

ADVISORY OPINION NO. 90-28  
ISSUED BY THE  
WEST VIRGINIA ETHICS COMMISSION  
ON FEBRUARY 16, 1990

GOVERNMENTAL BODY SEEKING OPINION

A State Delegate

OPINION SOUGHT

Whether it is a violation of the Ethics Act for a State Delegate to act as a chairperson for the Public Service District, a member of a Library Board, and a member of the County Development Authority?

OTHER FACTS RELIED UPON BY THE COMMISSION

A member of the West Virginia House of Delegates is also a member of a County Development Authority, a member of a Library Board and presides as Chairperson for a Public Service District.

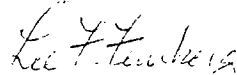
PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

West Virginia Code 6B-2-1(c) states in pertinent part that... all public officials and employees should seek to be excused from voting, recused from deciding, or otherwise relieved from the obligation of acting as a public representative charged with deciding or acting on a particular matter when the matter has become personal to them.

**ADVISORY OPINION**

The Commission has not endeavored to research all provisions in the West Virginia Code to determine if this conduct is a violation elsewhere, but has limited its opinion as to whether these facts constitute a violation of the provisions of the Ethics Act, and finds that they do not.

However, the Delegate should be aware of subsection 6B-2-1(c) which provides that all public officials and employees should seek to be excused from voting, recused from deciding, or otherwise relieved from the obligation of acting as a public representative charged with deciding or acting on a particular matter when the matter has become personal to them.

  
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Chairman