

**ADVISORY OPINION AO-1990-006
RECONSTITUTED AS ETHICS INTERPRETATION EI-1990-006
ISSUED OCTOBER 10, 1990**

The Oklahoma Council on Campaign Compliance and Ethical Standards ("the Council") has received your request for an advisory opinion asking, in effect:

May a corporation which establishes a community environmental advisory council to provide a forum for discussing and promoting environmental decisions by the corporation reimburse members for actual mileage to and from meeting locations and related expenses or to and from meetings involving community advisory councils working with other corporate facilities or operations when such members consist of an elected city official, an elected county or school official and a locally elected state representative?

Title 74 O.S. Supp. 1990, § 4241 states:

No state employee shall:

1. Directly or indirectly solicit or accept any compensation, gift, loan, entertainment, favor or service given for the purpose of influencing such employee in the discharge of his official duties. Provided, however, that this section shall not apply to bona fide campaign contributions.

* * *

This language was incorporated from the language of the previous "Code of Ethics for State Officials and Employees," 74 O.S. 1981, §§ 1401 et seq.

The Oklahoma Campaign Compliance and Ethical Standards Act has no specific definition for "state employee;" however, it is defined in 74 O.S. 1981, §1403 as "an elected or appointed officer or employee of the executive, judicial or legislative branch of government except state legislators[.]" This definition is still applicable.

It is clear that neither a city, school nor county elected official is an officer or employee of the executive, judicial or legislative branch of government and state legislators are specifically excluded from the definition.

It is, therefore, the advisory opinion of the Council, as voted on at its regular meeting on October 10, 1990, that whether a corporation's community advisory council may reimburse members who are city, school, or county elected officials or state representatives for mileage and related expenses for attending meetings is not within the jurisdiction of the Oklahoma Council on Campaign Compliance and Ethical Standards. (See Attorney General's Opinion 86-148 for a thorough discussion of your question.)