

ADVISORY OPINION NO. 90-36

ISSUED BY THE

WEST VIRGINIA ETHICS COMMISSION

ON APRIL 5, 1990

GOVERNMENTAL BODY SEEKING OPINION

Several State Employees

OPINION SOUGHT

Whether the Act requires certain judicial branch administrative employees to file financial disclosure statements?

OTHER FACTS RELIED UPON BY THE COMMISSION

There are nine requestors who consist in part of an Administrative Director, Deputy Administrative Director, Director of Financial Management and three Assistant Directors in the State judicial-branch of government.

PERTINENT STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

West Virginia Code Section 6B-2-6(a) states in pertinent part that...the following persons must file a financial disclosure statement required by this section with the Ethics Commission:

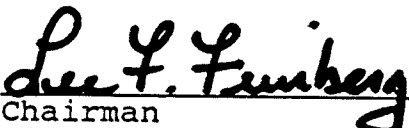
...3. Secretaries of departments, commissioners, deputy commissioners, assistant commissioners, directors, deputy directors, assistant directors, department heads, deputy department heads and assistant department heads.

ADVISORY OPINION

It is the Commission's opinion that the judicial branch Administrative Director, Deputy Administrative Director, Director of Financial Management and three Assistant Directors are required to file financial disclosure statements pursuant to subsection 6B-2-6(a).

The provision setting forth the requirements for filing the financial disclosure statement does not exempt the judicial branch and limit this requirement to Executive branch employees only. Employees having the titles of Director, Deputy Director and Assistant Director are clearly identified and named in subsection 6B-2-6(a)(3).

Therefore, the public employees identified above have 21 days from the date of filing of this opinion to file financial disclosure statements with the Ethics Commission.

  
Chairman