

January 3, 2003
Re: IO-02-152

You inquired whether an employee of your department may accept a scholarship offered by the sponsor of a conference that will shortly be held in Washington, D.C. The scholarship of \$354 will help pay for the hotel accommodations and registration.

Under §3-106(b) of the Public Ethics Law, county employees may not generally accept gifts from controlled donors. The sponsor of the conference, Health Assistance Partnerships, is not a controlled donor with respect to your department. It does not do business with or lobby your department. It is not subject to the regulatory authority of your department, and has no interests that may be materially affected by the conduct of the business of your department. The funding for the scholarship was provided by a grant from the Robert Wood Johnson Foundation for educational purposes. As long as the foundation is not a controlled donor, there would be nothing in the gift provision that would prohibit the acceptance of this scholarship.

Section 3-104(a), which prohibits the use of the prestige, title, or authority of office or position for private gain would not apply in this case, where there would be private gain to an employee. On the contrary, the employee who uses this scholarship would be attending this conference as part of the employee's duties.

For these reasons, the ethics commission advises that you may accept the scholarship to have an employee attend this conference. Thank you for your inquiry.

Sincerely,

Betsy K. Dawson
Executive Director