

June 13, 2001
Re: IO-01-96

You inquired whether the Public Ethics Law prohibits -- from serving on the board of directors of Respect Foundation, Inc., an adjunct organization for Respect, Inc. You stated that Respect Foundation, Inc. is a non-profit organization that will be a recipient of a grant from the Department of Health in Anne Arundel County. The grant comes from the State of Maryland, and will be used to promote smoking and cancer awareness in the county.

The Public Ethics Law does not prohibit a county employee from serving on the board of directors under the circumstances you described. There are certain provisions of the ethics law that would apply to this service. A county employee may not use the title of the county position in connection with the employee's service on the board [§3-104]. An employee may not participate in an official county capacity in any matters involving Respect Foundation, Inc. or Respect, Inc [§3-101(a)(2)(iii)]. Finally, a county employee may not assist or represent the board of directors in any matter in which the county may have an adversarial or competitive interest [§3-105(c)(1)].

The ethics commission is always available to respond to specific questions if and when they arise. Thank you for your inquiry, and please feel free to call any time.

Sincerely,

Betsy K. Dawson
Executive Director

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