

ADVISORY OPINION NO. 89-18

ISSUED BY THE  
WEST VIRGINIA ETHICS COMMISSION

ON DECEMBER 7, 1989

GOVERNMENTAL BODY SEEKING OPINION

A State Director

OPINION SOUGHT

Whether an architect who helps develop state guidelines for recommendations to a State Authority preempts future bidding by that architect's company on local projects that have been included in the plans developed?

OTHER FACTS RELIED UPON BY THE COMMISSION

A professional architect serves on a committee to develop guidelines for recommendations to a State Authority. These guidelines would indicate the data, format and submittal procedures for the comprehensive educational facilities plans for the state. This Committee is not a Board, Agency Department or Commission of state government.

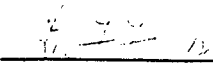
PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

West Virginia Code Section 6B-2-5(a) states in pertinent part that the provisions of the Act apply to all elected and appointed public officials and public employees, whether full or part time, in state, county, municipal governments and their respective boards, agencies, departments, and commissions and in any other regional or local governmental agency, including county school boards.

ADVISORY OPINION

The Act applies to all elected and appointed public officials and public employees as set forth in subsection 6B-2-5(a).

However, there is no indication that this professional architect fits within the description set forth in subsection (a). Therefore, he does not fall within the purview of the Act.

  
Chairman