

SUBJECT: STATE AGENCY SEEKING CORPORATE SUPPORT OF PROJECT

SUMMARY:

The State Ethics Commission advises that a State agency would not be prohibited from soliciting private industry support for a public awareness project to carry out the agency's mandated responsibilities.

QUESTION:

The Director of the Emergency Preparedness Division of the Adjutant General's Office questions whether corporate support may be solicited to produce public awareness materials. The agency sought and obtained federal/state matching funds, however, booklet requests have exceeded expectations. He questions whether corporate support may pay the printer directly with acknowledgment of the support being printed on the booklet's back cover.

DISCUSSION:

This opinion is rendered in response to a letter dated January 23, 1992 requesting an opinion from the State Ethics Commission. The Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act No. 248 of 1991; Section 8-13-100 et. seq., as amended, 1976 Code of Laws). This opinion does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation.

Corporate support of public agency activities has been reviewed in Advisory Opinions SEC AO92-002, SEC AO92-041, and SEC AO92-052. In those opinions, the Commission advised that private business could support agency activities through provision of equipment and services without charges. The Commission does not believe that private industry is prohibited from providing financial or equipment support to assist public agencies in carrying out their mandated responsibilities. Reference to the above opinions should be utilized when appropriate regarding these activities.