

**OKLAHOMA ETHICS COMMISSION
JULY 12, 2024, MINUTES FOR REGULAR MEETING**

1. Call to Order.

Upon notice, with the agenda being properly posted at the Commission's office at least twenty-four (24) hours prior to the commencement of the meeting and notice being filed 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 12, 2024 at 10:00 a.m. Chair Eddie Fields ["Fields"] opened the meeting, which was held in Room G-3 of the 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, Justin Meek ["Meek"], Eddie Fields ["Fields"], Howard Johnson ["Johnson"], and Mike Wilt ["Wilt"]. A quorum of members was declared.

Staff & Visitors.

Commission staff members present at all, or part of the meeting were Executive Director Lee Anne Bruce Boone ["Bruce Boone"], General Counsel Margaret Kerr ["Kerr"], and Tiffany Elczyn ["Elczyn"].

Observing all or part of the meeting: Charles Outlaw, LegisOK; Denise Lawson, Attorney; Michael McNutt, NocDoc; Emma Murphy, Oklahoma Voice; Melissa Jacques, Tulsa World; and Joseph Pierce, Senate.

2. Open Meeting Act Compliance.

Chair Fields reviewed the *Affidavit of Posting* and affirmed compliance with the Oklahoma Open Meeting Act.

3. Introductions and Announcements.

Chair Fields introduced our new Commissioner, Mike Wilt.

4. Announcements, consideration, discussion and possible action on the disqualification or recusal of a Commissioner or Commissioners pursuant to Ethics Rule 1.6 for any matter listed on the Commission agenda.

No additional recusals.

5. Consideration, discussion, and possible action on minutes for the regular meeting and executive session held June 14, 2024.

Motion: Commissioner Johnson moved to approve the minutes for the regular meeting and executive session held June 14, 2024.

Second: Commissioner Meek

Roll call vote: Johnson - yes, Meek – yes, Fields – yes, Wilt - yes

Motion carried.

6. Executive Director’s Report. Director Bruce Boone.

a. Budget Update

- i. Director Bruce Boone said that payroll makes up our biggest expense. Our new Deputy Director will join us in August, and we just completed interviews for the compliance officer positions and will be hiring soon. We anticipate some increases in administrative expenses due to the additional hires like COGEL membership and travel expenses.
- ii. Chair Fields asked if the additional funds budgeted for 2025 will be given in a lump sum from OMES or increments? Director Bruce Boone replied that the money for the guardian system replacement will be a lump sum and the rest will be in allotments.

b. The Guardian System Replacement Update

- i. Director Bruce Boone said that our RFP has been released and responses are due by August 12, 2024. She is aware of 4-5 vendors that plan to offer a proposal. The bid is available on OMES website.

c. Compliance Update

- i. Director Bruce Boone said that we have almost 1,600 registrants. Once we have more staff, we want to make some adjustments to our Compliance Report by including additional information with infographics and evidence-based targets. We want to shift to more of a proactive approach regarding compliance.

d. Website Update

- i. Director Bruce Boone said we will have a new website up and running in about 45 days. She thanked the Department of Commerce and the Lieutenant Governor for funding the new website with an MOU. The funding is from a new statewide branding effort to make all state agencies have the same look and feel. She said the Ethics Commission got a new logo. She is happy to get on board with that effort to ensure there is consistency across all state agencies. She thinks it is a positive thing and the current website is obsolete and will no longer be supported in the near future.
- ii. Comment by Commissioner Meek to make the website mobile friendly.

- e. Task Force Workgroup Update
 - i. Consideration, discussion, and possible action on Task Force Workgroup establishment.
 - ii. Director Bruce Boone said that the rules working groups have been meeting over the past two months. She has led a brief presentation regarding the Governor's Task Force requests, the current state of our rules, and how other states and federal government are defining those rules currently as well as any relevant case law. The first meeting was held in Tulsa on June 25th. There were about 20 attendees. That group focused on potentially defining coordination under the rules. There was a good discussion that there is a need for more clarification on the definition of coordination. The group seemed to lean toward the adoption of the FEC definition. The second meeting was held July 11th at the State Capitol with about 15 attendees. The Chair of the Governor's Task Force, AJ Ferate, was able to attend. His explanation of the Task Force recommendations was helpful to the group. His opinion was that the recommendations from the Task Force would make our rules regarding Independent Expenditures less regulatory than what we have currently and allow more flexibility.
 - iii. Comment by Commissioner Meek that he agreed with Director Bruce Boone that having AJ Ferate at the meeting was very helpful and informative. He said that we are going to try to get more in line with other states and probably fall below the middle on regulation. He felt the changes are warranted.
 - iv. Comment by Chair Fields if we adopted the FEC rules it would be less regulatory than what we have today in the State of Oklahoma. He felt somewhere in-between the FEC rules and our rules would be the common ground that we could move forward with.
 - v. Comment by Director Bruce Boone that our next working group meeting will be regarding cumulative reporting thresholds on July 18th at Cameron University.
- f. Complaint Receipt Process
 - i. Consideration, discussion, and possible action on Complaint Receipt Process
 - ii. Director Bruce Boone explained that she had some concerns about the complaint process because we were not responding to emailed complaints. She said that previous administration felt that acknowledging the complaint could be giving information about the complaint, but it is a customer service issue if we do not respond acknowledging we received the complaint and there is a way to respond without giving out inappropriate information. We want to offer strong customer service with a response but also efficiency and consistency in how we deal with complaints. Director Bruce Boone said she wants to bring complaints to the Commission that are not outside of its constitutional jurisdiction. She walked through a flow chart of the Ethics Commissions

current complaint process.

- iii. Comment by Chair Fields to verify that emailed complaints are accepted with or without the complaint form. Director Bruce Boone said yes, they are accepted. The complaint form is not required.
- iv. Comment by Commissioner Wilt to verify that the blackout period lifts after the general election. He asked if an election is decided in the primary are they still in a blackout period for complaints until November? General Counsel Kerr answered that the rule is very specific and clear that the blackout period extends to the general election. Commissioner Wilt asked if that rule could be amended. General Counsel Kerr said yes. Chair Fields asked if that amendment to the rule would have to go before the legislature for acceptance. Director Bruce Boone said yes. Consensus to discuss and possibly take action on the Blackout Period rule change along with the discussion and possible rule changes from the working meetings.

7. Determination to enter Executive Session.

The information to be discussed in Executive Session requires confidential communications between the Ethics Commission and its attorney(s) concerning pending investigations, claims, or actions, the disclosure of which would seriously impair the ability of the Ethics Commission to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest or violate confidentially requirements of state law. This proposed executive session meets the requirements for executive session pursuant to the Oklahoma Open Meeting Act in Title 25 of the Oklahoma Statutes, § 307 (B)(1), (4), and (7), and required by Ethics Rules 6.5 and 6.9. The statement is on the agenda and does not need to be read.

- a. Determination, pursuant to Counsel's advice as set forth above, to enter closed, executive session at the Ethic's Commission's office in Room G-27 of the Oklahoma State Capitol.

Motion: Commissioner Johnson moved, pursuant to counsel's advice as set forth in subsection 9(a), the Commission go into executive session in the Ethics Commission's office in room G-27 of the State Capitol Building to discuss the matters listed for Executive Session.

Second: Commissioner Wilt

Roll Call vote: Johnson – yes, Wilt – yes, Meek – yes, Fields- yes.

Motion carried to go into Executive/Closed session at 10:35 a.m.

b. Executive Session.

Cases and Investigations

- i. Case No. 2020-18, alleging violations of Ethics Rule 2, Campaign Finance.
- ii. Case No. 2021-11, alleging violations of Ethics Rule 4, Conflict of Interest.
- iii. Case No. 2020-08, alleging violations of Ethics Rule 4, Conflict of Interest.
- iv. Case No. 2020-13, alleging violations of Ethics Rule 4, Conflict of Interest.
- v. Case No. 2020-11, alleging violations of Ethics Rule 2, Campaign Finance.
- vi. Case No. 2022-04, alleging violations of Ethics Rule 2, Campaign Finance.
- vii. Case No. 2022-31, alleging violations of Ethics Rule 2, Campaign Finance.
- viii. Case No. 2022-43, alleging violations of Ethics Rule 2, Campaign Finance.
- ix. Case No. 2022-44, alleging violations of Ethics Rule 2, Campaign Finance.
- x. Case No. 2022-28, alleging violations of Ethics Rule 2, Campaign Finance.
- xi. Case No. 2022-29, alleging violations of Ethics Rule 2, Campaign Finance.
- xii. Complaint No. C-24-27
- xiii. Complaint No. C-24-26
- xiv. Complaint No. C-24-10
- xv. Complaint No. C-22-47
- xvi. Complaint No. C-24-2
- xvii. Complaint No. C-24-4
- xviii. Complaint No. C-24-1
- xix. Complaint No. C-24-28

c. Action to Exit Executive Session.

Motion: Commissioner Meek moved to reconvene open session at 12:45 p.m.

Second: Commissioner Wilt

Roll call vote: Meek – yes, Wilt – yes, Fields – yes, Johnson- yes

Motion carried.

d. Possible action on the numbered matters (i-xix) discussed in Executive Session. Prior to taking action, the Commissioners may consider, discuss, and take action on the disqualification or recusal of a Commissioner or Commissioners pursuant to Ethics Rule 1.6 for any item listed in this agenda for Executive Session. Chair Fields

- i. Commissioner Meek has recused himself from Case #2020-18. Commissioner Wilt has recused himself from Case #2020-13 and 2022-28. Commissioner Johnson has recused himself from Complaint #C-22-47. Seeing no additional recusals. Margaret Kerr, General Counsel to Commission

ii. **Motion:** Commissioner Johnson moved to dismiss Case #2020-18.

Second: Commissioner Meek

Roll call vote: Johnson – yes, Meek – yes, Wilt – yes, Fields- yes

Motion carried.

- iii. **Motion:** Commissioner Meek moved to dismiss Case 2021-11.

Second: Commissioner Wilt

Roll call vote: Meek – yes, Wilt – yes, Johnson – yes, Fields - yes

Motion carried.

- iv. **Motion:** Commissioner Meek moved to dismiss Case 2020-13.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - abstain, Fields - yes

Motion carried.

- v. **Motion:** Commissioner Meek moved to dismiss Case #2020-11.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - yes, Fields - yes

Motion carried.

- vi. **Motion:** Commissioner Meek moved to dismiss Case #2022-31.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - yes, Fields - yes

Motion carried.

- vii. ***Commissioner Meek accidentally voted on Case #2020-18 which he had previously recused himself from this case. The Commission agreed to rescind the motion/vote on agenda item #7 d. ii. A new motion was made.**

Motion: Commissioner Johnson moved to dismiss Case #2020-18.

Second: Commissioner Wilt

Roll call vote: Johnson – yes, Wilt -yes, Meek- abstain, Fields - yes

Motion carried.

- viii. **Motion:** Commissioner Meek moved to dismiss Case #2022-44.

Second: Commissioner Wilt

Roll call vote: Meek – yes, Wilt - yes, Johnson – yes, Fields - yes

Motion carried.

- ix. **Motion:** Commissioner Meek moved to dismiss Case #2022-28.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - abstain, Fields - yes

Motion carried.

- x. **Motion:** Commissioner Meek moved to dismiss Case #2022-29.

Second: Commissioner Wilt

Roll call vote: Meek – yes, Wilt - yes, Johnson – yes, Fields - yes

Motion carried.

- xi. **Motion:** Commissioner Meek moved to dismiss Complaint C-24-27.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - abstain, Fields - yes

Motion carried.

- xii. **Motion:** Commissioner Meek moved to dismiss Complaint C-24-2.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - yes, Fields - yes

Motion carried.

- xiii. **Motion:** Commissioner Meek moved to dismiss Complaint C-22-47.

Second: Commissioner Wilt

Roll call vote: Meek – yes, Wilt – yes, Johnson – abstain, Fields - yes

Motion carried.

- xiv. **Motion:** Commissioner Meek moved to dismiss Complaint C-24-1.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt - abstain, Fields - yes

Motion carried.

8. New Business.

None.

9. Adjournment. Chair Fields.

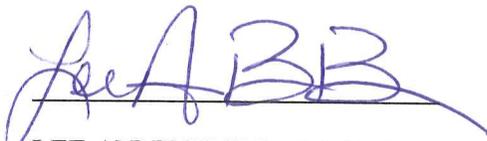
Motion: Commissioner Meek moved to adjourn the meeting.

Second: Commissioner Johnson

Roll call vote: Meek – yes, Johnson – yes, Wilt – abstain, Fields – yes

Motion carried.

Meeting ended at 12:58 p.m.



LEE ANNE BRUCE BOONE, Executive Director

Approved on behalf of the Commission:



EDDIE FIELDS, Chair