

**ADVISORY OPINION NO. 97-21**

Issued on July 10, 1997 by the  
**WEST VIRGINIA ETHICS COMMISSION**

**PUBLIC SERVANT SEEKING OPINION**

A Legislator

**OPINION SOUGHT**

Is it a violation of the Ethics Act if a Legislator is employed to conduct a course on legislative procedure?

**FACTS RELIED UPON BY THE COMMISSION**

A private Institute receives contracts to teach programs to emerging democracies abroad. The programs, designed for government and business leaders in those countries, cover banking, taxation, economic development and legislative procedure.

The Institute is located at a public institution of higher education but has its own governing Board. Its funding comes from private grants and the fees earned from its programs.

The Institute wants to hire the requester as a consultant to manage and direct a course on legislative procedure.

**PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION**

In answering this request for an advisory opinion the Ethics Commission has considered the Ethics Act's entire code of conduct found at WV Code 6B-2-5.

**ADVISORY OPINION**

No provision of the Ethics Act prohibits part-time public servants, including members of the Legislature, from employment by any public or private entity. While it would be wrong for the Legislator, or any other public servant, to misuse the influence of his or her public office to secure private employment, in the absence of such misconduct it is not a violation of the Ethics Act to be employed as a consultant by the Institute.

  
Chairman