

ADVISORY OPINION NO. 90-58
ISSUED BY THE
WEST VIRGINIA ETHICS COMMISSION

ON APRIL 5, 1990

GOVERNMENTAL BODY SEEKING OPINION

A public employee

OPINION SOUGHT

Whether it is a violation of the Act for a public employee to accept an honorarium for speaking at a one-day seminar?

OTHER FACTS RELIED UPON BY THE COMMISSION

The requestor was invited to speak at a "Sales and Use Tax" seminar. An honorarium was established in the amount of \$10 total, per attendant, to be divided among four speakers, therefore allowing the public employee a sum of \$2.50 per attendant.

The requestor's secondary purpose in seeking this advisory opinion is to request guidelines be established for the acceptance of reasonable honorariums by public employees pursuant to West Virginia Code Section 6B-2-5(c)(3).

PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

West Virginia Code Section 6B-2-5(c)(3) states that the acceptance of an honorarium by an elected public official is prohibited. The commission shall, by legislative rule, establish guidelines for the acceptance of reasonable honorariums by all other public officials and public employees other than elected public officials.

ADVISORY OPINION

Since the requestor is not an elected public official he may accept a reasonable honorarium. It is the Commission's opinion that \$2.50 per attendant is a reasonable amount for speaking at an all-day seminar. Further, this individual is extremely qualified based on his education and experience in the Tax field.

Additionally, the Commission would note that it shall by legislative rule at a later date establish guidelines for the acceptance of reasonable honorariums for public employees and non-elected public officials.


CHAIRMAN