

**AGO POLICY**  
**I.19**

**GIFTS, BUSINESS MEALS,  
HONORARIA**

**Contact:** Supervising Deputy or Solicitor  
General

**Cross References:** RCW 42.52; *Outside  
Employment Policy*

**Approved:** 2/1/06 (rev. 06/15/06)

**I. POLICY STATEMENT:**

**AGO staff are restricted from accepting gifts or honoraria except as provided in the state ethics law and this policy.** This will serve to avoid any appearance of undue influence. AGO staff are expected to be familiar with the provisions of state ethics laws, and to act in a manner consistent with the provisions and the policies of those laws.

**A. Gifts:**

Except as statutorily authorized, AGO staff may not seek or receive anything of economic value as a gift (1) if it could be reasonably expected that the gift would influence the recipient's official action or judgment, or (2) if the gift could be considered a reward for the recipient's action or inaction. Staff participating in regulatory and contracting activities are subject to stricter limitations under the law. "Participating" includes any substantial involvement in regulation or contracting decisions and includes not only making or approving decisions, but also providing recommendations, advice, investigation, or similar activities.

Assistant Attorneys General representing or advising an agency in regulatory or contracting decisions should abide by the same restrictions as the agency employee who is being represented or advised, even though the Assistant Attorney General does not technically participate in those regulatory or contractual matters.

Items that fall outside the definition of gift such as payment of reasonable travel expenses incurred in connection with a speech, presentation, appearance or trade mission may not be accepted by AGO employees participating in regulatory or contracting decisions or matters.

**B. Business Meals:**

Staff are authorized to accept food or beverage on infrequent occasions in the ordinary course of meals where attendance by the officer or employee is related to the performance of official duties. Staff who participate in regulatory or contracting activities are restricted from accepting meals from persons regulated by the AGO and persons seeking business with the AGO.

Assistant Attorneys General and professional staff shall decline gifts and business meals from opposing attorneys or parties in a contested matter. Courtesy beverages such as coffee, tea, or other nominal refreshments served at the offices of attorneys which are available to anyone in the office may generally be accepted. In the event staff participates in regulatory activities with regard to opposing attorneys, or participates in contractual matters in which an outside attorney seeks to provide goods or services to the state, the staff member shall decline or pay for such refreshments.

**APPROVED**  
**Executive Ethics Board**

Date: 7-13-06

**C. Limitations on Gifts:**

With the exception of items the statute identifies as gifts "presumed not to influence" and meals, staff shall not accept any single gift having a value greater than \$50 or multiple gifts with an aggregate value of more than \$50 from a single source in a calendar year. Such gifts must satisfy all other applicable restrictions of the statute. The statutory definition of "gifts" excludes certain items and the \$50 limit does not apply to such items.

**D. Honoraria:**

AGO staff may be asked to speak, write an article, or engage in similar activity relating to the employee's official role with the office. On occasion, an employee engaging in an activity of this nature will be offered or given an honorarium.

An honorarium may be accepted if it is a token item of appreciation (non-monetary) for the activity undertaken, and the item is of a nature or value that could not reasonably be considered to affect the recipient's decision to engage in or decline to engage in the activity for which the honorarium is offered. Examples of token honorarium which may be accepted include mugs, T-shirts, plaques, pens, and certificates.

AGO staff may not accept honoraria either in circumstances where the law prohibits such receipt, or if the person offering the honoraria (a) is regulated by an agency that the Assistant Attorney General is assigned to represent, (b) is or reasonably can be expected to seek a contract or grant from an agency that the Assistant Attorney General is assigned to represent, or (c) is reasonably likely to seek or oppose administrative rules, actions, or policy changes by an agency that the Assistant Attorney General is assigned to represent.

For the purposes of this section, an honorarium does not include reimbursement to the AGO or the reasonable expenses incurred for the employee's participation including travel, lodging and subsistence. Where payment or reimbursement of expenses is made by an outside entity, however, no claim for state payment or reimbursement of such expenses may be made by the employee. Additionally, for employees participating in the regulatory or contracting decisions or matters, even reasonable expenses may not be accepted.

In limited circumstances, the Attorney General may authorize honoraria to be directed to the state of Washington.

Honoraria for activities that are not in connection with the employee's official role are governed by the *Outside Employment Policy*, and should also be analyzed in accordance with this policy on gifts.

**II. RESPONSIBILITIES:**

In addition to the parameters of this policy, *staff* shall familiarize themselves with the state ethics rules as they apply to the receipt of gifts, meals and honoraria. In the event they have questions concerning specific issues, *staff* shall consult with their supervisor, Division Chief, or Deputy Attorney General for guidance.

*/s/ Rob McKenna*

ROB MCKENNA  
Attorney General

APPROVED  
Executive Ethics Board

Date: 7.13.06