

## PROPOSED DRAFT/Subject to Revision

### NOTICE OF REGULAR MEETING

The Ethics Commission of the State of Oklahoma will hold a regular meeting on Friday, October 23, 2009, at 10:00 o'clock a.m. The Commission will meet at the State Capitol Building, 2300 North Lincoln Boulevard, Room 432A, Oklahoma City, Oklahoma.

### REVISED AGENDA OF REGULAR MEETING

1. Call to order
2. Determination of quorum present
3. Consideration of electing a Commission chair and vice chair for the next 12-month period
4. Action on same [supra #3]
5. 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. Supp. 2009, 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 2010 Legislative Session for consideration at the October 23, 2009 Regular Meeting of the Ethics Commission*, incorporated by reference in this agenda as fully set forth in the document
6. Action on promulgating new 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 [supra #5]
7. Consideration of and discussion on whether to adopt the Minutes [both open and closed sessions] of the regular meeting held September 17, 2009
8. Action on same [supra #7]
9. Consideration of and discussion on whether to ratify agency expenditures for September 1 through and including September 30, 2009
10. Action on same [supra #9]

11. Consideration of and discussion on Fiscal Year 2011 Budget Request
12. Action on same [supra #11]
13. Administrative report
14. Action on same [supra #13]
15. Public hearing on questions posed in Ethics Interpretation EI-2009-002

Following a minimum of 30 days' notice as required by the Rules, the Commission will continue to accept both oral and written comments prior to or at this public hearing. Staff comments and/or drafts of the ethics interpretation were available on the agency's website at [www.ethics.ok.gov](http://www.ethics.ok.gov) and, in addition, were emailed with its agenda to all those on its emailing list at least five (5) days before this meeting.

The following question has been asked:

*Must board members of local conservation districts file personal financial disclosure with the Ethics Commission pursuant to the Rules? If so, what type?*

16. Proposed closed/executive session, authorized and required by Title 25 O.S. 2001, § 307 (B) (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 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) Deliberations on Request for Ethics Interpretation EI-2009-002
  - (d) Consideration of and discussion on Informations
    - (i) IU-2009-003
    - (ii) IV-2009-004
    - (iii) IV-2009-005
    - (iv) IV-2009-008
    - (v) IV-2009-009
      - (A) Presentation of state agency investigator conducting overlapping investigation
      - (B) Consideration of Commission cooperation with state agency investigation

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, adopting subject to the Chair's final approval, ratifying an informal opinion or converting it 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 <sup>[supra]</sup> 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

17. Proposed open session for action on same <sup>[supra #16]</sup>
  - (a) Vote to convene in open session
  - (b) Action on Request for Ethics Interpretation EI-2009-002
  - (c) Action on Informations <sup>[supra #16(d)(i), (ii), (iii), (iv), (v) and (v)(B)]</sup>
18. New Business <sup>[matters that have arisen within the last 24 hours which, with diligence, could not be known before that time]</sup>
19. Adjournment

**RULES OF THE ETHICS COMMISSION**  
**PROPOSED AMENDMENTS and/or DRAFTS**

**[Section 257:1-1-1 et seq., 74 O.S. Supp. 2009, Ch. 62, App.]**

**for consideration at the October 23, 2009**

**Regular Meeting of the Ethics Commission**

**AVAILABLE ON OUR WEBSITE AT**

**[www.ethics.ok.gov](http://www.ethics.ok.gov)**

**-NOVEMBER PUBLIC HEARING AND REGULAR MEETING-  
SCHEDULED FOR**

**FRIDAY, NOVEMBER 20, 2009**

**OKLAHOMA STATE UNIVERSITY TULSA**

**700 NORTH GREENWOOD**

**TULSA, OKLAHOMA**

**-DECEMBER PUBLIC HEARING AND REGULAR MEETING-  
SCHEDULED FOR**

**FRIDAY, DECEMBER 18, 2009**

**OKLAHOMA STATE CAPITOL BUILDING**

**2300 NORTH LINCOLN BOULEVARD**

**OKLAHOMA CITY, OKLAHOMA**