

SENATE BILL 306

G2, A2

0lr2158

By: **Senator Stoltzfus**

Introduced and read first time: January 27, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County – Liquor Control Board – Ethics**

3 FOR the purpose of including the Liquor Control Board for Worcester County in the
4 definition of “executive unit” as it relates to the Maryland Public Ethics Law to
5 clarify that the Maryland Public Ethics Law applies to the Liquor Control
6 Board; and generally relating to the Liquor Control Board for Worcester
7 County.

8 BY repealing and reenacting, without amendments,
9 Article – State Government
10 Section 15–101(b), 15–102(a), and 15–103(b)
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

13 BY repealing and reenacting, with amendments,
14 Article – State Government
15 Section 15–102(m)
16 Annotated Code of Maryland
17 (2009 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – State Government**

21 15–101.

22 (b) For the purpose of guarding against improper influence, the General
23 Assembly enacts this Maryland Public Ethics Law to require certain government
24 officials and employees to disclose their financial affairs and to set minimum ethical
25 standards for the conduct of State and local business.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15–102.

2 (a) In this title the following words have the meanings indicated unless:

3 (1) the context clearly requires a different meaning; or

4 (2) a different definition is adopted for a particular provision.

5 (m) (1) “Executive unit” means a department, agency, commission, board,
6 council, or other body of State government that:

7 (i) is established by law; and

8 (ii) is not in the Legislative Branch or the Judicial Branch of
9 State government.

10 (2) “Executive unit” includes:

11 (i) a county health department unless the officials and
12 employees of the department are expressly designated as “local officials” in § 15–807 of
13 this title;

14 (ii) the office of the sheriff in each county; [and]

15 (iii) the office of the State’s Attorney in each county; AND

16 (IV) **THE LIQUOR CONTROL BOARD FOR WORCESTER**
17 **COUNTY.**

18 15–103.

19 (b) Except as provided in subsection (f) of this section, the following
20 individuals in executive units are public officials:

21 (1) an individual who receives compensation at a rate equivalent to at
22 least State grade level 16, or who is appointed to a board, if the Ethics Commission
23 determines under § 15–208 of this title that:

24 (i) the individual, acting alone or as a member of an executive
25 unit, has decision making authority or acts as a principal advisor to one with that
26 authority:

27 1. in making State policy in an executive unit; or

1 2. in exercising quasi-judicial, regulatory, licensing,
2 inspecting, or auditing functions; and

3 (ii) the individual's duties are not essentially administrative
4 and ministerial;

5 (2) any other individual in an executive unit, if the Ethics Commission
6 determines that the individual, acting alone or as a member of the executive unit, has
7 decision making authority or acts as a principal advisor to one with that authority in
8 drafting specifications for, negotiating, or executing contracts that commit the State or
9 an executive unit to spend more than \$10,000 in a year;

10 (3) a member, appointee, or employee of the Maryland Stadium
11 Authority;

12 (4) a member, appointee, or employee of the Canal Place Preservation
13 and Development Authority; and

14 (5) a member of the Emergency Medical Services Board.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2010.