

July 6, 2000
Re: IO-00-95

You inquired whether on-duty career personnel may continue to assist the volunteer fire companies in the latters' fund raising efforts. As you know, the volunteer companies are not subject to the jurisdiction of the ethics commission and their activities are not subject to the Public Ethics Law. There are no ethics law related restrictions on the fund raising activity in which these volunteers may engage.

There are certain restrictions on fund raising activity imposed on county employees - including career firefighters- by the ethics law. I am enclosing for your information, AO-99-199 and AO-97-122, issued by the ethics commission, with regard to fund raising by county departments.¹ In both opinions, as in others previously issued, gift solicitations by department personnel have been permitted where:

1. the program has been approved by the county administration;
2. the solicitation avoids specifically targeting controlled donors;
3. employees do not have access to information about the amount of individual donations;
4. donations must be used to promote the agency's purposes or programs;
5. donations may not be used to benefit employees, or their families; and
6. there must be no appearance of either coercion or favoritism attached to any solicitation or donation.

As long as these guidelines are followed, the career firefighters may, with your approval, assist with the fund raising activities of the volunteer companies.

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

Sincerely,

Betsy K. Dawson
Executive Director

enclosures

¹ I am also enclosing an informal opinion issued by the State Ethics Commission that summarizes several opinions of that organization with regard to fund raising. The county ethics commission has largely adopted the reasoning of the State Ethics Commission in matters of fund raising solicitations, because both the state and county have similar applicable laws.