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CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG  
Mayor



DEPARTMENT OF LAW  
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January 27, 2020

The Honorable President and Members  
of the Baltimore City Council  
Attn: Executive Secretary  
Room 409, City Hall  
100 N. Holliday Street  
Baltimore, Maryland 21202

Re: City Council Bill 19-0378– Ethics Board – Administration and Staff

Dear President and City Council Members:

The Law Department has reviewed Mayor and City Council Bill 19-0378 for form and legal sufficiency. The bill is for the purpose of amending the Art. 8. Sec. 3-11 to provide for the Inspector General to serve as the Executive Director of the Ethics Board instead of the Director of the Department of Legislative Reference.

The Baltimore City Charter, Art. VII, Sec. 105 provides that The Mayor and City Council of Baltimore shall adopt ordinances to execute the provisions of “the Maryland Public Ethics Law” of the Annotated Code of Maryland to be administered by the Board of Ethics. The Charter provides for the creation of the Ethics Board and its terms, eligibility requirements, meeting etc. See Sec. 106-108. Sec 109 provides for powers and duties of the board. That Section states that “powers, duties, administration, and other provisions relating to the Board of Ethics shall be set out in the ordinances constituting the Baltimore City Ethics Law.” Sec. 110 goes on to state that the Mayor and City Council, by ordinance, may modify, amend, alter, clarify or implement any or all of the provisions of Sections 105 through 110 of this Article.” The Charter is silent with respect to the Executive Director. Sections 105 through 110 are all the provisions in the Charter involving the Ethics Board,

Art. 8 of the Baltimore City Code provides for the City’s Ethics Law as required by Sec. 105. It includes everything from substantive provisions to administrative provisions. Subtitle 3 provides for the administration of the Ethics Law. as authorized by Sec 109. These sections alter some of the Charter regarding the composition of the Board, board members’ terms and qualifications. Most important for the purposes of this bill, Sec. 3-11 provided for the Executive Director and staff of the Board to administer the ethics law. Currently, the Executive Director of the Department of Legislative Reference and its staff is charged with assisting the Ethics Board. This bill will replace the Director of Legislative Reference and their staff with the Inspector General and their staff.

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The Charter, Sec.110 gives the City Council authority to not only adopt an Ethics Law but provide for its implementation and for the authority to amend. City Council Bill 19-0378 is an exercise of that authority that is consistent with the Charter and the City Code. The Law Department therefore approves City Council Bill 19-0378 for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro  
Chief Solicitor

cc: Andre Davis, City Solicitor  
Dana P. Moore, Deputy City Solicitor  
Matthew Stegman, Mayor's Legislative Liaison  
Caylin Young, Dir. Of Legislative Affairs  
Hilary Ruley, Chief Solicitor  
Victor Tervalo, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark, Legislative Reference