

ADVISORY OPINION NO. 89-64

ISSUED BY THE

WEST VIRGINIA ETHICS COMMISSION

ON DECEMBER 7, 1989

GOVERNMENTAL BODY SEEKING OPINION

Director, State Occupational Information Coordinating Committee

OPINION SOUGHT

Whether a State Committee can contract with the former Chairman of the Committee to provide services?

PERTINENT FACTS RELIED UPON BY THE COMMISSION

The former Chairman of the State Committee is now retired. The Committee would like to contract with him to provide various services, including, but not limited to: evaluating the usage of information systems, developing information career guides, and evaluating how information systems are being used and to what extent.

STATUTORY PROVISIONS RELIED UPON BY THE COMMISSION

West Virginia Code 6B-2-5(g)(2) states in pertinent part...That nothing contained in this subsection shall prohibit, during any period, a former public official or employee from being retained by or employed to represent, assist, or act in a representative capacity on behalf of the public agency by which he or she was employed or in which he or she served.

ADVISORY OPINION

Subsection (g)(2) specifically provides that nothing contained in this subsection shall prohibit a former public employee during any period from being retained or employed to represent, assist or act in a representative capacity on behalf of the public agency by which he was employed or which he served.

Therefore, it is not a violation of the Act for the State Committee to contract with the former Committee Chairman to provide services that would assist the Committee.

Lee F. Leiberg

Chairman