



*Anne Arundel County  
Ethics Commission*

April 20, 2009

***By Electronic Mail Only***

RE: AO-09-24

You inquired whether four park passes, each worth \$35, may be accepted by county employees as prizes to be given during a "Celebration of Anne Arundel County as a Senior Friendly Workplace," being held by your department. The public is invited and there will be games, entertainment, and various displays. The county executive will be there to recognize employees of longstanding service. You asked for and received these passes from the department of recreation and parks and are now asking whether, since they exceed the \$25 amount normally considered to be "nominal value," they may be accepted by employees as well as members of the public.

The answer is that the gift law prohibitions do not apply in this situation. The gift prohibitions of §7-5-106(b) apply to gifts offered by "controlled donors." This gift is being donated by the county itself - the employer. The employer is permitted to give gifts to recognize employees.

The ethics law, §7-5-106(a)(1) also provides that "[an] employee may not solicit any gift." The ethics commission has never considered this provision to be absolute since such an interpretation would be untenable. For example, the commission has concluded that the prohibition does not apply when the county executive approves a gift solicitation that will support county programs and will benefit the public. The gift and solicitation prohibitions of §7-5-106 are intended to ensure that controlled donors are neither pressured to give gifts nor rewarded for doing so. Given the context for this provision, the ethics commission does not believe that a solicitation made by an employee to another department, to provide gifts of recognition to county employees, is a prohibited activity as long as the solicitation is approved by the county executive.

Thank you for your inquiry. Please call if you have additional questions.

The Anne Arundel County Ethics Commission

/s/

By: \_\_\_\_\_  
Betsy K. Dawson, Executive Director