

# State Ethics Commission

Fiscal Year 2013 – Annual Report

**Karen L. Nober, Executive Director**

Massachusetts State Ethics Commission

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# The Ethics Commission – Fiscal Year 2013

## Ethics Commission Members

**Hon. Charles B. Swartwood, III, Chair**

United States District Court Chief Magistrate Judge (ret.)  
Arbitrator-Mediator, JAMS, Inc. – Boston, MA

**Hon. Patrick J. King, Vice Chair\***

Superior Court Judge (ret.)  
Arbitrator-Mediator, JAMS, Inc. – Boston, MA

**Paula Finley Mangum, Vice Chair**

Principal, Law Office of Paula Finley Mangum – Wareham, MA

**Martin F. Murphy**

Partner, Foley Hoag LLP – Boston, MA

**William J. Trach**

Partner, Latham & Watkins LLP – Boston, MA

**Hon. Regina L. Quinlan\*\***

Superior Court Judge (ret.)  
Visiting Professor, Boston College Law School – Newton Centre, MA

\* Term expired October 2012

\*\* Appointed October 2012

## Executive Summary

The State Ethics Commission is a non-partisan, independent commission whose five members are appointed to staggered, five-year terms. Three Commissioners, including the Chair, are appointed by the Governor, one member is appointed by the Secretary of State, and one member by the Attorney General. No more than two of the gubernatorial appointments, and no more than three members of the Commission as a whole, may be from the same political party. In FY 2013, Commissioner Patrick J. King's term expired, and the Honorable Regina L. Quinlan was appointed by Secretary of State William F. Galvin.

Reporting to the Commission is the Executive Director, who is responsible for the day-to-day management of the Commission's staff. Staff are organized into three divisions: the Legal Division, which provides advice to public employees and others on how the conflict of interest law applies to their prospective conduct and also administers the requirements of the financial disclosure law; the Enforcement Division, which investigates complaints alleging violations of the conflict of interest and financial disclosure laws, and, in some cases, prosecutes alleged violators; and the Public Education and Communications Division, which conducts seminars on the conflict of interest law and responds to requests for general information from the media and others. In FY 2013, the Commission had 25 employees and received an appropriation of \$1,843,193. In addition, the Commission received supplemental funding in the amount of \$60,000, which had been approved at the end of FY 2012. Civil penalties totaling \$119,375 were imposed by the Commission in FY 2013. All penalties collected by the Commission revert to the Commonwealth.

In FY 2013, the Legal Division received a total of 6,025 requests for advice and also responded to 1,940 requests for technical and other assistance from those filing financial disclosure forms; the Enforcement Division received 971 complaints alleging violations of the conflict of interest and financial disclosure laws; and the Public Education and Communications Division conducted 60 seminars.

In addition, in FY 2013, the Commission launched two, new online training programs, one for state and county employees, and one for municipal employees. These new programs, developed in partnership with Department of Revenue Employee Training and Development staff, provide a comprehensive explanation of the conflict of interest law and include question and answer sections on the information presented. Approximately 400,000 elected and appointed state, county and municipal employees in the Commonwealth are required to complete these programs.

In July 2012, the Commission issued a formal advisory opinion concerning the law's application to public employees and their fundraising efforts on behalf of their public agencies, and in January 2013, the Commission issued an educational advisory on how the conflict of interest law applies to public employees making and receiving job recommendations (subsequently revised

in September 2013). In August 2012, the Commission promulgated new and amended regulations to expand or clarify the exemptions available for public employees. These regulations allow certain conduct that would otherwise be prohibited by the conflict of interest law, where there are public policy reasons to allow such conduct or where there is little likelihood of an actual or perceived conflict of interest. Many of the exemptions contain disclosure requirements.

Finally, in an effort to provide more public information on disclosures filed with the Commission, the Commission in FY 2013 began listing on the Commission website the names of individuals who filed such disclosures. The lists are organized by the applicable sections of the conflict of interest law and Commission regulations, and are available on the website for disclosures dating back to January 2012.

## Mission Statement

The mission of the State Ethics Commission is to foster integrity in public service in state, county and local government, to promote the public's trust and confidence in that service, and to prevent conflicts between private interests and public duties. We strive to accomplish this mission by conducting ongoing educational programs, providing clear and timely advice, and fairly and impartially interpreting and enforcing the conflict of interest and financial disclosure laws.

## Introduction

Since 1963, the Massachusetts conflict of interest law, G.L. c. 268A, has regulated the conduct of public officials and employees in the Commonwealth. Chapter 268A governs what public employees may do on the job, what they may do after hours or “on the side,” and what they may do after they leave public service. It also sets standards of conduct for all state, county and municipal employees, including elected officials. The law requires that public employees give their undivided loyalty to the level of government for which they work, and that they act in the public interest rather than for private gain. Until the law was revised in 1978, it was enforced solely as a criminal matter under the jurisdiction of the Attorney General and the various local District Attorneys.

In addition to strengthening the conflict of interest law, Chapter 210 of the Acts and Resolves of 1978 established a financial disclosure law, G.L. c. 268B, requiring public officials, political candidates and state and county employees in designated policy-making positions to annually file a Statement of Financial Interests for the preceding calendar year. Chapter 210 also created the State Ethics Commission, and empowered it to interpret and enforce G.L. c. 268A and c. 268B. Commission staff provide free advice, investigate allegations of violations of c. 268A and c. 268B, conduct seminars and provide other information regarding the conflict of interest and financial disclosure laws, and the Commission serves as the primary civil enforcement agency for these laws.

Chapter 28 of the Acts of 2009 further strengthened the conflict of interest law by: increasing the maximum civil penalty for violations; codifying and increasing the statute of limitations from 3 years to 5 years; strengthening the Commission’s summons authority; prohibiting gifts to public employees because of their official position; authorizing the Commission to order restitution and repayment of any economic advantage obtained by a violator; adding a false or

fraudulent claims provision to the conflict of interest law; and creating education and training requirements for all public employees. The financial disclosure law was also amended to ban gifts from lobbyists to certain public officials and their immediate family members.

The conflict of interest law was further amended by Chapter 93 of the Acts of 2011, which added a new section 6B, requiring an applicant for state employment to disclose the names of certain family members employed by the state. Chapter 194 of the Acts of 2011 also amended the conflict of interest law by adding a new section 5(b½), imposing a one-year restriction on any former state, county or municipal employee who worked on any expanded gaming legislation or its implementation from becoming employed by a gaming licensee or from having a financial interest in a gaming license. Chapter 194 also amended section 6 of the financial disclosure law to include gaming licensees and gaming license applicants within the definition of “legislative agents” for the purposes of that section.

## Legal Division

### Overview

Public employees and others who fall within the jurisdiction of G.L. c. 268A and G.L. c. 268B may ask for and receive free, confidential advice about whether their own proposed activities are permissible under these laws. Requests for advice may be made over the phone, through the Commission's website, or in writing, and are answered by Legal Division attorneys. The Legal Division strives to respond to telephone requests for advice on the same day, and to requests for written advice within thirty (30) days. Legal Division attorneys give confidential advice based on prior Commission rulings. If there is no Commission precedent for the issue to be addressed, then the issue may be referred to the full Commission for a formal opinion. Although formal opinions are also confidential, the Commission publishes summaries and public versions of such opinions with the requestor's identifying information deleted. The Commission issued one formal opinion in FY 2013.

In addition to issuing advice, the Legal Division reviews conflict of interest law opinions issued by municipal counsel under G.L. c. 268A § 22 to ensure that these opinions are consistent with Commission precedent.

Legal Division attorneys also review conflict of interest law disclosures filed with the Commission by state and county employees for completeness. Such disclosures are available for public inspection, and are listed on the Commission's website. In addition, Legal Division attorneys serve as legal advisors to the Commission in connection with adjudicatory proceedings. At the direction of the Commission or hearing officer, Legal Division attorneys draft Commission decisions and orders in connection with adjudicatory proceedings.

In FY 2013, the Legal Division consisted of the Chief of the Legal Division (who also serves as the Commission's General Counsel), two Deputy Chiefs, two staff counsels, an SFI administrator and analyst and an administrative assistant.

### Division Activities

During FY 2013, the Legal Division responded to 6,012 requests for advice on the conflict of interest law, its highest number ever. The following are some highlights from FY 2013:

- Although the Division strives to respond to requests for written advice in 30 days or less, it may take longer if additional information must be obtained from the requestor, or if the request is unusually complex. During FY 2013, on average, the Division had approximately 6 requests per month that exceeded that standard. In the prior fiscal year, the average monthly number of requests that exceeded that standard was 8.

- Division attorneys served as legal advisors in fourteen adjudicatory proceedings.
- The Division submitted, on behalf of the Commission, an amicus brief to the Supreme Judicial Court in Leder v. Superintendent of Schools, 405 Mass. 305 (2013). The SJC accepted the Commission’s legal argument in its decision.
- The Division drafted Advisory 13-1, Making and Receiving Recommendations for Employment, which was approved and issued by the Commission in January 2013 (and subsequently revised in September 2013).
- The Division prepared FAQs (Frequently Asked Questions) for public school teachers and librarians, providing general information on the how the conflict of interest law applies to those public employees in specific types of situations.
- The Division prepared an information sheet to assist respondents representing themselves in Commission proceedings.
- The Division drafted a formal advisory opinion, EC-COI-12-1, on how the conflict of interest law applies to fundraising efforts by municipal officials on behalf of their municipalities. The Commission approved and issued the formal opinion in July 2012.

<b>Legal Division FY 2013 Statistics</b>	
<b>Total requests for advice</b>	6,025
<b>Total responses to requests for advice</b>	6,012
<b>Responses given orally</b>	5,537
<b>Responses given through informal written opinions</b>	475
<b>Requests pending as of June 30, 2013</b>	40
<b>Municipal opinions reviewed</b>	70
<b>Conflict of interest law disclosures received</b>	467
<b>Adjudicatory proceedings in which Legal Division attorneys served as legal advisors</b>	14

## New Regulations Approved in FY 2013

In August 2012, new and amended regulations approved by the Commission took effect. Certain regulations were amended to clarify the Commission's adjudicatory proceeding procedures. The regulation governing confidentiality in Commission proceedings was amended to provide that advice provided by the Commission that has been disregarded by the recipient can be used as evidence in a subsequent Commission enforcement action. In addition, a process was created to address how disclosures required by the conflict of interest law should be made when the information to be disclosed is legally required to be kept confidential.

In addition, regulatory exemptions relating to gift restrictions were amended to clarify:

- how disclosures should be made when no appointing authority exists;
- the restrictions on lobbyist gifts to certain public employees;
- the disclosure requirement for travel-related expenses paid for by foreign governments;
- the disclosure requirement for elected public employees and their staff when accepting incidental hospitality at events that serve a legitimate public purpose when those events occur outside regular daytime business hours;
- that a public employee invited to participate in a legitimate speaking engagement may accept payment of his travel expenses, and is not required to fill out a disclosure form unless he is accepting an honorarium for doing so; and
- that a public employee invited to perform a ceremonial function at an event that goes beyond simple attendance or speech at the event may accept free admission to the event and unsolicited gifts customary to the occasion, and is not required to fill out a disclosure form in connection with doing so.

Regulatory exemptions unrelated to the gift restrictions were amended to clarify:

- that members of the National Guard are included in the exemption allowing public employees who are members of volunteer medical or rescue organizations to act and be paid during public emergencies;
- that legislators may use the exemptions permitting state employees to provide personal services to state agency clients and/or the Massachusetts Committee for Public Counsel Services;

- that school committee members and charter school trustees may use the exemption permitting participation in a particular matter involving a general school fee that will affect any immediate family member and not just their own children; and
- that the exemption allowing town clerks to perform certain election-related functions in elections where they are candidates for office, in light of the extensive regulation of their functions under state election law, is also available when an immediate family member of the clerk is a candidate for any office(s).

New regulatory exemptions were also approved which:

- permit state employees to participate in state-sponsored college savings and investment plans;
- expand the exemption allowing state employees to teach or perform related duties at state educational institutions;
- permit members of public boards who are appointed pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy;
- extend the compliance period for municipal employees who no longer qualify for an exemption due to changes in municipal population; and
- permit elected state officials to participate in particular matters that involve determinations of general policy when a financial interest is shared with a substantial segment of the public.

## Statements of Financial Interests

General Laws c. 268B, the financial disclosure law, requires that all state and county elected officials, candidates for state office and appointed state and county employees in designated policy-making positions annually disclose their financial interests and private business associations by filing a Statement of Financial Interests (“SFI”). Legal Division staff are available to assist filers who have questions on how to complete the SFI.

SFIs are public records and are available for public inspection upon request. The law requires that filers be notified whenever their SFIs have been requested for review. As a result, requestors must complete an inspection request form and produce valid identification. Prior to making an SFI available for inspection, Commission staff redact legally protected information from the forms, including home addresses and names of family members.

The Legal Division administers the SFI filing process. The Legal Division Deputy Chief/SFI, the SFI administrator and analyst, the Public Education and Communications Division administrative assistant and the Commission’s IT specialist comprise the Commission’s SFI Team.

In FY 2013, 88% of all SFI filers submitted their forms electronically, up from 85% in FY 2012.

The Calendar Year 2012 SFI filing deadline was May 1, 2013 for appointed employees, and May 28, 2013 for elected officials. Fifteen percent of filers missed the filing deadline, and were sent late notices. Those who failed to file by the end of the grace period were subject to civil penalties.

<b>SFI Statistics – FY 2013</b>	
<b>Number of individuals required to file SFIs</b>	4,695
<b>Number of filers who submitted SFIs electronically</b>	4,133
<b>Number of individuals who made SFI inspection requests in FY 2013</b>	144
<b>Number of SFIs produced in response to requests</b>	804
<b>Number of late and non-filers referred to the Enforcement Division in FY 2013</b>	30
<b>Number of calls for assistance in completing the SFI or accessing the electronic filing application</b>	1,940

### **Agency Liaison Meetings**

Each of the 190 state and county agencies that have employees required to file SFIs with the Commission is required to designate an agency liaison to work with the Commission. The agency liaison’s primary responsibility is to maintain and update the agency’s designation list of the employees who are required to file SFIs with the Commission. During FY 2013, Commission staff had several meetings with agency liaisons to discuss the SFI process, the liaison role in that process and the importance of the liaison role. Agency liaisons, agency heads and general counsels were invited to attend the meetings. More than 140 attendees participated in these meetings.

### **Electronic Filing Application Review**

The filing application used to electronically file SFIs was developed for the Commission in 2002 and is no longer technologically supported. In FY 2013, the Commission contracted with Public Consulting Group, Inc. to review and assess the SFI filing application and make recommendations regarding its replacement. The primary goals in developing a new system are

to: replace an aging system with new “off-the-shelf” technology to ensure system viability; reduce the time spent by filers, agency liaisons and Commission staff on the filing process; and revise the SFI form to make the questions easier to understand, and to improve the filer’s ability to navigate the form and access instructions.

## Enforcement Division

### Overview

The Enforcement Division investigates and, when appropriate, prosecutes alleged violators of the conflict of interest and financial disclosure laws. The majority of complaints to the Commission are resolved confidentially, often with educational letters to the subjects. Allegations that fall outside the Commission's jurisdiction or otherwise do not warrant continued investigation are closed during the informal investigation stage. The most serious violations become formal investigations (referred to as "preliminary inquiries") and are presented to the Commission for review, discussion and decision. Matters under review by the Commission's Enforcement Division are confidential. The Commission cannot confirm the nature or existence of a complaint or investigation, and must keep the identities of all complainants confidential.

In FY 2013, the Enforcement Division consisted of a Chief, a Deputy Chief, two staff attorneys, five full-time investigators and an administrative assistant. The Division received a total of 971 complaints in FY 2013 alleging violations of the conflict of interest or financial disclosure law, including 30 cases involving the late-filing of Statements of Financial Interests.

### Investigation Process

The Enforcement Division reviews each complaint received. If it falls within the Commission's jurisdiction, the complaint is investigated informally. Many complaints are resolved with a private educational letter to the subject.

If the Enforcement Division determines the case warrants more extensive investigation, authorization is sought from the Commission to conduct a preliminary inquiry, which is a formal investigation in which the Enforcement Division may issue summonses for documents and testimony under oath. At the conclusion of the preliminary inquiry, the Enforcement Division reports the results of its investigation to the Commission, which votes on whether there is "reasonable cause" to believe the conflict of interest law has been violated.

If the Commissioners find reasonable cause to believe a violation has occurred, the subject is entitled to an adjudicatory hearing before the Commission to present evidence and testimony on his or her own behalf. At the conclusion of the adjudicatory hearing, the Commissioners issue a decision and order as to whether the Enforcement Division has proven a violation of the conflict law and, if appropriate, imposing a civil penalty. A person has the right to appeal the Commission's decision directly to the Superior Court. If a subject does not wish to contest the reasonable cause finding, he or she may settle the matter by means of a public disposition agreement in which the subject admits to violating the conflict of interest law and agrees to pay a civil penalty.

If, after a preliminary inquiry, the Commission does not find reasonable cause to believe the law has been violated, the case is closed and the matter remains confidential.

## **Civil Penalties**

Civil penalties totaling \$119,375 were assessed by the Commission in FY 2013, a 55% increase over the previous year. Of that amount, \$3,875 was collected in civil penalties for the late-filing of an SFI. All penalties collected by the Commission are deposited in the state's General Fund and revert to the Commonwealth. Additionally, the Commission ordered the payment of \$512 as restitution to a third party in FY 2013.

## **FY 2013 Cases**

The Commission concluded 14 public enforcement cases in FY 2013. Commission decisions in all public cases are posted on the Commission's website. The following public cases were resolved in FY 2013 through an adjudicatory hearing, a disposition agreement or a public education letter:

### **In Re John Dunnet**

A former CBE Holdings, LLC salesman violated the conflict of interest law and was ordered to pay a \$35,000 civil penalty for providing illegal gratuities to the Director of Information Technology Operations of the Executive Office of Transportation (now the Massachusetts Department of Transportation).

### **In Re Charles Fisher**

A member of the Town of Somerset Board of Water and Sewer Commission violated the conflict of interest law and paid a \$25,000 civil penalty for being paid for private work performed in the town pursuant to permits issued by the Board of Water and Sewer Commissioners.

### **In Re John O'Brien and In Re Eugene Doherty**

A former City of Melrose Fire Chief and the current City of Revere Fire Chief each violated the conflict of interest law by accepting tickets to Boston Bruins games from Cataldo Ambulance Service, Inc., the emergency medical services provider in both Melrose and Revere. O'Brien, the former Melrose Fire Chief, paid a \$1,500 civil penalty for accepting two tickets to one game from Cataldo, and Doherty, the Revere Fire Chief, paid a \$3,000 civil penalty for accepting two tickets to two games (four tickets total).

### **In Re Mark Joseph**

A former Norwood School Committee Chairman violated the conflict of interest law and paid a \$5,000 civil penalty plus \$512 in restitution to the town for using school department employees to transport surplus school department cafeteria equipment to his restaurant.

**In Re Dean Mazarella**

The Mayor of Leominster violated the conflict of interest law and paid a \$4,000 civil penalty for directing that a subordinate rehabilitate an elderly friend's home using federal community development block grant funds without following standard procedure for disbursing the money and for not disclosing his personal relationship with the friend.

**In Re Norman Rankow**

A former Edgartown Dredge Advisory Committee Chairman violated the conflict of interest law and paid a \$5,000 civil penalty for directing that town employees use town equipment to dredge an area around his private clients' dock without first obtaining the required town, state and federal permits.

**In Re Sherman Briggs**

A Marion Conservation Commission member violated the conflict of interest law and paid a \$7,500 civil penalty for voting as a member to issue an Order of Conditions authorizing Tabor Academy to install salt water tanks. Tabor Academy then hired Briggs' business to perform the excavation work.

**In Re Brian Connors**

An East Bridgewater Police Department Special Police Officer was issued a public education letter which explained how the conflict of interest law applied to him in connection with his private security business's contracts with the East Bridgewater Police Department. (A public education letter does not require the recipient to admit to violating the law, and no civil penalty is imposed.)

**In Re Pine duBois**

A Kingston Community Preservation Committee member violated the conflict of interest law and paid a \$2,500 civil penalty for advocating in her capacity as the unpaid President of the non-profit, Jones River Landing Environmental Heritage Center, for \$75,000 in Community Preservation Committee funds to restore two boat sheds located on Jones River Landing property, and for failing to disclose her relationship with Jones River Landing to her appointing authority.

**In Re Philip Poley**

A former MassHealth Chief Operating Officer violated the conflict of interest law and paid a \$25,000 civil penalty for contacting managers at Accenture, an international technology and business consulting firm, to discuss and negotiate prospective employment while also working on a MassHealth/UMass project on which he solicited Accenture's involvement. Poley also

violated the conflict of interest law after leaving his state position by working as an Accenture employee on matters relating to the MassHealth/UMass project.

#### **In Re Charles Famolare**

The Winthrop Harbormaster violated the conflict of interest law by receiving at no charge two finger piers, plus free installation, from the contractor building the \$2 million town pier, and paid a \$2,000 civil penalty. The Commission found that the Enforcement Division failed to prove a separate allegation.

#### **In Re Michael Byrnes**

The Commission concluded an adjudicatory proceeding involving the former Executive Office of Labor and Workforce Development Division of Labor Director by approving a Disposition Agreement in which Byrnes admitted that he violated G.L. c. 268B, the financial disclosure law, by failing to timely file his 2011 Statement of Financial Interests, and agreed to pay a \$625 civil penalty.

#### **In Re Guy Glodis**

The Commission found that the Enforcement Division failed to prove its allegations that the former Worcester County Sheriff violated the conflict of interest law.

### **Enforcement Division FY 2013 Statistics**

<b>Complaints</b>	
<b>Conflict of Interest Law and Financial Disclosure Law complaints received during FY 2013</b>	941
<b>SFI late-filers referred to Enforcement in FY 2013</b>	30
<b>Complaints pending at the beginning of FY 2013</b>	229
<b>Complaints pending at the end of FY 2013</b>	389
<b>Complaints closed with no further action</b>	633
<b>Complaints closed with confidential educational letters to the subjects</b>	164
<b>Complaints assigned for further investigation</b>	73

<b>Subjects of Complaints</b>	
<b>Municipal employees</b>	673
<b>State employees</b>	196
<b>County employees</b>	9
<b>Private businesses or citizens</b>	38

Complaints that are assigned for further investigation generally involve allegations which, if the facts can be proven, suggest significant or egregious violations of the conflict of interest or financial disclosure law such that a public resolution and the imposition of a civil penalty would be appropriate. Of the complaints assigned for further investigation in FY 2013, along with such complaints pending at the beginning of the fiscal year, 28 cases were closed with no further action or with a confidential letter to the subject explaining how the law applied to the matter under investigation. Of the remaining cases, 50 received approval from the Commission for a preliminary inquiry. Thirty-six of these cases involved conflict of interest law violations and 14 involved financial disclosure law violations.

<b>Preliminary Inquiries</b>	
<b>Preliminary inquiries pending from FY 2012</b>	19
<b>Preliminary inquiries initiated during FY 2013</b>	50
<b>Preliminary inquiries concluded during FY 2013</b>	52
<b>Reasonable cause found/adjudicatory proceedings authorized</b>	15
<b>Public Education Letters issued</b>	1
<b>Preliminary inquiries terminated</b>	28
<b>Preliminary inquiries concluded with confidential compliance letters</b>	8
<b>Preliminary inquiries carried over to FY 2014</b>	17

In cases where the Commission found that there was reasonable cause to believe that the conflict of interest or financial disclosure law was violated, 11 cases were settled with public disposition agreements in which subjects admitted to violating the law and agreed to pay a civil penalty. Six orders to show cause were issued initiating public adjudicatory proceedings, and 4 adjudicatory hearings were concluded.

## Public Education and Communications Division

### Overview

The Public Education and Communications Division provides free educational seminars throughout the state, responds to requests for information from the media and general public, maintains the Commission's website, prepares and issues press releases and Commission publications, and manages the education and training requirements for public employees.

In FY 2013, the Public Education and Communications Division consisted of a Chief, a Deputy Chief and an administrative assistant. The Deputy Chief position was created and filled in FY 2013.

### Seminars

The Public Education and Communications Division conducts free seminars on the conflict of interest law for state, county and municipal employees. In the seminars, staff provide an overview of the law and explain how to avoid potential conflicts that may arise between the private interests of public employees and their public positions and responsibilities.

### Public and Media Relations

The Public Education and Communications Division receives approximately 500 telephone and email inquiries each year from the media and general public. Due to the strict confidentiality restrictions imposed on the Commission by law, the Commission's policy is to neither confirm nor deny the existence of complaints, investigations or whether anyone has sought or received advice from the Commission. The Public Education and Communications Division will provide general explanations of the law, and will refer individuals to the website for additional information.

### Education and Training Requirements

The conflict of interest law requires that the Commission publish and maintain on its website summaries of the conflict of interest law for state, county and municipal employees, respectively. The summaries have been revised several times to reflect amendments to the law. Spanish and Portuguese translations of the summaries are also available on the website.

During FY 2013, the Commission launched two new online training programs: one for state and county employees, and one for municipal employees. Commission staff worked with the Department of Revenue's Employee Training and Development staff to develop the programs, which were launched in December 2012. The new, interactive programs use multimedia to provide a comprehensive overview of the conflict of interest law.

The conflict of interest law requires all public agencies and municipalities to give their employees each year the summary of the conflict of interest law prepared by the Commission. In addition, every other year, all public employees must complete the Commission’s online training program. Public employees must provide a written acknowledgment to their employers that they received the summary, as well as a completion certificate evidencing that they completed the online training program. The Commission is required to collect the summary acknowledgments and online training program completion certificates from all elected state and county officials.

## Website

The Public Education and Communications Division manages and maintains the Commission’s website, [www.mass.gov/ethics](http://www.mass.gov/ethics). The website includes information about the history, activities, and precedents of the Commission. The Commission’s educational materials, disclosure forms and instructions, enforcement actions, advisory opinions (summaries of all – and full texts of many), press releases, and meeting minutes and meeting notices are available online. The website contains more than 45 different educational materials, ranging from summaries of the law for particular municipal employees, such as selectmen or school committee members, to primers and advisories which address particular topics or issues, such as free passes or avoiding “appearances” of conflicts of interest. Visitors to the website can also submit complaints or requests for advice through the website. Website activity has increased dramatically as a result of the education and training requirements added to the conflict of interest law in 2009. Traffic to the website increased substantially in FY 2013 as compared with FY 2012, with a nearly 39 percent increase in the average number of monthly visitors, and a 21 percent increase in the average number of monthly page views.

<b>Public Education and Communications Division Activities</b>	
<b>Press releases issued</b>	18
<b>Educational seminars conducted</b>	60
<b>Seminar attendance</b>	1,999
<b>Inquiries from media and general public</b>	507
<b>Inquiries concerning the education and training requirements</b>	2,996
<b>Website average monthly visitors</b>	10,758
<b>Website average monthly page views</b>	125,392

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