

**OKLAHOMA ETHICS COMMISSION
FEBRUARY 10, 2023 MINUTES FOR REGULAR MEETING**

1. 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, February 10, 2023, at 10:02 a.m. Chair Howard Johnson ["Johnson"] 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 Gregg Engle ["Engle"], Justin Meek ["Meek"], Eddie Fields ["Fields"], Jarred Brejcha ["Brejcha"], and Johnson. A quorum of members was declared.

Staff & Visitors.

Commission staff members present at all, or part of the meeting were Ashley Kemp ["Kemp"], Stephanie McCord ["McCord"], and Diana Diaz.

Observing all or part of the meeting in person: Charles Outlaw, LegisOK; Denise Lawson, Attorney; Carmen Forman, Media; Joshua Craft, Oklahoma Republican Party; A.J. Ferate, Oklahoma Republican Party; Geoffrey Long, Attorney; Alicia Andrews, Oklahoma Democrat Party; and Nolan Clay, The Oklahoman.

2. Open Meeting Act Compliance.

Chair Johnson reviewed the *Affidavit of Posting* of the Agenda for the meeting prepared by the staff and affirmed the meeting and Agenda complied with the Oklahoma Open Meeting Act.

3. Introductions and Announcements.

None.

4. Disqualification & Recusal Open Session.

None.

5. Minutes.

Motion: Commissioner Fields moved to approve the minutes for the regular meeting and executive session held January 13, 2023.

Second: Commissioner Meek.

Roll call vote: Fields - yes, Meek- yes, Engle – yes, Brejcha - yes, Johnson – yes.

Motion Carried.

6. Rulemaking Requests.

(a) 1. Oklahoma Republican Party.

- a. Director Kemp briefly explained written request submitted by A.J. Ferate, Chair of the Oklahoma Republican Party.
- b. A.J. Ferate, Oklahoma Republican Party; and Alicia Andrews, Oklahoma Democratic Party, spoke and requested the Commission to review the Ethics rules affecting political party committees including, but not limited to, restriction on coordination with candidates, the prohibition against corporate contributions, and contribution limits.

2. Mike Reynolds. Director Kemp explained the request of Mr. Reynolds who was not in attendance. The request is for the Commission review the Rule permitting contributions by candidate committees to other candidate committees.

(b) Commissioners discussed the Rulemaking requests and will move forward with review of the Ethics Rules concerning political parties in Oklahoma.

7. Contribution Limit Inflation Index Adjustment.

Consideration, discussion, and possible action to adjust the individual contribution limit to candidate committees for the 2024 election cycle in accordance with the consumer price index as set forth in **Ethics Rule 2.37**.

Motion: Commissioner Brejcha moved to adjust the contribution limit established in **Ethics Rule 2.37** for the 2024 election cycle from \$2,900 to \$3,300 in accordance with the consumer price index as referred in subsection (H) of **Ethics Rule 2.37**.

Second: Commissioner Meek.

Roll call vote: Brejcha- yes, Meek- yes, Engle- yes, Fields- yes, Johnson- yes.

Motion Carried.

8. Determination to enter Executive Session.

Consideration, discussion, and possible action on entering closed/executive session as authorized and required by Title 25 O.S. Supp. 2017, § 307 (B)(1), (B)(4), and (B)(7) of the Oklahoma Open Meeting Act and Constitutional Ethics Rules 6.5, 6.6, and 6.9 for the purpose of discussing matters identified in agenda item 9.

Motion: Commissioner Fields moved that, pursuant to counsel's advice as set forth in

subsection (a), the Commission go into executive session in the Ethics Commission Office, Room G-27, of the State Capitol to discuss the matters listed for Agenda Item 9.

Second: Commissioner Engle.

Roll Call vote: Fields- yes, Engle- yes, Meek- yes, Brejcha- yes, Johnson- yes.

Motion carried to go into Executive/Closed session at 10:43 a.m.

9. Executive Session.

10. Action to return to Open Session.

Motion: Commissioner Fields moved to reconvene in Open Session at 1:40 p.m.

Second: Commissioner Engle

Roll call vote: Fields – yes, Engle– yes, Meek - yes, Brejcha – yes, Johnson – yes.

Motion carried.

11. Disqualification & Recusal for Executive Session.

None.

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

Motion: Commissioner Brejcha moved to dismiss Complaint C-23-2, alleging violations of Campaign Finance Ethics Rule 2.

Second: Commissioner Meek

Roll call vote: Brejcha – yes, Meek – yes, Engle - yes, Fields – yes, Johnson – yes.

Motion carried.

Motion: Commissioner Brejcha moved to authorize a formal investigation on Complaint C-23-5 based on a 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 to direct the Executive Director to proceed, pursuant to Ethics Rule 6.10, as discussed in executive session.

Second: Commissioner Fields

Roll call vote: Brejcha- yes, Fields- yes, Engle-yes, Meek, yes, Johnson- yes.

Motion carried.

13. Executive Director's Report.

Director Kemp discussed the Commission's financials including revenue and expenditures for January 2023; provided an update regarding FY 24 Budget Request; highlighted pending legislation that may impact the Commission; discussed the Commission's compliance efforts; and announced a recent presentation held by Commission staff regarding Lobbying Laws.

14. New Business.

None.

15. Adjournment

Motion: Commissioner Engle moved to adjourn the meeting.

Second: Commissioner Meek

Roll call vote: Engle – yes, Meek – yes, Fields – yes, Brejcha – yes, Johnson – yes

Motion carried.

Meeting ended at 2:03 p.m.



ASHLEY KEMP, Executive Director

Approved on behalf of the Commission:



HOWARD JOHNSON, Chair