

June 13, 2000
Re: IO-00-99

You inquired whether as a member of the County Board of Appeals, you may accept an offer to serve as a paid expert consultant to a business entity that is trying to acquire the right to the beneficial use of dredge spoil located in state waters. You stated that in this capacity, you would essentially be lobbying on behalf of your client and would be dealing with the United States Army Corps of Engineers, a member of the United States House of Representatives from this district, and other federal officials, as well as officials from Queen Anne's County, where the entity's site is located. You will also be dealing with state officials, and citizen groups. You stated that Anne Arundel County has no particular interest in this issue, in that none of the dredging or dumping activity will occur in Anne Arundel County, and the entity for whom you propose to work, does no business in the county or with the county government.

In the absence of any apparent connection between the county, the board of appeals, and the entity you wish to represent, your proposed secondary employment does not violate the provisions of §3-105 of the Public Ethics Law. Based on the facts set forth in this letter, you may accept the offer. However, if the circumstances should change; if for example, a person or entity that you lobby becomes a party to any case before the board of appeals, you should contact the ethics commission for further advice.

Thank you for your inquiry. If you have other questions, please call any time.

Sincerely,

Betsy K. Dawson
Executive Director