



# pennsylvania

STATE ETHICS COMMISSION

## 2020 ANNUAL REPORT

Promoting Public Confidence in Government



# **2020 ANNUAL REPORT**

**Promoting Public Confidence in Government**

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# GENERAL

## INTRODUCTION

In accordance with the provisions of the Public Official and Employee Ethics Act (“Ethics Act”), the Pennsylvania State Ethics Commission is issuing this annual report of Commission operations for calendar year 2020.

Due to the COVID-19 pandemic, 2020 was a year unlike any other in the history of the Commission. Beginning in March 2020, the Commission was compelled to curtail office operations, forcing staff to work remotely in order to complete essential functions. The Commission’s management and staff adapted to working remotely and by June 2020 had implemented a plan enabling staff to maintain office coverage and fulfill numerous responsibilities under multiple laws while respecting COVID protocols. The specific accomplishments and activities of the Commission during 2020 are set forth in greater detail throughout this report.

The Commission continued to fulfill its primary mandate of strengthening the faith and confidence of the people of the Commonwealth in their government through the Commission’s three main functions: (1) administration and enforcement of the financial disclosure requirements; (2) providing advice and guidance in the form of written advisories to public officials and employees (or their appointing authorities or employers) regarding their duties and responsibilities under the Ethics Act; and (3) conducting investigations, either through receipt of a sworn complaint or upon its own motion, of alleged violations of the Ethics Act. The Commission’s jurisdiction in all three areas is uniform in its application to local, county, and state level public officials and public employees.

The Commission is an independent agency of the Commonwealth, comprised of seven Members vested with the responsibility of administering and enforcing the provisions of the Ethics Act, as well as providing guidance to public officials and public employees as it relates to their conduct under the Ethics Act. The Commission has established policies and procedures for regulating and enforcing the restricted activities provisions of the Ethics Act, which are administered impartially by a staff of dedicated and experienced employees.

In addition to its responsibilities under the Ethics Act, the Commission is vested with enforcement duties under the Lobbying Disclosure Law (Act 134-2006) relating to the activities of lobbyists and principals who seek to influence state government. The Commission is empowered to conduct investigations in relation to alleged violations of the filing provisions of the Lobbying Disclosure Law. Dedicated emphasis on achieving compliance with the Lobbying Disclosure Law’s registration and quarterly expense reporting requirements, has resulted in a decrease in the number of enforcement actions initiated in 2020 as compared to previous years. The Commission is also empowered to issue advisory opinions under the Lobbying Disclosure Law.

The Commission has additional responsibilities under the Pennsylvania Racehorse Development and Gaming Act, the Video Gaming Act (Act 42 of 2017), and the Medical Marijuana Act (Act 16 of 2016). Each law charges the Commission with generating a public listing of all state, county, municipal and other governmental positions meeting the relevant statutory definitions of the terms “public official” or “executive-level public employee” as well as issuing certain Determinations.

Lastly, Act 114 of 2016 requires the Commission to publish a list of all employment positions within the State Horse Racing Commission with duties that would subject those individuals to certain “revolving door/post-termination” restrictions and to make determinations whether particular individuals would be subject to such restrictions. The Commission has fulfilled its responsibilities under all five laws without an increase in staff.

The Commission continues to see success with the use of its electronic filing system for Statements of Financial Interests. The electronic filing system, developed by Commission staff and implemented in 2014, has seen a steady increase in usage, by not only those who are required by law to file Statements of Financial Interests with the Commission, but also through voluntary filings made by local government officials. The electronic filing system is capable of handling all filings, including local filings, if needed in the future. Filing electronically is convenient, efficient and a cost savings.

The Commission continues to place great importance on educating public officials and public employees on the message that “public office is a public trust” and that ethical conduct and integrity are essential principles for those serving in the public sector. This is being accomplished through numerous training/educational seminars being provided by Commission staff to those in public service. Despite the limitations posed by COVID restrictions, in 2020 Commission staff participated in 21 seminars, workshops, panel discussions and presentations involving a wide range of governmental institutions and associations. Eleven of the twenty-one Ethics trainings were presented in person, and the remaining ten were virtual. This included providing training to over 2,000 employees and officials of a major Commonwealth authority. Staff has also developed trainings for the Governor’s Office of Administration and departments within the General Assembly. The Commission is currently working with another state agency to develop training videos and webinars to expand the message to over 2,700 governmental bodies across the Commonwealth.

The Ethics Act’s basic principle that public office is a public trust continues to guide the Commission’s mission. The Commission looks forward to its continued service to the public as well as those regulated by the Commission.

## COMMISSIONERS

The Ethics Act mandates that the Commission is to be comprised of seven Commissioners. The President Pro Tempore of the Senate, the Minority Leader of the Senate, the Speaker of the House and the Minority Leader of the House each appoint one Member. Three Members are appointed by the Governor, no more than two of whom may be of the same political party. Commission Members are appointed without confirmation.

The Commission was comprised of six Members for the majority of calendar year 2020. On February 10, 2020, Everett A. Gillison, Esquire, was appointed to the Commission by the Honorable Jay Costa, Minority Leader of the Pennsylvania Senate. Due to the COVID-19 pandemic, he resigned on May 13, 2020, to serve in the position of Emergency Hearing Examiner for the Pennsylvania Board of Probation and Parole.

### Current Commissioners

Nicholas A. Colafella, Ph.D. (Chairman)  
Mark R. Corrigan, Esquire (Vice Chairman)  
Roger E. Nick  
Melanie F. DePalma  
Michael A. Schwartz, Esquire  
Shelley Y. Simms, Esquire

### Commissioner Biographies

#### Nicholas A. Colafella Chairman

Nick Colafella was appointed as a Member of the Commission on December 27, 2004. Mr. Colafella served as Vice Chairman of the Commission from January 28, 2013, until being elected Chairman of the Commission on January 16, 2015.



Mr. Colafella was a Member of the Pennsylvania House of Representatives from 1981 to 2002, serving the 15th Legislative District (Beaver County). As a Member of the House of Representatives, Colafella served as the Democratic Chairman of the House Insurance Committee (1992-1998), and the House Education Committee (1999).

During this time period, Mr. Colafella also served as a Member of the Board of Directors of the Pennsylvania Higher Education Assistance Agency, the Pennsylvania State Board of Education, the Council of Higher Education, and the State Board of Vocational Education. From 1969 until 1980, Mr. Colafella served as the Dean of Continuing Education and Community Service for the Community College of Beaver County as well as its Director of Evening Education. He also served as a business instructor at the

same institution, and previously served as a high school business teacher at Center High School and Northwestern High School.

In 1992, Mr. Colafella was recognized as the Outstanding Legislator of the Year by the College and University Public Relations Association of Pennsylvania, and he was named Man of the Year in 1982 by the Upper Beaver Valley Jaycees.

Mr. Colafella has devoted substantial efforts toward community involvement, including his service as Chairman of the Beaver County Drug and Alcohol Commission, Heritage Valley Hospital Advisory Committee, board member of the Pennsylvania State University Beaver Campus Advisory Committee, and the Beaver County Mental Health and Mental Retardation Agency.

From 1956 to 1958, Mr. Colafella served in the United States Navy. He received his Ph.D. from the University of Pittsburgh, where he published his dissertation entitled “A Study of Voluntary Support for Pennsylvania Community Colleges.” He received his M.A. in Education from Duquesne University and his B.S. in Education from Youngstown State University.

#### Mark R. Corrigan Vice Chairman



Mark R. Corrigan, Esquire, was appointed as a Member of the Commission on July 2, 2012, by Senator Joseph Scarnati, President Pro Tempore of the Senate. The Commission elected him Vice Chairman on March 6, 2015.

Mr. Corrigan graduated from the Université de Montpellier, France, 1972; Shippensburg State College, 1973; Pennsylvania State University, 1975; and Dickinson School of Law, 1979.

Mr. Corrigan is a member of the Bar of the Supreme Court of Pennsylvania. He taught in the Harrisburg School System from September 1973 to June 1976. Mr. Corrigan served as Law Clerk with the Pennsylvania Department of Education from June 1977 to October 1979. He was Legal Counsel to Senator J. Doyle Corman. Mr. Corrigan was the Executive Director of the Senate Local Government Committee from November 1, 1979, to June 30, 1981. He was elected Secretary and Parliamentarian of the Senate of Pennsylvania on June 30, 1981 and continuously re-elected to serve in that position until retiring on December 31, 2011.

**Roger E. Nick  
Commissioner**

Roger E. Nick was appointed as a Member of the Commission on January 2, 2013, by then Speaker of the House, Samuel H. Smith.

Mr. Nick is a native of Smethport, Pennsylvania, and a graduate of Edinboro State University, with a B.A. in Political Science.

Mr. Nick retired from full-time employment after 36 years with the Commonwealth in 2009. During his career he was employed by the Pennsylvania General Assembly, including Executive Director of the House Transportation Committee (1973 - 1976), Executive Assistant to State Senator Robert J. Kusse (1976 - 1983), and Chief of Staff to Speaker of the House Matthew J. Ryan (1985 - 2003). He also served as Legislative Liaison to the Pennsylvania Department of Transportation (1983 - 1985) and Vice President of Legislative and Board Affairs for the Pennsylvania Higher Education Assistance Agency (2003 - 2005). Mr. Nick returned to the Pennsylvania House of Representatives in 2005, serving as the Chief Clerk from 2005 until his retirement in 2009.

After retirement, he served as a Member of the Legislative Audit Advisory Commission from 2011 until his appointment to the Commission.

**Melanie F. DePalma  
Commissioner**

Melanie F. DePalma was appointed as a Member of the Commission on January 14, 2015, by the Honorable Tom Corbett, then Governor of the Commonwealth of Pennsylvania. Ms. DePalma is a native of the Harrisburg area and a graduate of the Pennsylvania State University, Capital College. She earned a Bachelor of Science degree, with distinction, in Public Policy.

Over the course of her career, Ms. DePalma held positions in both the private and public sectors before retiring from the Commonwealth of Pennsylvania in 2014. Most recently, Ms. DePalma served in the Pennsylvania Office of Administration as Director of the Bureau of State Employment from 2011 to 2014. Prior to this, Ms. DePalma was appointed by the Honorable Tom Corbett as Deputy Director in the Governor's office of Public Liaison. Ms. DePalma was employed as a Legislative Liaison in



the Pennsylvania Office of the Attorney General from 1997 to 2011 serving Attorneys General Fisher, Pappert and Corbett respectively. Ms. DePalma was employed by the Government Affairs Division of the Westinghouse Electric Corporation from 1986 to 1996, serving as a Legislative Analyst and registered lobbyist for the Corporation from 1992 to 1996. Prior to spending several years at home raising her children, Ms. DePalma was also employed by the Pennsylvania House of Representatives from 1974 to 1979.

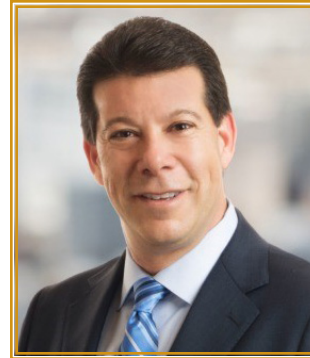
**Michael A. Schwartz  
Commissioner**

Michael A. Schwartz, Esquire, was appointed as a Member of the Commission on October 12, 2017, by the Honorable Tom Wolf, Governor of the Commonwealth of Pennsylvania.

Mr. Schwartz is a partner and chair of the White Collar Litigation and Investigations Practice Group of Troutman Pepper, resident in the Philadelphia office. Mr. Schwartz focuses his practice in the areas of criminal defense and counseling, defense of False Claims Act and Foreign Corrupt Practices Act matters, internal corporate investigations, corporate compliance programs, corporate monitorships, and First Amendment matters. Mr. Schwartz has significant experience in the pharmaceutical and medical device, health care, construction, and government contracting industries. Mr. Schwartz serves on the firm's Policy Committee.

Before joining Pepper Hamilton in 2008, Mr. Schwartz headed the Corruption, Civil Rights, Labor and Tax Fraud unit of the U.S. Attorney's Office for the Eastern District of Pennsylvania. As an Assistant U.S. Attorney for approximately 14 years, he successfully prosecuted some of the region's highest-profile corruption cases, including the electronic surveillance investigation during former Philadelphia Mayor John F. Street's administration and the corruption prosecutions of former City Treasurer Corey Kemp and former City Councilman Richard Mariano.

Mr. Schwartz is a 1990 graduate of Yale Law School and a 1987 graduate of the Pennsylvania State University, where he earned his B.A. in Economics. Mr. Schwartz served as a law clerk for the Honorable Edmund V. Ludwig, United States District Court for the Eastern District of Pennsylvania, taught trial advocacy and corruption law and policy at Temple Law School, and guest lectured at Temple Law School, University of Pennsylvania Law School, Rutgers School of Law, and Drexel School of Law.



**Shelley Y. Simms  
Commissioner**

Shelley Y. Simms, Esquire, was appointed as a Member of the Commission on January 26, 2018, by the Honorable Tom Wolf, Governor of the Commonwealth of Pennsylvania.

Ms. Simms is General Counsel and Chief Compliance Officer of Xponance, Inc., a registered investment advisor that provides customized equities and fixed income portfolios for institutional investors. Ms. Simms has oversight responsibility for the legal and compliance matters at Xponance. She is a member of the firm's Senior Management and Investment Governance Committees, and is the chairperson of the firm's Compliance-Operations-Risk Committee.

Prior to joining Xponance in 2004, Ms. Simms was independent counsel to ARAMARK Corporation, and she previously held legal positions at Comcast Corporation and Ballard Spahr LLP. Additionally, she served as law clerk to the Honorable Theodore A. McKee, United States Court of Appeals for the Third Circuit.

Ms. Simms is a former Board Member of the Hospitals and Higher Education Facilities Authority of Philadelphia, the Russell Byers Charter School, and Operation Understanding.

Ms. Simms is a recipient of the Philadelphia Business Journal Corporate Counsel Award, the Urban League of Philadelphia Whitney M. Young Service Award and the City of Philadelphia Mayoral Liberty Bell Award.

Ms. Simms received her J.D. from Harvard Law School in 1993, where she was a Supervising Editor of the *Harvard Law Review*, and is a 1990 graduate of Brown University, where she earned her B.A., with departmental honors, in English/American Literature and Bio-Medical Ethics. Ms. Simms has bar admissions in Pennsylvania and New Jersey.



**Everett A. Gillison  
Commissioner**

*(Served from February 10, 2020 to May 13, 2020)*

Everett A. Gillison, Esquire, was appointed as a Member of the Commission on February 10, 2020, by the Honorable Jay Costa, Minority Leader of the Pennsylvania Senate.

Mr. Gillison has had a very extensive career serving as a public servant for the citizens of Pennsylvania. Forty-four years ago, he began his work as a Social Worker for in the Social and Psychiatric Services Division of the Defenders Association of Philadelphia. After serving for six years, he left and attended the Syracuse College of Law. In 1985, he returned to the Defenders Association of Philadelphia where he worked for the next 23 years, developing into an outstanding trial attorney and advocate in the Special Defense and Homicide Units. In recognition of his efforts, he was inducted as a Fellow in the College of American Trial Lawyers.

The Honorable Michael A. Nutter, Mayor of the City of Philadelphia, appointed him Deputy Mayor for Public Safety on January 7, 2008. In his position he supervised the Police and Fire Departments, Prisons, Office of Emergency Management, and the Mayor's Office of Reintegration Services for Ex-Offenders. He also was the administration point person on Criminal Justice and worked with the various criminal justice partners.

On October 31, 2011, Mr. Gillison was appointed Chief of Staff by Mayor Michael A. Nutter. As Chief of Staff, Mr. Gillison served as a close adviser to the Mayor and was responsible for the coordination of policy among the various cabinet officials of the government in addition to his responsibilities as Deputy Mayor for Public Safety.

After the close of the Nutter administration, in June of 2016 Mr. Gillison was appointed by Governor Tom Wolf to the Pennsylvania Board of Probation and Parole. He completed a 3 and one-half year term as of January 2020.

Mr. Gillison is a native Philadelphian. He grew up in West Philadelphia, graduating from University City High School, the University of Pennsylvania with a B.A. in Political Science and Syracuse University College of Law.

Mr. Gillison resigned his position as Commissioner on May 13, 2020.



## **STAFF**

### **Executive Division**

Robert P. Caruso, Executive Director

Jeffery Frankenburger, Supervising Investigative Counsel

Julie Gibson, Executive Secretary

### **Office of Chief Counsel**

Brian D. Jacisin, Chief Counsel

Martin W. Harter, Deputy Chief Counsel

Esther Estelle, Legal Assistant

### **Administrative Division**

Leticia Powell, Director of Administration

Nicole Stockdale, Clerk Typist

Stanley G. Weaver, Administrative Specialist

Jessica Wenger, SFI Compliance Manager

Sean M. Firestine, Information Technology Manager and Forensic Specialist

### **Investigative Division (Headquarters)**

Jenifer Layman, Assistant Counsel

Jonathan Fry, Eastern Regional Director

Daniel M. Bender, Senior Special Investigator and Training Officer

Gregory Curran, Senior Special Investigator

Hayley Dull, Special Investigator

Heather L. Mulhollan, Administrative Assistant

### **Investigative Division (Western Regional Office)**

Jason P. Bricker, Western Regional Director

William Foley, Special Investigator

Kathleen Haefner, Special Investigator

Grant Pampiks, Special Investigator (resigned 12/20)

Cynthia L. Hershberger, Secretarial Support

## **COMMISSION MEMBER & EMPLOYEE RESTRICTIONS**

The Ethics Act places certain obligations upon the Commission and its staff members. No individual, while a Member or employee of the Commission, shall:

1. Hold or campaign for any other public office;
2. Hold office in any political party or political committee;
3. Actively participate in or contribute to any political campaign;
4. Directly or indirectly attempt to influence any decision by a governmental body, other than a court of law or as a representative of the Commission on a matter within the jurisdiction of the Commission; or
5. Be employed by the Commonwealth or a political subdivision in any other capacity whether or not for compensation.

Additionally, no Member of the Commission shall have served as an officer in a political party for one year prior to appointment.

The Commission has also implemented an internal Code of Conduct to govern the Members of the Commission, which is set forth in the Commission's Regulations, at 51 Pa. Code § 11.1 et seq.

## **CONTACT INFORMATION**

### **For the Pennsylvania State Ethics Commission:**

#### **Address / Hours of Operation:**

Pennsylvania State Ethics Commission

Finance Building

613 North Street, Room 309

Harrisburg, PA 17120-0400

Office Hours: Monday – Friday, 8:00 a.m. – 5:00 p.m.

**Telephone:** (717) 783-1610

**Fax:** (717) 787-0806

**Toll free:** (800) 932-0936

**Website:** [www.ethics.pa.gov](http://www.ethics.pa.gov)

**E-mail address:** [ra-ethicswebmaster@pa.gov](mailto:ra-ethicswebmaster@pa.gov)

#### **Pittsburgh Regional Office:**

Pennsylvania State Ethics Commission

1 Forestwood Drive, Suite 102

Pittsburgh, PA 15237

**Telephone:** (412) 635-2816

**Fax:** (412) 635-2818

#### **Open Records Officer:**

Robert P. Caruso, Executive Director

Pennsylvania State Ethics Commission

Finance Building

613 North Street, Room 309

Harrisburg, PA 17120-0400

**Telephone:** (717) 783-1610

**Toll free:** (800) 932-0936

**Fax:** (717) 787-0806

**E-mail:** [RA-ethicsRTKL@pa.gov](mailto:RA-ethicsRTKL@pa.gov)

#### **Commonwealth of Pennsylvania Office of Open Records:**

Commonwealth of Pennsylvania

Office of Open Records

333 Market Street, 16th Floor

Harrisburg, PA 17101-2234

**Telephone:** (717) 346-9903

**Fax:** (717) 425-5343

**E-mail:** [openrecords@pa.gov](mailto:openrecords@pa.gov)

**Web page:** [www.openrecords.pa.gov](http://www.openrecords.pa.gov)

**Executive Director:** Liz Wagenseller

## **PUBLIC INFORMATION**

### **Ethics Commission Website:**

[www.ethics.pa.gov](http://www.ethics.pa.gov)

### **Ethics Commission E-Library:**

[www.ethicsrulings.state.pa.us](http://www.ethicsrulings.state.pa.us)

### **Statements of Financial Interests Filings:**

All Statement of Financial Interests forms filed with the Commission are available for public inspection and copying. There is a charge of 25 cents per page for paper copies.

Statements of Financial Interests filed with the Commission are also available for public inspection via the Commission's website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

For calendar year 2020, the Commission's online Statement of Financial Interests filing system continued to gain popularity with county and local public officials, candidates, former public officials and employees, and public employees not required to file with the Governor's Office of Administration.

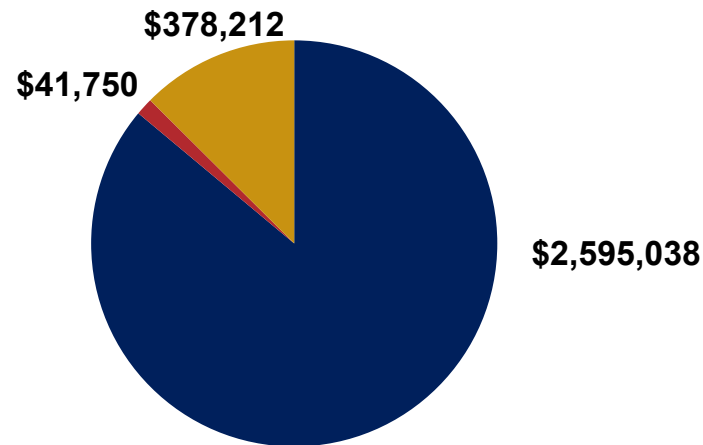
### **Commission Decisions:**

Commission decisions (Orders, Opinions, Advices of Counsel, and Determinations) are available at the offices of the Commission and at the Commission's e-Library, which may be accessed via the Commission's website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

**TWO-YEAR BUDGET ANALYSIS APPROPRIATION**

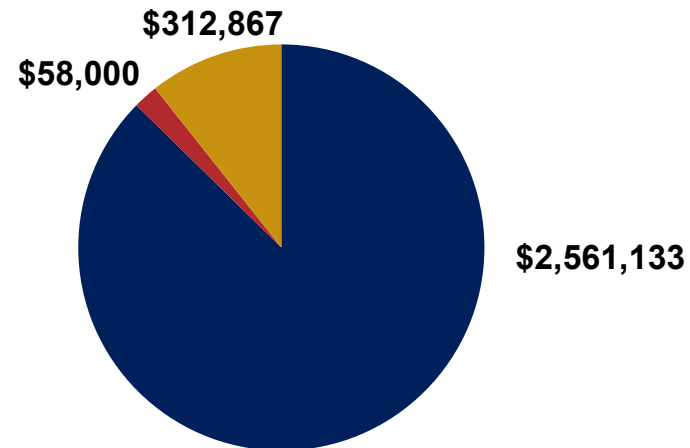
**2019-2020**

Employee salaries/benefits . . . . .	\$2,595,038
Miscellaneous personnel services . . . . .	\$41,750
Agency Operations. . . . .	\$378,212
<b>Total . . . . .</b>	<b>\$3,015,000</b>



**2020-2021**

Employee salaries/benefits . . . . .	\$2,561,133
Miscellaneous personnel services . . . . .	\$58,000
Agency Operations. . . . .	\$312,867
<b>Total . . . . .</b>	<b>\$2,932,000</b>



**PUBLIC OFFICIAL AND EMPLOYEE ETHICS ACT**

**POWERS AND DUTIES**

The powers and duties of the Commission under the Public Official and Employee Ethics Act (Ethics Act), 65 Pa.C.S. § 1101 et seq., include:

- Issuing prospective advisory opinions regarding an individual's duties and responsibilities under the Ethics Act.
- Receiving and reviewing Statements of Financial Interests filed pursuant to the Ethics Act.
- Investigating alleged violations of the Ethics Act, holding hearings, and issuing decisions in relation to said investigations.
- Preparing and publishing an annual report, special reports, educational materials, and technical studies to further the purposes of the Ethics Act.
- Prescribing rules and regulations to implement the provisions of the Ethics Act (see, 51 Pa. Code § 11.1 et seq.).
- Holding at least two public hearings each year to seek input from persons and organizations which represent individuals subject to the Ethics Act.

**RESTRICTED ACTIVITIES**

The Ethics Act restricts certain activities as detailed in Section 1103 of the Ethics Act.

Section 1103(a) of the Ethics Act restricts public officials and public employees from using the authority of their public position, or confidential information received by being in such position, for a prohibited private pecuniary benefit. The Ethics Act provides certain exceptions to the prohibition.

Sections 1103(b) and 1103(c) of the Ethics Act prohibit improper influence involving offering/giving or soliciting/accepting something of monetary value based on the understanding that the vote, official action, or judgment of a public official, public employee, nominee, or candidate for public office would be influenced thereby.

Section 1103(d) of the Ethics Act prohibits public officials and public employees from accepting an honorarium.

Section 1103(e) of the Ethics Act prohibits the solicitation or acceptance of a severance payment or anything of monetary value contingent upon the assumption or acceptance of public office or employment. The Ethics Act provides certain exceptions to the prohibition.

Where a public official/public employee, his spouse or child, or a business with which he, his spouse or child is associated, is otherwise appropriately contracting with the public official's/public employee's governmental body, or

subcontracting with any person who has been awarded a contract with the governmental body, in an amount of \$500.00 or more, Section 1103(f) of the Ethics Act requires that an "open and public process" be observed as to the contract with the governmental body. Section 1103(f) of the Ethics Act also provides that the public official/public employee may not have any supervisory or overall responsibility as to the implementation or administration of the contract with the governmental body.

Section 1103(g) of the Ethics Act prohibits a former public official/public employee from representing a person, with promised or actual compensation, before the governmental body with which he has been associated for one year after he leaves that body.

Section 1103(h) of the Ethics Act prohibits the use of information from Statements of Financial Interests for a commercial purpose.

Section 1103(i) of the Ethics Act provides that for two years following termination of employment with the Commonwealth of Pennsylvania, a former executive-level State employee may not be employed by, receive compensation from, assist or act in a representative capacity for a business that he actively participated in recruiting to the Commonwealth or that he actively participated in inducing to open or expand a plant, facility or branch in the Commonwealth, through a grant or loan of money or a promise of a grant or loan of money from the Commonwealth to such business.

Section 1103(j) of the Ethics Act provides procedures to be used when voting conflicts occur.

## FINANCIAL DISCLOSURE REQUIREMENTS

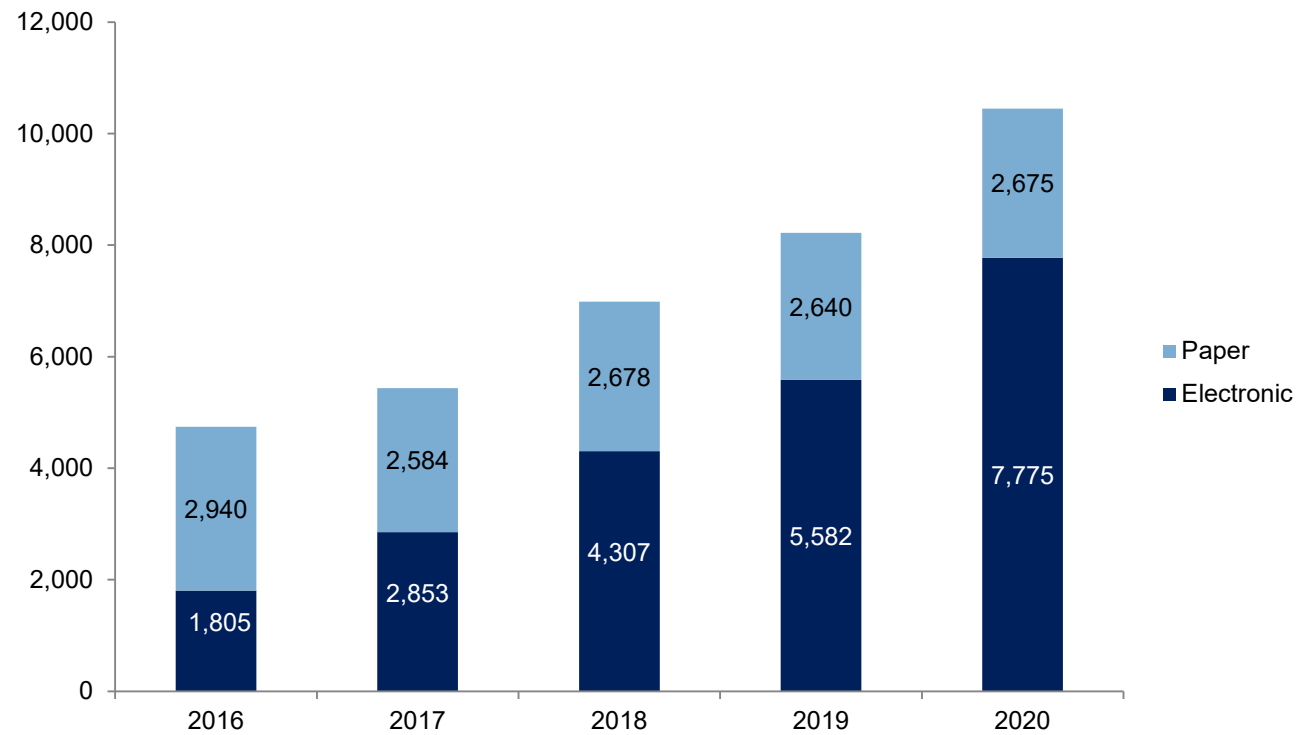
Section 1104 of the Ethics Act (65 Pa.C.S. § 1104) requires that public officials, public employees, solicitors, nominees, and candidates for public office file Statements of Financial Interests. Section 1105 of the Ethics Act (65 Pa.C.S. § 1105) delineates what financial information is to be disclosed.

Between December 18 and December 24 of 2020, a total of 176,020 Statement of Financial Interests forms were distributed to 6,543 state, county, and local government entities for distribution to public officials, public employees, and candidates required to file Statements of Financial Interests for the 2020 calendar year pursuant to the Ethics Act. The Administrative Division continued to update the distribution list to avoid duplicate, erroneous and/or obsolete mailings.

All individuals filing Statements of Financial Interests have the option to file electronically through the Commission's website in lieu of completing a paper form. However, a filer using the Commission's online filing system must ensure that a copy of the form is filed with all required filing locations.

For calendar year 2019 (filing year 2020), there were 10,450 individuals who filed Statements of Financial Interests with the Commission. Of those who filed, 7,775 (74%) filed electronically through the Commission's website, resulting in a 39% increase in electronic filings from the previous year. Those individuals who filed with the Commission included candidates for public office as well as current and former: members of the General Assembly (597); members of state boards and commissions (1,827); cabinet members and staff (117); constables and/or deputy constables (1,346); and state employees (2,291). There were 4,272 additional filers consisting of local government individuals who filed voluntarily with the Commission. Statements of Financial Interests filed with the Commission are public documents and are available online for public inspection through the e-Library which may be accessed via the Commission's website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

### Statements of Financial Interests



## Civil Penalties

Those public officials/public employees, solicitors, nominees, and candidates for public office who are required to file Statements of Financial Interests pursuant to Section 1104 of the Ethics Act (65 Pa.C.S. § 1104), and have failed to do so or have filed deficient Statements of Financial Interests, may be subject to an assessment of a civil penalty as delineated in Section 1109(f) of the Ethics Act (65 Pa.C.S. § 1109(f)).

Pursuant to the Ethics Act, the Regulations of the Commission (51 Pa. Code § 11.1 et seq.), and the Policies and Procedures of the Commission, upon learning that an individual has either failed to file or has filed a deficient Statement of Financial Interests, the Commission will notify the individual of such non-compliance. Warning Notice Letters are sent to individuals who have either not filed or filed a deficient Statement of Financial Interests. Each Warning Notice Letter affords the individual 20 days to cure the deficiency and/or delinquency without penalty. If the individual fails to file within the cure period, the Commission may levy a civil penalty of not more than \$25.00 per day up to a maximum of \$250.00 against the individual and order the filing of the Statement of Financial Interests.

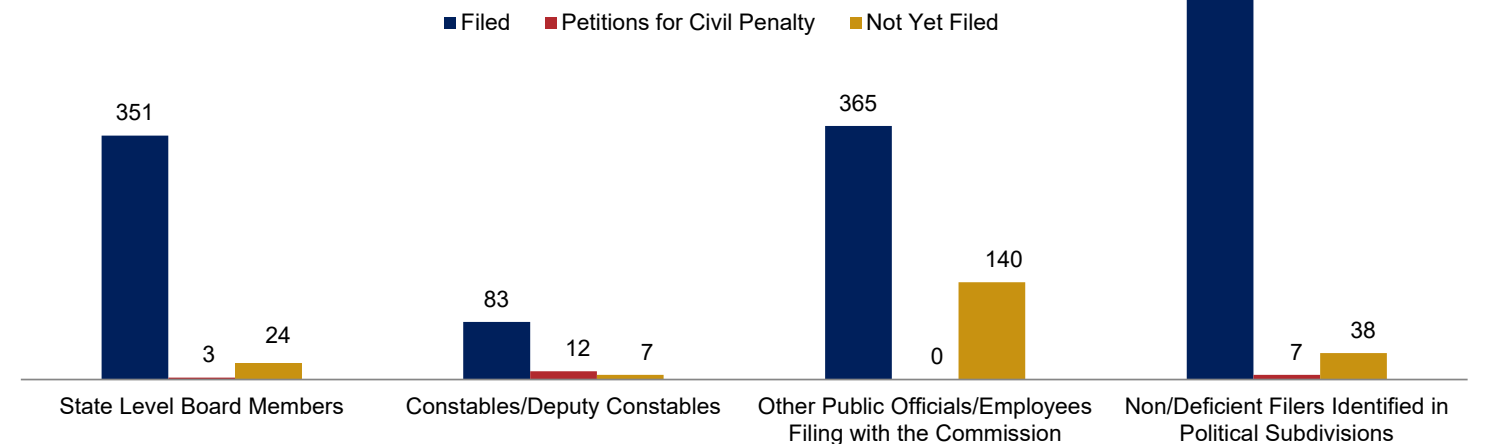
Should an individual fail to comply with an Order of the Commission to either remit the assessed civil penalty and/or to file a Statement of Financial Interests, the Commission may pursue the matter in the Commonwealth Court of Pennsylvania for the purpose of enforcement of the Commission's Order.

Although the statutory deadline for filing Statements of Financial Interests for calendar year 2019 remained on May 1, 2020, due to the COVID-19 pandemic, the Commission determined that complete and accurate Statements of Financial Interests for calendar year 2019 which were filed between May 2, 2020, and July 15, 2020, were not subject to compliance proceedings initiated by the Commission. Therefore, compliance efforts did not begin until July 16 of 2020 and went well into the fourth quarter.

During the 2020 calendar year, the Commission identified 1,578 public officials/public employees who either filed a deficient Statement of Financial Interests or failed to file as required by the Ethics Act. This included 1,187 individuals who failed to file a Statement of Financial Interests and 391 individuals who filed a deficient Statement of Financial Interests. The Commission's Administrative Division issued Warning Notice Letters directing those identified to file and/or correct any deficiencies within 20 days to avoid any further action by the Commission. The Warning Notice Letters resulted in 1,347 individuals filing/amending Statements of Financial Interests by the end of calendar year 2020. Of the remaining 231 individuals who failed to file or amend a Statement of Financial Interests, Petitions for Civil Penalties were filed with the Commission against 22 of those so identified. Approximately 209 more of these identified delinquent/deficient filers had yet to file within the cure period and will become subject to civil penalty proceedings filed by the Investigative Division. The offices (e.g., State Level Board Member, Constable/Deputy Constable, etc.) held by those identified 1,578 deficient/non-filing public officials/public employees are detailed in the illustration below.

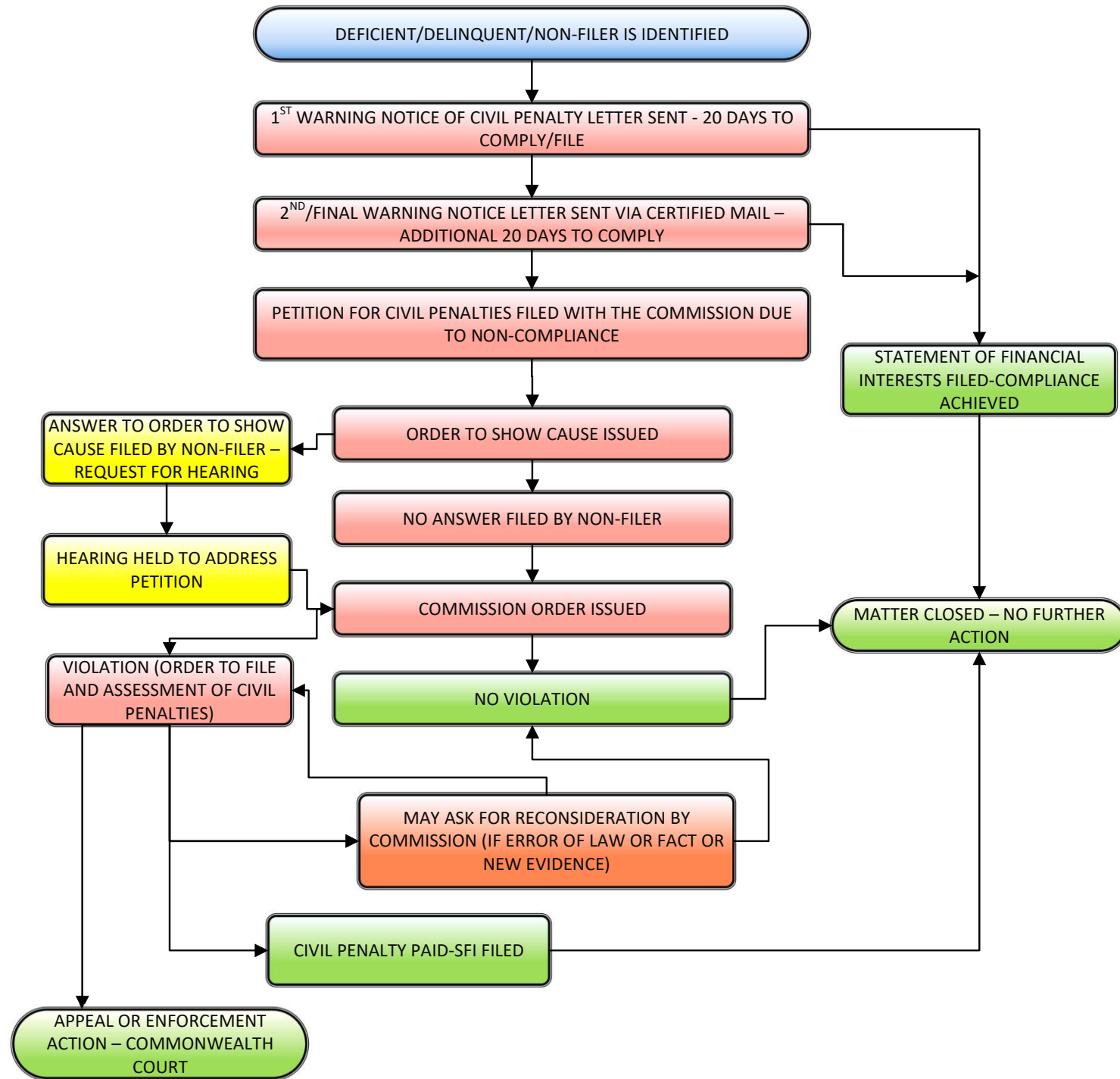
The Commission's Investigative Division also conducted 18 on-site Compliance Reviews resulting in the identification of 593 delinquent/deficient filers. The issuance of Warning Notice Letters produced a 92% compliance rate (548 filers). The remaining non/delinquent filers will be subject to civil penalty proceedings. In addition to the issuance of Warning Notice Letters and other enforcement efforts, namely the filing of Petitions for Civil Penalties, during calendar year 2020, the Commission issued a total of 28 Orders that levied civil penalties against public officials/public employees who failed to correct delinquent/deficient Statements of Financial Interests, as required by the Ethics Act.

### Delinquent/Deficient Non-filers Identified in Calendar Year 2020 by Category





## NOTICE OF NON-COMPLIANCE FLOWCHART



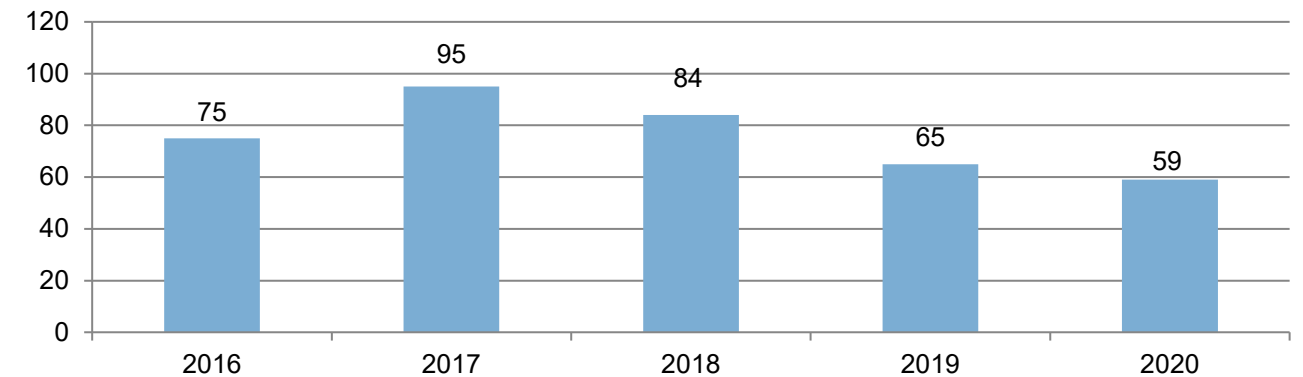
## OPINIONS AND ADVICES

Section 1107(10)-(11) of the Ethics Act directs the Commission to provide an Opinion or Advice to any person about his or her duties under the Ethics Act. An Opinion or Advice may also be provided to the employer or appointing authority of such person. Opinions and Advices provide a complete defense against enforcement action initiated by the Commission. An Advice of Counsel is evidence of good faith conduct in any other civil or criminal proceeding if the requester truthfully disclosed all material facts and acted in reliance on the Advice. An Opinion is an absolute defense to any criminal or civil penalty provided all material facts are truthfully disclosed and the requester acts in good faith on the Opinion.

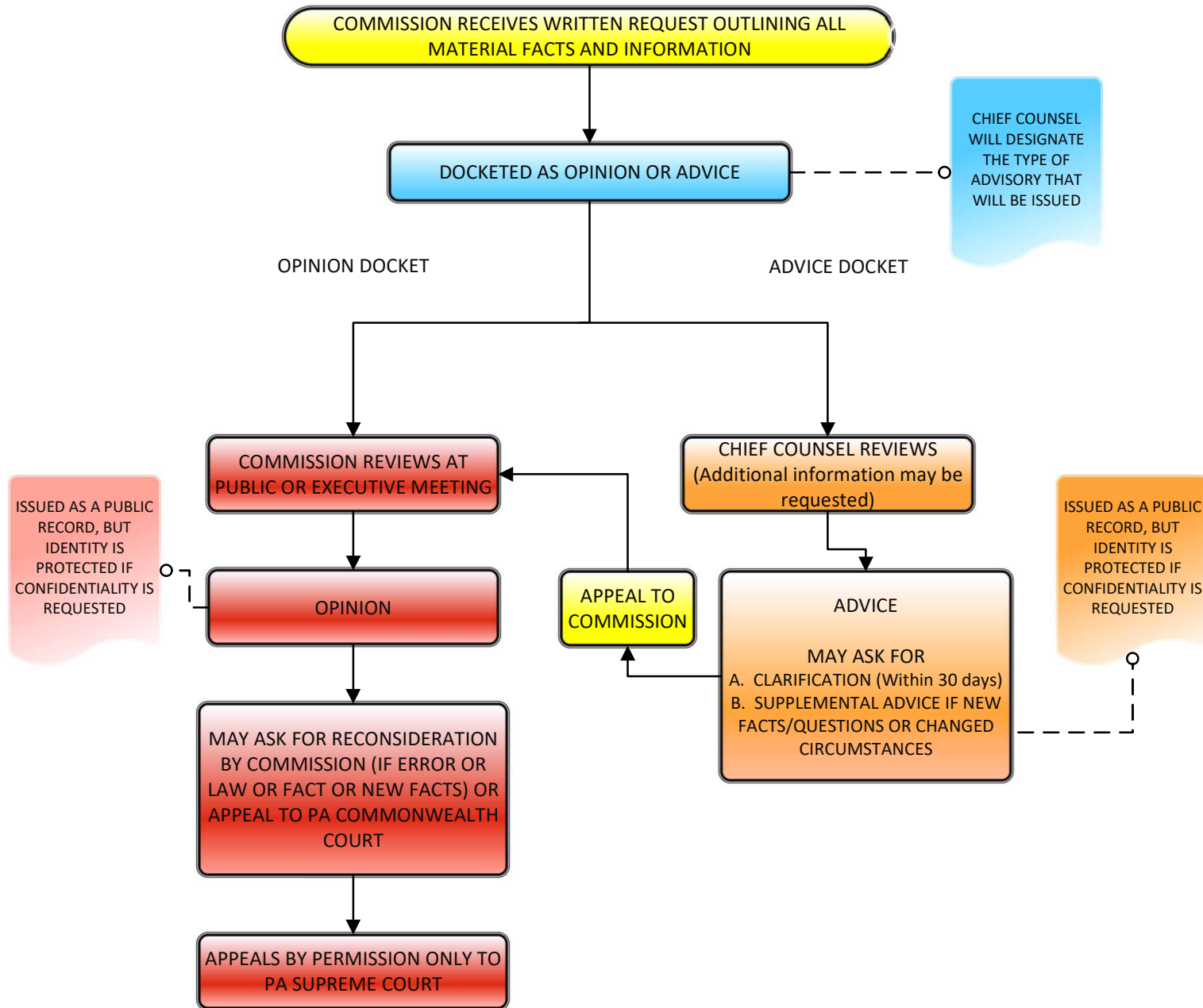
From January 1, 2020, through December 31, 2020, the Commission issued a total of 59 advisories under the Ethics Act, consisting of 3 Opinions and 56 Advices of Counsel. The Commission received 24 requests for advisories that could not be processed for various reasons.

Opinions and Advices are public records. However, a requester may require that the Opinion or Advice contain such deletions and changes as shall be necessary to protect the identity of the persons involved. Pursuant to the Ethics Act, the Commission is required to provide specified libraries throughout the Commonwealth with copies of Advices of Counsel, Opinions, and Orders that are a matter of public record. Copies of Opinions and Advices are available online in the Commission's e-Library free of charge at [www.ethics.pa.gov](http://www.ethics.pa.gov).

Advices/Opinions Statistics 2016-2020 (Advices/Opinions issued by the Ethics Commission under the Ethics Act)



## OPINIONS AND ADVICES FLOWCHART



## COMPLAINTS / INVESTIGATIONS

The Commission is authorized to investigate matters upon receipt of a sworn complaint, or it may initiate investigations upon its own motion. For a sworn complaint to be valid, it must include the full name(s) and address(es) of the complainant and respondent; contain allegations related to a specific individual(s); be signed by the complainant; and be properly notarized.

Upon receipt of a complaint, the Commission's Investigative Division will initially notify the complainant in writing to confirm the receipt of the complaint. In the event the complained of matter is not within the Commission's jurisdiction or if the complaint lacks sufficient information, the complainant will be notified of the deficiencies at that time. If a matter is to be investigated, the Commission's Investigative Division will initiate a preliminary inquiry which must be completed within 60 days. Upon conclusion of the preliminary inquiry, the matter will either be closed or the matter will be opened for a full investigation. If the matter is opened as a full investigation, the complainant will be notified within 72 hours, and both the complainant and the subject of the investigation (respondent) will be notified every 90 days thereafter of the general status of the matter. If after a preliminary investigation the matter is terminated, both the complainant and the respondent will be notified.

Once a full investigation has been initiated, and upon the conclusion of the field investigation, the respondent will be issued an Investigative Complaint/Findings Report containing the relevant findings of fact. The Investigative Complaint/Findings Report must be issued no later than within 360 days of the initiation of the full investigation. The respondent must file an Answer to said report within 30 days after its issuance. Following the issuance of the Investigative Complaint/Findings Report, a respondent may choose to negotiate a settlement of the matter. If a respondent chooses to challenge the allegations contained within the Investigative Complaint/Findings Report, the respondent will be afforded a full and fair opportunity to do so following the filing of an Answer.

Upon the conclusion of the investigation and all other proceedings, the Commission will issue a final Order containing findings of fact and conclusions of law. Final Orders issued by the Commission are public documents and will be released as such. They are also available online in the Commission's e-Library at [www.ethics.pa.gov](http://www.ethics.pa.gov).

During 2020 the Investigative Division received 314 complaints which were all processed in 2020. Of those 314 complaints processed in 2020, 36 were opened as full investigations. The reduction in the number of complaints received in 2020 may be attributed to the COVID pandemic. As such, the number of investigations initiated was also influenced. The Commission ultimately issued 14 public Orders finding violations of the Ethics Act by public officials/public employees.

The Orders issued by the Commission in 2020 resulted in findings of violations of the Ethics Act and the imposition of financial penalties against a number of public officials/public employees including a county director of elections, a member of the board of trustees of a state hospital,

a state representative, a former supervisory agent with the attorney general's office, and local public officials of boroughs, townships, school districts, charter schools and authorities. The Orders found violations for conflicts of interest, including diverting public monies for personal gain, and violations for back-dated Statements of Financial Interests.

Orders of note issued by the Commission in 2020 included the following:

### Order No. 1771: Marisa Crispell. Issued June 24, 2020.

Marisa Crispell, Director of Elections for Luzerne County, violated Section 1103(a) of the Ethics Act when she participated in discussions and evaluations as part of a Request for Proposal process regarding the purchase of electronic poll books, including making recommendations to the County Council to enter into a purchase contract with Elections Systems & Software (ES&S) at a time when she was serving on an ES&S Advisory Board and receiving transportation, lodging and/or hospitality from ES&S when she traveled to Advisory Board meetings and accompanying events and when she received payments from the County while she was traveling to Advisory Board meetings and events.

Crispell was directed to make restitution of \$3,500.00 and file Statements of Financial Interests for calendar years 2014 and 2017.

### Order No. 1764: Vince Arcurio. Issued January 27, 2020.

Vince Arcurio, as a Member of the Board of Directors of the Greater Johnstown School District, violated Section 1103(a) of the Ethics Act when he participated in a vote to create the employment position of Assistant to the Superintendent at a time when he possessed a reasonable expectation that his wife was to be immediately appointed to the vacancy. He also violated Section 1103(a) when he participated in votes to approve payment of educational funds to the Cambria County Child Development Corporation, a business with which his father was associated.

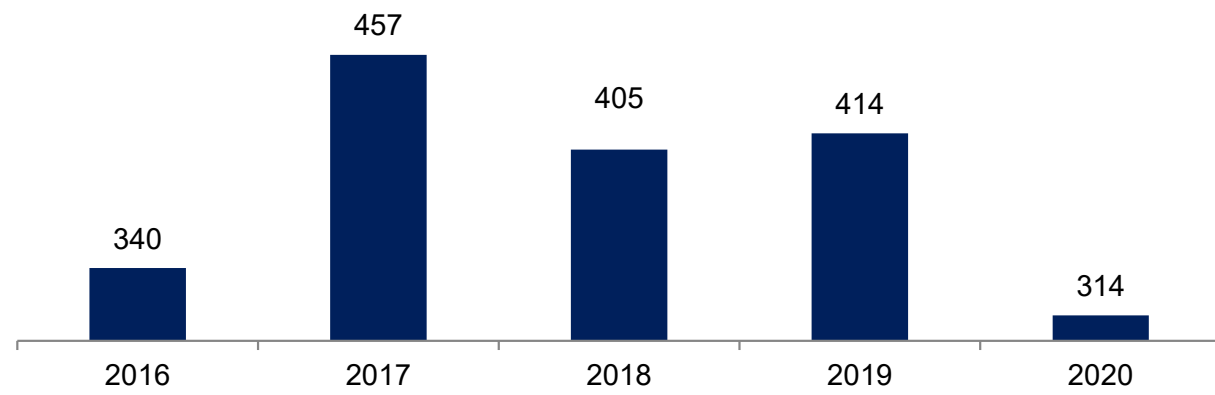
Arcurio was directed to make restitution of \$2,500.00 to the Greater Johnstown School District.

### Order No. 1767: John D. Lynch. Issued January 29, 2020.

John D. Lynch, as the Manager for Montgomery Borough, Lycoming County, violated Section 1103(a) of the Ethics Act when he utilized a Borough provided/paid credit card for unauthorized personal purchases and when he approved excessive mileage reimbursements to himself and simultaneously charged fuel purchases on a Borough-paid credit card and/or obtained fuel from Borough fuel pumps.

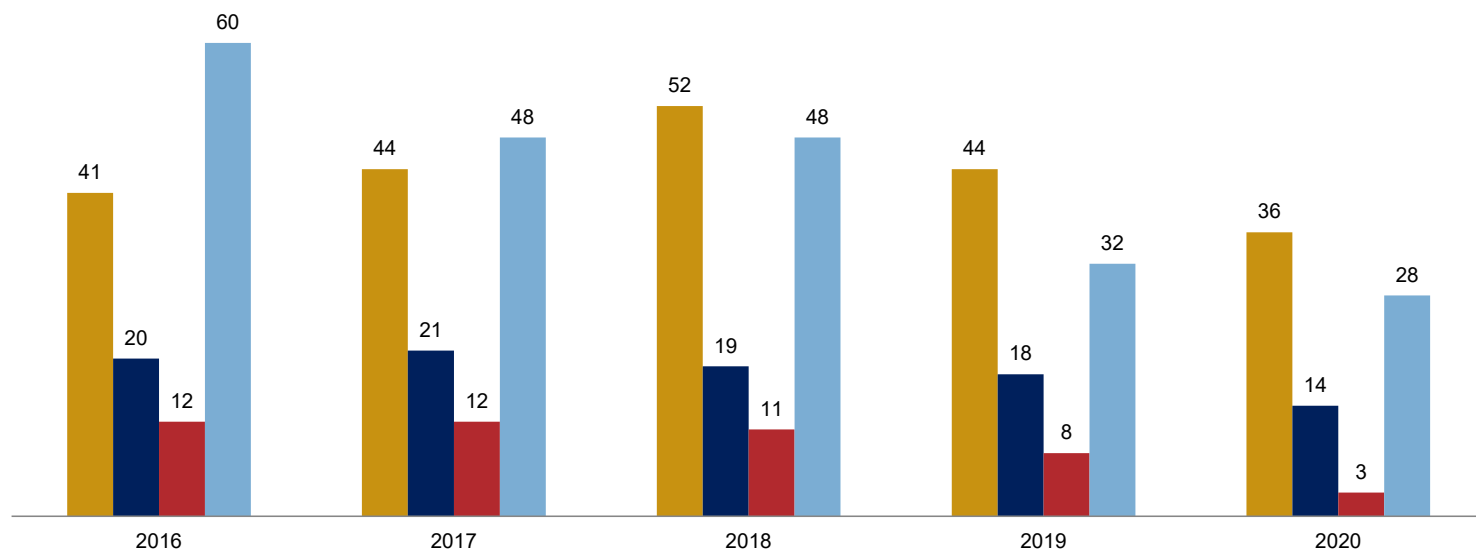
Lynch was ordered to pay restitution to Montgomery Borough in the amount of \$3,588.84.

**Complaints Received 2016 - 2020**

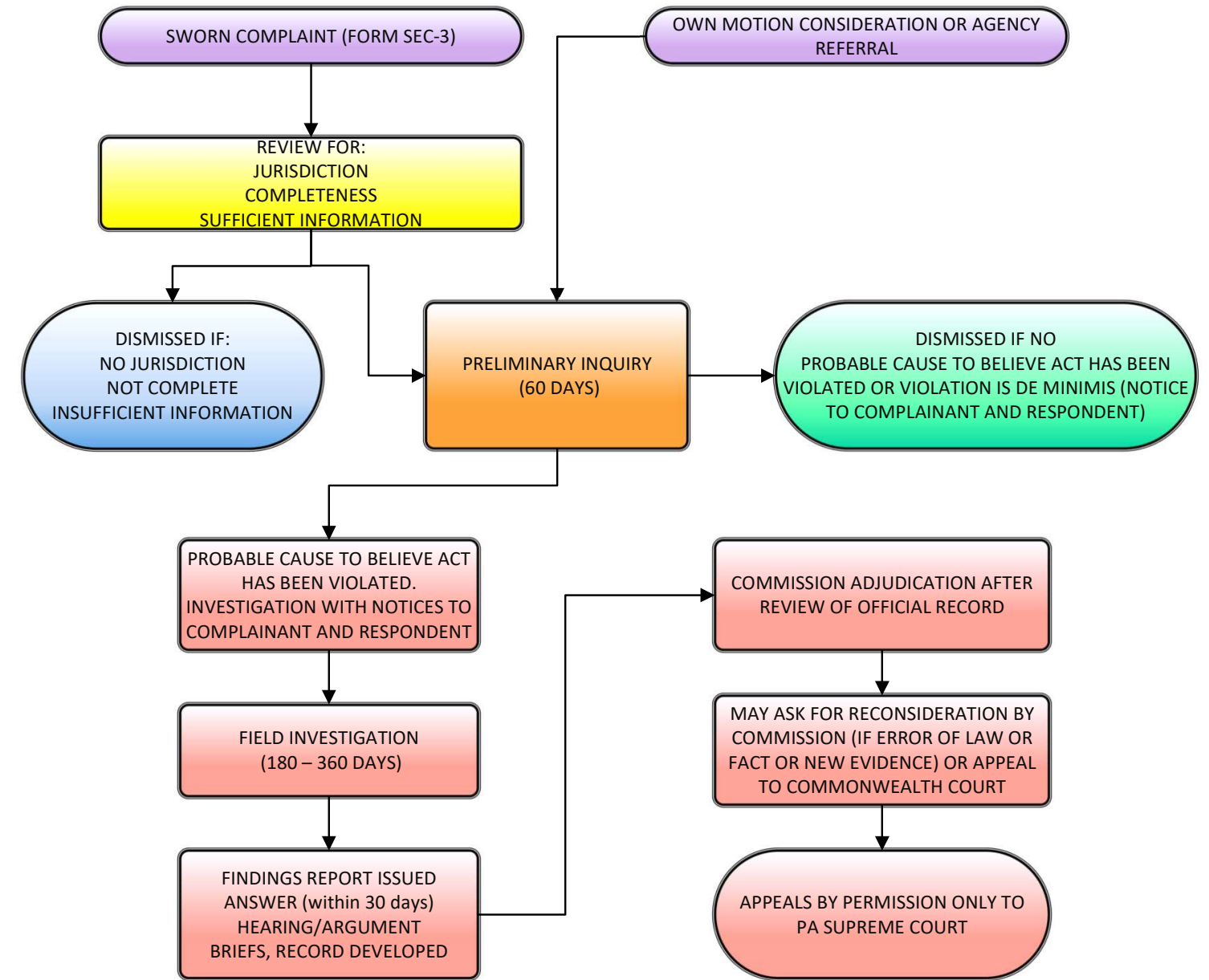


**Investigative Statistical Summary 2016 - 2020**

■ Investigations Opened ■ Ethics Orders Issued ■ Lobbying Orders Issued ■ Civil Penalty Orders Issued



**INVESTIGATIVE FLOWCHART**



## PENNSYLVANIA LOBBYING DISCLOSURE LAW

### Overview

Under the Lobbying Disclosure Law, 65 Pa.C.S. § 13A01, et seq., the Commission's responsibilities include enforcement and issuing advisories. Responsibility for the administration of the registration and reporting requirements is vested in the Pennsylvania Department of State.

### Advisories

From January 1, 2020, through December 31, 2020, the Commission issued two advisories under the Lobbying Disclosure Law, consisting of one Advice and one Opinion.

The Commission issues advisories under the Lobbying Disclosure Law to persons with standing (legal authority) to submit such requests. The process for issuing advisories under the Lobbying Disclosure Law is similar to the process under the Ethics Act. Advisories are issued as to prospective conduct only.

### Enforcement

The Commission has authority to enforce the registration and reporting requirements (Sections 13A04 and 13A05) and the "prohibited activities" section (Section 13A07) of the Lobbying Disclosure Law.

With regard to enforcement of the registration and reporting requirements, the Lobbying Disclosure Law provides a process (see Section 13A09) whereby the Commission is to issue a "Notice of Alleged Noncompliance" to a person (hereinafter referred to as the "non-filer") who has failed to register or report as required. The non-filer is given an opportunity to appeal to the Commission and have a hearing. Intentional violations are referred to the Office of Attorney General and, in some instances, to the Disciplinary Board of the Supreme Court of Pennsylvania ("Disciplinary Board") as discussed below. For negligent violations, the Commission may impose an administrative penalty. The Commission may also prohibit a non-filer from lobbying for economic consideration for up to five years if the non-filer fails to comply after notice of non-compliance and a hearing, if requested.

With regard to enforcement of the "prohibited activities" section of the Lobbying Disclosure Law, Section 13A07, the Commission has authority to receive complaints, conduct investigations, hold hearings, and impose administrative penalties as to: (1) lobbying "conflicts of interest" as described in subsection (d); and (2) ten categories of "unlawful acts" listed in subsection (f). For violations as to these particular types of "prohibited activities," the Commission has authority to impose financial penalties and to prohibit a lobbyist from lobbying for economic consideration for up to five years.

For all other prohibited activities detailed in Section 13A07 of the Lobbying Disclosure Law, the Commission may initiate investigations through the Executive Director and hold hearings pursuant to the Commission's general authority under Section 13A08(g). However, the only

penalty the Commission may impose for these types of violations is prohibition against lobbying for economic consideration for up to five years in the event of an intentional violation. 65 Pa.C.S. § 13A09(e)(4).

For all of the above types of matters, if the Commission has reason to believe that an intentional violation of the Lobbying Disclosure Law has been committed, the Commission must refer all relevant information to the Office of Attorney General and, if the lobbyist or principal is an attorney, to the Disciplinary Board. 65 Pa.C.S. § 13A09(h). Referrals to the Attorney General and Disciplinary Board would generally not preclude the Commission from conducting its own proceedings. However, matters involving alleged conflicts of interest on the part of attorneys would be handled exclusively by the Disciplinary Board. 65 Pa.C.S. § 13A07(d)(8).

An alleged violation of the "unlawful acts" provision by an attorney would be referred to the Disciplinary Board. 65 Pa.C.S. § 13A07(f)(3)(ii). Matters involving an attorney's failure to register or report would be heard by the Commission with the Commission referring cases involving intentional conduct to the Disciplinary Board as well as the Attorney General. In the event of an attorney's negligent failure to register/report, the Commission could impose an administrative/civil penalty but would be required to inform the Disciplinary Board of such action. 65 Pa.C.S. § 13A09(b)(2)-(3), (c)(3).

### Lobbying Compliance Activities

The Commission continues to engage in compliance efforts regarding lobbying activities undertaken in calendar year 2020. The Commission, through the Investigative Division, monitors and enforces the Lobbying Disclosure Law through compliance reviews of Registration Statements, as well as Quarterly Expense Reports filed by principals, lobbyists and/or lobbying firms with the Pennsylvania Department of State.

During calendar year 2020, the Pennsylvania Department of State did not identify any lobbyists, principals, or lobbying firms, which had filed deficient Registration Statements and as such, the Commission did not pursue any penalties against same.

During the reporting period for calendar year 2020, the Commission issued a total of 56 Warning Notice Letters to principals regarding their failure to file Quarterly Expense Reports as required by the Lobbying Disclosure Law. Three of those principals so notified did not file their Quarterly Expense Reports and/or otherwise comply with the Warning Notice Letters within the cure period. Those three principals were the subjects of Notices of Alleged Non-compliance, an action undertaken by the Investigative Division of the Commission seeking the assessment of monetary penalties against non-complying principals. In all, the Commission directed that a total of \$45,770.00 in penalties be paid to the Commonwealth. Of the three Orders issued by the Commission, all were negotiated agreements.

## COMMISSION-ORDERED PENALTIES AND RESTITUTION

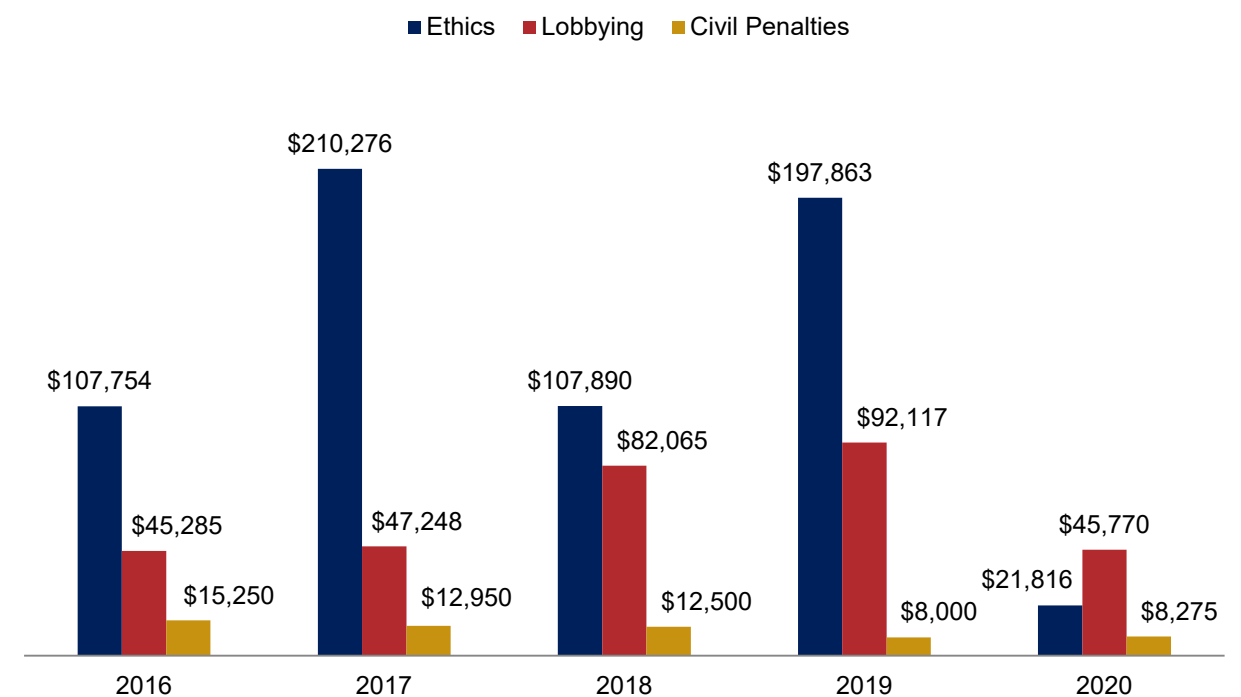
Pursuant to Section 1107(13) of the Ethics Act (65 Pa.C.S. § 1107 (13)), the Commission is empowered to issue findings, reports and orders relating to investigations initiated pursuant to Section 1108 of the Ethics Act (65 Pa.C.S. § 1108). Any order issued by the Commission finding that a public official or public employee has obtained a financial gain in violation of the Ethics Act may require the subject of the investigation to make payment of restitution to the appropriate governmental body. The ordering of restitution is in addition to any other penalties provided for in the Ethics Act, such as the Treble Damages provision. Pursuant to the Treble Damages provision, any person who obtains financial gain in violation of the Ethics Act may be ordered to pay a sum of money equal to three times the amount of the financial gain (65 Pa.C.S. § 1109 (c)).

During calendar year 2020 the Commission ordered the payment of \$21,815.74 in restitution. This amount is attributable to Orders issued from both negotiated settlements and contested matters following evidentiary hearings.

In addition to any other civil remedy or criminal penalty provided for by the Ethics Act, the Commission may levy a civil penalty upon any person who fails to file a Statement of Financial Interests at a rate of not more than \$25.00 a day for a maximum penalty of \$250.00. The Commission levied \$8,275.00 in civil penalties during calendar year 2020.

Lastly, as set forth in the Pennsylvania Lobbying Disclosure Law, specifically 65 Pa.C.S. § 13A09(c), any principal, lobbyist and/or lobbying firm who has negligently failed to register or report as required is subject to assessment of an administrative penalty not to exceed \$50.00 a day. Effective April 16, 2018, the administrative penalty increased under Act of February 14, 2018, P.L. 2, No. 2 (Act 2 of 2018) directing penalties of \$50.00 a day for the first 10 days late; \$100.00 a day between 10 and 20 days late; and \$200.00 a day after the first 20 days late. During calendar year 2020, the Commission levied penalties totaling \$45,770.00 for late/deficient lobbying registrations and/or quarterly reports.

### Restitution/Penalties Ordered 2016 - 2020



# ACT 114 OF 2016

Pursuant to Act 114 of 2016 pertaining to employees of the State Horse Racing Commission, the Commission has responsibilities for:

1. Biennially publishing a list of all employment positions within the State Horse Racing Commission with duties that would subject the individuals in those positions to the “revolving door/post-termination” restrictions at 3 Pa.C.S. § 9311(b)(6)(xiv); and
2. Making a determination, upon request, as to whether a particular individual/person would be subject to the “revolving door/post-termination” restrictions at 3 Pa.C.S. § 9311(b)(6)(xiv).

## PENNSYLVANIA RACE HORSE DEVELOPMENT AND GAMING ACT

Pursuant to the Pennsylvania Race Horse Development and Gaming Act (“Gaming Act”), 4 Pa.C.S. § 1101 et seq., the Commission has responsibilities for:

1. Biennially publishing a list of all state, county, municipal, and other government positions meeting the definitions of the terms “public official” set forth in Section 1512(b) of the Gaming Act or “executive-level public employee” set forth in Section 1103 of the Gaming Act, for the purpose of enabling the identification of persons who would be subject to certain prohibitions of Section 1512 of the Gaming Act;
2. Biennially publishing a list of all positions of employment with the Gaming Control Board or with independent contractors to the Board that are subject to the “revolving door/post-termination” restrictions of Sections 1201(h)(13) and (13.1) of the Gaming Act;
3. Biennially publishing a list of all positions within the Pennsylvania State Police, the Pennsylvania Office of Attorney General, and the Pennsylvania Department of Revenue that are subject to the “revolving door/post-termination” restrictions of Section 1512.1(a) of the Gaming Act;
4. Making a determination, upon request, as to whether a particular individual/person would be subject to various prohibitions or “revolving door/post-termination” restrictions within the Gaming Act (see, 4 Pa.C.S. §§ 1201(h)(14), 1512(a.5)(1), 1512.1(e)(1); and
5. Determining whether to extend deadlines by which executive-level public employees, public officials, party officers, or their immediate family members would be required to divest themselves of financial interests that they would be prohibited from holding under Section 1512 of the Gaming Act.

### Gaming Act Determinations

From January 1, 2020, through December 31, 2020, the Commission received one request for a Determination under the Gaming Act that could not be processed.

Paper copies of Commission Determinations are available at cost from the Commission. Determinations are also available within the Commission’s e-Library, which may be accessed via the Commission’s website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

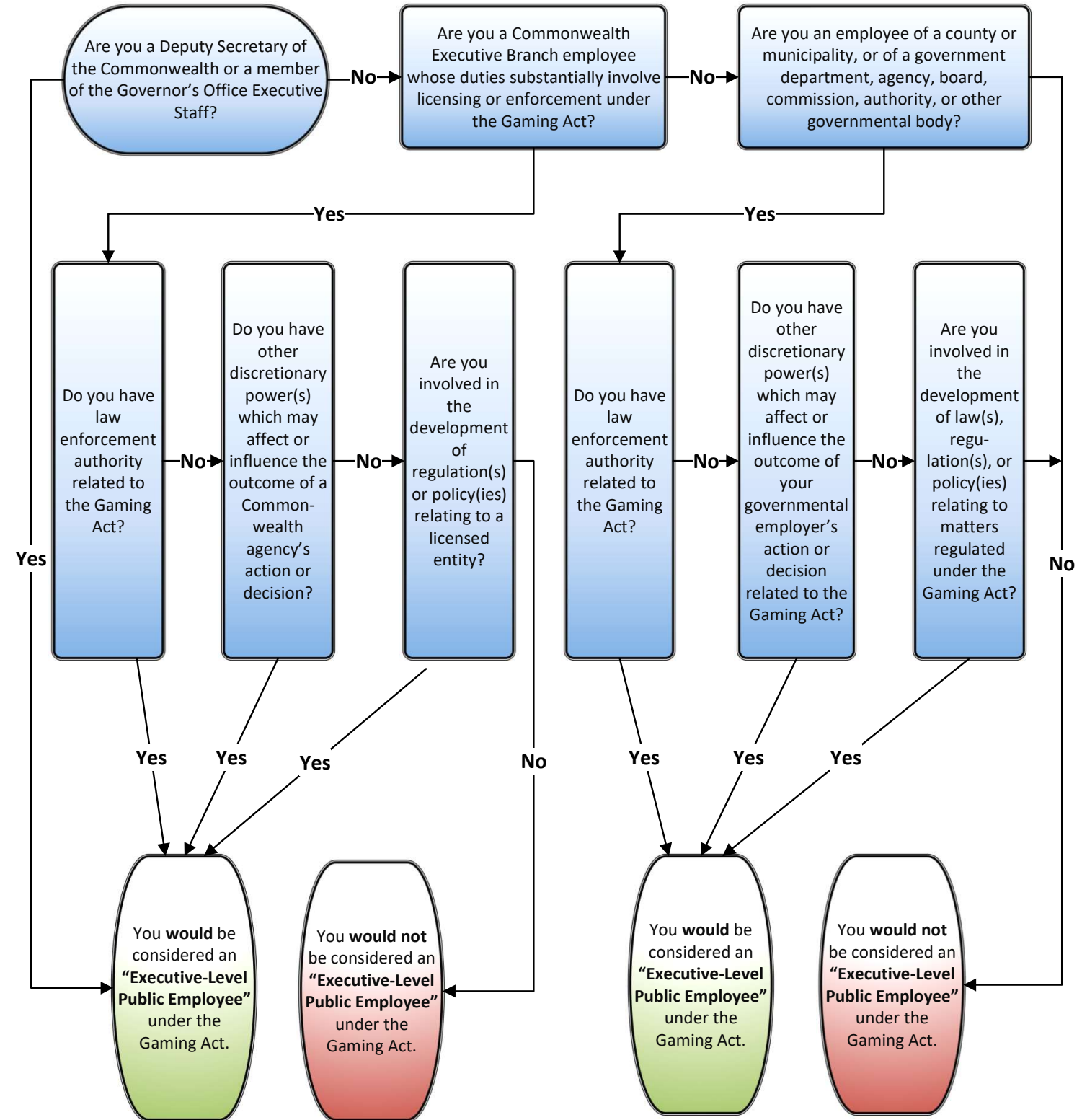
### Gaming Lists

Lists developed by the Commission pursuant to the Gaming Act are published biennially in the Pennsylvania Bulletin, and they are also accessible via the Commission’s website within its e-Library at [www.ethics.pa.gov](http://www.ethics.pa.gov) and via the Pennsylvania Gaming Control Board’s website at [www.gamingcontrolboard.pa.gov](http://www.gamingcontrolboard.pa.gov), which features a link to the Commission’s e-Library.

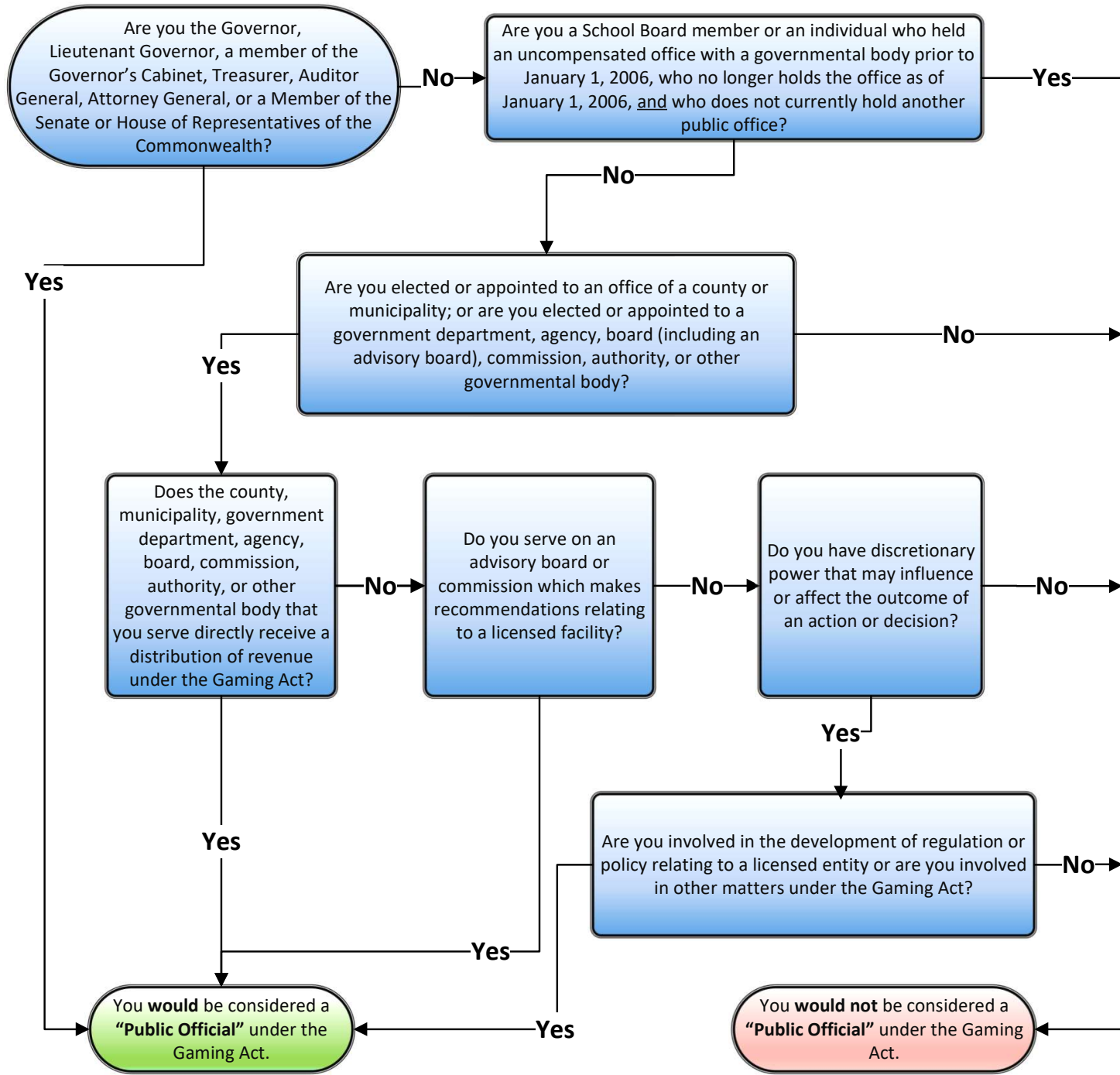
### Status as an Executive-Level Public Employee or Public Official

The term “executive-level public employee” is defined in Section 1103 of the Gaming Act. The term “public official” is defined in Section 1512(b) of the Gaming Act.

## GAMING ACT: Executive-Level Public Employee Flowchart



## GAMING ACT: Public Official Flowchart



## ACT 42 OF 2017 (Video Gaming Act)

Pursuant to Act 42 of 2017 (referred to herein as the "Video Gaming Act"), 4 Pa.C.S. § 3101 et seq., the Commission has responsibilities for:

1. Biennially publishing a list of all state, county, municipal and other government positions meeting the definitions of the terms "public official" set forth in Section 4303(g) of the Video Gaming Act or "executive-level public employee" set forth in Section 3102 of the Video Gaming Act, for the purpose of enabling the identification of persons who would be subject to certain prohibitions of Section 4303 of the Video Gaming Act;
2. Biennially publishing a list of all positions of employment with the Gaming Control Board or with independent contractors to the Board that are subject to the "revolving door/post-termination" restrictions of Section 4302(a) or Section 4302(b) of the Video Gaming Act;
3. Biennially publishing a list of all positions within the Pennsylvania State Police, the Pennsylvania Office of Attorney General, and the Pennsylvania Department of Revenue that are subject to the "revolving door/post-termination" restrictions of Section 4304(a) of the Video Gaming Act;

4. Making a determination, upon request, as to whether a particular individual/person would be subject to the various prohibitions or "revolving door/post-termination" restrictions within the Video Gaming Act (see, 4 Pa.C.S. §§ 4302(d)(1), 4303(f)(1), 4304(e)(1)); and
5. Determining whether to extend deadlines by which executive-level public employees, public officials, party officers, or their immediate family members would be required to divest themselves of financial interests that they would be prohibited from holding under Section 4303 of the Video Gaming Act.

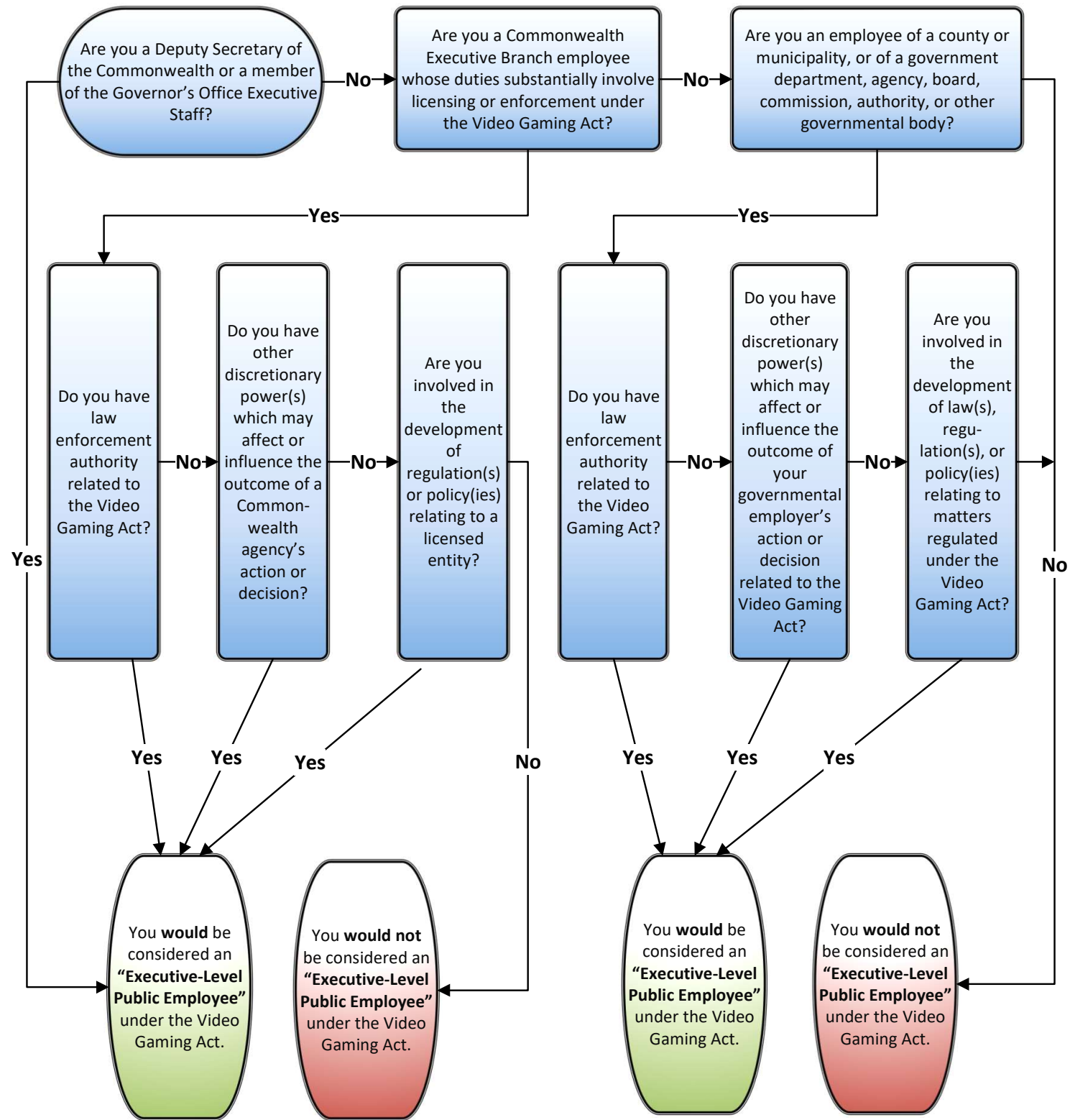
### Video Gaming Act Determinations

From January 1, 2020, through December 31, 2020, there were no requests submitted to the Commission for Determination(s) under the Video Gaming Act.

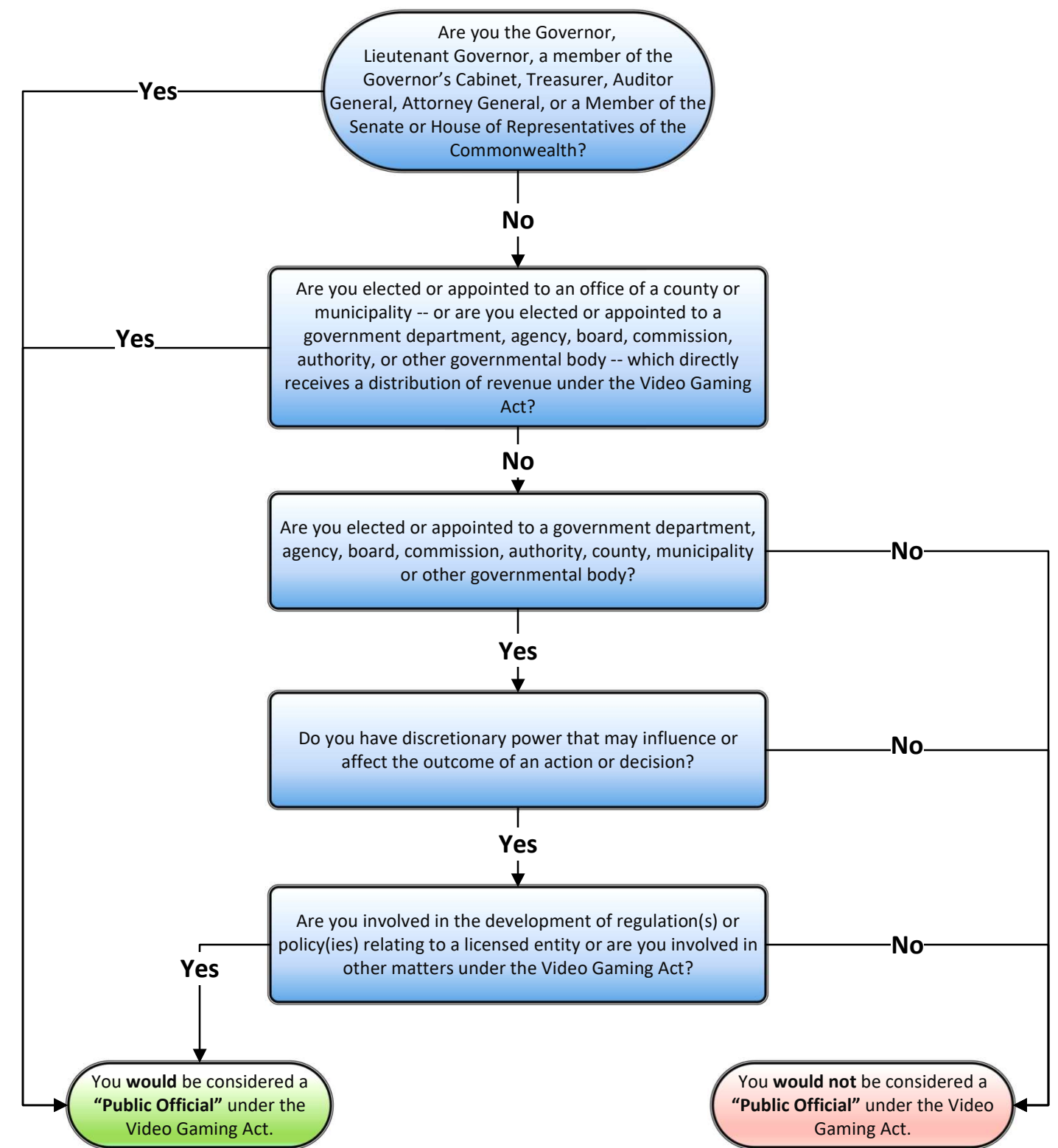
### Status as an Executive-Level Public Employee or Public Official

The term "executive-level public employee" is defined in Section 3102 of the Video Gaming Act. The term "public official" is defined in Section 4303(g) of the Video Gaming Act.

## VIDEO GAMING ACT: Executive-Level Public Employee Flowchart



## VIDEO GAMING ACT: Public Official Flowchart



# PENNSYLVANIA MEDICAL MARIJUANA ACT

On April 17, 2016, the Governor of Pennsylvania signed into law Act 16 of 2016, the Medical Marijuana Act, which charged the Commission with new responsibilities.

Pursuant to Section 2101.1 of the Medical Marijuana Act, the Commission now has responsibilities for:

1. Issuing determinations, upon request, as to whether particular persons would be subject to restrictions regarding holding a financial interest in, or being employed by, a medical marijuana organization or a holding company, affiliate, intermediary or subsidiary thereof; and
2. Biennially publishing a list of all state, county, municipal and other government positions meeting the applicable definitions of the terms “public official” or “executive-level public employee,” which are two of the categories of persons subject to the aforesaid restrictions.

## Medical Marijuana Act Determinations

From January 1, 2020, through December 31, 2020, the Commission issued one Determination under the Medical Marijuana Act. Determinations under the Medical Marijuana Act are public records.

Paper copies of Commission Determinations are available at cost from the Commission. Determinations are also accessible within the Commission’s e-Library, which may be accessed via the Commission’s website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

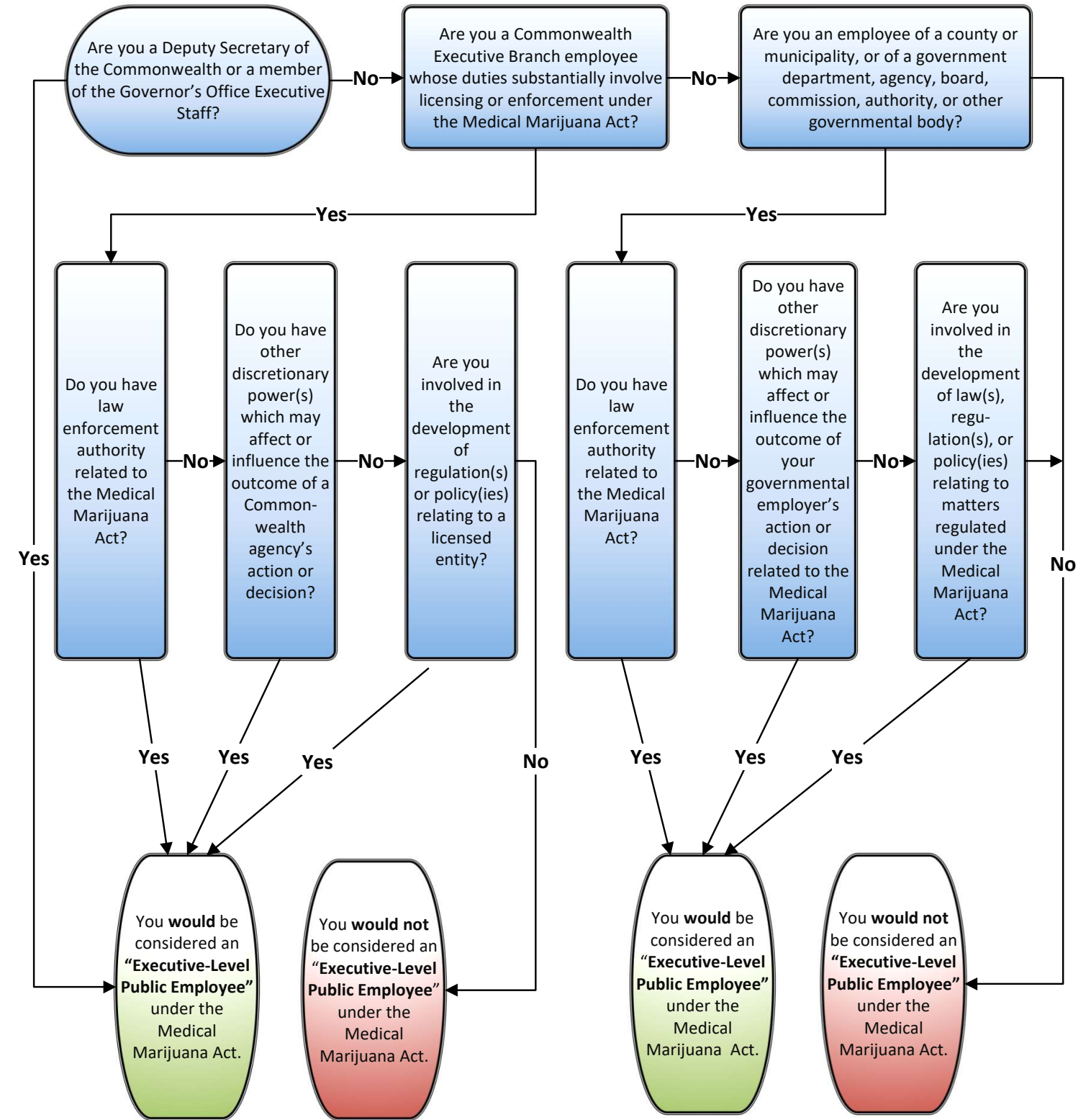
## Medical Marijuana Act Lists

Lists developed by the Commission pursuant to the Medical Marijuana Act will be published biennially in the Pennsylvania Bulletin and will also be available within the Commission’s e-Library, which may be accessed via the Commission’s website at [www.ethics.pa.gov](http://www.ethics.pa.gov).

## Status as an Executive-Level Public Employee or Public Official

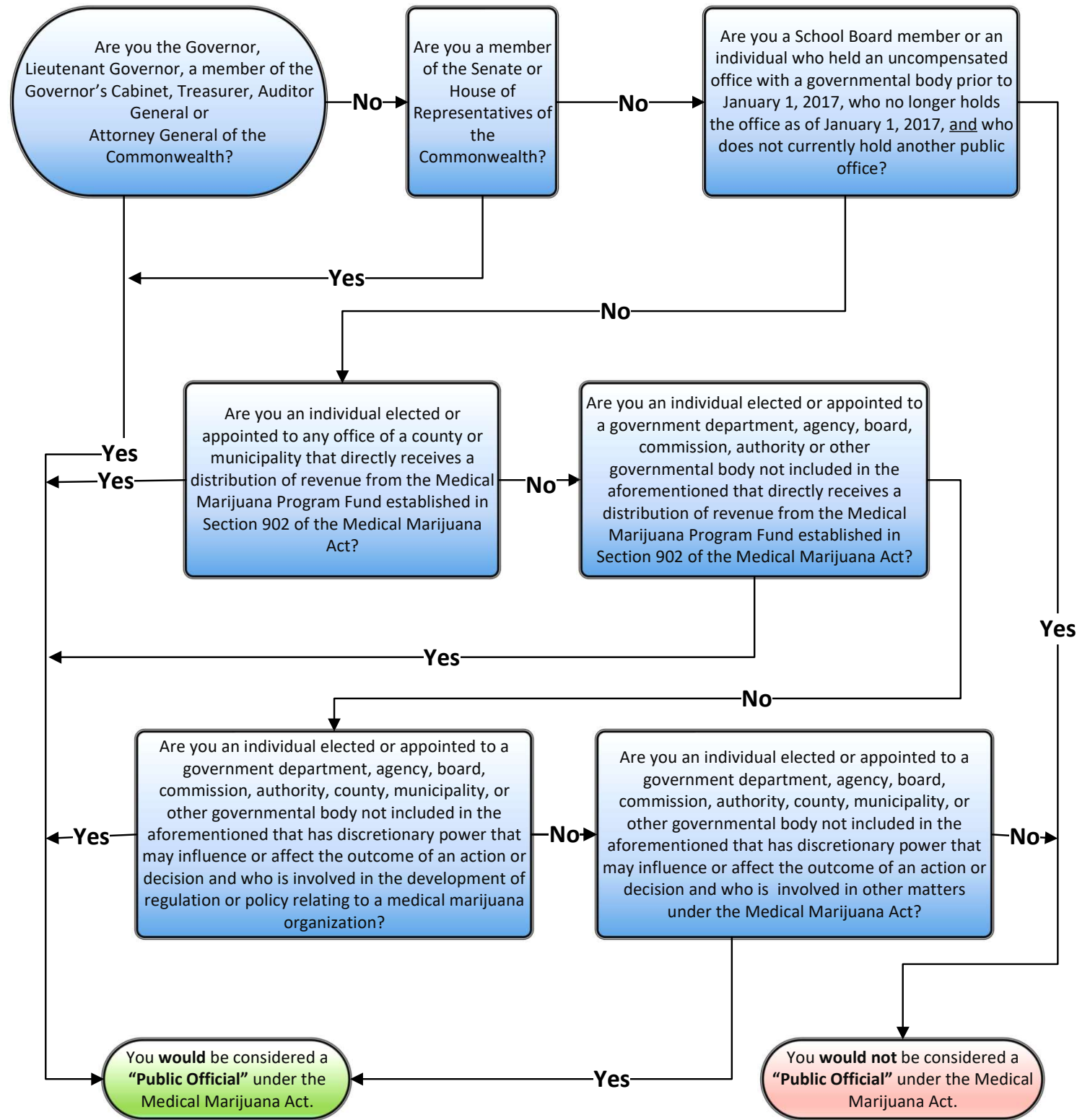
The term “executive-level public employee” is defined as it is defined at Section 1103 of the Gaming Act, 4 Pa.C.S. § 1103, with any references to “this part” referring to the Medical Marijuana Act rather than the Gaming Act. See, Knox, Determination 17-3001. The term “public official” is defined in Section 2101.1(e) of the Medical Marijuana Act.

# MEDICAL MARIJUANA ACT: Executive-Level Public Employee Flowchart





## MEDICAL MARIJUANA ACT: Public Official Flowchart



## COGEL: COUNCIL ON GOVERNMENTAL ETHICS LAWS

The Commission has continued to be active in the Council on Governmental Ethics Laws (COGEL). COGEL is an international professional association of agencies, organizations, and individuals with duties and responsibilities relating to governmental ethics, lobbying registration and reporting, campaign finance reporting and administration, election, and freedom of information laws. More information on COGEL may be found at [www.COGEL.org](http://www.COGEL.org).

A Commissioner and a staff member attended the 2020 Virtual COGEL Conference.

The 2021 Annual COGEL Conference will be held in Denver, Colorado, from December 5-8, 2021.

## PUBLIC OUTREACH AND TRAINING

The Commission considers its duty to educate public officials/public employees, as well as members of the public in general, a key factor in fulfilling its responsibilities under the Ethics Act. Through the Commission's public outreach efforts, thousands of public officials/public employees, who might otherwise receive no education or training regarding the Ethics Act, have been provided guidance in a seminar/classroom-type or virtual setting. During calendar year 2020, the Commission staff completed 21 Ethics training events, and had 15 cancellations due to the COVID-19 pandemic.

During the spring of 2020, Commission staff completed separate Ethics training/presentations to the board and city employees of the City of Pittsburgh, the Register of Wills employees of the City of Philadelphia, the Tax Collectors of Adams County, the newly elected officials of the Pennsylvania Municipal League, the employees of the Greater Johnstown School District, newly elected officials of the Local Government Academy, three sessions for SEPTA employees, and a presentation and panel discussion at the Municipal Authorities in Camp Hill.

In the middle of March through April, the training sessions that were scheduled were cancelled due to the COVID-19 pandemic.

In May of 2020, the Commission resumed its trainings using webinars. Through year-end, the Commission completed five additional sessions for SEPTA and trainings for the 49th Annual Conference of the Pennsylvania State Mayor's Association, Bethlehem Elected Officials for the City of Bethlehem, the Pennsylvania Bar Institute, the Local Government Academy Summer Workshop, and the Education and Policy Leadership Center (EPLC).

The Commission hopes to resume its in person Ethics training sessions in calendar year 2021; however, it will continue to do as many virtual sessions as possible. Individuals seeking training by the Commission can do so by submitting a written request to the Commission, or by submitting the Training Request Form available on the Commission's website at [www.ethics.pa.gov](http://www.ethics.pa.gov).





# STATE ETHICS COMMISSION

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