



Oregon

Tina Kotek, Governor

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June 15, 2026

Sent via email

Linda Nishioka
Salem City Council
555 Liberty Street SE, Room 225
Salem, OR 97301

Re: Advice No. 26-394I

Dear Linda Nishioka,

This letter of advice is provided in response to your request received on June 9, 2026. The following analysis and advice is offered under the authority provided in ORS 244.284 as guidance on how the current provisions of Oregon Government Ethics Law may apply to the specific circumstances you have presented.

The information provided indicates that you, along with Salem City Councilor Micki Varney and several other persons from Salem and Oregon, recently were invited by Senator Patterson to attend a meeting with a delegation from Guangxi Province, China. You explain that one of Guangxi's cities, Guilin, is exploring the possibility of establishing a sister city relationship with Salem. Following this meeting, you received an invitation to attend a delegation trip to Guangxi Province and Guilin City in July. The Guangxi government would cover lodging, meals, in-country transportation, and program activities, while participants would be responsible for their own international airfare and personal expenses. You ask whether accepting payment of these expenses would cause any violations of Government Ethics Law. You explain that your intent would be to pay for your own airfare and personal expenses. You also ask for guidance on whether it would be appropriate for your husband to accompany you on the trip, provided he covers his own expenses.

In most circumstances, when a public official is offered something of economic value at no cost or at a discount, and it is not offered to others, who are not public officials, on the same terms and conditions, it is considered a gift, as defined in ORS 244.020(7)(a), and subject to the gift clause in ORS 244.025(1). There are exceptions, however, for items that do not qualify as gifts under one of the exceptions in ORS 244.020(7)(b).

ORS 244.020(7)(b)(H) allows acceptance of the payment of reasonable travel expenses (food, transportation, or lodging expenses) provided to a public official, as well as to a relative, household member, or staff member accompanying that public official. It applies to events where the public official is representing a local government on an officially sanctioned trade-promotion or fact-finding mission or in officially designated negotiations or economic development activities. The (H) exception requires:

1. The public official must be representing state government, a local government or a special government body.
2. The purpose of the trip must be for trade promotion or a fact-finding mission, or for negotiations or economic development activities, where receipt of expenses is approved in advance.
3. The activities must be “officially sanctioned or officially designated,” which requires written approval in advance by a person authorized by the public body to provide that approval.

For the first criteria, you would need to be attending and participating in the delegation trip in your official capacity, as a representative of the City of Salem.

For the second criteria, a “fact-finding mission or trip” is defined as “any activity related to a cultural or educational purpose, or any activity aimed at providing intergovernmental assistance, such as for the purpose of international aid or sharing best practices, or developing intergovernmental relationships directly related to the public official’s duties. The sponsor of a fact finding mission should be directly and immediately associated with the event or location being visited.” [OAR 100-004-0001(2)]. The delegation trip appears to have an educational purpose, focusing on tourism, cultural exchange, and economic opportunities, and it appears to be for the purpose of developing an intergovernmental relationships. Thus, the delegation trip appears to qualify as a fact-finding mission or trip.

For the third criteria, you will need to have your participation in the delegation trip “officially sanctioned or officially designated” In advance. For members of a local government, the written approval must be provided by the governing body. [OAR 199-005-0020(3)(b)(B)]. In your case, the Salem City Council will need to provide you with written notice authorizing you to accept the payment of reasonable expenses. Keep in mind that when the matter is considered by the City Council, as a City Councilor and recipient of the paid expenses, you would be required to handle your conflict of interest as provided in ORS 244.120(2)(b).

In your inquiry, you ask whether it would be appropriate for your husband to accompany you on the delegation trip, at his own personal expense. From the information in your request it appears your husband would be paying for his own airfare and personal expenses, but that he, like you, would be accepting paid expenses from the Guangxi government for lodging, meals, in-country transportation and program activities. The analysis below is based on this understanding. If our understanding is incorrect, please let us know and we will provide a revised letter of advice.

As noted above, the gift exception in ORS 244.020(7)(b)(H) applies to paid expenses not just for the public official, but also for their relative, household member, or staff member accompanying them on the fact-finding mission or trip. Thus, so long as the three criteria

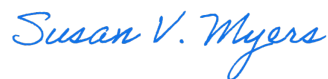
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noted above are satisfied, both you and your husband could accept the paid travel expenses for the fact-finding mission under the gift exception in ORS 244.020(7)(b)(H).

Also, City Councilors and certain other public officials are required to file a Statement of Economic Interest (SEI) annually. ORS 244.060(6) requires SEI filers to identify all expenses with an aggregate value exceeding \$50 received during the preceding calendar year when participating in a convention, mission, trip or other meeting described in ORS 244.020(7)(b)(H). Thus, you will need to identify the event and source of paid travel expenses on your 2027 SEI. The Guangxi government, as the source paying the expenses for the delegation trip, will need to provide you with written notification of the expenditures.

Thank you for contacting the Commission with your inquiry. If you have any additional questions regarding the application of Oregon Government Ethics Law, please feel free to contact me directly.

Sincerely,



Susan V. Myers
Executive Director

SVM/JJS

*****DISCLAIMER*****

This staff advice is provided under the authority given in ORS 244.284(1). This advice offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This advice is based on my understanding and analysis of the specific circumstances you described and should not be applied to circumstances that differ from those discussed in this request.