

TEXAS ETHICS COMMISSION
P.O. Box 12070, Austin, Texas 78711-2070
(512) 463-5800

Ross Fischer, Chair
Paula M. Mendoza, Vice Chair
Wilhelmina Delco
Jim Graham

Tom Harrison
George "Trey" Henderson, III
David Montagne
Nicholas C. Taylor

AGENDA

Date and Time: 2 p.m. on Wednesday, December 2, 2009
Location: Room E1.010, Capitol Extension, Austin, Texas

1. Call to order; roll call.
2. Communication to the commission from the public.
3. Comments by the commissioners.
4. Comments by the executive director.
 - a. Personnel
 - b. Sworn Complaint Filings
 - c. Lobby Registration Notices
 - d. January Semiannual Notices
5. Approve minutes of the October 15, 2009, commission meeting, and the October 15, 2009, executive session.
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 for the following individuals:

Claudia Russell	Alexandra Smoots-Hogan	Chris Newton
Carol V. Batterton	Andrea Sparks	Rolando B. Pablos
Bill Broderick	Virginia 'V.A.' Stephens	Claudia Flores Rodas
Marcia M. Gilbert	Samuel D. Wesley	Frank R. Santos
Alex J. Cresswell	Martin L. 'Marty' Allday, III	William Michael Wachel
Jarvis V. Hollingsworth	Michael G. Daniel	Mark A. Smith
Ginger K. Martin	William H. Flores	

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 for the following individuals:

David C. Guaderrama
Glenn A. Hegar, Jr.

For more information, contact David A. Reisman, Executive Director, at (512) 463-5800

Zane Teutsch

8. Discussion and possible action regarding the termination of a campaign treasurer appointment of the following inactive candidates:

Terry E. 'Elmo' Hockman, Jr.
Jeffrey S. Joyner

Discussion and possible action in response to the following Advisory Opinion Request:

9. AOR-550: The Texas Ethics Commission has been asked whether the contingency fee restrictions in Section 305.022 of the Government Code as amended by House Bill No. 3445 adopted during the regular session of the 81st Legislature are to be applied retroactively.

This opinion construes section 305.022 of the Government Code.

Discussion and possible action in response to the following Advisory Opinion Request:

10. AOR-551: The Texas Ethics Commission has been asked whether a communication that a city is considering placing on its website complies with section 255.003 of the Election Code.

This opinion construes section 255.003 of the Election Code.

11. Public discussion and possible action on the proposal or adoption and publication in the Texas Register of Ethics Commission Rule § 12.57 (Contents of a Complaint), relating to information required to be included in a complaint filed with the Texas Ethics Commission.
12. Public discussion and possible action on the proposal or adoption and publication in the Texas Register of Ethics Commission Rules §§ 34.1 (Definitions), 34.5 (Certain Compensation Excluded), 34.46 (Registration under Section 305.0041 of the Government Code), 34.73 (Reporting by Independent Contractor), and 34.75 (Reporting by Commission or Fee Paid by State Agency), relating to lobbyist registration and authorized activities.
13. Public discussion and possible action on the proposal or adoption and publication in the Texas Register of Ethics Commission Rule § 34.21 (Contingent Fees for Influencing Purchasing Decisions), relating to contingent fees for influencing purchasing decisions.
14. Public discussion and possible action on the proposal or adoption and publication in the Texas Register of Ethics Commission Rule § 20.61 (Description of Expenditure), relating to the description of the purpose of an expenditure under Section 254.031 of the Election Code.

15. Presentation of the Nominating Committee report regarding the positions of Chair and Vice Chair of the Texas Ethics Commission. Election of Chair and Vice Chair of the Texas Ethics Commission.
16. Adjourn.

CERTIFICATION: I certify that I have reviewed this document and that it conforms to all applicable Texas Register filing requirements.

Certifying Official: David A. Reisman, Executive Director

Agency Liaison: Natalia Luna Ashley, General Counsel

NOTICE: Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the Texas Ethics Commission will provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, and large print or Braille documents. In determining the type of auxiliary aid or service, the commission will give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify Margie Castellanos at (512) 463-5800, (800) 325-8506, or RELAY Texas (800) 735-2989 two days before this meeting so that appropriate arrangements can be made. Please also contact Ms. Castellanos if you need assistance in having English translated into Spanish.