

EXECUTIVE BRANCH ETHICS COMMISSION

ADVISORY OPINION 95-29

August 24, 1995

RE: May employee accept travel expense reimbursement from national organization whose membership is comprised only of professional licensure boards?

DECISION: Yes.

This opinion is in response to your July 17, 1995, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the August 24, 1995, meeting of the Commission, and the following opinion is issued.

You state the relevant facts as follows. Various professional licensing boards are dues paying members of national organizations whose membership is comprised entirely of professional licensure boards. The purpose of these organizations is to promote uniformity of professional licensing standards, to provide research on regulatory matters, and to exchange information. You ask whether an employee of the state licensure board may, while serving on a committee for such a national organization, accept travel expense reimbursement from the national organization to attend one of its meetings. The licensure board for which the employee works does not do business with or regulate the national association.

In Advisory Opinion 93-49, issued by the Commission on September 20, 1993, the Commission concluded that the ethics code does not prohibit an employee from accepting meals and lodging from a national association while performing duties for the association. The Commission noted that the association did no business with and was not regulated by the agency for which the employee worked.

Thus, the Commission believes that, as long as the agency for which the employee works does no business with and does not regulate the association or the members of the association, the employee may accept travel expense reimbursement from the association while performing duties relative to the association. The Commission's approval is based on the condition that association duties are not conducted on state time or at state expense, unless such duties are part of the employee's official duty.

EXECUTIVE BRANCH ETHICS COMMISSION

BY: Martin Huelsmann, Chairman

