

SUBJECT: PAYMENT OF EXPENSES TO ATTEND MEETING

SUMMARY: A state agency director may receive travel and expenses provided by a foreign government and two national organizations provided such expenses incurred for participating in the meeting are in accordance with state travel reimbursement policies.

QUESTION: A state agency director has been invited by a foreign government to attend a meeting of professionals to discuss contemporary issues. The cost of the trip will be underwritten by the professional organization, the foreign government, and a country support group. The director's agency will underwrite a portion of the costs after Budget and Control Board approval. The Director questions whether attendance as the guest of the government and the two private organizations is allowed by the Ethics Reform Act.

DISCUSSION:

This opinion is rendered in response to a letter dated April 15, 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.

In Advisory Opinion SEC AO92-037, the State Ethics Commission advised that costs associated with attendance at committee meetings handled by a Federal agency could be provided since there is no financial benefit being provided to the employee if in accordance with state travel reimbursement policies and procedures. In Advisory Opinion SEC AO92-058, the State Ethics Commission advised that Forestry Commission employees could attend meetings sponsored by the Federal government, sister states, or a national association with travel, lodging and meals arranged by or reimbursed by the sponsor without violating the Ethics Reform Act, provided such travel is in accordance with state travel policies and procedures.

From the facts as submitted, it appears that there would be no financial benefit involved in the director's attendance at the meeting provided such travel and associated expenses are in accordance with state travel policies and procedures.