

June 12, 1995

Advisory Opinion 1995 - No. 8

QUESTION

The Legislative Ethics Board has received a request for an advisory opinion which we paraphrase as follows: Would it be a violation of the state ethics act, Chapter 42.52 RCW, for a legislator or legislative employee to make personal use of frequent flier miles earned through official state travel?

OPINION

With this opinion request, we are asked to decide whether a legislator or legislative employee may accept frequent flier miles earned as a result of official legislative travel. We decline to answer this question.

The mission of the Legislative Ethics Board is to resolve issues of ethics. For years, responsible officials within the legislative and executive branches of state government have been considering the need for changes in state policies with respect to frequent flyer credit. The Board is aware that this matter has drawn parallel attention in other states, at the federal level, and in the private sector. The Board believes that the question presented here should be addressed to the Legislature and the Governor.

There is nothing inherently unethical in a legislator or legislative employee retaining frequent flier mileage credits. Whether they should be considered an individual personal benefit or accrue to the state is a policy issue. It would be inappropriate for the Board to decide this important public policy question under the guise of its ethics jurisdiction. This question should be resolved by public policy makers.