

2004 ANNUAL REPORT
OF THE
ANNE ARUNDEL COUNTY ETHICS COMMISSION

INTRODUCTION

The Anne Arundel County Ethics Commission met 11 times in 2004. During the open portion of each meeting, the commission discusses the status of financial disclosure and lobbying reports, budget matters, proposed legislation, ethics training, and other issues that are required or permitted by law to be reviewed during an open meeting. After each session, the commission meets in a closed or executive session to conduct its confidential business. This portion of the meeting generally includes a discussion of pending inquiries, requests for advisory or informal opinions, complaints, and the progress of investigations. Hearings on complaints of ethics violations are also handled during closed meetings, as required by Article 9, §4-106(a) of the Anne Arundel County Code. The ethics commission welcomes county employees and members of the public to attend the open portion of its meetings and with reasonable notice, will generally allow time for those in attendance to address the commission with questions and concerns. Anybody wishing to address a matter before the commission during a closed session may do so, provided that the matter is of a confidential nature.

The ethics commission is comprised of seven volunteer members. It is a bipartisan group made up of no more than four members of one political party. As an effort to insure a politically impartial commission, the law provides that members may not be government employees in any jurisdiction and they may not be lobbyists. Members may not participate in the campaign of a candidate for any elective public office, except by voting and making monetary contributions.

Each commission member is appointed to serve a four-year term and the terms are staggered. In this way, it is possible to acquire new ideas and perspectives without sacrificing continuity and experience – very important qualities for an agency with ongoing issues and investigations. It is common in many jurisdictions, including the State of Maryland, to reappoint members whose first terms have ended, in order to guarantee that continuity. In Anne Arundel County, reappointment is not the usual practice, unless a member was appointed to finish an unexpired term. In 2004, the term of the chairperson, Alan Hilliard Legum, expired and he was replaced by Richard L. Hillman. Christopher Rizek was reappointed to a full term and was also re-elected as the chairperson. Other current members of the commission and their appointment dates, include: Carol S. Lewnes, vice-chairperson (2002), Susan C. Quaal, (2001), whose term will expire on April 30, 2005, John Ridgley Moses (2002), Janet M. Davidson (2003), and Charles F. Obrecht (2003). Of this group, four are democrats and three are republicans.

The commission is staffed by two part-time employees: Betsy K. Dawson, the executive director, who is a lawyer licensed to practice in the State of Maryland, and Susan Murdock, the secretary to the commission, who joined the staff in mid-2004. The commission retains the services of an additional lawyer to advise the commission when the executive director prosecutes a complaint alleging violations of the Public Ethics Law. This procedure helps ensure that parties appearing before the commission will receive adequate due process protections. In addition, all respondents being investigated for, or charged with ethics violations, may be represented by a lawyer during all phases of the enforcement procedure. The commission staff promptly notifies all respondents of their rights to legal representation.

The State Ethics Law and the Anne Arundel County Charter and Code mandate the duties of the ethics commission and staff. These duties include:

- ▶ providing advice on ethics questions to county employees and citizens
- ▶ investigating complaints of alleged ethics violations
- ▶ initiating inquiries into possible ethics violations and filing complaints as appropriate
- ▶ conducting enforcement proceedings
- ▶ providing forms for financial disclosure and conflicts of interest reports for county employees, volunteers, and candidates for public office
- ▶ providing forms for lobbying registrations and activity reports
- ▶ assisting people in filling out and filing required forms
- ▶ reviewing all reports and notifying the filers of omissions and deficiencies
- ▶ maintaining all reports for public access
- ▶ recommending amendments to the ethics law as may be necessary or desirable
- ▶ reviewing all ordinances and resolutions pertaining to the ethics law and providing its findings and recommendations to the county executive and county council
- ▶ publishing explanatory information about the ethics law
- ▶ providing a minimum of one hour ethics law training to county employees

INQUIRIES

In 2004, the ethics commission responded to 112 ethics inquiries as well as a large number of lobbyist and other types of inquiries. Inquiries come to the commission in various forms from many sources – phone calls, written requests, personal visits, referrals from local, state, regional, or federal government agencies, or private business entities, including the media. In addition to these types of inquiries, many people call with quick questions or requests for information or copies of publications. Employees and lobbyists frequently call requesting information about reporting requirements or for help in filling out required reports. Inquiries from lobbyists and other filers are neither documented nor summarized in this report.

Ethics inquiries are handled in various ways. Advisory opinions are issued by the ethics commission pursuant to the Anne Arundel County Charter, §1001B(f) and the Anne Arundel County Code, Article 9, §3-101 *et. seq.* The law provides that an opinion *shall* be issued upon the request of any employee and *may* be issued upon the request of any other person. The commission routinely issues advice that is requested by an employee’s supervisor and occasionally when a member of the public or an entity doing business with the county requests an opinion. Over the years, an “informal opinion,” a letter addressed to the person making the inquiry, has increasingly replaced the more formal “advisory opinion.” In almost every case, the full ethics commission considers each and every inquiry before issuing either an advisory or informal opinion. On rare occasion when time is of the essence, the executive director may respond to the inquiry with a written opinion prior to receiving the commission’s input or approval, and in those instances the opinion will acknowledge that fact. Also, on occasion, and if warranted by circumstances, the director may respond by phone to questions with obvious or easily ascertainable answers. However, all inquiries to which the director responds preliminarily, are subsequently reviewed and approved by the ethics commission.

Requests for confidentiality are honored within the constraints of the law, unless the person receiving the opinion expressly waives confidentiality or fails to follow the commission’s advice and is subsequently charged with violating the ethics law. Even when confidentiality is not requested, the Charter, §1001B(g) requires that facts not material to the opinion that may identify the person who is the subject of the opinion shall be deleted to the fullest extent possible. The commission takes this responsibility very seriously, making every effort to generalize the facts, including the position held by the subject employee, the agency in which the employee works, and the nature of the employee’s job. Opinions are also drafted to avoid any reference to gender.

ADVISORY OPINIONS

Each opinion, redacted when necessary, becomes available to the public after receipt by the person who requested it. Copies are sent to the law library at the circuit court house and are also maintained in a binder in the ethics commission office for review by any interested person. As of 2004, every opinion issued since 1996 has also been made available on the ethics

commission's new website, at <http://www.aacounty.org/ethics>. The opinions are indexed by the year in which they were issued. In the future, the commission anticipates developing a subject matter index, which will facilitate the search for opinions of interest. Opinions concerning members of the county council are sent to the council chairman and to the administrative officer of the council as well. The ethics commission office will fax, e-mail or otherwise send a copy of any opinion upon request, without charge, although requests for multiple opinions often require extra time. A summary of each new opinion is included in the *Ethics Update*, a newsletter published quarterly by the ethics commission.

In 2004, the ethics commission issued three advisory opinions. The opinions are summarized below. A person should not rely on a summary for guidance but should request and review the entire opinion and ask the ethics commission for advice about any specific case.

AO-04-07/08: Council members with qualifying relatives who are teachers, may participate in legislation to fund raises for teachers, since the teachers will receive the raises regardless of whether the legislation passes. The legislation does not authorize the raises, it merely provides a funding source for the salary increases.

AO-04-17: Employees who participated in a county fitness program may accept gifts of nominal value from the controlled donor that helped organize the program.

AO-04-79: Police officers may not engage in secondary employment with or for bingo establishments because bingo is a licensed business that is subject to regulatory oversight by the Police Department.

INFORMAL OPINIONS

In 2004, the commission issued 21 informal opinions, all of which are available upon request or on the commission's website. These opinions are summarized below. A person should not rely on the summary for advice on any particular conduct but should request and review the entire opinion, or should ask the ethics commission for advice.

IO-04-13: The Ethics Commission may not give confidential advice to employees, but it also may not identify the person requesting the advice or provide information that would tend to identify the person seeking the advice, unless that information is material to the opinion.

IO-04-16: The type of executive branch communications for which lobbying registration is required includes only those communications that are intended to change existing executive policies.

IO-04-20: A Council member's proposed participation on a fund raising committee for an entity that regularly appears before the council, while not strictly prohibited, would create the appearance of a conflict of interest.

IO-04-23: An employee may serve on the board of a private organization that has no routine business with that employee's agency. The employee may not use his/her title, nor may the employee participate in any official matter involving the organization.

IO-04-27: An employee may not advertise his/her secondary employment while on the county job or to clients of the employee's agency.

IO-04-28: An employee may appear before the Board of Appeals in response to a subpoena and may testify as to relevant facts not otherwise obtainable by a party, but may not offer opinion testimony or provide confidential documents in response to the subpoena.

IO-04-33: A client of an agency is a person "subject to the authority of the employee's agency" and the employee may not contract with that client.

IO-04-35: An employee may not contract with that employee's agency, either directly or through a county-wide contract. An employee may not engage in secondary employment while on county time or in the county work place and may not solicit or contract with any person subject to the employee's supervision.

IO-04-36: An employee who administers a contract between the county and a private entity may enter into a personal contract with that entity but may no longer participate in any official business having to do with the county's contract with that entity. However, there would be a number of potential conflicts of interest issues that could arise with this type of personal contract.

IO-04-39: A supervisor may hire as a secretary, a close relative of an administration official, as long as the proper hiring process was followed, but the hiring decision may create the appearance of a conflict of interest, and may in some circumstances lead to other questions of conflict of interest.

IO-04-58: An employee may not accept travel expenses to a conference from a controlled donor if the employee will not be a speaker at the conference. However, the employee may accept certain meals at the conference under permitted exceptions to the gift prohibitions.

IO-04-65: Employees of the Sheriff's Department are subject to the State Ethics Law and should direct their inquiries to the State Ethics Commission.

IO-04-77: An employee in one county agency may accept part-time secondary employment with another county agency under the circumstances described in the opinion since there would be no apparent conflicts of interest.

IO-04-85: Employees may accept a dinner as part of an evening seminar sponsored by two different sponsors, one being a controlled donor, when the sponsor paying for the dinner is not the controlled donor, and the benefit accrues to the employees in their official capacity.

IO-04-87: A council member may participate in fund raising for the member's own community association, but the member should take steps to ensure that controlled donors are not targeted for fund raising and that people understand that the council member is acting solely in a personal capacity.

IO-04-88: A member of the County Council may attend a hearing of the Board of Appeals as a spectator, without violating the rule against the abuse of the prestige of office.

IO-04-99: An employee and the employee's spouse may accept an invitation to attend a reception sponsored by a controlled donor, under the circumstances described, as an exception to the gift prohibitions for occasional meals and beverages of modest value, where the value of the gift does not exceed \$50 per couple.

IO-04-102: An employee may provide information to the employee's community association as long as the information is available to the public, but the employee may not otherwise assist the association in any matter in which the county may have an interest.

IO-04-103: A county employee engaged in secondary employment may not contract or participate in any contract with the county on behalf of the secondary employer, and further, may not continue to engage in the secondary employment in the event that the secondary employer and the county negotiate or enter into a contract that involves the employee's agency.

IO-04-106: A county employee may not participate in an official capacity in any matter where one of the parties to the matter is an entity with whom the employee has a contract.

IO-04-108: A county inspector may accept secondary employment as a real estate appraiser, subject to the limitations set out in the opinion.

COMPLAINTS

In 2004, the commission initiated 11 complaints. Another complaint, alleging violations of the conflict of interest provisions of the ethics law, was initiated by a different complainant and is still pending. Of the complaints initiated by the ethics commission, nine involved the failure to file financial disclosure or conflict of interest statements. Two complaints involved the failure to file timely lobbying activity reports. It should be noted that complaints for failure to file required documents in a timely manner are initiated only after repeated and unsuccessful efforts to obtain compliance with the law.

All of the complaints initiated by the commission were resolved, by dismissal or with consent agreements. In every case, the respondents filed the required documents as part of the resolution of the complaint. Pursuant to §4-104(d), enacted in 2003 by Bill 38-03, the ethics commission also required delinquent filers to pay late fees totaling \$1,845.00. Of this total, \$1,800 was collected from lobbyists, and \$145 from two employees who filed late financial disclosure statements. The imposition and collection of late fees has proven to be an effective

way of resolving filing violations without expensive and time-consuming enforcement hearings. The ethics commission hopes that with stringent enforcement of the late fee provision, filers will find strong incentive to comply with filing deadlines.

FINANCIAL DISCLOSURE STATEMENTS

Since the establishment of a charter form of government in Anne Arundel County, certain public officials, employees, and non-compensated volunteers in county service have been required to file financial disclosure statements. The disclosure statements required under the current Public Ethics Law require much more information than the old statements did, but the charter, then as now, unequivocally establishes the importance of financial disclosure as a means of preserving public confidence in the integrity of its public officials.

In 2004, the commission received approximately 200 financial disclosure and conflict of interest statements. People who are required to file these statements are also required to file termination statements upon their departure from county service. Failure to comply with this requirement may lead to the withholding of compensation, although as a practical matter, this sanction is rarely available. As a general practice and in lieu of requiring the filing of an additional financial disclosure statement, the ethics commission permits a departing employee to declare by letter that there have been no substantive changes to the employee's financial condition since the last statement was filed. This letter may be used when the last financial disclosure statement was filed within the previous nine months. This practice is less onerous, easier to enforce, and takes much less time than requiring the filing of a whole new financial disclosure statement. The commission staff provides assistance in filling out forms and provides notary services, without cost, to employees and volunteers.

The commission is charged with the responsibility of reviewing each statement received for completion as well as for potential conflict of interest issues. In 2004, because of staffing changes, most statements, but not all, were reviewed and a few were sent back for corrections or additions. As always, these statements, along with the corrections and additions, are available for public inspection during ethics commission office hours. The law requires the commission to notify any official, employee, or volunteer whose statement is examined, providing the name and address of the person who requested the document.

LOBBYING

In 2004, the ethics commission registered 60 lobbyists, an increase of almost 20% over 2003. They represented 160 employers (clients). This number is probably somewhat less than the actual number of lobbyists who should be registered because some individuals and groups still resist the notion that the activities in which they are engaged constitute lobbying. The Public Ethics Law definition of a lobbyist may encompass lawyers, volunteers, citizen groups, business coalitions, chambers of commerce, unions, community groups, and others for whom the label of "lobbyist" does not traditionally seem to apply. In local jurisdictions like Anne Arundel

County, some lobbyists register for one issue, and never lobby again. The activities that require a person or entity to register as a lobbyist are as follows:

1. A person (or entity) who communicates with a county employee *for the purpose of influencing executive or legislative action*, and who for that purpose spends or earns \$100 or more in a six-month period;
2. A person (or entity) who spends \$50 or more in a six-month period on a gift or gifts for employees, *in connection with or for the purpose of influencing executive or legislative action*;
3. A person (or entity) who spends \$1000 or more, including postage, in a six-month period, for the purpose of soliciting others to communicate with an employee to influence executive or legislative action (e.g., community newsletters, other mass mailings); or
4. A person (or entity) that spends \$500 or more to provide compensation to one or more persons required to register as lobbyists.

The ethics commission does not require a person who qualifies under this latter category to file a separate lobbyist registration form unless that person personally engages in lobbying activity.

There is no fee to register as a lobbyist and the ethics commission staff willingly assists individuals or entities that need guidance on whether their activities require registration. Registered lobbyists are required to submit activity reports every six months, disclosing compensation and expenses for the previous six-month period. The ethics commission sends these forms to all registered lobbyists, with instructions, well before the date upon which they must be filed. The ethics commission also assists lobbyists in filling out the forms and provides notary services without charge.

Lobbying registrations and activity reports are public documents. In 2004, the ethics commission received, reviewed, and compiled the statistics of about 260 activity reports. The ethics commission prepares and circulates a quarterly list of registered lobbyists to all elected officials and department heads and the list of registered lobbyists was also updated regularly on the commission's website.

The following information summarizes the compensation and expenditures reported by registered lobbyists in 2004:

Compensation paid to lobbyists	\$815,762.81
Office expenses in addition to compensation	14,776.64
Professional and technical research and assistance	483.00
Publications or letter writing campaigns.....	4,444.70
Witnesses	0.00

Meals and beverages for county employees and their immediate families.....	188.52
Special events (parties, dinners, athletic events, entertainment, and other functions)	1,190.00
Food, lodging, or other expenses at a conference or meeting.....	0.00
Other gifts	0.00
Miscellaneous expenses	1,230.14

The numbers indicate that during 2004, the total compensation paid to lobbyists increased by about \$300,000, and that lobbyists earned an average of \$3,000 more than in 2003. Reported overall expenses declined by \$11,000 over last year. Reported expenses for meals were about the same as meal expenses reported in 2003 and there were no other reported gift expenditures. (These figures do not reflect the amounts if any, spent by lobbyists on campaign contributions. Campaign contributions are expressly excluded from the definition of “gifts” in the ethics law.) These numbers continue to support the conclusion that lobbyists are not reporting significant expenditures on county officials and employees.

The following list includes all the lobbyists registered at any time during 2004 and the employers they represented:

Lobbyists

Employers

Mr. David B. Adler	Russett Center Limited Partnership
Mr. Gary R. Alexander	Michael T. Rose Motorola, Inc.
Mr. Steven Arabia	Mirant Mid-Atlantic, LLC
Mr. O'Brien Atkinson, IV	A.A. County Fraternal Order of Police, Lodge #70
Mr. J. Kenneth Battle, Jr.	Michael T. Rose Motorola, Inc.
Mr. Nathan S. Betnun	Legg Mason Wood Walker, Inc.
Mr. Harry C. Blumenthal	Baltimore Clay Product Company, Inc. BWI Properties Limited Partnership Carroll D. Nordhoff, et al G. W. Koch Associates, Inc. Gerald Herson Katherine Properties, LLC Konterra Limited Partnership Kyppros, Inc., t/a Olive Grove

	Leonard J. Attman M/M Julius W. Tauber, Jr. Marley Neck Co., Inc. Piera Family Limited Partnership Scott Peterson The Heffner and Weber Companies
Mr. Robert W. Burdon	Annapolis and A.A. County Chamber of Commerce
Ms. Carolyn Burr ridge	South Baltimore Business Alliance
Mr. Robert W. Cannon	David Sae-Won Pak & Sae Ho Pak
Mr. David H. Carroll, Jr.	Transol USA, c/o Jay Specter
Ms. Kathryn J. Dahl	Annapolis Partners, L.L.C. Arundel Road, L.L.C. Elkridge Landing, L.L.C. Glen Abbey, V.L.L.C. Riva Trace Baptist Church The Mills Corporation
Mr. Charles F. Delavan	Annapolis Towne Centre at Parole, LLC, c/o Greenberg Commercial Mirbeau Holdings, LLC Parole Plaza Limited Partnership Skye Hospitality, LLC Superior Woodfields, LLC Wal-Mart Stores, Inc.
Mr. Joseph F. Devlin	Andrew Matusky BFF Marina, LLC, t/a Oak Harbor Marina Cinco Electric U. S. Home Corporation
Mr. Robert J. DiPietro/RJD Consultants,	Annapolis Towne Centre at Parole, LLC c/o Greenberg Commercial, Managing Member
Mr. Joseph Divis	Cingular Wireless, LLC
Mr. Robert C. Douglas	LAR, LLC, c/o Big Vanilla Athletic Club Perdue Agri-Recycle LLC Riva Properties, LLC
Ms. Sheila M. Finlayson	Teachers Association of Anne Arundel County

Ms. Lyle W. Fowlkes	Motorola, Inc.
Mr. Brian J. Gibbons	Greenberg Commercial Corporation & Annapolis Towne Centre at Parole, LLC
Mr. Keith Hammer	Riva Trace Baptist Church
Mr. Timothy S. Hogan	The Hogan Family
Mr. Carl G. Holland	Cab Connection Limited Pierce Hardy Limited Partnership
Mr. Alan J. Hyatt	David T. Phipps Gordon and Joyce Phipps Kanaris 811, LLC Superior Woodfields, LLC Wharton Annapolis, LLC
Ms. Bonnie L. Johansen	Constellation Energy Group, Inc.
Mr. Robert G. Johnson	Transol USA, c/o Jay Specter
Mr. Robert Johnston	Anne Arundel County Association of Realtors
Mr. William Jones	Teachers Association of Anne Arundel County
Mr. Nicholas J. Kallis	Orville L. Bowen
Mr. Jackson G. Kochen	Russett Center Limited Partnership
Mr. Michael G. Leahy	Arundel Amusements, Inc., t/a Bingo World, Inc. Atlantic Bingo Supply, Inc. Delta Bingo, t/a Daily Double Bingo Eastern Petroleum Corporation Jacoby Development, Inc. Maryland Commercial Bingo Coalition Wayson's Properties, Inc.
Mr. Martin T. Mankowski	Centex Homes, Inc.
Mr. Stephen P. McAllister	Elkridge Landing, LLC
Mr. James H. McCarl	Waugh Chapel Dental Enterprises, LLC
Ms. Louise B. Meyers	Christian Services, U.S.A.

Mr. Robert L. Noble	Northrop Grumman Corporation
Ms. Chantel R. Ornstein	Motorola, Inc.
Mr. John S. Pantelides	Annapolis Yacht Management, LLC Anne Arundel County Alliance for Fair Land Use Baldwin Real Estate, LLC Bestgate Village, LLC C and C Liquors Constellation Energy Group, Inc. Crandell Cove, Inc. Frank J. Scott, Sr. G.W. Koch Associates, Inc. Jenkins Boat Sales Joe Butts, t/a Smoking Joe's Café, Inc. – Malibu's Lakeside Operating Account Lake Shore Crossroads, LLC Lennie Attman Ralph Koon Robert Bell Roni Hankins Sturbridge Homes The Polm Companies, Ltd. Two Rivers Investors, LLC Village Development, LLC
Ms. Susan Stroud Parker	Home Builders Association of Maryland
Mr. J. William Pitcher	Homeport Farm No. 1, LLC
Mr. David M. Plott	Chavez Properties Clayton S. McCarl, Jr. Columbus Club of Annapolis Rudolf Tischer Russett Center Limited Partnership The Coscan/Adler Limited Partnership – The Adler Corporation, General Partner The Hogan Family (Timothy S. Hogan, Jr.) The Hunting Davis Family (Homeport Farm)
Mr. Richard E. Polm	The Polm Companies, Ltd.
Ms. Kimberly Potember	Erwin L. Greenberg Commercial Corporation
Mr. Dennis F. Rasmussen	EPIC Pharmacies, Inc. Johnson Controls, Inc.

Mr. Howard Resneck	Russett Center Limited Partnership
Mr. Russell Roeding	Associated Builders and Contractors, Inc.
Mr. Donato Sauro	Pensare, LLC d/b/a Tischer Acura Nissan
Mr. Phillip F. Scheibe	Peter A. Castruccio
Ms. Robin F. Shaivitz	Motorola, Inc.
Mr. Casper R. Taylor, Jr.	Maryland Chiropractic Association Motorola, Inc.
Mr. J. Shepard Tullier	AA Recycle and Sand, Inc. Calvin F. Shilling, Sr. Chesapeake Charter, Inc. Cloverdale Properties, LLC Ferguson Trenching Co., LLP Freedman Trenching Co., LLP Jennifer Good Ordinance Road, LLC Orville L. Bowen Robert E. Lamothe Shahverdi's Foreign Cars, Inc. The Bernstein Companies
Mr. Keith Tunell	Centex Homes, Inc.
Mr. Edward O. Wayson, Jr.	Arundel Amusements, Inc., t/a Bingo World, Inc. Atlantic Bingo Supply, Inc. Brandywine Enterprises, Inc. Delta Bingo, t/a Daily Double Bingo Eastern Petroleum Corporation Jacoby Development, Inc. Maryland Commercial Bingo Coalition Transol USA, c/o Jay Specter Wayson's Properties, Inc.
Mr. LeRoy A. Wilkison	A.A. County Professional Fire Fighters, Local 1563
Ms. Bronwyn Williams	Parking Company of America d/b/a Airport Fast Park
Mr. Sager A. Williams, Jr.	Annapolis Roads Property Owners Association, Inc. Anthony J. Toskov, c/o A.N.T., Inc. Baldwin Real Estate, LLC

Baltimore Gas & Electric Co.
 Bristol Civic Association c/o Charlotte Smutko,
 President
 Crandell Cove, Inc.
 Filippos M. Hatzidakis
 Frank J. Scott, Sr.
 George D. Rose
 Jean Bates
 Patricia Bentley Fisher
 Robert C. Jackson, Jr.
 The Polm Companies, Ltd.
 Waugh Chapel Limited Partnership

Mr. Keith Wayne Wright	A.A. County Professional Fire Fighters, Local 1563
Ms. Linda Spitzer Zahn	Greater Severna Park Chamber of Commerce
Mr. James E. Zechman	Alternative Medicine of Maryland, LLC
Mr. Andrew Zois	The Polm Companies, Ltd.

EDUCATION

In 2004, the ethics commission staff presented eight training sessions to almost 120 county employees. Because the training sessions are interactive, the optimum number of people attending each session is between 10 and 20. The typical session begins with a video and includes significant group participation through questions and answers and discussion of hypothetical ethics issues. Outlines and explanations of the conflicts of interest provisions of the Public Ethics Law are given to each participant. Employees who attend the session receive a certificate of completion. They are also encouraged to submit an anonymous evaluation of the training class. The evaluations are public documents. Response to the training has been very positive although enthusiasm about attending the session in the first place remains low. While some employees attended the sessions voluntarily, in about an equal number of cases, department heads or supervisors mandated attendance. The commission even welcomes to its training programs, those county employees who are covered by the state's ethics law, since the state does not offer general ethics training to its employees.

In 2004, for the fifth consecutive year, the commission published four issues of its newsletter, the *Ethics Update*. The purposes of the newsletter are to familiarize employees and other interested people with the duties and methods of the commission, highlight ethics issues of concern to employees, and encourage people to call or visit the commission office with questions, concerns, and comments. The publication regularly receives a favorable response and requests for copies are regularly made by lobbyists, members of the public, and other ethics

agencies. In 2004, all *Ethics Update* issues from the year as well as some other previously issued newsletters, were made available on the commission's website.

Copies of all annual reports, newsletters, advisory opinions, and other public commission documents are free and available to the public at the commission office. Commission staff members are available to address community or other organizations upon request.

The ethics commission is an active member of the Council on Governmental Ethics Laws (COGEL), an international organization of ethics agencies and ethics law practitioners. In 2004, the commission's executive director attended the annual COGEL conference in San Francisco, California. The executive director is a member of the ethics model law committee of COGEL.

BUDGET

During 2004, the ethics commission conserved resources by printing less and recycling more, and by using its website and the county's network e-mail to communicate with county employees, lobbyists, and members of the public. The commission printed fewer copies of its newsletter and the 2003 annual report. It also cut printing costs by having some large print jobs done by private entities. The commission has made every effort to hold or reduce its operating expenses. At the end of FY 2004, as with every previous year since 1996, the ethics commission spent less than its annual budget appropriation, returning a record \$14,118.00, almost 10% of the commission's budget, to the general fund at the end of FY 2004.

For the upcoming year, the commission anticipates additional spending needs for outside legal services for an outstanding ethics violation complaint that should make its way through the enforcement process in 2005. Also, the commission plans to publish additional printed material, "The Employee Guide to the Public Ethics Law," for all new employees and for employees going through ethics training. This new publication will be the first revision of the guide first published in 1994. This publication is necessary to insure that all employees, particularly those without regular access to a computer, have access to information they need about the ethics law. Finally, the ethics commission would like to provide for at least one commission member to join the executive director in attending the 2005 COGEL conference in Boston, Massachusetts, and to make other training opportunities for the staff available as needed.

LOOKING TO THE FUTURE

The ethics commission plans to improve and enlarge its website, located at <http://www.aacounty.org/ethics>. Because the website is maintained by the county's office of information technology, the commission relies upon the schedule and expertise of other county employees in meeting this goal. The ethics commission is very grateful to the employees of OIT, whose patience, assistance, and advice has made the commission's website possible. At some point, the commission expects that it will take over the management of its website, but again, the timetable for this change is dependent upon the office of information technology.

Another goal of the commission is to increase employee interest and attendance at ethics training sessions. At the end of 2004, the commission sent a letter to all department heads, chairs of commissions, and others, requesting that they encourage or mandate ethics training for all employees. Although the commission is no longer permitted to advertise its training sessions by network-wide e-mail, information about training schedules is listed in the newsletter and on the county's bulletin board. The commission anticipates that as employees make more use of the bulletin board, sign-ups will increase.

CONCLUSION

The Anne Arundel County Ethics Commission continues to fulfill its mission to administer the Public Ethics Law by providing advice and by offering educational opportunities to all county employees and volunteers. The commission responds promptly, well within the time required by law, to all requests for opinions, averaging about one week between the request and the issuance of the opinion.

The commission usually holds its regular meeting on the second Monday of each month, in the conference room at the commission office. Notices of its meetings are published as required by law, and members of the public are welcome to attend the open sessions of each meeting. Questions or comments about this report are welcome and may be sent or faxed to the ethics commission or e-mailed to the executive director at etdaws00@aaacounty.org.

Respectfully Submitted by the

Anne Arundel County Ethics Commission:

Christopher S. Rizek, Chairperson
Carol S. Lewnes, Vice-Chairperson
Janet M. Davidson
Richard L. Hillman
John R. Moses
Charles F. Obrecht, Jr.
Susan C. Quaal