

MINUTES OF REGULAR MEETING
OF THE ETHICS COMMISSION
STATE OF OKLAHOMA
HELD JULY 13, 2018

Call to Order. Upon notice, with the agenda being properly posted at the Commission office at least twenty-four (24) hours prior to the commencement of the meeting and notice being filed at least forty-eight (48) hours in advance with the Office of the Secretary of State, a regular meeting of the Ethics Commission of the State of Oklahoma ["Commission"] was called to order on Friday, July 13, 2018, at 10:01 a.m. Chair John Hawkins opened the meeting, which was held in Room 432A, State Capitol Building, Oklahoma City, Oklahoma.

Determination of Quorum. Roll was called to determine the existence of a quorum for the transaction of business. Commissioners answering present were: Chair John Hawkins ["Hawkins"], Commissioner Cathy Stocker ["Stocker"], Vice-Chair Karen Long ["Long"] and Commissioner Charles Laster ["Laster"]. A quorum of members was declared.

Staff & Visitors. Commission staff members present at all or part of the meeting were Ashley Kemp ["Kemp"], Jan Preslar ["Preslar"], Stephanie Black ["Black"] and Ariel Hawkins.

Observing all or part of the meeting: David Oakley, LegisOK; Denise Lawson, Attorney; Glenn Coffee, Attorney; Shawn Ashley, eCapitol; Matt Duehning, Senate; Caroline Halter, KGOU; Kathryn Taylor, Senate; Dan Chepkaukas, Executive Director Lobbyist; Daniel Chepkaukas, Executive Assistant; Nolan Clay, The Oklahoman; Rep. Lewis Moore, House; Gary Jones, State Auditor and Inspector.

Open Meeting Act Compliance. Statement of compliance with Open Meetings Act.

Introductions and announcements. Introduction of State Auditor and Inspector, Gary Jones.

Comments by Auditor and Inspector Gary Jones regarding candidate committee expenditures (including contributions to other candidate committees) and independent expenditures. Comments by Auditor and Inspector Gary Jones regarding candidate committee to candidate committee contributions. Asks the Commission to prohibit candidate committee to candidate committee contributions.

Consideration, discussion, and possible action on minutes for the regular meeting and executive session held June 8, 2018. Commissioner Laster moved to approve the regular meeting minutes as amended for the Commission meeting held June 8, 2018.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Laster - yes, Stocker - yes, Hawkins - yes, Long - yes.

Motion Carried.

Consideration and discussion of compliance process, including orders, late fee schedule, and collection.

With the rejection by the legislature of Ethics Rule Proposed Amendment 2018-04, providing for the reduction of outstanding fees to judgment as a matter of law, the Commission discussed alternatives to reduce outstanding fees to judgment. Executive Director Kemp explained the law that applies to different entity types, the compliance process currently in place, and the courtesy reminders sent automatically by the Guardian System for routine filings (i.e., emails reminding filers of an approaching deadline sent out 7 and 1 day prior to a deadline, and an email notice the day dated after the reporting deadline to those who failed to file a report). Additionally, the opportunities for learning the Ethics Rules and reporting deadlines through guides and educational programs were discussed. After discussion, Commission staff determined that it will provide lobbyists, liaisons, and PACs the opportunity to come into compliance at the time of renewing annual registrations. Staff will also provide time for the preceding year's final report compliance process to be completed, meaning reductions to judgment will occur annually, sometime between May and October. For entities that do not have annual registration requirements, or restrictions on raising or spending funds dependent upon compliance, the Commissioners discussed different processes. Ultimately, it was determined the Ethics staff should reduce outstanding fees to judgment, not less than twice a year. When/if staff levels and resources permit the goal, the Ethics staff will reduce outstanding fees to judgment on a quarterly basis. By engaging in a systematic and routine process to reduce outstanding fees to judgment, the number of reports filed on time should increase over time, which will ultimately decrease the number of outstanding fees to reduce to judgment.

Discussion by Hawkins, Black, Director Kemp, Laster, General Counsel Preslar, Long.

Executive Director's Report.

Report was provided by Executive Director Kemp on agency expenditures for the month of June 2018, 2018 election primary and run-off election updates, guardian system and technology updates, and continuing education programs and compliance.

Consideration, discussion and possible action on Closed/Executive session.

Commissioner Long moved that pursuant to counsel's advice as set forth in the agenda, the Commission go into executive session in the Commission offices in Room G-27.

Commissioner Stocker seconded.

Discussion or comments by commissioners. None.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion was carried to go into Executive/Closed session at 10:53 a.m.

Executive session was held in the conference room located within the Ethics Commission office on the ground floor of the Capitol, Rm. G-27.

Possible Action to return to Open Session.

Commissioner Laster moved to reconvene in Open Session at 12:20 p.m.

Commissioner Stocker seconded.

Discussion or comments by Commissioners. None.

Roll was called and the vote was as follows: Laster - yes, Stocker - yes, Hawkins - yes, Long - yes.

Motion carried.

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

Commissioner Long moved to dismiss Case No. 2018-08.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

Commissioner Long moved to authorize a formal investigation on Complaint C-18-11 based on the determination that there is reasonable cause to believe that the person or persons named in the complaint have violated Campaign Finance Ethics Rule 2.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

Commissioner Long moved to dismiss complaint C-18-12.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

Commissioner Long moved to authorize a formal investigation on Complaint C-18-13 based on the determination that there is reasonable cause to believe that the person or persons named in the complaint have violated Campaign Finance Ethics Rule 2 and the Municipal Campaign Finance and Financial Disclosure Act.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

Commissioner Long moved to authorize a formal investigation on Complaint C-18-14 based on the determination that there is reasonable cause to believe that the person or persons named in the complaint have violated Campaign Finance Ethics Rule 2 and the Municipal Campaign Finance and Financial Disclosure Act.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

Commissioner Long moved to authorize a formal investigation on Complaint C-18-15 based on the determination that there is reasonable cause to believe that the person or persons named in the complaint have violated Campaign Finance Ethics Rule 2.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Long - yes, Stocker - yes, Hawkins - yes, Laster - yes.

Motion Carried.

New Business

Commissioner Laster instructed the Executive Director to prepare an amendment based on the issues raised by Auditor and Inspector Gary Jones.

Adjournment

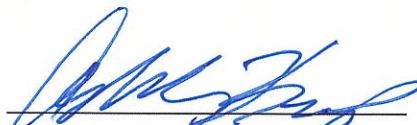
Commissioner Laster moved to adjourn.

Commissioner Stocker seconded.

Roll was called and the vote was as follows: Laster - yes, Stocker - yes, Hawkins - yes, Long - yes.

Motion carried.

Meeting ended at 12:24 pm.


ASHLEY KEMP, Executive Director

Approved on Behalf of the Commission:



JOHN HAWKINS, Chair