

SUBJECT: USE OF PUBLIC FACILITIES BY FORESTRY COUNCIL

SUMMARY:

The State Ethics Commission knows of no reason why the SC Urban and Community Forestry Council, which is related to the Forestry Commission, could not utilize Forestry Commission resources of an incidental nature to carry out its responsibilities.

QUESTION:

The Attorney for the SC Urban and Community Forestry Council requests an opinion concerning the operations of that organization. The Council plans to incorporate to provide a forum for the stewardship of urban and community forests. The Council seeks to meet in facilities of the Forestry Commission and to use Commission telephones for communication with members. It also desires to list the Forestry Commission's office as the registered office of the Council. He questions:

1. Can the employee of the Forestry Commission make phone calls and hold meetings using the phones and office space of the Forestry Commission at the Forestry Commission's convenience?
2. Can phone calls and meetings be held during normal working hours?
3. Must the Forestry Commission be reimbursed for the cost of using its equipment?
4. May the Forestry Commission's office be listed as the registered office of the Council?

DISCUSSION:

This opinion is rendered in response to a letter dated January 13, 1992 requesting an opinion from the State Ethics Commission. The Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act No. 248 of 1991; Section 8-13-100 et. seq., as amended, 1976 Code of Laws). This opinion does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation.

From the facts as submitted, it appears that the functions of the Council are consistent with and designed to further the purposes of the Forestry Commission.

The State Ethics Commission notes that many governmental employees and officials are members of private organizations which further the aims of their agencies or professions. Employees and officials serve as officers or directors of such organizations and spend time

and agency resources in this service. The State Ethics Commission knows of no reason why the Council, which is related to the Forestry Commission, could not utilize Forestry Commission resources of an incidental nature to carry out its responsibilities.