

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.

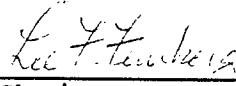
PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

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.



Chairman