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February 9, 2000

Deborah Silver
Executive Assistant to the Deputy Director
8675 N.W. 53rd Street
Suite 201
Miami, Florida 33166

RE: REQUEST FOR ADVISORY OPINION 99-59

Dear Ms. Silver:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on February 7, 2000 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding Orange County paying travel expenses for county employees who provide training in Orange County.

In your letter you advised the Commission that the Director of the Orange County Solid Waste Division has extended an invitation to several county employees to attend meetings in Orlando to discuss implementation of the solid waste business plan. The director has met these employees during a previous visit to Miami-Dade County and would like the employees to share their experience and expertise with his employees as they seek to implement the business plan. Orange County would pay the travel expenses for the employees.

The Commission found that Orange County may pay travel expenses for county employees who provide training without violating the Conflict of Interest and Code of Ethics

ordinance. Section 2-11.1 (e)(1) defines a gift as the transfer of anything of economic value including travel without adequate and lawful consideration. Since the county employees will provide training in exchange for the travel provided by Orange County, there is lawful and adequate consideration so it does not constitute a gift under the ordinance. Therefore, the employees may lawfully accept travel expenses from Orange County to provide training.

Section 2-11.1 (e) (1) of Conflict of Interest and Code of Ethics ordinance does not prohibit county employees from accepting travel expenses when they provide training to employees of another county.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding the opinion, please call the undersigned at (305) 579-2954 or Ardyth Walker, Staff General Counsel at (305) 579-2653.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", with a long horizontal flourish extending to the right.

ROBERT MEYERS
Executive Director