

Ariel Koerner

From: Don Schooler
Sent: Wednesday, August 26, 2020 3:46 PM
To: ethics
Cc: Liz Searock; Leslie Osborn
Subject: Request for Informal Advisory Opinion

Importance: High

RECEIVED

AUG 26 2020

OKLAHOMA ETHICS
 COMMISSION

August 26, 2020

Ms. Ashley Kemp, Executive Director
 Ms. Stephanie McCord, Esq., General Counsel
 Oklahoma Ethics Commission
 2300 N Lincoln Blvd, RM B-5
 Oklahoma City, OK 73105

RE: Request for Informal Opinion

Dear Director Kemp and Ms. McCord:

The Oklahoma Department of Labor (“ODOL”) has recently been contacted by Ms. Kinsey Westwood, VP of Government Affairs for the State Chamber of Commerce (“State Chamber”), requesting Commissioner Osborn to host a presentation and video production by the State Chamber discussing “*best practices for safety sensitive jobs and the legalities that need to be considered with regards to medical marijuana statutes,*” which would be made available to state employers. The State Chamber has also asked Commissioner Osborn/ODOL to provide a “Certificate of Attendance,” which I presume would be presented to those who attend the initial discussion and/or review the video at a later date. [A memorialization of Ms. Westwood’s conversation with our Director of Governmental and Public Affairs, Liz Searock, is below.]

It is my understanding that no state monies will be used to produce the video or the Certificates of Attendance, the State Chamber is simply requesting Commissioner Osborn to host the discussion. I further understand that the State Chamber will not be using the discussion for political purposes, but rather to simply inform state employers of existing laws reading the use of medical marijuana is the State of Oklahoma. I presume the discussion will focus on the Oklahoma Medical Marijuana & Patient Protection Act, 63 O.S. Sec. 427.1, *et seq.*, the Oklahoma Medical Marijuana Waste Management Act, 63 O.S. 427, *et seq.*, and the corresponding regulations in Oklahoma Administrative Code at 310:681, but our office has not yet received curriculum.

I have reviewed the state Ethics Laws and do not see an ethical concern, however, as this would be a public/private collaboration, and out of an abundance of caution, I am respectfully requesting an informal opinion from your office as to whether you foresee any ethical concerns.

If you need me to provide additional information or request a formal opinion in accordance with Ethics Rule 1.7 please let me know, however, but for our purposes I believe an informal opinion will suffice.

Thank you for your time and assistance.

Respectfully,

Don Schooler

General Counsel/Chief of Staff
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From: Kinsey Westwood <kwestwood@okstatechamber.com>
Sent: Monday, August 24, 2020 4:32 PM
To: Liz Searock <Liz.Searock@labor.ok.gov>; Reed, H J <H.J.Reed@p66.com>
Cc: Don Schooler <Don.Schooler@labor.ok.gov>; Leslie Osborn <Leslie.Osborn@labor.ok.gov>
Subject: [EXTERNAL] RE: Follow-Up to Meeting with State Chamber Regarding Collaboration w/ ODOL -- Safety Sensitive Jobs and Medical Marijuana

Hi Liz,

So great meeting with as well. I have met with employment attorney Courtney Warmington and she is going to begin working on a curriculum to present. I told her we were looking at having this ready to go in October. I will forward on the information once I receive it for your attorneys to review. We can then discuss what format it should be put into for presentation. Excited to work with you and Commissioner Osborn!

Best regards,

Kinsey Westwood

Vice President of Government Affairs
State Chamber of Oklahoma
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kwestwood@okstatechamber.com

From: Liz Searock <Liz.Searock@labor.ok.gov>
Sent: Tuesday, August 18, 2020 7:09 AM
To: Reed, H J <H.J.Reed@p66.com>; Kinsey Westwood <kwestwood@okstatechamber.com>

Cc: Don Schooler <Don.Schooler@labor.ok.gov>; Leslie Osborn <Leslie.Osborn@labor.ok.gov>

Subject: Follow-Up to Meeting with State Chamber Regarding Collaboration w/ ODOL -- Safety Sensitive Jobs and Medical Marijuana

Good morning,

Kinsey, I enjoyed meeting you yesterday and I look forward to working with you. Just to follow up: the Chamber is interested in collaborating with ODOL to produce a video for state employers to discuss best practices for safety sensitive jobs and the legalities that need to be considered with regards to medical marijuana statutes with Commissioner Osborn to host. In addition, you would like the ODOL to provide a Certificate of Attendance. As I mentioned I would need to check with our chief of staff and the Commissioner as to whether this is something the agency can provide. If I have missed something let me know.

Please let me know what the focus will be in the upcoming weeks and how I can help. Feel free to contact me if you have and questions or need anything.

Regards,

~Liz



**ELIZABETH A. SEAROCK, DIRECTOR
GOVERNMENTAL AND PUBLIC AFFAIRS**

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