

PROPOSED DRAFT/Subject to Revision

NOTICE OF PUBLIC HEARING/REGULAR MEETING

The Ethics Commission of the State of Oklahoma will hold a public hearing and regular meeting on Friday, January 20, 2012, at 10:00 o'clock a.m. The Commission will meet at the State Capitol Building, 2300 North Lincoln Boulevard, Room 511A, Oklahoma City, Oklahoma.

REGULAR MEETING REVISED AGENDA

1. Call to order
2. Determination of quorum present
3. Public hearing, consisting of taking testimony and comments, as well as consideration of and discussion on promulgation of amendments and/or modifications to the Constitutional Ethics Rules [the "Rules"], Section 257:1-1-1 et seq. of the Rules of the Ethics Commission, 74 O.S. 2011, Ch. 62, App. and/or adopting resolution(s) to request legislative action with respect to new items introduced for discussion or those listed in the published document titled: *Rules of the Ethics Commission, Proposed Amendments and/or Drafts for 2012 Legislative Session for consideration at the January 20, 2012, Regular Meeting of the Ethics Commission*, incorporated by reference in this agenda as fully set forth in the document
4. Action on promulgating rule amendments, language and/or modifications to the Constitutional Ethics Rules [*supra*] and/or adopting resolution(s) requesting legislative action and/or other related action the Commission may wish to take in this regard and presenting promulgated rules electronically to the Governor and both Houses of the Legislature on February 7, 2012[*supra* #3]
5. Consideration of, public comment and discussion on staff's Review of the Political Subdivisions Ethics Act ["PSEA"], 51 O.S. 2011, §§ 301-325, Chair's alternative Recommendations to the Oklahoma Legislature for Reformation of the PSEA, and Vice Chair's Proposed Amendments to Staff's Review of the PSEA [copies of all three documents attached and incorporated by reference], and directing staff to provide adopted recommendations to the Governor and both Houses of the Legislature

6. Action on same [supra #5]
7. Consideration of, public comment and discussion on requesting legislative action with respect to the recommendations for modifications to statutes, as set forth in Staff's Proposed Draft of Legislative Changes to 21 O.S. 2011, § 187.1 et seq., together with any alternate proposal(s), and directing staff to provide adopted recommendations to the Governor and both Houses of the Legislature
8. Action on same [supra #7]
9. Consideration of and discussion on whether to adopt the Minutes [both open and closed sessions] of the public hearing and regular meeting held December 16, 2011
10. Action on same [supra #9]
11. Consideration of and discussion on whether to eliminate the policy of all agenda items being followed by action items as a safeguard in case the Commission wishes to take action
12. Action on same [supra #11]
13. Consideration of and discussion on whether to ratify agency expenditures for December 1 through December 31, 2011
14. Action on same [supra #13]
15. Consideration of and discussion on contracting with additional administrative hearing officer(s)
16. Action on same [supra #15]
17. Administrative Report
18. Action on same [supra #17]
19. Proposed closed/executive session, authorized and required by Title 25 O.S. 2001, § 307 (B) (1), (4) and (7); Constitutional Ethics Rules [supra], Sections 257:1-1-6 (h), (i), (j) (k) and (l); 257:30-1-2, 30-1-3, 30-1-4, 30-1-5, and 30-1-6; OAR 258:25-1-4
 - (a) Statement of advice of General Counsel that disclosure of the following listed items will seriously impair the ability of the Commission to process the claims or conduct pending investigations, litigation, or proceedings in the public interest for the following matters made confidential by law
 - (b) Vote to go into closed/executive session
 - (c) Consideration of and discussion on Informations
 - (i) IU-2011-006

- (ii) IV-2010-008
- (iii) IU-2011-012
- (iv) IV-2011-013
- (v) IU-2011-014
- (vi) IU-2011-015

Consideration, reconsideration, discussion and, if voted on in the open session of the meeting, action on any of the above listed assessment appeal hearings, if any, includes affirming, modifying or setting aside, in whole or in part, the ruling of the hearing officer below or dismissing the assessment or appeal; consideration, discussion and, if voted on in the open session of the meeting, action on any of the above listed ethics interpretations and/or informal opinions may include adopting, revising, or converting an informal opinion to an ethics interpretation; consideration, discussion and, if voted on in the open session of the meeting, action on any of the above listed Information(s) or Complaint(s) may include initiation or continuation of an investigation, consideration and discussion on settlement offers or proposals, authorization for entering and/or acceptance of same, whether to initiate or file a complaint in District Court, or dismissal or settlement of an Information or Complaint or case; consideration, discussion and/or action on any of the above listed matters of litigation may include settlement, dismissal, consideration of a application for rehearing and/or other matters which counsel may recommend or which the Commission may wish to consider; handling matters administratively may include such actions as working with respondent to achieve compliance with the Constitutional Ethics Rules ^[supra] or the Political Subdivisions Ethics Act, 51 O. S. 2001, §§301-325; the latter could also include the Commission requesting more detailed or precise disclosure or other mitigating action; in such instances, an Information could be tabled subject to the success of administrative staff in obtaining compliance, subject to the Commission's option to open an investigation should the Commission, in its discretion, find the effort lacking or insufficient.

- 20. Proposed open session for action on same ^[supra #19]
 - (a) Vote to convene in open session
 - (b) Action on Informations ^[supra #19(c)(i), (ii), (iii), (iv), (v) and (vi)]
- 21. Consideration and discussion on setting the next meeting date
- 22. Action on same ^[supra #21]
- 23. New Business ^[matters that have arisen within the last 24 hours which, with diligence, could not be known before that time]
- 24. Action on same ^[supra #23]
- 25. Adjournment

RULES OF THE ETHICS COMMISSION
PROPOSED AMENDMENTS and/or DRAFTS
for the 2012 Legislative Session
[Section 257:1-1-1 et seq., 74 O.S. 2011, Ch. 62, App.]
for consideration at the January 20, 2012
Regular Meeting of the Ethics Commission

AVAILABLE ON THE AGENCY WEBSITE AT
www.ethics.ok.gov

-FEBRUARY REGULAR MEETING-
PRESENTLY SCHEDULED FOR
FRIDAY, FEBRUARY 17, 2012
OKLAHOMA STATE CAPITOL BUILDING
2300 NORTH LINCOLN BOULEVARD
OKLAHOMA CITY, OKLAHOMA