

shall the commissioners decide or participate in a decision on any matter in which a close business or professional associate has acted in any of these capacities or represented private interests before Montgomery County or the above commissions; nor shall the Commissioners REPRESENT PRIVATE INTERESTS OR appear in a position of advocacy, other than in the performance of their official duties, either in person or by associate, in any matter or proceeding PENDING BEFORE THE MONTGOMERY COUNTY COUNCIL, MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION, WASHINGTON SUBURBAN SANITARY COMMISSION, OR THE MONTGOMERY COUNTY BOARD OF APPEALS.

(3) Solicit or accept any gift, favor, loan, service, promise, employment or thing which might influence or tend to influence the proper performance of his duty.

(4) Disclose any confidential information concerning the property, management, or affairs of Montgomery County, Maryland National Park and Planning Commission or Washington Suburban Sanitary Commission or use such information to advance the financial or other private interests of himself or other persons.

(5) Attempt to influence for a purpose contrary to the provisions of this section any other County or State official in the conduct of the other official's duties.

(b) No part of this section shall be construed to prohibit a commissioner from appearing in the pursuit of his private interests as a citizen; or from accepting or receiving any benefit by operation of law, or prosecuting or pursuing any claim, right, privilege, or remedy which is his or hers by operation of law.

5. Disclosure and non-participation required.

When a commissioner has any interest as described in this section which is or reasonably may be incompatible with or in conflict with any of his official duties or acts, he shall disclose such interest in a meeting of the commission and such disclosure shall appear in the commission's minutes, and he shall disqualify himself and not participate in the decision or act affected thereby.

6. Penalties.

Any commissioner convicted of violating subsection (4) or (5) of this section shall be guilty of a misdemeanor, and shall be punishable by a fine of not more than \$1,000.00 or six months in jail, or both such fine and imprisonment, or by suspension from the commission or employment for not more than six months, or by outright forfeiture and removal from office, or by any combination of these, as in the discretion of the court shall be fit and proper.

7. Severability.

The provisions of this section are severable and if any provision of this section, or subsection thereof, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions, section, subsection thereof, or any other application of this section which can be given effect without the invalid provisions, subsections or application.