



September 6, 2019

Thomas Akras, Deputy Director
Board of Liquor License Commissioners
for Baltimore City
1 N. Charles Street, 15th Floor
Baltimore, Maryland 21201

Re: Financial Disclosure and Training Compliance Under City Ethics Code –
January 2016 through November 2017

Dear Deputy Director Akras:

Prior to October 1, 2017, the officials and employees of the Board of Liquor License Commissioners for Baltimore City (the "BLLC") were subject to City Code Article 8, the Baltimore City Public Ethics Law, under the jurisdiction of the Baltimore City Board of Ethics. Effective October 1, 2017, by enactment of Chapter 529 (House Bill 1386), 2017 Laws of Maryland, the BLLC became subject to the Maryland Public Ethics Law, under the jurisdiction of the State Ethics Commission.

You have asked me to assess the BLLC's previous compliance, in Calendar Years 2016 and 2017, with the financial disclosure and training requirements of the City Public Ethics Law.

The BLLC Board was, as you know, reconstituted in April 2016. As I recall, a major priority of this new Board (and its Director and Deputy Director) was to work with the City Ethics Board and its staff (principally, my then-Deputy Thaddeus Watulak) to assure BLLC's understanding of and full compliance with the requirements of the City Public Ethics Law. In my view, the BLLC seems to have well accomplished that priority.

As to the City's financial disclosure requirements, then City Code Article 8, § 7-8(27), provided as follows:

§ 7-8. Persons required to file – Agency officials and staff.

The following officials and employees must file the financial disclosure statements required by this subtitle:

(27) Liquor License Commissioners Board.

- (i) Members of Board.
- (ii) Executive Secretary *{a/k/a Executive Director}*



(iii) All inspectors.

(iv) All non-clerical employees of Board.

In this regard, our financial disclosure records indicate that, in both 2016 and 2017, financial disclosure statements were, in fact, filed by all board members and other officials and by all non-clerical employees of the BLLC.

As to the City's training requirements, City Code Article 8, § 3-20(b), provides as follows:

§ 3-20. Training courses.

(b) *Officials required to take.*

(1) Except as provided in paragraph (2) of this subsection, every official must complete the training course within 6 months of his or her appointment or reappointment to office.

(2) The training requirements of this subsection do not apply to:

(i) an official who, within the 3 years preceding his or her appointment or reappointment, completed a training course provided under this section; or

(ii) an individual who is an official only by virtue of being a board member, unless the board:

(A) is one of the entities listed in § 7-8 {"[Disclosures statements] – Agency officials and staff"} of this article; or

(B) performs one of the functions described in § 7-9 {"[Disclosure statements] – Procurement, legislative liaison, and enforcement personnel"} of this article.

"Official", in turn, is defined in City Code Article 8, § 2-21, as follows:

§ 2-21. "Official".

(a) *In general.*

"Official" means:

(1) an elected official;

- (2) the head of any department;
- (3) the head of any bureau or division within a department; and
- (4) any other individual in a unit of City government who, whether acting alone or as a member of a board acting jointly with other board members:
 - (i) has authority comparable to that of the head of a department or the head of a bureau or division;
 - (ii) has decision-making authority in making City policy;
 - (iii) has decision-making authority in the exercise of quasi-judicial, regulatory, licensing, inspecting, or auditing functions; or
 - (iv) acts as a principal advisor to one who has authority of the type listed.


(b) Inclusions.

“Official” also includes the Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Executive Director, Executive Secretary, or Administrator of any agency or board included within the scope of § 2-2 {“Agency”} or § 2-3 {“Board”} of this subtitle.

In this regard, our training attendance records indicate that, in 2016 and 2017, all board members and other officials of the BLLC were compliant with this training requirement.

I trust you find this responsive to your inquiry.

Very truly yours,



Avery Aisenstark