



MONTGOMERY COUNTY ETHICS COMMISSION

August 15, 2024

Waiver 24-08-006

Pursuant to § 19A-11(a)(2)(A) of the Public Ethics Law, a public employee must not participate in any matter if the public employee knows or reasonably should know that any party to the matter is any business in which the public employee is an employee, unless the Ethics Commission grants a waiver.

Lisa Lorraine is a volunteer voting member of the Montgomery County Intellectual and Developmental Disabilities Commission (IDDC) at the Montgomery County Department of Health and Human Services (DHHS). In her professional capacity, Ms. Lorraine works for Jubilee Association of Maryland (Jubilee) as the Breaking Barriers Senior Manager. Jubilee is a service provider for persons with intellectual and developmental disabilities. The IDDC enabling legislation requires seven of the nineteen voting members to represent service providers or advocacy organizations. Ms. Lorraine sits in one of those seven seats.

When applying for and being selected to sit on the IDDC, Ms. Lorraine notified the County Executive's Office that Jubilee was seeking a grant from the County government that would go towards paying her salary. The awarding of that grant was a future possibility, so there was nothing concrete to disclose to the County Council at the time of her interview and confirmation by the Council. However, Jubilee ultimately was successful in obtaining that grant; thus, Ms. Lorraine now seeks a waiver of the prohibitions contained within § 19A-11(a)(2)(A).

Pursuant to § 19A-8(a)(1) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-11(a)(2)(A) if the Ethics Commission concludes that the importance to the County of a public employee performing official duties outweighs the actual or potential harm of any conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that the benefits of having Ms. Lorraine participate on the IDDC outweigh any potential conflicts of interest arising from the awarding of the grant to her employer. Pursuant to the standard of § 19A-8(a)(2), the Commission grants the waiver of the prohibition of § 19A-11(a).

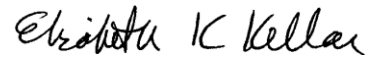
The Commission notes that while 19A-11(a)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged.

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In reaching this decision, the Commission has relied upon the facts as presented by Ms. Lorraine.

For the Commission:



Elizabeth Kellar, Chair