95. Jeanine L. Howard, Criminal District Court Judge (00058245)
Report: 30-day pre-election report due October 10, 2006
Penalty: \$500
Reconsideration: February 2007 meeting, the commission voted not to waive the late-filing penalty

The \$500 late-filing penalty for Agenda Item 6, number 95, stands due to lack of a motion.

97. Gisela D. Triana, District Judge (00054704)
Report: personal financial statement due May 1, 2006
Penalty: \$500
Reconsideration: September 2006 meeting, the commission voted not to waive the late-filing penalty

February 2007 meeting, Judge Triana requested reconsideration and testified before the commission. Previous decision not to waive the late-filing penalty stood for lack of a motion.

Agenda Item 6, number 97, postponed at filer's request.

98. David A. Jones, Candidate, State Representative (00032432)
Report: semiannual report due July 17, 2006
Penalty: \$500

Amy Barden briefed the commission on Agenda Item 6, number 98, as requested by the commission at the February 2007 meeting.

Return to Agenda Item 7.

1. John Bass, Treasurer, 'NUCOR PAC OF TEXAS' Nucor Corporation Political Action Committee of Texas (00053011)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$7,800
Staff recommendation: that the original report substantially complied with the applicable law
2. Harold Berman, Treasurer, 'TAROPAC' Texas Alliance Of Recreational Organizations PAC (00015870)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$8,100
Staff recommendation: that the original report substantially complied with the applicable law
3. Valerie E. Ertz, Treasurer, 'PCRW' Park Cities Republican Women's Club PAC (00017080)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$8,100
Staff recommendation: that the original report substantially complied with the applicable law
4. Wanda M. Fowler, Justice, Court of Appeals (00026690)
Report: semiannual report due January 16, 2007
Penalty: \$1,900
Staff recommendation: that the original report substantially complied with the applicable law
5. J. Woodfin 'Woodie' Jones, Candidate, Court of Appeals Chief Justice (00021146)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: that the original report substantially complied with the applicable law
6. Chand Khan, Candidate, State Representative (00054861)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$8,200
Staff recommendation: that the original report substantially complied with the applicable law
7. Tim J. McGrath, Treasurer, Sheet Metal Workers Local Union #67 Political Action League (00016177)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$8,900
Staff recommendation: that the original report substantially complied with the applicable law
8. Leslie A. Phelps, Treasurer, 'MCI-TEXPAC' MCI Employees TEXPAC (00015738)
Report: 8-day pre-election report due April 3, 2006
Penalty: \$10,000
Staff recommendation: that the original report substantially complied with the applicable law

9. Francine Raper, Treasurer, 'RWHC' Republican Women Of Hood County PAC (00016554)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$7,800
Staff recommendation: that the original report substantially complied with the applicable law

Motion by Commissioner Looney to adopt staff's recommendations on Agenda Item 7, numbers 1 through 9; second by Commissioner Graham. Motion passed by a vote of six ayes. **Staff's recommendations that the reports substantially complied with the applicable law is adopted on Agenda Item 7, numbers 1 through 9.**

10. Greg Abbott, Attorney General (00019652)
Report: semiannual report due January 16, 2007
Penalty: \$1,300
Staff recommendation: waiver of the late-filing penalty
11. Sandra G. McGee, Treasurer, 'BACPAC' Texas Assn. Of Business and Commerce PAC (00015654)
Report: monthly report due August 7, 2006
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
12. Diane Patrick, State Representative (00020837)
Report: semiannual report due January 16, 2007
Penalty: \$900
Staff recommendation: waiver of the late-filing penalty
13. Ben G. Raimer, M.D., Member, Statewide Health Coordinating Council (00021455)
Report: personal financial statement due May 1, 2006
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty
14. Simon Zubras, Treasurer, 'IEC of Texas PAC' Independent Electrical Contractors of Texas PAC (00039877)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: waiver of the late-filing penalty

Motion by Commissioner Fischer to adopt staff's recommendations on Agenda Item 6, numbers 10 through 14; second by Commissioner Looney. Motion passed by a vote of six ayes. **Staff's recommendations to waive the late-filing penalties is adopted on Agenda Item 7, numbers 10 through 14.**

15. Gary L. Gillen, Treasurer, Fort Bend Republican P.A.C. (00060076)
Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Motion by Commissioner Fischer to adopt staff's recommendation on Agenda Item 7, number 15; second by Commissioner Mendoza. Motion passed by a vote of six ayes. **Staff's recommendation not to waive the late-filing penalty is adopted on Agenda Item 7, number 15.**

16. Jose Menendez, State Representative (00042411)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$600
Staff recommendation: no waiver of the late-filing penalty

Agenda Item 7, number 16, postponed at filer's request.

17. Yvonne Gonzalez Toureilles, State Representative (00054587)
Report: 8-day pre-election report due October 30, 2006
Penalty: \$5,400
Staff recommendation: None

Agenda Item 7, number 17, postponed at filer's request.

18. Ken G. Anderson, District Judge (00038193)
(a) Report: semiannual report due July 17, 2006
Penalty: \$10,000
Staff recommendation: reduction of the late-filing penalty to \$500

(b) Report: semiannual report due January 16, 2007
Penalty: \$3,800
Staff recommendation: reduction of the late-filing penalty to \$500

Total penalties: \$13,800 Total recommended penalties: \$1,000

Agenda Item 7, number 18, postponed at filer's request.

20. Randall C. Bristow, Treasurer, The Friends of Ralph Lopez Campaign (00059129)
(a) Report: semiannual report due July 17, 2006
Penalty: \$10,000
Staff recommendation: reduction of the late-filing penalty to \$500

(b) Report: semiannual report due January 16, 2007
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty

Total penalties: \$10,500 Total recommended penalties: \$1,000

21. Daniel M. Chism, Treasurer, EZCORP, Inc. Political Action Committee (00057770)
(a) Report: 8-day pre-election report due October 30, 2006
Penalty: \$6,200
Staff recommendation: reduction of the late-filing penalty to \$500

(b) Report: 8-day pre-election report due October 30, 2006
 Penalty: \$1,900
 Staff recommendation: reduction of the late-filing penalty to \$100

Total penalties: \$8,100 Total recommended penalties: \$600

22. John Coleman, Treasurer, 'ACS Good Government Comm.' Affiliated Computer Services, Inc. Good Government Committee (00056209)

Report: 8-day pre-election report due October 30, 2006
 Penalty: \$7,700
 Staff recommendation: reduction of the late-filing penalty to \$700

24. Benjamin Euresti, District Judge (00019971)

(a) Report: semiannual report due January 17, 2006
 Penalty: \$500
 Staff recommendation: no waiver of the late-filing penalty

(b) Report: semiannual report due July 17, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$500

(c) Report: semiannual report due January 16, 2007
 Penalty: \$3,900
 Staff recommendation: reduction of the late-filing penalty to \$500

Total penalties: \$14,400 Total recommended penalties: \$1,500

Agenda Item 7, number 24, postponed at filer's request.

25. Charles L. Geren, State Representative (00029493)

(a) Report: 30-day pre-election report due October 10, 2006
 Penalty: \$500
 Staff recommendation: no waiver of the late-filing penalty

(b) Report: 8-day pre-election report due October 30, 2006
 Penalty: \$8,900
 Staff recommendation: that the original report substantially complied with the applicable law

Total penalties: \$9,400 Total recommended penalties: \$500

26. Carmen Y. Kelsey, District Judge (00020288)

Report: semiannual report due July 17, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$500

Agenda Item 7, number 26, postponed at filer's request.

27. David D. Kelton, Candidate, District Judge (00051643)
- (a) Report: semiannual report due July 17, 2006
Penalty: \$10,000
Staff recommendation: reduction of the late-filing penalty to \$1,000
- (b) Report: 30-day pre-election report due October 10, 2006
Penalty: \$500
Staff recommendation: no waiver of the late-filing penalty
- Total penalties: \$10,500 Total recommended penalties: \$1,500
28. Richard B. Lawson, Treasurer, Verizon Communications Inc. Good Government Club – Texas (00015611)
- (a) Report: monthly report due August 5, 2005
Penalty: \$500
Staff recommendation: that the original report substantially complied with the applicable law
- (b) Report: monthly report due March 6, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (c) Report: monthly report due April 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (d) Report: monthly report due May 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (e) Report: monthly report due June 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (f) Report: monthly report due July 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (g) Report: monthly report due September 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100
- (h) Report: monthly report due October 5, 2006
Penalty: \$500
Staff recommendation: reduction of the late-filing penalty to \$100

- (i) Report: monthly report due November 6, 2006
 Penalty: \$500
 Staff recommendation: reduction of the late-filing penalty to \$100
- Total penalties: \$4,500 Total recommended penalties: \$800
29. Ramon L. Rodriguez, Jr., Candidate, Criminal District Court Judge (00051174)
- (a) Report: 8-day pre-election report due February 27, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$500
- (b) Report: semiannual report due July 17, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$500
- (c) Report: annual report of unexpended contributions due January 16, 2007
 Penalty: \$500
 Staff recommendation: no waiver of the late-filing penalty
- Total penalties: \$20,500 Total recommended penalties: \$1,500
30. Alan Sager, Treasurer, 'TCRPCEC' Travis County Republican Party (CEC) (00039023)
- Report: 8-day pre-election report due October 30, 2006
 Penalty: \$8,200
 Staff recommendation: reduction of the late-filing penalty to \$700
31. Florence Shapiro, State Senator (00020966)
- Report: semiannual report due July 17, 2006
 Penalty: \$10,000
 Staff recommendation: reduction of the late-filing penalty to \$500
32. Victor Demier Torres, Treasurer, 'NLFT-PAC' New Leadership For Texas Political Action Committee (00052837)
- Report: semiannual report due January 16, 2007 (original filed late)
 Penalty: \$500
 Staff recommendation: reduction of the late-filing penalty to \$250
33. Frank Waltermire, Treasurer, Brazoria County Republican Party PAC (00016588)
- Report: semiannual report due January 16, 2007
 Penalty: \$4,800
 Staff recommendation: reduction of the late-filing penalty to \$500
34. William Howard Wolf, Treasurer, David Dewhurst Committee (00036671)
- (a) Report: 30-day pre-election report due October 10, 2006
 Penalty: \$500
 Staff recommendation: no waiver of the late-filing penalty

(b) Report: 8-day pre-election report due October 30, 2006
Penalty: \$9,200
Staff recommendation: reduction of the late-filing penalty to \$1,000

Total penalties: \$9,700 Total recommended penalties: \$1,500

Motion by Commissioner Fischer to adopt staff's recommendation on Agenda Item 7, numbers 20 through 22, 25, and 27 through 34; second by Commissioner Looney. Motion passed by a vote of six ayes. **Staff's recommendations are adopted on Agenda Item 7, numbers 20 through 22, 25, and 27 through 34.**

35. Delwin Jones, State Representative (00020196)
Report: 30-day pre-election report due October 10, 2006
Penalty: \$500
Reconsideration: February 2007 meeting, the commission voted not to waive the late-filing penalty

Agenda Item 7, number 35, postponed at filer's request.

Agenda Item 8: Discussion and possible action regarding the termination of campaign treasurer appointments of inactive candidates and inactive political committees.

Candidates

1. Juan J. Maldonado (00055110)

Agenda Item 8, Candidate number 1, withdrawn at filer's request.

2. James A. 'Jim' Cooper (00057774)

Agenda Item 8, Candidate number 2, withdrawn at filer's request.

3. Gary D. Pratt (00058115)
4. Patrick Edward Heaton (00058393)
5. William E. Harrison (00058458)
6. Barbara M. Samuelson (00058467)
7. Jessica Reyes Martinez (00058586)
8. Star Locke (00058626)
9. Michael R. 'Mike' Henderson (00058959)

Political Committees

1. Morris W. Petty, Public Workers For A Better Workplace (00040851)
2. Leslie J. Baldwin, El Paso Pachyderms Pack Fund (00050301)
3. Leslie J. Baldwin, Ya Basta Political Action Committee (00055743)
4. Laura L. Harden, Concerned Citizens for Venus (00056929)
5. Wanda Williams, Glass, Molders, Pottery, Plastics and Allied Workers Local #216 (00017077)

Agenda Item 8, Political Committee number 5, withdrawn at filer's request.

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Motion by Commissioner Looney to adopt staff's recommendation on Agenda Item 9, numbers 3 through 9 (Candidates) and 1 through 4 (Political Committees); second by Commissioner Taylor. Motion passed by a vote of six ayes. **Staff's recommendation is adopted on Agenda Item 9, numbers 3 through 9 (Candidates) and 1 through 4 (Political Committees), to terminate the campaign treasurer appointments of inactive candidates and political committees.**

Agenda Item 9: AOR 537: Whether an incorporated local organization that is a member of an incorporated statewide organization may make donations to charities that match the amount of political contributions made by individual members of the local organization to the statewide organization's general-purpose political committee.

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Ed Shack spoke before the commission. Motion by Commissioner Looney to amend the draft to say that the solicitation program is not a permissible solicitation expense. Motion failed by a vote of four ayes. Vice Chair Harrison and Commissioner Graham voted no. **Agenda Item 9 postponed until the next commission meeting.**

Agenda Item 10: Public discussion and possible action on the proposal and publication in the Texas Register of Ethics Commission Rule § 20.56 (Reporting a Pledge), relating to the reporting of a political contribution in the form of a pledge.

Natalia L. Ashley, General Counsel, briefed the commission on this agenda item. Ed Shack spoke before the commission. Motion by Commissioner Taylor to publish in the Texas Register Ethics Commission Rule § 20.56; second by Commissioner Fischer. Motion passed by a vote of six ayes. **Ethics Commission Rule § 20.56 to be published in the Texas Register for comments.**

The next Ethics Commission meeting is scheduled for June 28 and 29, 2007.

Agenda Item 11: Adjourn.

Commission meeting adjourned by unanimous consent.