

Regular Meeting and Executive Session held on July 11, 2014.

the vote was as follows: Pettigrew – yes, Walker – yes, McKinney – yes, Long – yes, Stocker –abstain. **Motion carried.**

Consideration, Discussion and Possible Action on Ratification of Agency Expenditures for the month of July, 2014.

Walker moved for ratification of the agency expenditures. McKinney seconded. Roll was called on the motion and the vote was as follows: Walker – yes, McKinney – yes, Pettigrew – yes, Long – yes, Stocker – yes. **Motion carried.**

Executive Director's Report.

Slater praised Rebecca Frazier's work ethic, skill and character during her tenure as General Counsel and said she will be missed.

Slater said that the development of training programs for implementation of the new Ethics Rules will begin on Monday. He said that training would consist both of presentations and written materials. He said that Pam Williams, the Commission's new compliance officer, will be deeply involved in development of the training programs and materials.

He reported that he and Deputy Director Kemp have begun regular conference calls with Quest Information Systems in implementation of the new software for campaign reporting, lobbyist reporting and financial disclosure.

Slater said lobbyist reports for the first six months of 2014 were due in July and that all but seven of 357 registered lobbyists had filed reports. He acknowledged the work of Suzi Bryan in obtaining such a high compliance rate.

Slater also reported that nearly 97 percent of the required 7,438 financial disclosure reports had been filed.

At Slater's request General Counsel Long reported on a seminar for conducting depositions that he had attended.

Slater said Stephanie Black had completed her externship at the end of July and would be returning to classes at the Oklahoma City University School of Law. He said Deputy Director Kemp had arranged for Ms. Black to begin an internship September 1.

Slater reported on remodeling of the Commission's offices during August, providing him with a private office for the first time since he became Executive Director.

General Counsel's Report

Long briefly discussed FEC Advisory Opinion 2014-03, relating to the use of federal candidate campaign account funds to advocate the election or defeat of a state or local candidate as a permissible activity. Long stated this may occur in Oklahoma. He stated he would email a copy of the opinion to the Commissioners.

Consideration,
Discussion and Possible
Action on Commission
Policy with respect to
On-line Availability of
Financial Disclosure
Statements

All Commissioners discussed their views in support and in opposition to the online availability of financial disclosure statements for 2015. Commissioner Long suggested that the Commission schedule public hearings throughout the state to allow additional public comment on this topic.

Discussion was tabled until the September 2014 meeting to allow additional time for consideration.

Public comment was received from Mr. Chris Bruehl, of the Governor's office and Mr. Glenn Hightower, a retired state employee.

Presentation and
explanation of proposed
amendment to Ethics
Rules to authorize the
assessment of user fees
and registration and
reporting requirements
and for training.

Director Slater discussed the proposed amendment. The purpose of the first section of the rule amendment is to authorize the Executive Director to establish and collect registration fees to recover the cost of the training program.

The second section is new language and the rule amendment would authorize the Commission to establish registration fees to recover costs that the Commission incurs in processing registrations. Slater discussed the obligation to provide training to the people that are regulated by the Commission. Staff is prepared to move forward with the training programs this year but in the future, the Commission will run out of money to provide those training programs. Collecting registration fees and training fees will help fund the cost of the training programs. Slater suggested the Commission to keep this proposed rule amendment on the agenda for public hearing on September 12, 2014.

Commissioner Long advised that she would sponsor this proposed rule amendment. Commissioner Pettigrew requested that the staff provide some suggestions on the cost of the training programs. Director Slater suggested that different cost for various training programs, lobbyists would pay individual training expenses while an agency would be charged a reasonable group fee. Director Slater indicated that the training costs will be around \$200,000 annually.

Commissioner Walker mentioned that in previous years, as to rule amendments, the Commission waited until year end to vote on the rule amendments all together.

Proposed rule amendment as discussed at this meeting will be discussed further and for possible vote on this rule amendment.

Consideration,
Discussion and
Proposed Action on
Closed/Executive

Long moved to go into Closed/Executive session. Pettigrew seconded. Roll was called and the vote was as follows: Long – yes, Pettigrew – yes, Walker – yes, McKinney – yes, Stocker – yes.

Session

Motion carried to go into Executive/Closed session at 11:05 a.m.

Possible Action to Return to Open Session

McKinney moved to reconvene in open session at **12:46 p.m.** Walker seconded. Roll was called and the vote was as follows: Walker – yes, McKinney – yes, Pettigrew – yes, Long – yes, Stocker – yes.

Motion carried.

Consideration, discussion and possible action on items considered in executive session

13-012 to 14-002

Commissioner Walker made the following motion: Madam Chair, I move the Commission to dismiss the complaints set out in Attachment A and Attachment B for the following reasons:

1. An elected state officer filed 742 complaints in December of 2013, including those set forth in Attachments A and B.
2. The Commission staff expended in excess of 500 hours reviewing and investigating those complaints.
3. Three complaints were dismissed because they were against alleged political action committees that did not exist, but were fictitious entities created by the Commission staff to test its computer software, and were clearly marked as such.
4. 150 of the complaints were dismissed because they were against campaign committees that were in complete compliance with Commission rules.
5. Five complaints were dismissed because they were alleged to have been committed on a date that did not exist, specifically, February 31, 2010, or were not signed by the complainant.
6. One complaint was dismissed because it did not identify in any manner who, or what entity, allegedly violated Commission rules.
7. Two complaints were dismissed because they were matters that had previously been addressed and resolved by the Commission.
8. 12 complaints were dismissed because they concerned actions that occurred beyond the three-year period of limitations for filing complaints.
9. 357 complaints were dismissed because they were against campaign committees that acted within the spirit and intent of Commission rules.
10. The campaign committees accused in the complaints set out in Attachment A are now in compliance with Commission rules, and came into compliance immediately upon being notified or noncompliance by the Commission staff.
11. The Commission staff attempted to contact the campaign committees accused in the complaints listed in Attachment B via telephone, electronic mail and postal mail, all without success, leading to a reasonable conclusion that the committees no longer exist. Comparing the time necessary to locate individual members of each committee with the potential financial gain to the State, further efforts to pursue the complaints would be unwise use of

scarce resources.

Long seconded. Roll was called and the vote was as follows: Walker – yes, Long – yes, McKinney– yes, Pettigrew– yes, Stocker – yes.

Motion carried.

14-012

Commissioner Walker made the following motion: Madam Chair, I move the Commission find that the information received in support of complaint 14-012 provides an adequate basis to believe that a violation of Commission rules may have occurred and that an investigation of the suspected violation is warranted. Therefore, an investigation is authorized and the staff is further authorized to issue subpoenas.

Long seconded. Roll was called and the vote was as follows: Walker – yes, Long – yes, Pettigrew - yes, McKinney - yes, Stocker – yes.

Motion carried.

14-003

Commissioner Walker made the following motion: Madam Chair, I move the Commission approve the settlement agreement proposed by the General Counsel to resolve complaint 14-003.

McKinney seconded. Roll was called and the vote was as follows: Walker – yes, McKinney – yes, Pettigrew – yes, Long – yes, Stocker – yes. **Motion carried.**

New Business

No new business. Commissioner Pettigrew will not be present for the September 2014 meeting.

Adjournment

McKinney moved to adjourn. Long seconded. Roll was called and the vote was as follows: McKinney – yes, Long – yes, Pettigrew – yes, Walker – yes, Stocker – yes. **Motion carried.**

Meeting ended at **12:52 p.m.**


LEE SLATER, Executive Director

Approved on Behalf of the Commission:


CATHY STOCKER, Chair

Attachment A

1. 13-014
2. 13-015
3. 13-024
4. 13-044
5. 13-045
6. 13-050
7. 13-052
8. 13-053
9. 13-057
10. 13-060
11. 13-061
12. 13-082
13. 13-083
14. 13-085
15. 13-088
16. 13-094
17. 13-099
18. 13-103
19. 13-115
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124. 13-727
125. 13-730

- 126. 13-735
- 127. 13-736
- 128. 13-738
- 129. 13-743
- 130. 13-749

Attachment B

1. 13-042
2. 13-049
3. 13-059
4. 13-062
5. 13-075
6. 13-078
7. 13-081
8. 13-084
9. 13-086
10. 13-104
11. 13-141
12. 13-154
13. 13-199
14. 13-200
15. 13-211
16. 13-218
17. 13-223
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68. 13-719