

In the Matter of
Marceline White
Respondent

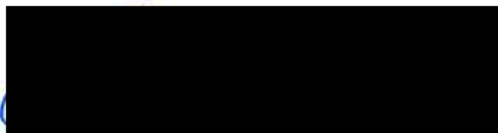
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Before the
State Ethics Commission
Complaint No. C-74-16

ORDER

At its August 25, 2016 meeting, the State Ethics Commission reviewed the above captioned complaint to determine whether further proceedings were necessary. The State Ethics Commission determined that the matter complained of herein has been settled by Respondent's submission of the required lobbying activity report, execution of a Stipulation of Settlement Agreement, attached hereto and made a part hereof, and payment in accord with paragraph 6 of the Stipulation of Settlement Agreement of the sum of One Thousand Five Hundred Dollars (\$1,500.00). The Order and Stipulation of Settlement Agreement are public documents and will be transmitted to the lobbyist's employer.

STATE ETHICS COMMISSION

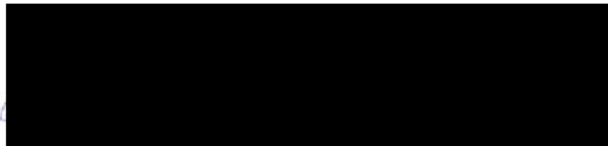


Janet E. McHugh, Chair

Date: August 25, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 30 day of August, 2016, a copy of the foregoing Order in State Ethics Commission proceeding C-74-16, was forwarded via regular mail, postage prepaid, to the Respondent, Marceline White, Maryland Consumer Rights Coalition, 1209 North Calvert Street, Baltimore, Maryland 21202, and was hand delivered to William J. Colquhoun, Staff Counsel for the State Ethics Commission, 45 Calvert Street, 3rd Floor, Annapolis, Maryland 21401.



Jennifer K. Allgair, General Counsel

RECEIVED

JUL 18 2016

IN THE MATTER OF
MARCELINE WHITE
RESPONDENT

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BEFORE THE
STATE ETHICS COMMISSION
COMPLAINT NO. C-74-16

STIPULATION OF SETTLEMENT AGREEMENT

This Agreement, made this 15 day of July, 2016, by and between Marceline White, lobbyist for the Maryland Consumer Rights Coalition (hereinafter "Respondent"), and William J. Colquhoun, Staff Counsel, to the Maryland State Ethics Commission (hereinafter "Staff Counsel").

RECITALS

The State Ethics Commission ("the Commission") is the executive agency of the State of Maryland established by Chapter 513, Acts of 1979 for the purpose of enforcing the Maryland Public Ethics Law (General Provisions Article, Title 5, Annotated Code of Maryland, hereinafter the Public Ethics Law) including the provisions of Subtitle 7, the lobbying disclosure program.

Marceline White ("the Respondent") is an individual whose lobbying activities on behalf of the Maryland Consumer Rights Coalition ("the employer") during the period of November 1, 2015 to October 31, 2016 required her to register as a lobbyist with the State Ethics Commission as required by § 5-704(d)(1) of the Public Ethics Law.

The Respondent was required to submit a Lobbying Activity Report by May 31, 2016 for the period of November 1, 2015 through April 30, 2016, as required by § 5-705(a)(1) of the Public Ethics Law, and failed to submit the required report in a timely manner.

On June 23, 2016, the Respondent submitted the delinquent Lobbying Activity Report for the period of November 1, 2015 through April 30, 2016.

The Respondent entered into a prior Lobbyist Filing Agreement. In 2013, the Respondent entered into a Lobbyist Filing Agreement for failure to timely file a Lobbyist Activity Report on behalf of the Maryland Consumer Rights Coalition by November 30, 2012, for the period of May 1, 2012, through October 31, 2012, which stipulated that the Respondent acknowledged that future late filed activity reports could be viewed as knowing and willful violations of the Public Ethics Law.

The Respondent is voluntarily entering into this Stipulation of Settlement Agreement to admit her failure to timely file the Lobbying Activity Report for the period of November 1, 2015 through April 30, 2016 and to pay a sum of money in lieu of potential late filing fees and fines that could be assessed pursuant to § 5-405 of the Public Ethics Law.

NOW THEREFORE, in consideration of the agreements herein contained and effective on the Commission's acceptance of the terms of this Stipulation of Settlement Agreement, Marceline White, lobbyist for the Maryland Consumer Rights Coalition, and William J.

Colquhoun, Staff Counsel agree as follows:

1. The Respondent admits that she did not timely file her Lobbying Activity Report on behalf of the employer for the period November 1, 2015 through April 30, 2016 by May 31, 2016, in violation of § 5-705(a)(1)(ii) of the Public Ethics Law.
2. The Respondent subsequently filed the required Lobbying Activity Report with the Commission on June 23, 2016 (a copy of which has been attached hereto and made a part hereof).
3. The Respondent understands that failure to comply with the lobbying disclosure provisions of the Public Ethics Law may subject her to the possibility of late fees, civil fines, reprimand, a suspension of her ability to lobby for compensation, and other penalties. The Respondent acknowledges that she has been advised that the filing deadlines for activity reports are May 31st for the period of November 1st to April 30th and November 30th for the period May 1st through October 31st if she is registered in those reporting periods. The Respondent also acknowledges that she was advised previously that late filed activity reports could be viewed as knowing and willful violations of the Public Ethics Law.
4. The Respondent accepts pursuant to § 5-405(c)(2) of the Public Ethics Law, the Commission will issue a reprimand to her effective the date of the Final Order.
5. The Respondent admits that she knowingly and willfully violated § 5-705 of the Public Ethics Law by failing to timely file Lobbying Activity Reports on behalf of the Maryland Consumer Rights Coalition for the period of November 1, 2015 through May 31, 2015.
6. Based on the facts stated in this Agreement, the Respondent agrees to pay as settlement, the amount of ONE THOUSAND FIVE HUNDRED and no/100 DOLLARS (\$1,500.00) upon the execution of this Stipulation of Settlement Agreement in lieu of potential late fees and in lieu of civil fines for the above admitted late activity report (paragraph 1). The fee shall be distributed to the Fair Campaign Finance Fund established under § 15-103 of the Fair Campaign Finance Article.
7. The Respondent accepts that the Commission, pursuant to § 5-407(c) of the Public Ethics Law, will transmit this Stipulation of Settlement Agreement, including any documents incorporated herein, and the Final Order, including reprimand, to the Governor, the Speaker of the House of Delegates, the President of the Senate, and to the employer, Maryland Consumer Rights Coalition.
8. The Respondent waives a formal hearing on this matter and agrees that acceptance of the Agreement by the Commission would constitute, based on her admission of violations of the Public Ethics Law, a final action and finding of violation by the Commission, and that, pursuant to § 5-407 of the Public Ethics Law, this Agreement

and materials relating to this matter are not subject to the confidentiality provisions of the Public Ethics Law and will be public information unless otherwise protected.

9. Staff Counsel, upon execution of this Agreement by the Respondent, will recommend that the Commission suspend further proceedings against the Respondent. The Respondent understands that the Commission is under no obligation to accept this Agreement and may decide to take other action, including issuing a complaint.
10. The Respondent and Staff Counsel have entered into this Agreement for the sole purpose of resolving the complaint now pending under the Public Ethics Law for failure to timely file her Lobbying Activity Report and for the payment of late fees and other fines and for no other purpose.

IN WITNESS WHEREFORE, Marceline White, lobbyist for the Maryland Consumer Rights Coalition, and William J. Colquhoun, Staff Counsel for the State Ethics Commission, have signed below.



William J. Colquhoun, Staff Counsel
State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, MD 21401
(410) 260-7770



Marceline White
Lobbyist for
Maryland Consumer Rights Coalition

State of Maryland

City Baltimore
County of: Baltimore, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Marceline White, who made oath on this 15 day of July, 2016, in due form of law that the matters and facts hereinabove set forth are true to the best of her knowledge, information and belief, and are her voluntary act, and that she executed this document for the purpose set forth herein.

[Redacted Signature]

Notary Public

My Commission Expires: 9/13/17

State of Maryland

County of: ANNE ARUNDEL, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared William J. Colquhoun, Staff Counsel to the State Ethics Commission, who made oath on this 18th day of JULY, 2016, in due form of law that he executed this Agreement for the purposes set forth herein.

[Redacted Signature]

Notary Public



My Commission Expires: 9/3/2017

Accepted by the Commission

[Redacted Signature]

Janet E. McHugh, Chair
for the Commission

Date: _____, 2016

MARYLAND STATE ETHICS COMMISSION

45 Calvert Street, 3rd Floor
Annapolis, Maryland 21401
410-260-7770
Toll Free 1-877-669-6085

GENERAL LOBBYING ACTIVITY FORM (Form #4)

Read instructions carefully before completing this form. If you had reportable expenses or compensation during the reporting period, complete Parts A, B, C, D, E, F and G of the Activity Report. If you had no reportable compensation or expenses during the reporting period, but were registered to engage in lobbying, check here _____ and complete Parts A, E, F, and G. If additional forms are required for this employer, those forms should be attached to and made part of this filing.

Activity Report for reporting period: January 13, 2016 through April 13, 2016

Termination Report: Yes _____ No

Termination Date:

PART A Identification of Regulated Lobbyist (Registration and Employer)

A. 1) Identifying Information (complete all blanks, compare to registration form, and explain any differences)

a) Name: Marceline White

b) Permanent Address (Include firm name if applicable):

Firm Name: Maryland Consumer Rights Coalition

Address:

1209 North Calvert Street

Baltimore, MD 21202

c) Business telephone: 410-624-8980

Cell phone: 443-527-0358

A. 2) Identification of others required to register:

a) Was any other person required to register as a lobbyist on behalf of the filer?

Yes No _____

b) If the answer to a) is "Yes", identify each such person below and give their name and address:

Name: Robyn Anne Dorsey

Address:

1209 North Calvert

Baltimore, MD 21202

Business Phone: 443-676-5042

Email: robyn@marylandconsumers.org

A. 3) Identification of employer (complete only if registrant acts on behalf of another):

a) Did you engage in lobbying activity on behalf of a person or entity other than yourself?

Yes No _____

Name: Maryland Consumer Rights Coalition, Inc.

Permanent Address:

1209 North Calvert

Baltimore, MD 21202

Business Telephone: 410-624-8980

Nature of business: Consumer Rights

Website of employer:

b) Did you represent any other person or entity with regard to the matters covered by this registration?

Yes _____ No

A. 4) Primary purpose of the organization:

Is your employer, or you if there was no employer, organized and operated for the primary purpose of attempting to influence any legislative or executive action?

Yes _____ No

A. 5) Registration Information:

- a) For what period of registration did you engage in lobbying activity for this employer, or for yourself if you did not have an employer?
January 13, 2016 to April 13, 2016
- b) What were the matters on which you or someone in your employ engaged in lobbying activity during the registration period covered by this report?
CONSUMER PROTECTION/UNFAIR TRADE PRACTICES
- c) If known include the bill number(s) of the matter(s) on which you lobby
HB103, HB263, HB305, HB311, HB355, HB378, HB525, HB114, HB1159, HB1266, HB131, HB134, HB1491, HB340, HB508, HB535, HB538, HB545, HB741, HB 742, HB782, SB32, SB330, SB374, SB427, SB0005, SB456, SB665, SB709, SB734, SB771, SB773, SB885, SB857, SB881, SB1028, HB21, HB42, HB114, HB131, HB134, HB190, HB201, HB262, HB335, HB525, HB958

A. 6) Did the employer claim the status of exempt employer on the registration form? If that exemption is no longer claimed or should be amended, please provide an explanation for the change in the field below.

Yes _____ No x

If the exemption claimed differs from the registration form, please explain in writing:

PART B Compensation and Expenses

B. 1) Did you provide any meals and beverages for officials or employees or their immediate families?

Yes _____ No x

If yes, what was the exact amount?

B-1 \$0.00

B. 2) Did you incur any expenses for special events, including dinners and receptions, entertainment and other functions to which all members of the General Assembly, either house thereof, all members of any standing committee or all members of a formally recognized (for ethics purposes) county or regional delegation have received written invitations.

Yes _____ No x

If yes, list date, location, group of invitees who benefited and total expenses for each event.

Total B-2
 Expenses \$0.00

B. 3) Did you incur any expenses for food, lodging, or scheduled entertainment of officials and employees for a meeting which were given in return for participation in a panel or speaking engagement at a meeting?

Yes _____ No x

If yes, list date, location, and total expense for each meeting. If the total amount in expenses on any one official or employee is \$200 or more for any meeting, also include the person's name and the amount expended for the person at the meeting.

Total B-3
 Expenses \$0.00

B. 4) Did you incur any expenses for food and beverages received by any member(s) of the General Assembly at approved legislative organization meetings?

Yes _____ No x

If yes, list location, name of legislative organization, date and total expense for each meeting.

Total B-4
 Expenses \$0.00

B. 5) Did you incur any expense for a ticket or free admission to any members of the General Assembly to attend charitable, cultural or political events to which the event holder invited all members of a legislative unit?

Yes _____ No x

If yes, list the name of the event, location, date, name of legislative unit and total expense for each event.

Total B-5
 Expenses \$0.00

B. 6) Did you give any gifts to or for officials or employees or their immediate families other than those that were reported in B-1 through B-5? (not including sums reported in B-1, B-2, B-3, B-4 and B-5)

Yes _____ No x

If yes, list the amount:

B-6 \$0.00

Subtotal of Items B-1 through B-6 - \$0.00

- B. 7)** What was the total compensation paid to you, not including any sums reported in any other section of Part B of this report? B-7 \$15,600.00
 Was the amount prorated because you were compensated for services in addition to lobbying activities?
 Yes No
- B. 8)** What was the total for salaries, compensation and reimbursed expenses you paid to your staff related to lobbying services for this employer? B-8 \$3,000.00
- B. 9)** Did you incur any additional office expenses not reported in B-7 or B-8? B-9 \$1,430.00
 Yes No
 If yes, list the amount:
- B. 10)** Did you incur any cost for professional and technical research and assistance not reported in B-7 or B-8? B-10 \$0.00
 Yes No
 If yes, list the amount:
- B. 11)** Did you incur any expenses for publications or expenses related to expressly encouraging persons to communicate with officials or employees? B-11 \$0.00
 Yes No
 If yes, list the amount:
- B. 12)** Did you pay any fees or incur any expenses for witnesses who were engaged to appear on behalf of your employer? B-12 \$0.00
 Yes No
 If yes, list the name and amount for each.
- Total B-12 Expenses \$0.00
- B. 13)** Did you incur any other expenses for this employer not otherwise accounted for in this report? If yes, list the amount and provide an explanation. B-13 \$0.00
 Yes No
 If yes, list the amount:
 Please provide an explanation:
N/A
- TOTAL \$20,030.00**

- C.** Did you give any gifts or participate in the giving of any gifts with a cumulative value of \$75 or more? (Forms 13C and 13D, Section 15-704(c))
 Yes No
- D.** Did you give any gifts or participate in the giving of any gifts of meals and beverages to elected Executive Officials? (Forms 13A and 13B, Section 15-705)
 Yes No
- E.** Did you engage in any business transactions with officials during the reporting period? (Form 21, Section 15-706)
 Yes No
- F.** During the reporting period, did you make any political contributions, either directly or indirectly, for the benefit of the Governor, Lt Governor, Attorney General, Comptroller member of the General Assembly or a candidate for election to any of those offices?
 Yes No

Please provide any narrative that you may wish with regard to any of the figures or responses in the report:

PART G Signature and Oath

The Public Ethics Law provides the following:

(d) *Development of electronic filing procedures.* - The Ethics Commission shall develop procedures under which a statement under this subtitle may be filed electronically and without additional cost to the individual who files the statement.

(e) *Oath or affirmation for electronically filed statements.* - (1) If the Activity Form (Form #4) filed electronically under subsection (d) of this section is required to be made under oath or affirmation, the oath or affirmation shall be made by a signed statement that:

- i. is in the Activity Form (Form #4) or attached to and made part of the Activity Form (Form #4); and
- ii. is made expressly under the penalties for perjury.

(2) A signed statement made under paragraph (1) of this subsection subjects the individual making it to the penalties for perjury to the same extent as an oath or affirmation made before an individual authorized to administer oaths.

I have read and I understand that by submission of this electronically filed Activity Form (Form #4), I hereby swear or affirm that the information contained in it is complete and accurate to the best of my knowledge and belief.

Date: 06/23/2016