

Ethics Update

A newsletter from the Anne Arundel County Ethics Commission

June 2002, Issue 19

Every small business has a spider web of relationships, and those customers, partners and suppliers are all going to know the ethics with which you run your business. If your business ethics are of the highest quality that will be the best investment that you can possibly make in your business. *

- Craig Hall, [The Responsible Entrepreneur: How to Make Money and Make a Difference](#)

FINANCIAL DISCLOSURE

The financial disclosure statements for the calendar year 2001 have been received and reviewed by the ethics commission. A few people who have not yet filed are facing fines and reprimands for failing to file. This year's most common excuses for not filing?

1. "I forgot." This excuse won't work. The ethics commission sends all filers a personal letter in March, reminding them of the filing deadline, and enclosing a copy of the form. If the form is not filed on time, the ethics commission sends the filer a reminder notice. It is only after that notice is sent, and the form is still not filed that the ethics commission files a Complaint requiring payment of a fine.

2. "I'm too busy." This excuse won't work. We're all too busy.

3. "Nothing has changed since last year." This excuse won't work. You can spend a half-hour filling out your form, and let the ethics commission determine if anything's changed. One of the reasons for filing every year is so that the filer can spend a few moments thinking about the ethics law, and the possible conflicts of interest that may exist between one's official duties and one's personal interests.

4. "It's a *@%\$! nuisance to fill out

that form!" Yes, and it's also the law.

This year, the ethics commission has adopted the "Moulden Excuse". Sgt. Billy Moulden, a member of the County Board of Appeals, was stationed in Central Asia when the the form was due. (He's still there, by the way.) He got his form notarized - not an easy task in the middle of a war - and he managed to get it filed before the deadline. In a scribbled note that accompanied his form, Sgt. Moulden said, ". . . it occurs to me (should this find you on time) that this perhaps sets a new standard, a filer 8000 miles away in an Islamic nation fighting a war - who still files on time. My apologies to all who may be tardy this year".

We salute Sgt Moulden for his service to our country. Our thoughts are with him, his family, and the other men and women who serve our country. We also salute him for not forgetting, for not being too busy, for not complaining that nothing has changed or that its a nuisance to file a financial disclosure statement. We salute him for filing on time, and for having his statement notarized.

The "Moulden Excuse"? If you are serving your country as a member of the military, and are stationed abroad in a war zone, or you find yourself in similar circumstances, you are excused from filing your financial disclosure statement by the deadline. All other excuses? Forget it.

ANNUAL REPORT

OK - so it's not a best seller. But there are still a few copies of the ethics commission's 2001 Annual Report available. Read a summary of all the opinions issued last year. Call or stop by the commission office for your copy today.

RECENT OPINIONS FROM THE ETHICS COMMISSION

Opinions issued by the ethics

commission since March of 2002 are summarized below. You should not rely on the summary but you may request a free copy of any of the opinions that are of interest. Applicable sections of the Public Ethics Law, Article 9 of the County Code, are noted when applicable.

IO-02-10: A registered lobbyist on health care matters may be appointed to the county commission on disabilities as long as there are no state legislative matters of interest to the county upon which the appointee will be lobbying. §3-105(c).

IO-02-24/25: A council member who does business with a developer may not participate in legislative action on an amendment that will affect the developer's interests. The council member may be able to vote on the overall plan if the particular amendment constitutes only a small portion of the overall plan. §3-102(a) and (b)(2)(i) and (ii).

IO-02-31: County employees may solicit other county employees to make a donation to the Special Olympics in exchange for a t-shirt, to celebrate Torch Day Run in Anne Arundel County. The county executive has declared this to be a county government supported charitable fundraiser. County employees may not be coerced into making a donation. §3-104(a).

IO-02-39: The chairman of the Anne Arundel County Personnel Board who is campaigning for election to the county council is not required to resign from the personnel board, but should do so in order to avoid the appearance of a conflict of interest. The personnel board routinely responds to disputes between union employees and the administration, and council candidates seek union endorsements in their election bids.

IO-02-41: Employees may not

solicit contributions from controlled donors to help defray expenses for a truck rodeo in which the employees will be participating. §3-106(a).

IO-02-45: The ethics law does not prohibit employees from conducting a 50/50 raffle at the retirement party of a coworker, as long as participation in the raffle is completely voluntary. However, other laws may prohibit this venture, and the Office of Law or State's Attorney's Office should be consulted about those matters. §3-106(a).

IO-02-57: The district commander and three other police officers may accept an invitation to attend a "preopening" dinner **from a restaurant in that district, as long as the value of the meal is \$25 or less per person, since it appears that the invitation was also extended to businesses and people in the district as a means of introduction.** §3-105(c)(1).

IO-02-46: A county council member with a relative in the firefighters' union may not vote on a resolution to put a charter amendment supporting binding arbitration on the ballot at the next general election, since the member's relative has an interest in the outcome of the legislation. §3-102.

LOBBYING ACTIVITY REPORTS COMING DUE

By May 31, 2002, registered lobbyists in Anne Arundel County must submit their semi-annual activity reports to the ethics commission for review by the public. The activity report covers the period of November 1, 2001 through April 30, 2002 (a six month period). In the report, the lobbyist must list money earned for lobbying from each client, money spent for lobbying, and gifts given to county employees or officials - if the value of the gift exceeds \$50. Many lobbyists report gifts of smaller amounts as well. The ethics commission reviews these reports and cross-checks them with financial disclosure statements submitted by employees, to make sure that the gifts received by employees have been disclosed by those employees, and to make sure that the gifts were acceptable under the ethics law.

ETHICS TRAINING - ITS FOR

EVERYBODY

Ethics training - no boring lectures, note taking, or tests. And you'll get a **Useful And Attractive Gift**- just for showing up. You'll also receive a certificate of completion to call your own and to show the boss. Call or e-mail to sign up for one of the following training sessions:

- ☞ Friday, July 19
- ☞ Wednesday, September 18
- ☞ Friday, October 11
- ☞ Wednesday, November 13
- ☞ Friday, December 13 - what better way to spend this day besides in bed with the blanket over your head. . .

Sessions start at 9:00 a.m. and finish by 11:30. As an alternative, the commission will schedule a special training session for any group of 10 or more employees, at a time and place of your choosing.

AND NOW, A TEST!

In accordance with the law, you filed a financial disclosure statement, listing the gift of dinner for you and your spouse, paid for by a lobbyist. The value of the dinner for both of you was \$75. Upon review, the ethics commission concludes that you have violated the ethics by accepting this gift. You are advised to: (choose one answer)

1. give the dinner back.
2. reimburse the lobbyist the full amount of the dinner - \$75.
3. reimburse the lobbyist \$50 - the amount in excess of the permitted \$25 limit for "occasional meals and beverages".
4. reimburse the lobbyist \$25 - the amount above the \$50 limit for a couple attending a dinner where spouses are included.
5. cover your head with a paper bag and flee to a foreign country.

Hint: #5 is NOT the correct answer.

WHERE WE ARE (and when)

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* It is possible that this same theory applies to government as well. Just a thought.