



Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this Issue contains all previously unpublished documents required to be published, and filed on or before April 10, 2017, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of April 10, 2017.

Gail S. Klakring
Acting Administrator, Division of State Documents
Office of the Secretary of State



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forward the information to the outside organization to recommend awards;

(3) The organization shall forward the names of all students recommended for an award to the Delegate's office for approval;

(4) The Delegate shall forward all students selected for award to OSFA for processing; and

(5) The outside organization may not share any student information with any party other than the Delegate.

.08 Payment.

A. At the beginning of each school term, institutions shall be asked to review billing rosters provided by the Office of Student Financial Assistance (OSFA) to certify that the recipient is a Maryland resident, enrolled in an eligible program for the number of credits for which the award was made, and meets satisfactory academic progress.

B. Upon receipt of the institution's certification, OSFA shall disburse the respective funds directly to the institution to be credited to the student's account.

.09 Renewal and Continuation.

A. Delegate Scholarship awards are not automatically renewed on an annual basis. Recipients must reapply to their delegate annually.

B. A recipient shall inform the Office of Student Financial Assistance in writing of any change to the student's name, address, institution of attendance, or enrollment status.

.10 Revocation of Award.

An award shall be revoked if:

A. The criteria in Regulations .08 and .09 of this chapter are not met;

B. A recipient makes a change to their name, address, state of residence, institution of attendance, or enrollment status and fails promptly to inform the Office of Student Financial Assistance in writing; or

C. Funds are no longer available.

.11 Appeals Procedure.

A. An applicant may appeal a decision of ineligibility or of the revocation of an award.

B. An applicant may not appeal a denial of a Delegate Scholarship made for reasons other than a determination of ineligibility.

C. An appeal shall be filed with the Director of the Office of Student Financial Assistance (OSFA) within 30 calendar days of the date of the notice of ineligibility or revocation.

D. An appeal shall be in writing and detail reasons or circumstances that would justify reversal of the original decision.

E. The Director of OSFA or designee shall review each appeal in consultation with the Delegate and issue a decision no later than 60 calendar days after receiving the appeal.

F. All decisions of the Director or designee are final.

.12 Notification of Delegate Funds Balance.

A. The Office of Student Financial Assistance (OSFA) shall notify each Delegate of their scholarship funds balance.

B. OSFA shall send an applicant roster to each Delegate at the end of April each year that lists all students who have filed a need-based application by the March 1 deadline and the award renewals.

C. OSFA shall continue to update Delegates with applicant roster information including the names of new applicants and new awardees.

D. OSFA may update rosters throughout the year.

E. If a Delegate does not award all of their scholarship funds during the fiscal year, those funds shall be carried forward into the following fiscal year.

.13 Recipients of a Delegate Howard P. Rawlings Educational Excellence Award.

A. Each Delegate may authorize the Office of Student Financial Assistance (OSFA) to award all or a portion of their funds to eligible recipients of a Delegate Howard P. Rawlings Educational Excellence Award who reside in the Delegate's legislative district.

B. If the total number of eligible recipients of a Delegate Howard P. Rawlings Educational Excellence Award who reside in the Delegate's legislative district is insufficient to utilize the total amount of funds available to the Delegate for any fiscal year, OSFA may, with the consent of the Delegate, award the unused funds to other eligible recipients throughout the State.

JAMES D. FIELDER, JR., Ph.D.
Secretary of Higher Education

Title 19A STATE ETHICS COMMISSION

Notice of Proposed Action

[17-122-P]

The Maryland State Ethics Commission proposes to adopt amendments to:

(1) Regulation .02 under COMAR 19A.01.01 General Provisions;

(2) Regulation .04 under COMAR 19A.04.02 Review Criteria;

(3) Appendix A under COMAR 19A.04 Local Government Ethics Law;

(4) Regulation .04 under COMAR 19A.05.02 Review Criteria; and

(5) Appendix A and Appendix B under COMAR 19A.05 Board of Education Ethics Regulations.

Statement of Purpose

The purpose of this action is to update State Ethics Commission regulations to conform to the intent of the provisions of General Provisions Article, Title 5, Annotated Code of Maryland, and to make necessary clarifications to the regulations.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael W. Lord, Executive Director, State Ethics Commission, 45 Calvert Street, 3rd Floor, Annapolis, Maryland 21401, or call 410-260-7770, or email to michael.lord@maryland.gov, or fax to 410-260-7746. Comments will be accepted through June 2, 2017. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the State Ethics Commission during a public meeting to be held on June 15, 2017, at the Commission's office.

Subtitle 01 PROCEDURES

19A.01.01 General Provisions

Authority: General Provisions Article, §5-206, Annotated Code of Maryland

.02 Definitions.

In this title, the following terms have the meanings indicated:

A. — J. (text unchanged)

K. *Gift*.

(1) "Gift" means the transfer of anything of economic value regardless of the form without adequate and lawful consideration.

(2) "Gift" does not include the solicitation, acceptance, receipt, or regulation of [political campaign] contributions [regulated in accordance with the provisions of] *as defined in* Election Law Article, Annotated Code of Maryland[, or any other provisions of State law regulating the conduct of elections or the receipt of political campaign contributions].

L. — Z. (text unchanged)

Subtitle 04 LOCAL GOVERNMENT ETHICS LAW

19A.04.02 Review Criteria

Authority: General Provisions Article, §5-206, and Title 5, Subtitle 8, Annotated Code of Maryland

.04 Conflicts of Interest

A. — G. (text unchanged)

H. Gifts.

(1) — (3) (text unchanged)

(4) The local law shall define "gift":

(a) To include the transfer of [any thing or service] *anything of economic value, regardless of the form*, without [identifiable and] adequate *and lawful* consideration; and

(b) To exclude [regulated campaign] contributions [similar to the exclusions of the Public Ethics Law] *as defined in Election Law Article, Annotated Code of Maryland*.

(5) (text unchanged)

Appendix A — Model Ethics Law A

Authority: General Provisions Article, §§5-205, 5-206, and Title 5, Subtitle 8, Annotated Code of Maryland

CHAPTER ____ — ETHICS PROVISIONS

Section 1. — Section 2. (text unchanged)

Section 3. Definitions.

In this chapter, the following terms have the meanings indicated.

(a) — (g) (text unchanged)

(h) (1) (text unchanged)

(2) "Gift" does not include a [political campaign] contribution [regulated under] *as defined in* Election Law Article, Annotated Code of Maryland[, or any other provision of State or local law regulating the conduct of elections or the receipt of political campaign contributions].

(i) — (o) (text unchanged)

Section 4. — Section 10. (text unchanged)

Subtitle 05 BOARD OF EDUCATION ETHICS REGULATIONS

19A.05.02 Review Criteria

Authority: General Provisions Article, §§[5-815—5-820] 5-205 and 5-206 and Title 5, Subtitle 8, Annotated Code of Maryland

.04 Conflicts of Interest.

A. — G. (text unchanged)

H. Gifts.

(1) — (3) (text unchanged)

(4) The regulations shall define "gift":

(a) To include the transfer of [any thing or service] *anything of economic value, regardless of the form*, without [identifiable and] adequate *and lawful* consideration; and

(b) To exclude [regulated campaign contributions] *a contribution as defined in Election Law Article, Annotated Code of Maryland* [similar to the exclusions in the Public Ethics Law].

Appendix A — Model Board of Education Ethics Regulations

Authority: General Provisions Article, §§5-205[,] and 5-206[, and 5-815—5-820] and Title 5, Subtitle 8, Annotated Code of Maryland

CHAPTER ____ — ETHICS PROVISIONS

Section 1. — Section 2. (text unchanged)

Section 3. Definitions.

(a) — (f) (text unchanged)

(g) (1) (text unchanged)

(2) "Gift" does not include [political campaign] contributions [regulated under] *as defined in* [the Elections] *Election Law Article, Annotated Code of Maryland*[, or any other provision of State or local law regulating the conduct of elections or the receipt of political campaign contributions].

(h) — (q) (text unchanged)

Section 4. — Section 8. (text unchanged)

Appendix B — Model Board of Education Ethics Regulations

Authority: General Provisions Article, §§5-205 and 5-206 and [5-815—5-820] *Title 5, Subtitle 8, Annotated Code of Maryland*

CHAPTER ____ — ETHICS PROVISIONS

Section 1. Applicability and definitions.

(a) (text unchanged)

(b) (1) (text unchanged)

(2) "Gift":

(i) Means the transfer of [any service or thing] *anything of economic value regardless of form without adequate and lawful consideration*; and

(ii) Does not include a [political campaign] contribution [regulated under Elections] *as defined in Election Law Article, Annotated Code Maryland*.

(3) (text unchanged)

Section 2. — Section 8. (text unchanged)

MICHAEL W. LORD
Executive Director