

KTM



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[John

] Case No. 99026.Q

May 18, 1999

Dear [John]:

You have been asked to participate as a speaker at the [Conference], a conference sponsored by the Centers for Disease Control and Prevention, to be held at the []Hotel and Conference Center in [], June 7-8, 1999. The purpose of the Institute is to "train and inspire participants to implement State programs to achieve the goal of getting 'America in Motion' for at least 30 minutes of moderate physical activity at least 5 times a week." Numerous governmental entities throughout the United States will be represented at the conference, both as speakers and as attendees. You have been asked to give a presentation on "Successful Environmental and Policy Interventions: the Walking School Bus." The conference's sponsors have offered to reimburse you for coach class air fare, ground transportation to and from the airport, lodging (maximum of \$92.61 per day), and meals and incidental expenses (maximum of \$46.00 per day). You have discussed your participation in this program with [your Deputy Commissioner], and your Department has authorized your attendance, on City time, pending approval by this office. You have asked whether the Governmental Ethics Ordinance imposes any restrictions on your participation in this program, or on your acceptance of reimbursement for your expenses.

Based on the facts presented and on previous Board decisions, Board staff concludes that the Ethics Ordinance does not prohibit you from participating in the program or accepting reimbursement for coach airfare, hotel accommodations, meals, and ground transportation.

Please be advised that staff's opinion is not necessarily dispositive of all issues relevant to this situation, but is based solely on the application of the City's Governmental Ethics Ordinance to the facts stated in this opinion. If the facts stated are incorrect or incomplete, please notify us immediately, as any change may alter our opinion. Other laws or rules also may apply to this situation, such as the State Gift Ban Act. The Act, which became effective January 1, 1999, applies directly to City employees and officials. Therefore, all City employees must comply with both the State Gift Ban Act and the City's Governmental Ethics Ordinance gift restrictions contained in §2-156-040. In other words, City employees may not accept a gift if its acceptance is



prohibited under either the City's Ordinance or the State Gift Ban Act. To the extent that there is a conflict between provisions of the two gift bans, the more restrictive provision controls. We advise you to seek guidance from Chief Assistant Corporation Counsel Ben Gibson of the City's Department of Law (312-744-7787) as to whether that Act imposes any restrictions or prohibitions on your acceptance of this offer. Please be further advised that City departments have the authority to adopt and enforce rules of conduct that may be more restrictive than the limitations imposed by the Ethics Ordinance. Accordingly, we advise you to consult with your Department regarding any such rules.

Very truly yours,

John H. Mathews
Attorney/Investigator

Approved by:

Dorothy J. Eng
Executive Director

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