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ETHICS

OKLAHOMA ETHICS COMMISSION
ACKNOWLEDGEMENT

2014 AUG 15 P 12:51

Information No. 14-008

This Acknowledgement ("Acknowledgement") is submitted by Tom Buchanan ("Buchanan"), in his official capacity as a member of the Oklahoma Water Resources Board, to the Oklahoma Ethics Commission ("Commission" or "OEC") regarding Information No. 14-008.

I, Tom Buchanan, acknowledge and agree to the following:

1. That the Oklahoma Ethics Commission ("Commission" or "OEC") has the authority to promulgate Rules of ethical conduct for campaigns for elective state office and for campaigns for initiatives and referenda and Rules of ethical conduct for state officers and employees. The Commission is authorized to initiate investigations of possible violations of the Oklahoma Ethics Rules and to advise state officers and state employees regarding potential violations, pursuant to Article XXIX of the Oklahoman Constitution and 74 O.S., Ch. 62, Appendix (the "Ethics Rules").

2. That since 2011, I have served as a member of the Oklahoma Water Resources Board ("OWRB").

3. That, as a member of OWRB, I qualify as a "state officer"¹ and "public member"² who is subject to the jurisdiction of the Commission and who must abide by the Ethics Rules.

¹ "State officer" means an elective, appointed or employed officer, including a public member, in the executive, judicial or legislative branch of the State of Oklahoma. Section 257:1-1-2 of the Ethics Rules.

² "Public member" means a member appointed to a compensated or uncompensated part-time position on a board, commission, council, authority, bureau, committee, state beneficial public trust, or other establishment of the executive, legislative or judicial branch of the State of Oklahoma. Section 257:1-1-2 of the Ethics Rules.

4. That Section 257:20-1-1 *et seq.* of the Ethics Rules governs ethical conduct regarding conflicts of interest.

5. That, pursuant to Section 257:20-1-1(a) of the Ethics Rules, the Commission has found proper operation of state government requires:

- a. That a state officer be independent and impartial;
- b. That government policy and decisions be made through the established processes of state government;
- c. That a state officer not use state office to obtain private benefits;
- d. That a state officer avoid action which creates the appearance of using state office to obtain a private or inappropriate benefit; and
- e. That the public have confidence in the integrity of its government and state officers.

6. That, in instances where a conflict of interest exists, I will respond in a manner that is consistent with the Ethics Rules.

7. That I will not use my OWRB position to solicit or secure special privileges, exemptions or compensation for myself or others, except as allowed by law.

8. That, in instances where I have acquired access to confidential information by reason of my position on the OWRB regarding ongoing litigation or other OWRB matters discussed in executive session, I will not disclose this confidential information to the public, news media or other entities or individuals, except as permitted by law.

9. That I will not solicit or receive compensation or employment from entities, groups or individuals that would impair my independent judgment regarding OWRB matters.

10. That in instances where I, or a business entity with which I am associated or with which a

member of my immediate family is associated as defined by Section 257:20-1-2 of the Ethics Rules (definition of "associated"), have a pecuniary interest in or reasonably foreseeable benefit from a matter under consideration by OWRB, unless otherwise permitted by Section 257:20-1-8(b), I will not participate in the discussion of, including attendance or participation in any executive session where the matter may be discussed; vote on; or influence or attempt to influence an official action of the OWRB on said matter, which would include refraining from making public comments to the news media on the matter from which I am abstaining.

11. That, in instances where a potential conflict of interest exists, I will seek guidance from Commission staff or other qualified individuals prior to taking action on matter, speaking with the news media or attempting to influence other OWRB members.

12. This acknowledgement is entered into based upon the understanding with the Ethics Commission that this is not an admission of liability or wrongdoing by Buchanan and that this Acknowledgement will act to resolve the matters at issue in Case No. 14-008.

13. Pursuant to Section 257:30-1-6(b) of the Ethics Rules, once effective, this Agreement may become a public record and may be provided to the public or members of the news media upon request.

FOR RESPONDENT:




Tom Buchanan, OWRB Member

Aug. 6 - 2014

Date

APPROVED AS TO FORM ON THIS 12 DAY OF September, 2014.



OEC Executive Director