



# Oregon

Kate Brown, Governor

## Government Ethics Commission

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April 13, 2022

Rob Taylor  
PO Box 973  
Bandon, OR 97411

RE: Advice Number 22-0971

Dear Mr. Taylor:

Thank you for reaching out to the Oregon Government Ethics Commission with your inquiry on whether Coos County Commissioner Melissa Cribbins would have a conflict of interest were she to participate in a vote granting the Coquille Indian Tribe management of 52,000 acres that is owned by the Bureau of Land Management. The analysis and advice that follows 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 presented.

Based on the information you stated, The Coos County Commissioners are discussing whether they should give 52,000 acres of land that is owned by the Bureau of Land Management to the Coquille Indian Tribe to manage. Currently, the Bureau of Land Management is obligated to Coos County with timber sales from the property. Melissa Cribbins is a current Coos County Commissioner, as well as a former attorney and lobbyist for the Coquille Indian Tribe, in addition to serving as a Judge for the Tribe. Transferring management of the 52,000 acres would provide a financial benefit to the Coquille Indian Tribe.

ORS Chapter 244 defines a conflict of interest as any action, decision or recommendation taken by a public official that would or could financially impact that public official, their relative, or a business with which the official or their relative is associated. If the official action would result in a certain financial impact, it would be an actual conflict of interest, per ORS 244.020(1). If the official action could result in a financial impact, it would be a potential conflict of interest, per ORS 244.020(13).

A conflict of interest for Ms. Cribbins would be if her vote on granting the land to the Coquille Indian Tribe as a Coos County Commissioner would directly financially benefit herself or her relative. Based on the information you provided, it does not appear that Ms. Cribbins would financially benefit should management of the land go to the Coquille Indian Tribe. Ms. Cribbins would also have a conflict of interest if a "business in which



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she is associated” were to financially benefit from the land going to the Coquille Indian Tribe.

In order to determine if the Coquille Indian Tribe is a business with which Ms. Cribbins is associated, one must first determine if it is a “business.” Per ORS 244.020(2), a “business” is:

[a]ny corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

Since the Coquille Indian Tribe is not a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization or any other legal entity operating for economic gain, they are not a business as defined in ORS 244.020(2) Therefore, the Coquille Indian Tribe is not a business with which Ms. Cribbins is associated, and it does not appear that Ms. Cribbins would have a conflict of interest were she to participate in the vote.

We appreciate you contacting the Oregon Government Ethics Commission with your inquiry. If you have additional questions or need further clarification, please do not hesitate to contact me.

Sincerely,



Ronald A. Bersin  
Executive Director

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This staff advice is provided under the authority given in ORS 244.284(1). This opinion offers guidance on how Oregon Government Ethics law may apply to the specific facts described in your request. This opinion 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.