

2006 ANNUAL REPORT
OF THE
ANNE ARUNDEL COUNTY ETHICS COMMISSION

INTRODUCTION

The Anne Arundel County Ethics Commission met 12 times in 2006. 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 opinions, complaints, and the progress of investigations. Hearings on complaints of ethics violations are also handled during closed meetings, as required by Article 7, §7-4-106 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 or 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 ensure an independent commission, the law provides that members may not be lobbyists or government employees of any jurisdiction. 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, reappointments also became common during the administration of Janet S. Owens. In 2006, Ms. Owens appointed Cathleen M. Conlyn, a recently retired county employee, to the ethics commission. Ms. Conlyn replaced Susan Quaal, a member whose term actually expired in 2005, but who generously agreed to continue her role on the commission in order to finish work on a complex pending matter. Ms. Conlyn joined Christopher S. Rizek, Chairperson, Carol S. Lewnes, Vice-Chairperson, Janet M. Davidson, Richard L. Hillman, John Ridgley Moses, and Charles F. Obrecht, Jr. The terms of Mr. Obrecht and Ms. Davidson will end on April 30, 2007. 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. 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 opportunity to employ 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 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 2006, the ethics commission responded to 100 ethics inquiries as well as a large number of lobbying, financial disclosure, and other types of inquiries. There is no requirement

that inquiries be submitted in writing; inquiries also come to the commission via telephone, e-mail, personal visit, and fax. Inquiries come from elected and appointed officials, employees, members of the public, the media, local, state, regional, or federal government agencies, or private business entities, including those that do business with, or are regulated by the county. In addition to these types of documented inquiries, many people call with quick questions or requests for information or copies of publications. Employees and lobbyists frequently call requesting information about registration and reporting requirements or for help in filling out required forms. Inquiries from lobbyists and other filers are not generally documented and they are not 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 7, §7-3-101. 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. In almost every case, the full ethics commission considers each and every inquiry before issuing an advisory 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.

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 found to have violated 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 reference to gender.

ADVISORY OPINIONS

Each opinion, redacted as necessary, becomes available to the public after receipt by the person who requested it. Hard copies are mailed upon request to any person requesting one, and the commission maintains a mailing list for that purpose. With the development of the ethics commission's website, <http://www.aacounty.org/ethics>, all opinions issued since 1996 are available on the website. The opinions are indexed by the year in which they were issued and by a subject matter index to facilitate the search by specific issue. A summary of each new opinion is included in the *Ethics Update*, a newsletter published quarterly by the ethics commission.

In 2006, the ethics commission issued 26 written 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 specific advice.

[IO-06-04](#): A contractor who offers to take county employees on a trip in connection with the contract is not offering the employees a gift since the county will actually pay the expenses through the contract.

[IO-06-14](#): An employee may engage in secondary employment, teaching classes in the general subject area of his expertise, where his expertise was developed prior to accepting a position with the county and where the classes will have no connection to or relationship with the employee's county job.

[IO-06-17](#): A private entity, acting on behalf of the county, may solicit sponsorships from a list of hundreds of potential donors to provide financial assistance for an annual event being held to promote a county program, even if some of those potential donors are businesses or individuals doing business with or regulated by the county. As long as the solicitation does not specifically target "controlled donors," and otherwise follows certain established guidelines for such solicitations, it is permissible.

[IO-06-18](#): A qualified relative of an elected official may participate in the county's agricultural preservation program. The elected official may not participate in any matter involving the qualified relative's application.

[IO-06-20](#): An elected official may not accept free admission to an event from the sponsor of the event if it is a business marketing event and not a charitable, cultural, or political event, and if the value of the free admission exceeds \$20 (where the donor is a lobbyist).

[IO-06-23](#): A county employee, who is the spouse of a supervisor of inspectors, may not engage in secondary employment on behalf of clients who are subject to the authority of the supervisor or the supervisor's department.

[IO-06-25](#): A zoning inspector may not engage in secondary employment as a realtor in the county.

[IO-06-26](#): Employees may not accept travel expenses from a vendor to visit the vendor's facilities.

[IO-06-27](#): The ethics law does not prohibit a member of the Severn River Commission from running for state office. As an "official" rather than an employee, the anti-Hatch act provisions do not protect the member, and there may be county charter or code provisions that would otherwise prohibit this political activity.

[IO-06-29](#): A member of the Board of Appeals may serve as a paid consultant to a candidate for the United States Congress.

[IO-06-31](#): A gift offered to the 25 employees of the administrative staff of an agency from a non-controlled donor is not prohibited under either the gift or prestige of office provisions of the ethics law because the value to each employee is nominal. However, once the overall value of the gift is considered, acceptance of the gift, which is offered because of the employees' positions with the county, would violate the spirit of the ethics law.

[IO-06-34](#): Where the sponsor of a conference is a controlled donor, the offer of free registration to the conference, offered to the first several people to register and valued at \$200, may not be accepted by an employee. Although the free registration offer has an element of chance, it is only offered to people with whom the sponsor does or seeks to do business.

[IO-06-39](#): Since the county charter does not restrict the rights of members of the Board of Appeals to participate in political activity, a member of the board of appeals may hold a "meet the candidate" event for a candidate for county council. However, holding such an event may create the appearance of a conflict of interest.

[IO-06-50](#): A private attorney and member of the ethics commission may continue to serve on the commission while representing a party in a lawsuit where the county is a named (nominal) but not adversarial party.

[IO-06-54](#): Uniformed public safety employees may not accept a significant discount to attend a political event, when the discount was offered to them by a possibly controlled donor and where it was offered to a limited group of employees because of their positions with the county.

[IO-06-61](#): A council member may accept free admission to a charitable gala as a courtesy to the office, but may not participate either in an official or personal capacity as an honorary committee member hosting the event.

[IO-06-62](#): A private entity affiliated with the county may accept an unsolicited donation that is designed to promote the mission of the county and that will not provide a personal benefit to any county employees or other people subject to the ethics law.

[IO-06-76](#): A council member, who is a party's candidate for reelection, may accept an offer from Comcast to appear in a five minute "Candidates on Demand" cable interview that is offered to all primary election winners, including incumbents. If Comcast retains editorial control over the interview, it will not be considered a "gift." Even if the offer constitutes the offer of a gift, it would be a campaign contribution, not subject to the gift prohibitions of the ethics law. So, even though the offer was made while legislation affecting Comcast was pending, acceptance is not prohibited.

[IO-06-78](#): The decision to provide free office space to a private entity in a county facility is a decision to be made by the administration and not the ethics commission; however, certain ethical guidelines should be followed to ensure that there is no appearance of impropriety in the entity's use of county resources.

[IO-06-79](#): The ethics law does not prohibit employees who adorn their private vehicles with campaign signs from parking their vehicles in county parking lots during the workday.

[IO-06-88](#): A civilian employee of the police department may apply for and hold a liquor license in another county.

[IO-06-92](#): An employee may accept reasonable travel expenses from a controlled donor to attend a conference where the employee will be a featured speaker on a panel.

[IO-06-95](#): A member of the Board of Appeals may serve as a member of the House of Delegates for an eight-day term under the limited circumstances described in the opinion.

[IO-06-96](#): The county executive may not accept free admission to an event sponsored by a chamber of commerce because it is not a cultural, charitable, or political event to which free admission may be accepted.

[AO-06-99](#): A former county attorney may represent a client with business before the county, but not on a specific matter in which the attorney participated significantly as an employee or acquired confidential information.

[IO-06-100](#): A county employee may not serve on the Board of Appeals, and a member of the Board of Appeals may be precluded from working for state government, depending on the position held in the state.

COMPLAINTS

In 2006, the commission received or filed three complaints. All three complaints alleged ethics violations- there were no complaints for late filings. This fact represents a milestone- the first year since the creation of the ethics commission that there were no complaints filed for failure to file or late filing of disclosure or lobbying forms. In 2006, there were only two late filers, and they both resolved the matter within two weeks of the filing date, by filing the necessary statements and paying minimal late fees. The imposition and collection of late fees, pursuant to §7-4-104(d), along with strict enforcement of filing deadlines has proven to be an effective way of resolving filing violations without expensive and time-consuming enforcement hearings. 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.

Of the three complaints filed in 2006, two have been resolved. Complaint 06-56 resulted in a finding of violations of §7-5-107. The Findings of Fact and Conclusions of Law and the Order of Compliance are available to the public upon request. A second case was dismissed and under law, §7-4-106, the matter will remain confidential. The third complaint filed in 2006 is still pending and will remain confidential unless and until there is a finding of a violation.

One ethics violation was resolved by agreement and consent order, without the filing of a complaint. The agreement and order in I-06-32 are also available for public access.

Also, in 2006, the ethics commission concluded proceedings on a conflict of interest complaint, filed in 2004. After several full days of hearings in the latter part of 2005 and early 2006, the matter, C-04-10, resulted in a finding of ethics violations. The commission's Findings of Fact and Conclusions of Law and Order of Compliance against two former county employees for violations of §7-5-105 are available to the public upon request. At the end of the year, the commission's decision was upheld by the Circuit Court on a Petition for Judicial Review. The matter is now pending before the Court of Special Appeals.

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 did the early statements, but the charter, then as now, unequivocally establishes the importance of financial disclosure as a means of preserving public confidence in the integrity of county employees.

In 2006, the commission received 218 financial disclosure and conflict of interest statements, including 21 financial disclosure statements from candidates for county elective offices. People who are required to file these statements are also required to file termination statements upon their departure from county service. 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 circumstances since the previous filing. 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 frequently provides assistance in filling out forms.

The commission is charged with the responsibility of reviewing each statement received for completion as well as for potential conflict of interest issues. In 2006, all statements were reviewed and a fair number 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. In 2006, there were only three requests to examine and/or copy any filings. It is apparent that this information does not appear to be of great interest to the public. The commission believes that there are two possible reasons for this lack of interest:

1. the disclosure statements do not require much disclosure of significant information, and/or
2. county employees receive little in the way of gifts or other "perks" and therefore have little to disclose. The information required to be disclosed is primarily dictated by state law, and neither

the county ethics commission nor the county government has the authority to effect much change of the disclosure requirements.

LOBBYING

In 2006, the ethics commission registered 42 lobbyists, representing 74 clients. This is a significant decrease in the number of registered lobbyists (almost 30% fewer) and clients (about 60% fewer) from 2005. (This decrease may be partly attributable to the completion of the comprehensive rezoning legislation that began several years ago.) 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. On the other hand, professional lobbyists probably appreciate the free publicity that comes their way via the ethics website and the publication of this annual report.

The Public Ethics Law definition of a lobbyist may encompass lawyers, volunteers, citizen groups, business coalitions, chambers of commerce, unions, community groups, other grassroots lobbyists, 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 the last category to file a separate lobbyist registration form unless that person personally engages in lobbying activity. While this type of lobbyist is not required to register, the ethics laws pertaining to gifts from lobbyists and other provisions apply to unregistered as well as registered lobbyists.

A lobbyist registration automatically expires at the end of each calendar year. There is no fee to register as a lobbyist, and the ethics commission staff frequently 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 commission staff also assists lobbyists in filling out the forms and provides free notary services to lobbyists upon request.

Lobbying registrations and activity reports are public documents. In 2006, the ethics commission staff received, reviewed, and compiled the statistics on all received activity reports. The commission staff prepares and publishes a monthly list that is sent via e-mail to all elected officials and department heads. The list is also updated monthly on the ethics commission’s website.

The following information summarizes the compensation and expenditures reported by registered lobbyists in 2006:

Compensation paid to lobbyists	\$413,887.55
Office expenses in addition to compensation	3,335.00
Professional and technical research and assistance	400.00
Publications or letter writing campaigns.....	770.00
Witnesses	0.00
Meals and beverages for county employees and their immediate families.....	111.37
Special events (parties, dinners, athletic events, entertainment, and other functions)	836.00
Food, lodging, or other expenses at a conference or meeting.....	0.00
Other gifts	0.00
Miscellaneous expenses	0.00

The numbers indicate that in 2006, lobbyists earned more, had fewer expenses, and spent more for meals and special events for county employees than in 2005. 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.) The largest decreases in expenses were for professional and technical research and assistance and for publications or letter writing campaigns. Reported expenditures for general office expenses also decreased.

The following list includes all the lobbyists registered at any time during 2006 and the employers they represented:

<u>Lobbyists</u>	<u>Employers</u>
Mr. Gary R. Alexander	WaWa, Inc.
Mr. O’Brien Atkinson, IV	A.A. County Fraternal Order of Police, Lodge #70, Inc.
Mr. Nathan S. Betnun	Stone & Youngberg, LLC

Mr. Harry C. Blumenthal	Comcast of Maryland James R. Dockery, Jr. Ribera Development, LLC & Ribera Land Co., LLC The Maryland Jockey Club
Mr. Robert W. Burdon	Annapolis & AA County Chamber of Commerce
Ms. Carolyn Burr ridge Bonnett	South Baltimore Business Alliance Valley Proteins, Inc.
Mr. Charles F. Delavan	Annapolis Town Centre @ Parole c/o Greenberg Gibbons Petrie/Chaney Wayson's Corner, LLC Regency Centers
Mr. Eric M. DeVito	Ribera Development, LLC & Ribera Land Co., LLC
Mr. Joseph F. Devlin	U.S. Home Corporation
Mr. Robert J. DiPietro	Annapolis Town Centre @ Parole, c/o Greenberg Gibbons BBSS, Inc., c/o Greenberg Gibbons Commercial Centre at Wayson's Corner, c/o Petrie Ross Ventures Ribera Development, LLC & Ribera Land Co. LLC
Ms. Sheila M. Finlayson	Teachers Association of Anne Arundel County
Ms. Lyle W. Fowlkes	Potomac Holdings, LLC WaWa, Inc.
Mr. Carmen E. Gilmore	Grayson Development Company, LLC
Mr. Carl G. Holland	Cab Connection Ltd. Pierce – Hardy Limited Partnership
Ms. Bonnie L. Johansen	Constellation Energy Group, Inc.
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. Michael G. Leahy	Arundel Amusements, Inc. t/a Bingo World Atlantic Bingo Supply, Inc.

Delta Bingo t/a Daily Double Bingo
Riverdale Baptist Church

Mr. Roy C. Little

W.F. Utz Construction Company

Mr. Walter E. Lynch

The Maryland Jockey Club

Ms. Cynthia McAuliffe

Grayson Development Company, LLC

Mr. Robert Noble

Northrup Grumman Corporation

Mr. John S. Pantelides

Anne Arundel County Alliance for Fair Land Use
Bay Industrial Ventures
Dee Corporation
Flagship Development LLC/Four Star Properties LLC
Kevin Kramer & Associates
Regency Land Associates

Mr. Midgett S. Parker, Jr.

Alfreda P. Adams

Mr. James S. Patton

The Buccini/Pollin Group and Affiliates

Mr. David M. Plott

Grayson Development Company, LLC
The Buccini/Pollin Group and Affiliates
The Coscan/Adler Limited Partnership
W.F. Utz Construction Company

Mr. David Pollin

The Buccini/Pollin Group and Affiliates

Ms. Julia A. Reinhart

David J. & Linda Wood

Mr. Russell Roeding

ABC Chesapeake

Mr. Steven F. Schroeder

The Buccini/Pollin Group and Affiliates

Ms. Robin Shaivitz

WaWa, Inc.

Mr. John C. Stamato

Ribera Development, LLC

Mr. Robert M. Stevens, Jr.

AACo. Professional Fire Fighters, Local 1563

Ms. Susan A.M. Stroud

Home Builders Association of MD

Mr. Casper R. Taylor, Jr.

Potomac Holdings, LLC

Mr. J. Shepard Tullier	AA Recycle & Sand, Inc. Edward L. & Michelle Daniels Ferguson Trenching Co. LLP Orville L. Bowen The Bernstein Companies
Mr. William F. Utz	W.F. Utz Construction Company
Mr. David B. Vannoy	Grayson Homes, LLC
Mr. LeRoy Wilkison	AA County Professional Firefighters Local 1563
Mr. Sager A. Williams, Jr.	Annapolis Roads Property Owners Assoc., Inc. Annapolis Towne Centre @ Parole, LLC Baltimore Gas & Electric Company Bristol Civic Association Regency Land Associates, LLC c/o Altman Companies The W. F. Chesley Companies

EDUCATION

In 2006, the ethics commission staff presented 10 training sessions to 148 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 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 2006, for the seventh 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. One reader, an attorney with an out-of-state ethics agency, wrote, "Your updates are consistently well written, plain spoken, intelligent, learned, nuanced, fun to read, and just flat out good." Previously published *Ethics Update* issues are also available on the commission's website.

In 2006, the commission also published a new brochure, the *Employee Pocket Guide to the Public Ethics Law*. Consisting of 16 pages, the brochure provides an overview of the commission's duties, the public ethics law, and the opportunities available for employees to seek advice. The brochure was provided to the personnel office for distribution to new employees and is given to all training session participants. The *Pocket Guide* is also available to groups of employees upon request by any county office, department, board or commission.

Copies of all annual reports, newsletters, advisory opinions, and other public commission documents are free and available to the public at the commission office.

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 2006, the commission's executive director attended the annual COGEL conference in New Orleans, Louisiana.

BUDGET

During 2006 as in all previous years, the ethics commission conserved resources by printing less, recycling more, and by using its website and the county's online bulletin board to communicate with county employees, lobbyists, and members of the public. The commission printed fewer copies of its newsletter and annual report. (The downside of reduced printing is the likelihood that employees who do not have regular access to the internet have limited access to the ethics newsletter or even the county bulletin board.) It also cut printing costs by printing its own financial disclosure statements and other required forms. The commission makes every effort to hold or reduce its operating expenses. At the end of fiscal year 2006, the commission returned well over \$9,000 of its approved budget to the general fund. Although this "refund" was the largest yet, the commission has returned a portion of its approved budget to the county at the end of every fiscal year since 1997.

In the upcoming year, the commission anticipates continued spending needs for outside legal services for one ethics violation enforcement proceeding that is now pending on appeal, as well as other pending enforcement proceedings. The use of outside attorneys is required by law to ensure due process for respondents.

LOOKING TO THE FUTURE

The ethics commission plans to continue making improvements to 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 grateful to the employees of the office of information technology, particularly Christine Boschert-Hagan and Betsy Kirkpatrick-Howat, whose patience, assistance, and advice have made the commission's website possible.

Another goal of the commission is to increase employee awareness of the ethics commission's duties, and interest in attending ethics training sessions. Although the commission

is not permitted to advertise its training sessions by network-wide e-mail, information about training schedules is listed in the *Ethics Update* and on the county's bulletin board.

According to the Anne Arundel County Charter, §1001A(c), the ethics commission is required to periodically review the ethics law and propose such amendments as may be necessary or desirable. The commission hopes to work with the administration in the upcoming year and propose amendments to deal with gaps in the existing law; for example, the applicability of the ethics law to a new administration's transition team.

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, but occasionally responding within 24 hours. The commission aggressively enforces the law, initiating investigations and filing complaints for ethics law violations as necessary. The commission also responds to anonymous allegations of ethics violations, conducting at the very least a cursory investigation to determine whether the allegations may have merit.

The commission 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 <mailto:etdaws00@aacounty.org>.

Respectfully Submitted by the

Anne Arundel County Ethics Commission:

Christopher S. Rizek, Chairperson
Carol S. Lewnes, Vice-Chairperson
Cathleen M. Conlyn
Janet M. Davidson
Richard L. Hillman
John R. Moses
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