

SWORN COMPLAINT BEFORE THE TEXAS ETHICS COMMISSION

Office Use Only
Docket Number :

I. IDENTITY OF COMPLAINANT

I, Garnet F. Coleman, complainant, hereby file this sworn complaint with the Texas Ethics Commission. My address is 5445 Almeda, Suite 501, Houston, TX 77004. My telephone number is 713-520-5355.

II. IDENTITY OF RESPONDENT

The respondent is Ron Wilson. The respondent holds the position or title of Assistant Parliamentarian, Texas House of Representatives.

The respondent's address is 4003 Redwin Cr., Houston, TX 77047.

The respondent's telephone number is 713-734-0238.

Additional pages attached.

III. NATURE OF ALLEGED VIOLATION

The Texas Ethics Commission has jurisdiction to enforce Title 15, Election Code, concerning political contributions and expenditures, and political advertising.

Mr. Wilson's 2004 8 Day Before Election Report (Report #: 245719) was due on March 1st, 2004. Representative Wilson did not file this report until March 23rd, 2004, after the March primaries, and after the candidate lost his campaign for reelection without disclosing his funding sources.

The Texas Ethics Commission administered an \$8,300 fine to Mr. Wilson. To date, Mr. Wilson has yet to pay the state for his violation. He is now employed as Assistant Parliamentarian in the Texas House of Representatives.

IV. STATEMENT OF FACTS

As of Saturday, May 26, 2007, Mr. Wilson's outstanding penalty has yet to be paid to the state.

Report: 8-day pre-election report due March 1, 2004, filed March 23rd, 2004, after Mr. Wilson's electoral defeat. Penalty: \$8,300

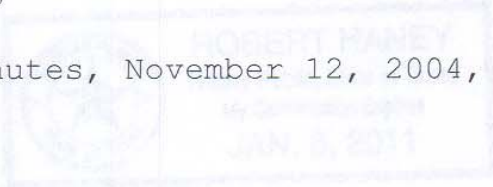
Texas Ethics Commission Met November 12, 2004, 2:02 pm. And administered an \$8,300 fine.

Revised 01/05/2000

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

Copy of Texas Ethics Commission Meeting Minutes, November 12, 2004, 2:02 pm.
Item #29

(Attached)



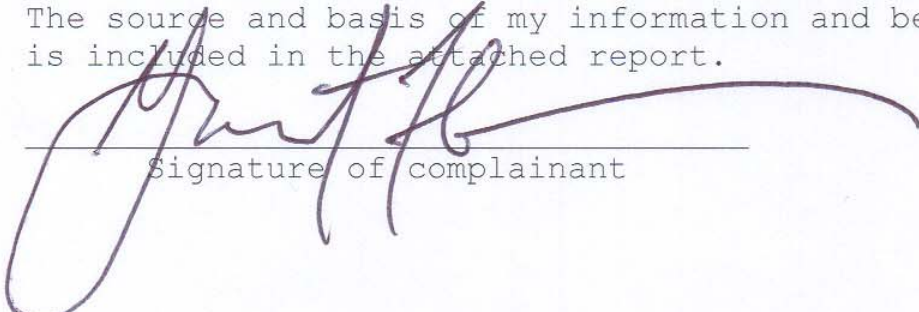
Noting Public

VII. AFFIDAVIT

BASED ON INFORMATION AND BELIEF

(Execute this affidavit if the acts alleged are not within your direct personal knowledge, but are based on reasonable belief.)

I, Garnet F. Coleman, complainant, swear that I have reason to believe and do believe that the violation alleged in this complaint has occurred. The source and basis of my information and belief is included in the attached report.

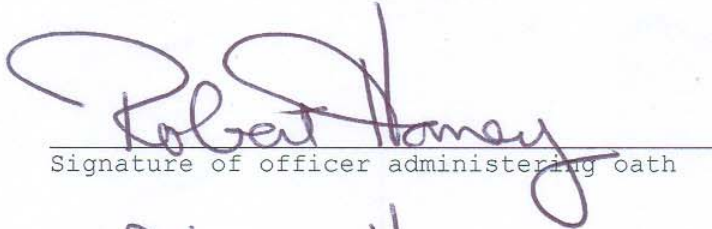


Signature of complainant

AFFIX NOTARY
STAMP/ SEAL ABOVE

Sworn to and subscribed before me, by the said

GARNET F. COLEMAN, this
the 26th day of MAY, 2007, to certify which, witness my
hand and seal of office.



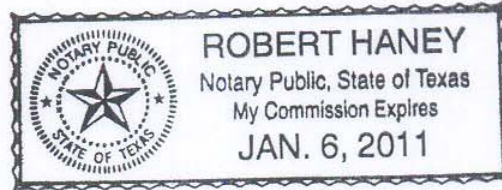
Signature of officer administering oath

ROBERT HANEY

Print name of officer administering oath

Notary Public

Title of officer administering oath



TEXAS ETHICS COMMISSION MEETING MINUTES

November 12, 2004, 2:02 p.m.

Capitol Extension, Room E1.010, Austin, Texas, 78701

COMMISSIONERS PRESENT: Francisco Hernandez, Chair; Ralph Wayne, Vice Chair; Raymond R. "Tripp" Davenport, III; Scott W. Fisher; Cullen R. Looney; and David Montagne.

COMMISSIONERS ABSENT: Tom Harrison and Wales H. Madden, III.

STAFF PRESENT: Natalia L. Ashley, Joe Brocato, Christopher Burnett, William Calem, Margie Castellanos, Sue Edwards, Sharon Finley, Glenn George, Robert Mannas, Lowell McCormack, Robbie Miller, Kristin Newkirk, David Reisman, Chris Ruby, Theresa Schwindt, Amy Simms, Tim Sorrells, Sarah Woelk, 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 Chair Hernandez. David Reisman, Executive Director, called the roll. All Commissioners were present except Commissioners Harrison and Madden. Motion by Commissioner Hernandez to excuse Commissioners Harrison and Madden.

Agenda Item 2: Comments by the Commissioners.

Commissioner Fisher welcomed David Reisman, the new Executive Director of the Texas Ethics Commission. Chair Hernandez introduced Mr. Reisman. David Reisman expressed his appreciation of Sarah Woelk as Acting Executive Director and Natalia Ashley as Acting General Counsel.

Agenda Item 3: Comments by the Executive Director.

David Reisman, Executive Director, made the following comments:

1. The lobby electronic filing software has been completed and thus we are in compliance with the Legislature's mandate of having an electronic filing system in place by December 1, 2004. The CDs will be mailed to any lobbyist registered in 2003 and 2004.

There have been good responses to the hands-on lobby training being conducted by Ethics Commission staff.

2. The mail out regarding the moratorium on political contributions has been sent.

3. The mail out for the semiannual filing will be mailed mid-December for the January 18, 2005, filing for campaign finance reports.

4. There were 61 sworn complaints filed in October 2004, 207 sworn complaints filed so far this year, compared to 140 sworn complaints filed this time last year.

5. Sarah Woelk, General Counsel, participated as a panel member in the Governor's ethics training seminar for new board members. Mr. Reisman served as a moderator. The first portion of the seminar was held November 4, 2004, and the second will be held November 15, 2004.

Agenda Item 4: Communication to the commission from the public.

Jack Gullahorn, General Counsel for the Professional Advocacy Association of Texas, spoke before the commission, regarding the new lobby electronic filing requirements.

Agenda Item 5: Approve minutes of the September 10, 2004, meeting.

Motion by Vice Chair Wayne to adopt the September 10, 2004, meeting minutes; second by Commissioner Fisher. Motion passed by a vote of six ayes.

Agenda Item 6: Update on the status of the computer software for the filing of lobby reports with the Texas Ethics Commission electronically.

Kristin Newkirk, Director of Special Projects, briefed the commission. To date, 300 lobbyists have been trained in 16 training sessions. Ms. Newkirk introduced the lobby electronic filing software team: Sue Edwards, Disclosure Filings Division; Joe Brocato, Glenn George, Chris Ruby, Lowell McCormack, and Sharon Finley, Computer Services Division; and Sarah Woelk and Natalia Ashley, Legal Division. Laurie Pair and Janet Traxler were external testers of the electronic filing software. David Reisman expressed his appreciation for the team's hard work.

For Agenda Items 7 and 8, 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.**

26) Kae McLaughlin, Treasurer, Texas Abortion Rights Action League PAC (00015602)

Report: semiannual report due July 15, 2004

Penalty: \$500

Kae McLaughlin spoke before the commission. Motion by Commissioner Montagne to reduce the \$500 late-filing penalty to \$100; second by Vice Chair Wayne. Motion passed by a vote of five ayes. Commissioner Fisher voted no. **Late-filing penalty reduced to \$100 for Agenda Item 7, number 26.**

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.

30) Mark Strama, Candidate, State Representative (00054754)

Report: personal financial statement due February 11, 2004

Penalty: \$500

Mark Strama spoke before the commission. Motion by Commissioner Looney to waive the \$500 late-filing penalty; second by Commissioner Fisher. Motion passed by a vote of six ayes. **Late-filing penalty waived for Agenda Item 8, number 30.**

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.

16) Sheng T. Chen, Texas State Board of Acupuncture Examiners (00054039)

Report: personal financial statement due April 30, 2004

Penalty: \$500

Sheng T. Chen spoke before the commission. Motion by Commissioner Davenport to waive the \$500 late-filing penalty; second by Commissioner Montagne. Motion passed by a vote of six ayes. **Late-filing penalty waived for Agenda Item 7, number 16.**

32) Pat Wedel, Treasurer, Travis County Libertarian Party (00051866)

Report: semiannual report due July 15, 2004

Penalty: \$500

Charles Hughes, new Treasurer of the Travis County Libertarian Party, spoke before the commission. Rock Howard, Chair of the Travis County Libertarian Party, also spoke before the commission. Motion by Commissioner Montagne to reduce the \$500 late-filing penalty to \$50; second by Vice Chair Wayne. Motion passed by a vote of six ayes. **Late-filing penalty reduced to \$50 for Agenda Item 7, number 32.**

21) Erasmo Herrera, Treasurer, I. L. A. Local #20 PAC Fund (00054528)

Report: monthly report due April 5, 2004

Penalty: \$500

Erasmo Herrera spoke before the commission. Motion by Commissioner Looney to reduce the \$500 late-filing penalty to \$100; second by Commissioner Fisher. Motion passed by a vote of six ayes. **Late-filing penalty reduced to \$100 for Agenda Item 7, number 21.**

Sarah Woelk briefed the commission on the following requests to waive the late-filing penalties.

1) Joshua M. Darr, Treasurer, Harris County Green Party Organizing Committee (00038730)

Report: semiannual report due July 15, 2004

Penalty: \$500

2) Paul Gibbs, Candidate, State Senator (00054174)

Report: 30-day pre-election report due October 4, 2004

Penalty: \$500

3) Alfred T. Stanley, Treasurer, Texas League of Conservation Voters (00015923)

Report: monthly report due October 5, 2004

Penalty: \$500

4) Cynthia Tyson Jenkins, Texas Motor Vehicle Board (00054786)

Report: personal financial statement due April 30, 2004

Penalty: \$500

5) Daphne Love Hamilton, Candidate, County Party Chair (00054910)

Report: semiannual report due July 15, 2004

Penalty: \$500

6) Steven C. Dossin, Treasurer, Metrocrest Republican Club (00015800)

Report: semiannual report due July 15, 2004

Penalty: \$500

7) Charity McCluskey, Treasurer, The Nicodemus Project (00055555)

Report: semiannual report due July 15, 2004

Penalty: \$500

8) Pamela Niblett, Treasurer, Cross Timbers Republican Womens Club (00055763)

Report: semiannual report due July 15, 2004

Penalty: \$500

9) Dorothy N. Stewart-Bridges, Texas State Board of Social Worker Examiners (00037665)

Report: personal financial statement due June 29, 2004

Penalty: \$500

10) Dimas Vasquez, Interagency Council on Early Childhood Intervention Services (00040229)

Report: personal financial statement due April 30, 2004

Penalty: \$500

Motion by Vice Chair Wayne to adopt staff's recommendation to waive the \$500 late-filing penalties on numbers 1 through 10; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Staff recommendation to waive the late-filing penalties is adopted for Agenda Item 7, numbers 1 through 10.**

11) Suzanna Hupp, State Representative (00032746)

Report: semiannual report due July 15, 2004

Penalty: \$2,900

Staff recommendation: reduction of the late-filing penalty to \$1,100

12) Steven R. Herod, District Judge (00031329)

Report: semiannual report due July 15, 2004

Penalty: \$4,700

Staff recommendation: reduction of the late-filing penalty to \$500

13) William T. Varner, Treasurer, Friends of Kyle Janek (00016024)

Report: special session report due June 16, 2004

Penalty: \$500

Staff recommendation: reduction of the late-filing penalty to \$100

Motion by Vice Chair Wayne to adopt staff's recommendation to reduce the late-filing penalties on numbers 11 through 13; second by Commissioner Montagne. Commissioner Fisher voted no. Motion passed by a vote of five ayes. **Staff recommendation to reduce the late-filing penalties is adopted for Agenda Item 7, numbers 11 through 13.**

18) Margarita de la Garza-Graham, Stephen F. Austin University Board of Regents (00051135)

Report: personal financial statement due April 30, 2004

Penalty: \$500

28) Emily Miller Payne, Texas School Safety Center Board (00053916)

Report: personal financial statement due April 30, 2004

Penalty: \$500

Motion by Commissioner Davenport to waive the \$500 late-filing penalties on numbers 18 and 28; second by Commissioner Fisher. Motion passed by a vote of six ayes. **Late-filing penalties waived for Agenda Item 7, numbers 18 and 28.**

29) Kimberly R. Phillips, Texas Board of Professional Geoscientists (00052236)

Report: personal financial statement due June 29, 2004

Penalty: \$500

Motion by Commissioner Davenport to reduce the late-filing penalty to \$250; second by Vice Chair Wayne. Motion passed by a vote of six ayes. **Late-filing penalty reduced to \$250 for Agenda Item 7, number 29.**

14) Jeffrey S. Beyer, Treasurer, Texas Air Conditioning Contractors Association PAC (00031591)

Report: semiannual report due July 15, 2004

Penalty: \$500

15) David W. Bradley, Treasurer, Honest Votes (00052632)

Report: semiannual report due July 15, 2004

Penalty: \$500

17) Lawrence Collins, Lobbyist (00053516)

Report: lobby activities report due August 10, 2004

Penalty: \$500

19) M. P. "Dexter" Eaves, Criminal District Attorney (00037772)

Report: personal financial statement due April 30, 2004

Penalty: \$500

20) Jacqueline C. Gill, Treasurer, Independent Automobile Dealers PAC (00017307)

Report: semiannual report due July 15, 2004

Penalty: \$500

22) Travis L. Jagers, Treasurer, U. of H. Regency PAC (00039014)

Report: semiannual report due July 15, 2004

Penalty: \$500

23) Gerald M. Lavey, State Office of Risk Management (00038048)

Report: personal financial statement due June 29, 2004

Penalty: \$500

24) Glenn O. Lewis, State Representative (00020160)

Report: semiannual report due July 15, 2004

Penalty: \$1,600

25) Fred W. Marosko, Lobbyist (00013375)

Report: lobby activities report due May 10, 2004

Penalty: \$500

27) Isabel C. Menendez, Texas Board of Licensure for Professional Medical Physicists (00038116)

Report: personal financial statement due June 29, 2004

Penalty: \$500

30) Jose E. Saenz, Candidate, State Representative (00054337)

Report: semiannual report due July 15, 2004

Penalty: \$3,600

31) James Richard Tyson, Treasurer, Dog PAC (00017081)

Report: semiannual report due July 15, 2004

Penalty: \$500

33) Marshall D. Williams, Treasurer, Baytown Area Democrats (00052221)

Report: semiannual report due July 15, 2004

Penalty: \$500

34) Terry Zettle, Treasurer, Irving Police Officers PAC (00017255)

Report: semiannual report due July 15, 2004

Penalty: \$500

35) Lee Zieben, Candidate, State Representative (00053921)

Report: semiannual report due July 15, 2004

Penalty: \$5,200

Motion by Vice Chair Wayne to adopt staff's recommendation not to waive the late-filing penalties on numbers 14, 15, 17, 20, 22 through 25, 27, 30, 31, 33 through 35, and to postpone number 19; second by Commissioner Montagne. Motion passed by a vote of six ayes. **Staff recommendation not to waive the late-filing penalties is adopted for numbers 14, 15, 17, 20, 22 through 25, 27, 30, 31, 33 through 35; number 19 is postponed.**

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.

Sarah Woelk briefed the commission on the following filers who filed corrected reports.

1) Angelica Juarez Barill, Candidate, District Judge (00054525)

Report: semiannual report due July 15, 2004

Penalty: \$5,000

2) Walton L. Baum, Lobbyist (00033997)

Report: lobby activities report due August 10, 2004

Penalty: \$500

3) James S. Dougherty, Candidate, State Representative (00042695)

Report: 30-day pre-election report due October 4, 2004

Penalty: \$500

4) Charles Elk, Treasurer, Electric Political Action Committee of TXU Corp. (00016862)

Reports: monthly reports due July 6, 2004; August 5, 2004; September 7, 2004, and October 5, 2004

Penalty: \$500 (each report)

5) Ron Hinkle, Lobbyist (00050593)

Report: lobby activities report due June 10, 2004

Penalty: \$500

6) Kevin A. Isern, Candidate, District Judge (00054855)

Report: semiannual report due July 15, 2004

Penalty: \$8,500

7) Carol Martine, Treasurer, Austin Apartment Association PAC (00016265)

Report: monthly report due September 7, 2004

Penalty: \$500

8) Robert W. Miller, Treasurer, Northeast Bexar County Democrats PAC (00050327)

Report: 30-day pre-election report due October 4, 2004

Penalty: \$500

9) Carol Pace, Treasurer, TXU Corp. PAC (00017075)

Report: monthly report due August 5, 2004

Penalty: \$500

10) Stephen Sprowls, Treasurer, Texas Surplus Lines Association PAC (00015955)

Report: monthly report due October 5, 2004

Penalty: \$500

11) Timothy N. Tippit, Lobbyist (00012024)

Report: lobby activities report due August 10, 2004

Penalty: \$500

12) Yvonne Gonzalez Toureilles, Candidate, State Representative (00054587)

Report: semiannual report due July 15, 2004

Penalty: \$8,800

Report: 30-day pre-election report due October 4, 2004

Penalty: \$500

13) Sara M. White, Treasurer, Alamo City Republican Women (00015898)

Report: semiannual report due July 15, 2004

Penalty: \$8,200

14) Martha J. Wong, State Representative (00040436)

Report: 30-day pre-election report due October 4, 2004

Penalty: \$500

Motion by Commissioner Davenport to adopt staff's recommendation on numbers 1 through 14 that the reports substantially complied with the applicable law; second by Commissioner Looney. Motion passed by a vote of six ayes. **Staff recommendation is adopted on Agenda Item 8, numbers 1 through 14 that the reports substantially complied with the applicable law.**

Sarah Woelk briefed the commission on the following filers who filed corrected reports.

15) Terry S. Arnold, Candidate, State Representative (00055009)

Report: semiannual report due July 15, 2004

Penalty: \$3,600

16) Lola A. Ball, Treasurer, Texans For Family Values PAC (00054858)

Reports: monthly reports due March 5, 2004; April 5, 2004; and May 5, 2004

Penalty: \$500 (each report)

17) Lola A. Ball, Treasurer, Christian Attorneys for Texans PAC (00054816)

Reports: monthly reports due March 5, 2004; April 5, 2004; and May 5, 2004

Penalty: \$500 (each report)

18) Jacqueline A. Patrick, Treasurer, Bandera County Republican Women's Club PAC (00054821)

Report: semiannual report due July 15, 2004

Penalty: \$500

19) Anita Nesser, Treasurer, Centex Corporation PAC (00052717)

Report: semiannual report due July 15, 2004

Penalty: \$500

20) David Reynolds, Treasurer, Texas Medical Association PAC (00015658)

Reports: monthly reports due January 5, 2004; February 5, 2004; March 5, 2004; April 5, 2004; May 5, 2004; June 7, 2004; July 6, 2004; and August 5, 2004

Penalty: \$500 (each report)

21) Stephen H. Russell, Candidate, State Representative (00054113)

Report: semiannual report due January 15, 2004

Penalty: \$500

Report: 30-day pre-election report due February 9, 2004

Penalty: \$500

Report: semiannual report due July 15, 2004

Penalty: \$5,000

Motion by Commissioner Davenport to adopt staff's recommendation to waive the late-filing penalties on numbers 15 through 21; second by Vice Chair Wayne. Motion passed by a vote of six ayes. **Staff recommendation to waive the late-filing penalties is adopted for Agenda Item 8, numbers 15 through 21.**

22) Robin Orr, Candidate, State Representative (00054639)

Report: runoff report due April 5, 2004

Penalty: \$10,000

Report: semiannual report due July 15, 2004

Penalty: \$2,400

Motion by Commissioner Davenport to adopt staff's recommendation to reduce the late-filing penalties to \$500 for each report; second by Commissioner Montagne. Motion passed by a vote of six ayes. **Staff recommendation to reduce the late-filing penalties to \$500 for each report is adopted for Agenda Item 8, number 22.**

23) Dian G. Owen, Treasurer, Fraser For Texas Senate (00016469)

Report: semiannual report due July 15, 2004

Penalty: \$800

Dave Cummings, Deputy Treasurer for Fraser For Texas Senate, spoke before the commission. Motion by Commissioner Fisher to reduce the late-filing penalty to \$500; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Late-filing penalty reduced to \$500 for Agenda Item 8, number 23.**

24) Robert R. Puente, State Representative (00020685)

Report: semiannual report due July 15, 2004

Penalty: \$1,800

Motion by Commissioner Montagne to adopt staff's recommendation to reduce the late-filing penalty to \$500; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Staff recommendation to reduce the late-filing penalty to \$500 is adopted for Agenda Item 8, number 24.**

25) Denise Haywood, Treasurer, Friends of Shirley Craft (00054655)

Report: semiannual report due January 15, 2004

Penalty: \$500

Report: semiannual report due July 15, 2004

Penalty: \$2,200

Motion by Commissioner Davenport to adopt staff's recommendation to waive the late-filing penalty for the January 2004 semiannual report and to reduce the late-filing penalty to \$500 for the July 2004 semiannual report; second by Vice Chair Wayne. Motion passed by a vote of six ayes. **Staff recommendation to waive the late-filing penalty on the January 2004 report and to reduce the late-filing penalty to \$500 on the July 2004 report is adopted on Agenda Item 8, number 25.**

26) Ann Witt, Candidate, State Representative (00053858)

Report: semiannual report due January 15, 2004

Penalty: \$500

Report: 30-day pre-election report due February 9, 2004

Penalty: \$500

Report: 8-day pre-election report due March 1, 2004

Penalty: \$10,000

Motion by Vice Chair Wayne to adopt staff's recommendation to waive the late-filing penalty on the January 2004 report, and to reduce the late-filing penalties to \$500 each on the other two reports; second by

Commissioner Davenport. Motion passed by a vote of six ayes. **Staff recommendation to waive the late-filing penalty on the January 2004 report and to reduce the late-filing penalties to \$500 each on the February 2004 and the March 2004 reports is adopted on Agenda Item 8, number 26.**

27) Ann E. Kitchen, Former State Representative (00041450)

Report: 8-day pre-election report due October 28, 2002

Penalty: \$10,000

Agenda Item 8, number 27 is postponed.

28) Deborah Van Dormolen, Treasurer, Campaign for Republican Leadership (00032597)

Report: 8-day pre-election report due October 28, 2002

Penalty: \$10,000

Report: semiannual report due January 15, 2004

Penalty: \$500

Motion by Commissioner Montagne to reduce the late-filing penalty on the October 2002 report to \$1,500 and not to waive the \$500 late-filing penalty on the January 2004 report; second by Vice Chair Wayne. Motion passed by a vote of five ayes. Commissioner Fisher voted no. **The late-filing penalty on the October 2002 report is reduced to \$1,500 and the late-filing penalty on the January 2004 report stands at \$500 on Agenda Item 8, number 28.**

29) Ron Wilson, State Representative (00020996)

Report: 8-day pre-election report due March 1, 2004

Penalty: \$8,300

The late-filing penalty for Agenda Item 8, number 29 stands due to lack of a motion. Commissioner Looney recused himself.

31) Texas Legislative Black Caucus (00034396)

Reports: LEG reports due January 15, 2004, and July 15, 2004

Penalty: \$500 (each report)

Motion by Commissioner Davenport to adopt staff's recommendation to waive the late-filing penalty on the January 2004 report and not to waive the late-filing penalty on the July 2004 report; second by Commissioner Montagne. Motion passed by a vote of six ayes. **The late-filing penalty on the January 2004 report is waived and the late-filing penalty on the July 2004 report stands at \$500 on Agenda Item 8, number 31.**

Sarah Woelk briefed the commission on the following filer who filed a corrected report.

32) Jack Dillard, Treasurer, Altria Group, Inc. Texas PAC (00016849)

Report: semiannual report due January 15, 2004

Penalty: \$500

Report: 8-day pre-election report due March 1, 2004

Penalty: \$10,000

Motion by Vice Chair Wayne to adopt staff's recommendation to waive the late-filing penalties; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Staff recommendation to waive the late-filing penalties is adopted on Agenda Item 8, number 32.**

Agenda Item 14 discussed before Agenda Item 9.**Agenda Item 14: Public discussion and possible action on the proposal and publication in the Texas Register of a rule relating to lobby activities reports.**

Jack Gullahorn, Professional Advocacy Association of Texas, spoke before the commission. Motion by Vice Chair Wayne to propose a rule to allow an amnesty period so that lobbyists who file reports electronically for the January 2005 and February 2005 reporting periods will be able to make corrections to those reports with no penalty, as outlined by Jack Gullahorn; second by Commissioner Looney. Motion passed by a vote of six ayes. **Motion is adopted to propose a rule to allow an amnesty period for lobbyists to correct reports filed electronically for the January 2005 and February 2005 reporting periods with no penalty and to publish the rule in the Texas Register.**

Mr. Gullahorn then addressed the commission regarding clarification of the law concerning the reporting of lobbyist compensation. Motion by Vice Chair Wayne for staff to include a notice in the mail out to lobbyists regarding electronic filing informing them about the correct way to report compensation, and that they may correct the compensation on their reports before the end of 2004 without penalty; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Motion is adopted for staff to send a notice to lobbyists explaining the correct way to report compensation and that they may correct the compensation on their reports before the end of 2004 with no penalty.**

Agenda Item 9: AOR 517: Application of the laws under the Ethics Commission's jurisdiction to a situation in which a corporation would invite elected public officials to participate in the philanthropic program, pursuant to which the corporation would donate computer products to schools.

Jack Gullahorn, Professional Advocacy Association of Texas, and Fred Lewis, Campaigns for People, spoke before the commission. Sarah Woelk briefed the commission on this agenda item. Motion by Vice Chair Wayne to adopt staff's recommendation; second by Commissioner Montagne. Chair Hernandez, and Commissioners Davenport and Looney, voted no. Motion failed. **No opinion issued for AOR 517.**

Agenda Item 10: AOR 518: Whether a former member of the Texas Legislature may use unexpended political contributions to make expenditures in connection with the position of United States Ambassador.

Ed Shack, Director of Texas Ethics, spoke before the commission. Sarah Woelk briefed the commission on this agenda item. Motion by Commissioner Fisher to adopt staff's recommendation; second by Vice Chair Wayne. Motion passed by a vote of six ayes. **AOR 518 is adopted as Ethics Advisory Opinion No. 458.**

Agenda Item 11: AOR 519: Whether a home-rule city may adopt an ordinance that requires city candidates and officeholders to transmit reports electronically rather than on paper.

Sarah Woelk briefed the commission on this agenda item. Helen Valkavich, City of San Antonio, spoke before the commission. Motion by Commissioner Looney to adopt staff's recommendation; second by Commissioner Davenport. Motion passed by a vote of six ayes. **AOR 519 is adopted as Ethics Advisory Opinion No. 459.**

Agenda Item 12: AOR 444: Whether a corporation may make political contributions to defray administrative expenses of a general-purpose committee that has no other connection to the corporation.

Sarah Woelk briefed the commission on this agenda item. Fred Lewis, Campaigns for People, spoke before the commission. Motion by Commissioner Davenport to abide by the Texas Ethics Commission rule not to issue an opinion on pending litigation and table the matter; second by Commissioner Fisher. Motion passed by a vote of five ayes. Commissioner Looney was off the dais. **No opinion issued for AOR 444.**

Agenda Item 13: Public discussion and possible action on the proposal and publication in the Texas Register of an amendment on the rule relating to the legislative per diem required to be set under Article III, Section 24a, of the Texas Constitution.

David Reisman briefed the commission on this agenda item. Motion by Commissioner Looney to adopt staff's recommendation to propose an amendment to the rule to increase the legislative per diem from \$125

to \$128 per day during the regular session and for each day during any special session in 2005 for each member of the legislature and the lieutenant governor, and to publish the rule in the Texas Register; second by Commissioner Fisher. Motion passed by a vote of six ayes. **Motion adopted to initiate rulemaking procedures for the proposed rule.**

Returned to discussion on Agenda Item 14.

Agenda Item 14: Public discussion and possible action on the proposal and publication in the Texas Register of a rule relating to lobby activities reports.

Sarah Woelk briefed the commission on this agenda item. Fred Lewis, Campaigns for People, spoke before the commission. Motion by Commissioner Looney to publish the rule in the Texas Register; second by Commissioner Davenport. Motion passed by a vote of six ayes. **Motion adopted to initiate rulemaking procedures for the proposed rule.**

Agenda Item 15: Adjourn.

Motion by Commissioner Davenport to adjourn. Motion passed by unanimous consent.