

May 23, 2000
Re: IO-00-87

You inquired whether the members of the county council may accept t-shirts as a gift from the Arundel Mills Corporation. As you know, a gift of modest value (\$25 or less) may be accepted from controlled donors, if there is no evidence of a design to impair in the purpose of giving the gift. In most cases, a design to impair is presumed if there is pending legislation that involves the potential donor.

In this case, there is pending legislation involving Arundel Mills. Specifically, Bill 30-00, assesses a special tax of \$00.00 for the Arundel Mills for the next fiscal year. Other legislation that has already been enacted authorized debt service payment by tax increment funding, and for proceeds of a bond sale to provide additional sources for payment of interest through the first year. In all of these cases, the council's participation merely affirms previously established debt payment mechanisms. There is virtually no discretion in the council to alter or vote against this legislation.

For this reason, there are no objective indications that a gift of t-shirts to the members of the county council is designed to impair the impartial or independent judgment of any county council. As a gesture of good will, the gift may be accepted under §3-106(c)(2) and (3).

Thank you for your inquiry. If you have any other questions, please call me.

Sincerely,

Betsy K. Dawson
Executive Director