

EXECUTIVE BRANCH ETHICS COMMISSION  
**ADVISORY OPINION 93 – 35**

July 8, 1993

RE: Receptions for state employees sponsored by private corporations

This letter is in response to your June 18, 1993, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the July 8 meeting of the Commission, and the following opinion is issued.

You state the relevant facts as follows. Yearly meetings are held for your agency at which private corporations provide receptions furnishing food and refreshments for executive branch employees. These receptions are funded totally by private, for-profit corporations. You believe the corporations wish to provide these receptions because your agency oversees tax laws which may affect the corporations. You wish to know how to handle such receptions under the Executive Branch Code of Ethics. (Additionally, you wish to be advised on how to proceed with the filing requirement of the Statement of Financial Disclosure for PVAs. This will be answered in a separate letter.)

The Commission takes note that the private corporations which sponsor such receptions are for-profit corporations and are potential vendors of the state. They also are affected by the tax laws over which the agency has some control. Accordingly, the Commission views this in light of KRS 11A.005(1) which states in part:

- (1) . . .The proper operation of democratic government requires that:
  - (a) A public servant be independent and impartial. . .
  - . . .
  - (d) The public has confidence in the integrity of its government and public servants.

The acceptance of this gratuity may appear to create a conflict of interest for agency officials who also may be involved in vendor selection or tax law regulation for the agency. The Commission believes the personnel in your agency should be instructed not to accept food and refreshments from the private corporations sponsoring the receptions. Your agency should decline any offers in the future by private corporations to sponsor such events.