

EXECUTIVE BRANCH ETHICS COMMISSION  
**ADVISORY OPINION 93-77**

November 22, 1993

RE: Must an employee of Louisville and Jefferson County Convention & Visitors Bureau register as an executive agency lobbyist?

This opinion is in response to your November 4, 1993, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the November 22, 1993, meeting of the Commission and the following opinion is issued.

You state the relevant facts as follows. As an employee of the Louisville and Jefferson County Convention & Visitors Bureau, you make sales calls to state government employees. You are attempting to influence them to hold their conference in Louisville. You are not attempting to influence them toward contracting with any particular facility. You do not negotiate a rate for them with a facility or hotel.

County-city tourism and convention commissions are established by KRS 91A.350, in order to promote convention and tourist activity. Attorney General opinion OAG 75-319 states, "The tourist and convention commission is, for social security purposes, an administrative agency of the county government and not a separate entity or separate political subdivision." Additionally, OAG 78-488 states that the tourism commission essentially is an agency of the city and county.

Based on these two opinions, the Commission concludes the Louisville and Jefferson County Convention & Visitors Bureau is a part of the county and/or city. Counties and cities are political subdivisions of the Commonwealth.

KRS 11A.201(8)(b) provides:

(8)(b) "Executive agency lobbyist" does not include an elected or appointed officer or employee of a federal or state agency, state college, state university, or political subdivision who attempts to influence or affect executive agency decisions in his fiduciary capacity as a representative of his agency, college, university, or political subdivision;

As an employee of the Louisville and Jefferson County Convention & Visitors Bureau, you are not considered an executive agency lobbyist and are not required to register with the Commission.