

MEMORANDUM

FROM: Betsy K. Dawson, Executive Director

DATE: March 10, 1999

RE: IO-99-44

You inquired whether Anne Arundel County could charter a Toastmasters Club with Toastmasters International, a private non-profit organization that performs charitable and educational activities within the definitions of §501(c)(3) of the Internal Revenue Code. The club would be open to all county employees as a training tool for developing public speaking skills. The county would pay the charter fee, but individual members would be responsible for individual member fees.

The only possible issue raised by your inquiry is the applicability of §3-104(a), which prohibits an employee from using the authority of the office or position for the gain of another. In other words, the issue is whether the Toastmasters International would receive an inappropriate "gain" of any kind because of the misuse of the authority of the office of personnel. It is the opinion of the ethics commission that §3-104(a) does not apply in this situation.

Membership in Toastmasters International is comparable to membership in a professional organization. It is created primarily for the educational benefit of its members. It is not commercial in nature and it does not engage in any significant lobbying activities or charitable fund raising. Membership in this organization would not constitute an endorsement of one agency over other similar agencies and would not create the kind of competition or claim of partiality that the ethics law seeks to avoid.

Just as it is appropriate for the personnel office to provide other types of training, by offering classes and speakers to county personnel, it is equally appropriate to offer membership in an organization devoted to developing public speaking skills among its members. Therefore, the ethics commission concludes that the Public Ethics Law does not prohibit the chartering of a branch of Toastmasters International for the benefit of all county employees.

Thank you for your inquiry. I apologize for not responding more promptly and I hope that the delay has not caused you any inconvenience. If you have any further questions, please call.