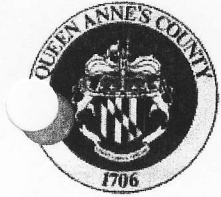


QUEEN ANNE'S COUNTY ETHICS COMMISSION



*Queen
Anne's
County*

The Liberty Building
107 North Liberty Street
Centreville, Maryland 21617

Telephone 410-758-4406
Facsimile 410-758-6913

Tina Miles, Clerk
Lynn Knight, Attorney

The Ethics Commission

Robert Mueller, Esquire, Chairman
Kendall Ruffatto, Esquire
Reverend Nanese A. Hawthorne
Benjamin C. Tilghman, Jr.
Harold O. Wilson

Advisory Opinion of September 15, 2008

The Commission considered the facts that were provided regarding the work of a lobbyist and his personal relationship with a County employee for the Department in which he will be lobbying, and whether that relationship could be a conflict of interest and a violation of the County Public Ethics Law.

The Commission, in response to an advisory opinion request of the lobbyist, issued an advisory opinion for the County employee. It determined that for the County employee with whom the lobbyist is in relationship, there would be an appearance of a conflict in violation of the County Public Ethics Law, specifically §8-11 (A) (7), and the Gift section, §8-12. An informed member of the public could reasonably conclude that, in the context of this personal relationship, the employee would use "confidential information acquired in [her] official County position" for the "private gain . . . of another." See Section 8-12A(7). Further, the County employee does have certain discretion in her job duties that could be used to benefit the lobbyist and/or his clients.'

To cure the violation, the Commission requested that the Department Head, provide to the Commission prior to next meeting, a practical remedy to insulate the employee and her county business from the personal relationship with the lobbyist.

Further, the Commission discussed the potential violations of the Gift Section and granted an exemption under §8-15 in connection with any personal gifts from the lobbyist to the County employee, as the Commission determined that all three elements apply under those circumstances.

Advisory Opinion 08-20