

## **Anne Arundel County Ethics Commission**

### **Advisory Opinion**

**AO-01-89**

#### **Issue:**

Whether employees of a county department who form a baseball team to participate in a recreational league in the county may seek sponsorships from private entities and from their own department.

#### **Background:**

A group of employees within a county department decided to form a team in order to participate in the county's adult recreational baseball league. They have asked whether they may seek sponsorships from private entities and from their department, or within the division of the department where they are all employed. A sponsor would contribute funds toward the fees that are required to participate in the county league and might also help in paying for the purchase of baseball equipment, uniforms or other expenses.

#### **Discussion:**

The Public Ethics Law, §3-106(a) prohibits an employee from soliciting any gift. The ethics commission has consistently interpreted this provision to prohibit gifts solicited from the public that would personally benefit a county employee rather than a county agency or county program. See, AO-97-165. Even where the commission has advised that a solicitation is permitted, it is subject to such guidelines as would prevent any type of coercive tactics or the appearance of favoritism. See, AO-99-199.

In this particular situation, the solicitation of sponsorships would not promote a county purpose or program, but would in fact, benefit the individual county employees who participate on the team. Therefore, the solicitation of outside entities would violate §3-106(a).

However, the ethics commission has no jurisdiction over the issue of whether a county agency or department may sponsor a team with county funds. The department may not raise those funds by soliciting outside entities or by seeking contributions from other county employees, for the same reasons that the team may not solicit sponsorships from outside entities.

It would also be prohibited for the team to receive any discount or favored treatment from any other county agency, such as the Department of Recreation and Parks, because of its status as a group of county employees. Such treatment would constitute a violation of §3-104, which prohibits county employees from using the title, authority, or prestige of their county positions for their own gain. Since the benefits of participation accrue only to the employee members of

the team, the costs of the participation should be borne by those employees as well.

It should also be noted that the acceptance of unsolicited offers of sponsorships would be problematic under §3-106(b) of the ethics law. AO-97-165. Issues would arise under both the gift provisions and the abuse of office provision of §3-104. See, AO-00-170. This opinion does not address those issues because there has been no indication that such sponsorships have been offered.

**Conclusion:**

The ethics commission advises that neither the employees participating on the baseball team nor the employees' agency may solicit sponsorships or other forms of contributions from outside entities or other employees to assist in the expenses associated with the employees' baseball team.

Date:

By: The Anne Arundel County Ethics Commission