



**COMMISSION MEMBERS:**  
PAUL M. VETTORI, *Chairman*  
ROBERT G. BLUE  
JULIAN L. LAPIDES  
ANDREA LEAHY-FUCHECK  
JACOB YOSEF MILIMAN

## STATE ETHICS COMMISSION

45 CALVERT STREET, 3<sup>RD</sup> FLOOR  
ANNAPOLIS, MARYLAND 21401  
410-260-7770  
Toll Free 1-877-669-6085  
FAX: 410-260-7747

MICHAEL W. LORD  
*Executive Director*  
JENNIFER K. ALLGAIR  
*General Counsel*  
WILLIAM J. COLQUHOUN  
*Staff Counsel*  
KATHERINE P. THOMPSON  
*Assistant General Counsel*

### MINUTES OF THE STATE ETHICS COMMISSION MEETING

March 14, 2013

Commission Members Present: Paul M. Vettori, *Chairman*  
Andrea Leahy-FucHECK  
Jacob Yosef Miliman

Commission Member Absent: Robert G. Blue  
Julian L. Lapides

Staff Members Present: Michael W. Lord, Executive Director  
Jennifer K. Allgair, General Counsel  
William J. Colquhoun, Staff Counsel  
Katherine P. Thompson, Assistant General Counsel  
Darlene J. Brocki, Office Manager  
Jennifer Whitehead, Legal Assistant  
Megan W. Schutz, Legal Assistant

The meeting convened at 10:00 a.m. at the Commission's offices in Annapolis.

#### ITEM 1: Tentative Agenda

Discussion: The Commission reviewed the tentative agenda.

Decision: The tentative agenda was approved with additions.

#### ITEM 2: Executive Director's Report - HB 1429

Discussion: Mr. Lord briefed the Commission on the proposed amendments to HB 1429 - State Ethics – Former State Officials and Employees – Employment.

Discussion: The Commission will take no position on this bill.

#### ITEM 3: Minutes of the January 24, 2013 Meeting

Discussion: The draft minutes of the January 24, 2013 meeting were reviewed and discussed.

Decision: The draft minutes were approved as adjusted.

ITEM 4: Financial Disclosure Additions and Deletions

Discussion: Mr. Lord presented a listing of the proposed additions and deletions to the financial disclosure list recommended by State agencies and reviewed by him. The recommendations covered the Executive Department, State Treasurer's Office, Department of Business & Economic Development, Department of Natural Resources, Department of Housing & Community Development, Maryland Higher Education Commission, Military Department, State Retirement Agency, Department of Public Safety & Correctional Services, State Highway Administration, Maryland Transportation Authority, Maryland Aviation Administration, Maryland Clean Energy Center, Anne Arundel County Register of Wills, College of Southern Maryland, University of Maryland Baltimore County, University of Maryland Baltimore, University of Baltimore, Howard Community College, Towson University and Montgomery College. Several positions from the College of Southern Maryland were discussed in detail.

Decision: The Executive Assistant to the VP for Financial & Administrative Services and the Executive Assistant to the President and Board of Trustees were added to the financial disclosure listing. The Commission approved Mr. Lord's other recommendations.

ITEM 5: Board and Commission Executive Unit Determinations

Discussion: Mr. Lord briefed the Commission on the Blind Industries & Services of Maryland as to whether or not it should be considered an executive unit covered by the Ethics Law.

Decision: The Commission determined the Blind Industries & Services of Maryland should not be considered an executive unit covered by the Public Ethics Law.

Meeting was closed at 10:15 a.m. to consider confidential enforcement matters.

ITEM 6: A-5-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be placed on the Preliminary Inquiry Docket. (B-2-13)

ITEM 7: A-6-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be closed.

ITEM 8: A-7-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be referred to the appropriate authority.

The meeting was reopened at 10:30 a.m.

ITEM 9: Local Government – Draft Ethics Laws – Municipalities

Discussion: Ms. Allgair briefed the Commission on the proposed and adopted ethics laws, policies and regulations received from the City of Aberdeen, Town of Delmar and the Town of Easton.

Decision: The Commission approved the proposed and adopted ethics laws, policies and regulations.

ITEM 10: Local Government – City of Rockville

Discussion: Ms. Allgair briefed the Commission on correspondence received from the public regarding the Town of Rockville.

ITEM 11: Local Government – Requests for Municipal Ethics Law Exemptions

Discussion: Ms. Allgair briefed the Commission on the full exemption requests received from the Town of Accident, Town of Templeville, Town of Church Creek, Town of Galestown, Town of Brookview and the Town of Eldorado. The Commission will schedule the Town of Boonsboro for further review at a future meeting.

Decision: The Commission granted a continuation of a full exemption for the Town of Accident, Town of Templeville, Town of Church Creek, Town of Galestown, Town of Brookview and the Town of Eldorado.

ITEM 12: Local Government – Chevy Chase Village (12-0276)

Discussion: Ms. Allgair briefed the Commission on the full exemption request received from the Town of Chevy Chase Village. Chevy Chase Village also requested a modification to the financial disclosure requirements for local elected officials. Several members of the Board of Managers were present. Michael Denger, Gary Crockett, Delegate Alfred Carr and Patricia Baptiste spoke on behalf of Chevy Chase Village. Scott Hancock spoke on behalf of the Maryland Municipal League.

Decision: The Commission did not grant a full exemption nor did it grant a modification to the financial disclosure requirements for the local elected officials of Chevy Chase Village. Commission granted a continuation of Chevy Chase Village's partial exemption from the requirement to adopt lobbying provisions as part of the local ethics law.

Meeting was closed at 12:00 p.m. to consider confidential enforcement matters and advice.

ITEM 13: C-13-13 (Ms. Allgair did not participate in this matter.)

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission accepted the cure in this matter and a letter will be sent.

ITEM 14: A-8-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be placed on the Preliminary Inquiry Docket. (B-3-13)

ITEM 15: B-2-12

Discussion: Mr. Colquhoun briefed the Commission on the status of this matter.

Decision: The Commission accepted the Pre-Complaint Disposition Agreement.

ITEM 16: C-39-12

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be further reviewed at the next meeting.

ITEM 17: C-19-12

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be further reviewed at the next meeting.

ITEM 18: C-30-12

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: This matter will be further reviewed at the next meeting.

ITEM 19: C-1-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 20: C-5-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 21: C-10-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission accepted the late filing as a cure.

ITEM 22: A-9-13

Discussion: Mr. Colquhoun briefed the Commission on this matter.

Decision: The Commission declined to issue the complaint.

ITEM 23: Prince George's County Zoning

Discussion: Mr. Colquhoun briefed the Commission on these matters.

Decision: The Commission will seek the advice of the Office of the Attorney General.

ITEM 24: Informal Matter – Department of Human Resources (13-0007)

Discussion: Ms. Thompson briefed the Commission on a secondary employment request regarding an employee in the Department of Human Resources who also works as an adjunct professor at a private college.

Decision: The Commission granted an exception to allow the secondary employment.

ITEM 25: Informal Matter – Department of Human Resources (13-0074)

Discussion: Ms. Thompson briefed the Commission on a secondary employment request regarding an employee in the Department of Human Resources who also works as a residential technician with an outside entity providing services to individuals with developmental disabilities. The outside employer had a past contractual relationship with the Department of Human Resources.

Decision: The Commission granted an exception to allow the secondary employment.

ITEM 26: Informal Matter – Department of Human Resources (13-0044)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding an employee in the Department of Human Resources who also stocks shelves at a local military commissary.

Decision: The Commission granted an exception to allow the secondary employment.

ITEM 27: Informal Matter – Department of Agriculture (13-0079)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding an employee in the Department of Agriculture wanting to start a business making organic dog treats.

Decision: The Commission granted an exception to allow the secondary employment.

ITEM 28: Informal Matter – Department of Planning (13-0084)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding an employee in the Department of Planning being asked to serve on the Board of Directors of a foundation associated with an environmental program that the State employee is involved in as part of his State duties.

Decision: The Commission did not grant an exception for this service.

ITEM 29: Informal Matter – Department of Business & Economic Development (13-0076)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding an employee in the Department of Business & Economic Development being asked to serve on a district export council.

Decision: The Commission did not approve this proposed outside employment and viewed it as inconsistent with the employee's State duties.

ITEM 30: Informal Matter – Gifts (13-0095)

Discussion: Ms. Allgair briefed the Commission on whether an elected official may accept tickets to a fundraiser and request a staff member to accompany him as part of the employee's State duties.

Decision: The Commission determined that the State official may request the State employee to attend the event to assist the official in State duties.

ITEM 31: Informal Matter – Sheriff (13-0080)

Discussion: Mr. Lord briefed the Commission on a request for advice by a Sheriff who was asked to sign a letter as the spokesperson for a national organization on federal gun legislation. The letter also had a fundraising component.

Decision: The Commission asked for additional information and elected to reschedule the matter for the May meeting when all Commissioners would be present.

ITEM 32: Executive Director's Report – Forest Conservancy Board

Discussion: Mr. Lord briefed the Commission on his meeting with members of the Forest Conservancy Boards and DNR's request to have those members no longer on the boards removed from the financial disclosure listing.

Decision: The Commission will allow those members to be removed from the financial disclosure listing and not take action for failure to file termination statements.

ITEM 33: Executive Director's Report – Legislative Update

Discussion: Mr. Lord briefed the Commission on the status of proposed legislation including HB 1023- Public Ethics – Blind Industries and Services of Maryland; SB 316 - Frederick County – Ethics – Former Officials and Employees; SB 453 - Election Law and Ethics – Political Parties – Uniform Transparency, Disclosure, and Accountability Act; and SB 665 - Public Ethics Laws – Meals – Regulated Lobbyist Reporting Requirements.

The meeting was adjourned at 1:45 p.m.