

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor

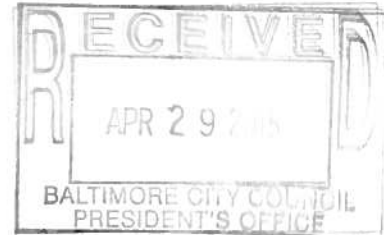


BOARD OF ETHICS
OF BALTIMORE CITY

LINDA B. "LU" PIERSON, Chair
AVERY AISENSTARK, Director
626 City Hall
Baltimore, Maryland 21202

April 28, 2015

The Honorable President and Members
of the Baltimore City Council
Fourth Floor, City Hall
Baltimore, Maryland 21202
c/o Natawna Austin, Executive Secretary



Re: Bill 15-0498 {"Public Ethics Law – Prohibited Gifts – Duplicative Exemptions"}

You have referred Bill 15-498 {"Public Ethics Law – Prohibited Gifts – Duplicative Exemptions"} to the Ethics Board for comment. As indicated in the Title to Bill 15-498, the bill's purpose is corrective: specifically, to "consolidat[e] certain overlapping and redundant exemptions for gifts related to the payment of expenses for a speaking engagement or for participation on a panel".

When one carefully parses the (inordinately convoluted) exception for "honoraria" in § 6-30 (derived from a similar, equally convoluted, counterpart in the State Public Ethics Law) and compares and contrasts those provisions with the straightforward exception in § 6-28(3) for "speaking engagement[s] or participating on a panel at a meeting", it becomes evident that these two sections overlap considerably, covering the same basic activities subject, for the most part, to the same qualifications and conditions.

This bill would consolidate the two exceptions as follows:

- (i) by amending § 6-28(3) to include salient elements from § 6-30 – *one slightly restrictive*, though arguably already implied (stating that expenses permitted to be reimbursed by otherwise prohibited donors must have been expenses "actually incurred and verifiable") *and one more permissive* (adding, among the limited types of expenses that may be reimbursed, expenses for "child or dependant care"); and
- (ii) by repealing § 6-30 and its remaining, inexplicable inconsistencies (e.g., current § 6-30 permits reimbursement for "meals, travel, and lodging", while current § 6-28(3) also permits reimbursement for "scheduled entertainment").

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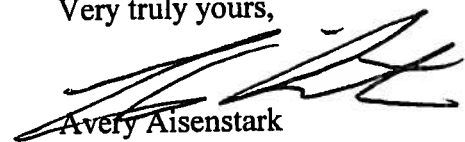
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The net result is one straightforward exception that does no more nor less than do the existing two exceptions when read together.

The Ethics Board respectfully requests your consideration and approval of Bill 15-498.

Very truly yours,



Avery Aisenstark

cc: The Honorable James B. Kraft
Robert Pearre, Inspector General
Ms. Angela Gibson