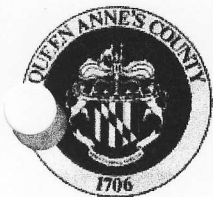


QUEEN ANNE'S COUNTY ETHICS COMMISSION



*Queen
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Advisory Opinion of September 15, 2008

The Commission considered the facts that were provided regarding the appointment of new CAC members who are also lobbyists and whether or not there could be a conflict of interest by their service on the CAC or would present any other violation of the County Public Ethics Law.

The Commission determined that the new Citizens Advisory Board (a CAC) to the Planning Commission is not included in the list of specific boards and commissions that are subject to the County Public Ethics Law, as set forth in §8-5 (C) 1, and that its described functions would not constitute it as a "decision-making authority" under §8-5 (C) 2. Thus, that body would not be subject to the conflict-of-interest or gift provisions of the County Public Ethics Law found in §§8-11 and 12. This conclusion is further supported by the lack of any indication that the County Commissioners, in developing this new CAC, intended for it to have decision-making authority and, thus, be subject to the conflicts and gifts provisions.

However, inasmuch as the members of this CAC will be making "recommendations regarding acquisition, zoning or designation of land," they are subject to the Financial disclosure section, specifically §8-13 (C) and must file a financial disclosure statement upon their acceptance of the appointment.

Advisory Opinion 08-22