

ETHICS INTERPRETATION EI-1995-002
ISSUED APRIL 13, 1995

The Ethics Commission [the "Commission"] has received your request for an ethics interpretation, requested on behalf of the _____, asking:

Would any reporting requirements be imposed on businesses or individuals who make contributions for the 1995 annual meeting of the Southern Legislative Conference ["SLC"] to be held in Tulsa, Oklahoma?

There are no statutory requirements for disclosure of funds other than those solicited for the support of or in opposition to a campaign.

The applicable constitutional rule reads, in pertinent part:

Contributions

* * *

(m) Use of other funds.

(1) Anything of value which is solicited from the public in the name of or for the benefit of an elective officer or candidate, and which is accepted by an elective officer or candidate, shall be subject to the reporting requirements of this chapter. This would include, but not be limited to, things of value given for an inauguration or renovation of public property. Anything of value accepted by an agent or representative of an elective officer or candidate or by a committee established by, in the name of, or for the benefit of, an elective officer or candidate shall be deemed to be accepted by such elective officer or candidate for purposes of this section.

(2) The use of such things of value shall be limited to the stated purpose or purposes for which such things of value were solicited.

(3) Any surplus things of value which are not needed for the stated purpose or purposes shall be returned to the donors pursuant to a formula by which no donor receives more than his or her original donation or deposited with the State Treasurer to the credit of the General Revenue Fund.

Section 257:10-1-2(m) of the Rules of the Ethics Commission, 74 O.S. Supp.1994, Ch. 62, App.

The constitutional rules specify that committees which solicit "in the name of or for the benefit of an elective officer or candidate..." and which are accepted "by an agent or representative of an elective officer or candidate" are "subject to the reporting requirements of this chapter". Since no candidate is involved, questions involve an elective officer only.

The first determination is whether the funds are being solicited for an elective officer. The Southern Legislative Conference is a regional conference for legislators. As you

have explained, funds are being solicited by a committee but not in the name of an elective officer or candidate.

The second question is whether the funds are being solicited for the benefit of an elective officer. While elective officers [legislators] will be attending and will benefit from the conference, the solicitation is not for the personal benefit of any single legislator but for all legislators within the southern region of the United States.

In any case, the question remains whether the funds are being accepted by an elective officer or an agent or representative of an elective officer. As you have explained to me, no elective officer or candidate is accepting funds, and it is my understanding that SLC of the Tulsa '95 Finance Committee are not serving as an agent or representative for an elective officer or candidate.

CONCLUSION

It is, therefore, the ethics interpretation of the Ethics Commission, as voted on at its meeting on April 13, 1995, that funds for the SLC Conference being raised by the _____ are not being solicited by or in the name an elective officer or candidate nor for the benefit of an elective officer or candidate but are being solicited for the benefit of an exchange of ideas between legislators within the Southern region of the United States. Solicitations to such funds would, therefore, not be subject to the reporting requirements of Chapter 10 of the Constitutional Ethics Rules.

Please be advised that ethics interpretations by law will be published by this Commission without identifying petitioners.