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Robert A. Hahn, General Counsel
State Ethics Commission
9 State Circle, Suite 200
Annapolis, Maryland 21401

Dear Mr. Hahn,

This letter forwards to State Ethics Commission the new Queen Anne's County ethics law, adopted November 15, 2005, effective December 30, 2005. I understand that you have not received the new law from the County, but that the State Ethics Commission will accept it for review at the request of citizens. Ethics Matters, Inc., a citizens organization in Queen Anne's County, hereby requests that the State Ethics Commission review the new law.

I wish to draw your attention to a problem with respect to the text of the new law. To my surprise, in printing out the law from the County website to send to you, I discovered that the exemption/modification provision (8-15) of the ethics law as it was passed by the Commissioners does not appear in the same form in the County Code. It has been materially altered.

The ethics ordinance, as passed by the Commissioners, appears in the pull-down "What's New" section of the homepage of the County website (qac.org) as "Ethics Ordinance 05-04 Amendment 3(adopted)". In it, there are the three standard conditions, all of which must be met for exemption, and then the new stand-alone fourth condition which makes the exemption provision overly broad, as discussed in my previous letter to you.

In the new ethics law as it appears on the website as part of the County Code, however, in the first three conditions the semi-colons have been replaced by periods and the "and" removed. These alterations make the exemption provision broader still, by establishing four stand-alone grounds for exemption from the conflicts of interest, gifts, and financial disclosure provisions of the code. With these further changes, it now appears that satisfaction of any one of the conditions would be the basis for an exemption.

These latest changes plainly make our new County ethics law even more dissimilar to the State law. At this time, we do not know by what process or under what authority the changes were made.

As you know, Ethics Matters believes that there are several provisions of the new law that do not meet the State's minimum standards for county ethics laws. Our immediate concern, however, is that the County Ethics Commission will be asked to make decisions on requests for exemption from financial disclosure for 2005, based on the overly broad exemption provision.

The latest alterations to that provision which I have noted above naturally cause us even greater concern about how requests for exemption will be considered. The purported Code version of the ethics ordinance would authorize improper exemptions of numerous full-time County officials, in addition to the part-time officials who could be improperly exempted under the ordinance as passed.

I am attaching (1) the ethics ordinance as printed out from the pull-down on the County website and (2) the ordinance as it appears on the website as part of the County Code. I am also enclosing (3) a list of our other concerns in regard to the new ethics code.

Thank you for any help you and the State Ethics Commission can give us with this matter, especially and most immediately, the exemption/modification provision (8-15). At the present time, Queen Anne's County appears to be committed to continuing non-compliance with what Ethics Matters understands to be the State requirements.

Sincerely,

Mary Campbell
President, Ethics Matters, Inc.

Enclosures
Cc: Lynn Knight w/out enclosures

