



## TEXAS ETHICS COMMISSION MEETING MINUTES

### Morning Meeting Minutes

March 27, 2013, 9:02 a.m.

Texas Workforce Commission Building, Room #244  
101 E. 15th Street, Austin, Texas 78701



**COMMISSIONERS PRESENT:** Jim Clancy, Chair; Paul W. Hobby, Vice Chair; Hugh C. Akin, Tom Harrison, Bob Long, Paula M. Mendoza, Tom Ramsay, and Chase Untermeyer.

**COMMISSIONERS ABSENT:** None.

**STAFF PRESENT:** Natalia L. Ashley, Margie Castellanos, Jessie Haug, David A. Reisman, Tim Sorrells, and Melissa Taylor.

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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 Clancy. David A. Reisman, Executive Director, called the roll. All Commissioners were present.

**Agenda Item 2: Approve minutes of the January 31, 2013, Commission meeting.**

Motion by Commissioner Long to adopt the minutes of the January 31, 2013, Commission meeting; second by Commissioner Harrison. **Motion passed by a vote of eight ayes.**

**Agenda Item 3: Public discussion and possible action on the current standards and compliance for lobbyist registration and reporting.**

Tim Sorrells, General Counsel, briefed the Commission on this agenda item. Jack Gullahorn, Professional Advocacy Association of Texas, spoke before the Commission. Mr. Gullahorn provided 3 separate hand-outs to the Commission. Ed Shack, Attorney, spoke before the Commission. Chair Clancy requests the Commission to create a pamphlet titled "Am I a Lobbyist?" to provide the regulated community safe harbors.

**Agenda Item 4: Briefing and discussion on the impact of ethics legislation in the 2013 legislative session.**

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

1. There are no requests or inquiries regarding the Commission's nine recommendations;
2. HB 2737 has been referred to the House Elections Committee and SB 219 has been referred to the Senate State Affairs Committee. No hearings are set for either bill; and
3. Mr. Reisman briefed the commission on HB 1075, SB 1773, HB 3621, and SB 346.

**Agenda Item 5: Public discussion and possible action on the creation of internal procedures for detailed review of serious sworn complaint violations including allocation of personnel and budgetary resources.**

Motion by Vice Chair Hobby to defer Agenda Item 5 to a public workshop in May; second by Commissioner Harrison. **Motion passed by a vote of eight ayes. Agenda Item 5 is deferred to May workshop.**

**Agenda Item 6: Discussion of Ethics Commission guidance to officeholders who are running for re-election in a district with new boundaries.**

**Agenda Item 7: AOR-578: Whether a person who was elected to the position of justice of the peace of a particular precinct and who was subsequently appointed to the position of justice of the peace of a different precinct holds the office to which he was appointed for purposes of section 255.006 of the Election Code.**

Natalia L. Ashley, Special Counsel, briefed the Commission on these agenda items. Donna Garcia Davidson, Attorney, spoke before the Commission. Guidance was given by Commissioners to staff in Agenda Item 6 to address Agenda Item 7 appropriately. Motion by Commissioner Akin for extension on advisory opinions for an additional 30 days; second by Commissioner Hobby. **Motion passed by a vote of eight ayes on Agenda Items 6 and 7. Thirty day extension is granted on Agenda Item 7.**

**Agenda Item 8: Discussion of procedures for review, discussion and issuing advisory opinion requests.**

Commissioners and staff discussed procedures for responding to advisory opinion requests. Amended motion by Commissioner Untermeyer to change procedures of advisory opinion requests; second by Commissioner Akin. **Motion passed by a vote of eight ayes.**

**Agenda Item 9: Public discussion and possible action on the adoption or proposal and publication in the Texas Register of an amendment to Ethics Commission Rule section 50.1 (Legislative Per Diem) relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.**

Motion by Commissioner Long to adopt the amendment of section 50.1 of the Ethics Commission Rules; second by Commissioner Harrison. **Motion passed by a vote of eight ayes. The amendment of section 50.1 of the Ethics Commission Rules is adopted.**

**Agenda Item 10: Communication to the Commission from the public.**

None.

**Agenda Item 11: Comments by the Commissioners.**

None.

**Agenda Item 12: Comments by the Executive Director.**

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

1. Mr. Reisman thanked the Texas Workforce Commission for allowing the Ethics Commission to use their committee room for the Commission meeting.
2. Mr. Reisman thanked the Legislative Budget Board, Senate Finance staff, Sunset staff, House Appropriations, and the Governor's Office for the great working relationship they have with the Ethics Commission staff.
3. Mr. Reisman stated that the Commission is currently looking to fill a Programmer III position.
4. Mr. Reisman spoke about the electronic ID's and passwords Chair Clancy requested he provide to the Commissioners so they can gain experience with the new electronic filing software.
5. Mr. Reisman discussed the revised quarterly reports.

**Agenda Item 13: Creation of a subcommittee of commissioners on simplification of disclosure filing forms.**

The subcommittee consists of Chair Clancy and Commissioners Untermeyer and Harrison.

**Agenda Item 14: Creation of a subcommittee of commissioners on electronic filing software system.**

The subcommittee consists of Vice Chair Hobby and Commissioners Mendoza and Akin.

**Agenda Item 15: Public discussion and possible action on upcoming Commission meeting topics.**

The Commissioners addressed upcoming commission meeting topics and dates for upcoming meetings for 2013. The following dates are set for meetings:

1. October 30 and 31; and
2. December 3.

The next Commission meeting is tentatively scheduled for May 29 and 30, 2013.

**Agenda Item 16: Adjourn.**

Motion by Commissioner Mendoza to adjourn; second by Commissioner Akin. Motion passed by unanimous vote.