



COMMISSION MEMBERS:
CRAIG D. ROSWELL, *Chair*
BONNIE A. KIRKLAND
JANET E. McHUGH
JAMES N. ROBEY, JR.
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STATE ETHICS COMMISSION

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Staff Counsel
ANA L. HENRY
Assistant General Counsel

MINUTES OF THE STATE ETHICS COMMISSION MEETING

June 15, 2023

Commission Members Present: Craig D. Roswell, Chair
Bonnie A. Kirkland
Janet E. McHugh
James N. Robey, Jr.

Commission Member Absent: Geneau M. Thames

Staff Members Present: Jennifer K. Allgair, Executive Director
William J. Colquhoun, General Counsel
Katherine P. Thompson, Staff Counsel
Ana L. Henry, Assistant General Counsel
Jill Byczek, Legal Assistant/Paralegal
Stephen Garrett, Paralegal
Maura Pizzi, Paralegal

The meeting convened at 9:02 a.m. at 45 Calvert Street, 3rd Floor conference room. Those listed as present participated in all portions of the meeting unless otherwise noted. If other individuals participated in aspects of the meeting, they will be identified in the specific line item where their participation occurred.

ITEM 1: Tentative Agenda

Discussion: The Commission reviewed the tentative agenda.

Decision: The tentative agenda was approved as adjusted.

ITEM 2: Minutes of the April 27, 2023, Meeting

Discussion: The draft minutes of the April 27, 2023, meeting were reviewed and discussed.

Decision: The draft minutes were approved.

ITEM 3: Presentation of certificates to Ms. McHugh for her years of service on the State Ethics Commission

Discussion: Chairman Roswell acknowledged that this is Commissioner McHugh's last meeting. He thanked Commissioner McHugh for her years of service to the State Ethics Commission and presented her with a Commission Citation. Mr. Roswell and Ms. Allgair also presented Commissioner McHugh with a Governor's Citation recognizing her many years of service to the Commission and the State of Maryland. The Commissioners and the Commission staff all expressed their sincere appreciation for Commissioner McHugh.

ITEM 4: Annual Election of Chair (July 1, 2023 to June 30, 2024)

Decision: Mr. Roswell was unanimously elected chair for a one-year term.

ITEM 5: Financial Disclosure Additions and Deletions

Discussion: Ms. Allgair presented a listing of the proposed additions and deletions to the financial disclosure list recommended by State agencies and reviewed by Financial Disclosure Administrator, Young Smith and Executive Director, Jennifer Allgair. The recommendations covered the Department of Health, Treasurer's Office, College of Southern Maryland, Worker's Compensation Commission, Department of Natural Resources, Department of Housing and Community Development, Department of Transportation, Department of the Environment, Department of Aging, Attorney General's Office, Maryland Port Administration, Montgomery College, University of Maryland-Baltimore, Towson University, University of Maryland Baltimore County, Maryland Transportation Authority, State Police and Chesapeake College.

Decision: The Commission approved Ms. Allgair's recommendations.

ITEM 6: Boards and Commissions – Executive Unit Determinations

Discussion: Ms. Allgair briefed the Commission on whether or not the following should be considered an executive unit covered by the Public Ethics Law:

- Committee on Rate Setting and Complaint Resolution for Police-Initiated Medium Duty and Heavy Duty Towing Recovery
- Commission on Behavioral Health Care Treatment and Access
- Task Force to Study Solar Incentives
- Greenspace Equity Advisory Board
- Maryland Commission on Transportation Revenue and Infrastructure Needs
- Rare Disease Advisory Council
- Commission to Study Trauma Center Funding in Maryland
- Task Force on Preventing and Countering Elder Abuse
- Workgroup on Social Worker Requirements for Licensure
- Task Force to Study Nonpublic Student Bus Transportation
- Apprenticeship 2030 Commission
- Maryland Entertainment Council
- Green and Healthy Task Force
- Accessory Dwelling Unit Policy Task Force
- Cyber Maryland Board
- Commission on Hate Crime Response and Prevention
- Task Force to Study Crime Classifications

- State Coordinating Committee for Health and Human Services Transportation
- Maryland Thoroughbred Racetrack Operating Authority
- Equitech Growth Commission and Fund
- Advisory Board on Medical and Adult-Use Cannabis
- Protect Health Care Commission
- Maryland Development Disabilities Council
- Commission on Public Health
- Stakeholder Workgroup to Advise on Current State of Cancer Screening in the State
- Workgroup on Social Worker Requirement for Licensure
- Producer Responsibility Advisory Council
- Access to Mental Health Advisory Committee
- Public Employee Relations Board
- Baltimore Regional Water Governance Task Force
- Commission to Advance and Strengthen Fire Fighting and Emergency Medical Services in Maryland
- Task Force to Study Compensation and Student Members of the Baltimore City Board of School Commissioners
- Task Force to Study School Bus Operator Contracts and Wagers in Charles County
- Baltimore Regional Transit Commission

Decision: The Commission followed staff recommendations. The Commission determined that the following were executive units covered by the Public Ethics Law:

- Commission on Behavioral Health Care Treatment and Access
- Task Force to Study Solar Incentives
- Greenspace Equity Advisory Board
- Maryland Commission on Transportation Revenue and Infrastructure Needs
- Commission to Study Trauma Center Funding in Maryland
- Task Force on Preventing and Countering Elder Abuse
- Workgroup on Social Worker Requirements for Licensure
- Task Force to Study Nonpublic Student Bus Transportation
- Apprenticeship 2030 Commission
- Maryland Entertainment Council
- Green and Healthy Task Force
- Accessory Dwelling Unit Policy Task Force
- Cyber Maryland Board
- Commission on Hate Crime Response and Prevention
- Task Force to Study Crime Classifications
- State Coordinating Committee for Health and Human Services Transportation
- Maryland Thoroughbred Racetrack Operating Authority
- Equitech Growth Commission and Fund
- Advisory Board on Medical and Adult-Use Cannabis
- Protect Health Care Commission
- Maryland Developmental Disabilities Council
- Commission on Public Health
- Rare Disease Advisory Council

- Stakeholder Workgroup to Advise on Current State of Cancer Screening in the State
- Workgroup on Social Worker Requirements for Licensure
- Producer Responsibility Advisory Council
- Access to Mental Health Advisory Committee
- Public Employee Relations Board

The Commission determined that the following were not executive units covered by the Public Ethics Law:

- Baltimore Regional Water Governance Task Force
- Commission to Advance and Strengthen Fire Fighting and Emergency Medical Services with Maryland
- Task Force to Study Compensation and Student Members of the Baltimore City Board of School Commissioners
- Task Force to Study School Bus Operator Contracts and Wages in Charles County
- Baltimore Regional Transit Commission
- Committee on Rate Setting and Complaint Resolution for Police-Initiated Medium Duty and Heavy Duty Towing and Recovery

ITEM 7: Financial Disclosure Exemption Requests

Discussion: Ms. Allgair briefed the Commission on a request for exemption from the financial disclosure requirement from the Modernize Maryland Oversight Commission.

Decision: The Commission granted a financial disclosure exemption for the Modernize Maryland Oversight Commission.

ITEM 8: Local Government – Calvert County Board of Education (23-0285)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Calvert County Board of Education.

Decision: The Commission approved the proposed amendments.

ITEM 9: Local Government – Allegany County Board of Education (23-0289)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Allegany County Board of Education.

Decision: The Commission approved the proposed amendments.

ITEM 10: Local Government – Cecil County Board of Education (23-0363)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Cecil County Board of Education.

Decision: The Commission approved the proposed amendments.

ITEM 11: Local Government – Baltimore City Board of Education (23-0450)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Baltimore City Board of Education.

Decision: The Commission approved the proposed amendments.

ITEM 12: Local Government – Dorchester County (23-0354)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Dorchester County Board of Education.

Decision: The Commission approved the proposed amendments.

ITEM 13: Executive Director’s Report – Bi-county commission certifications

Discussion: Ms. Allgair reported that all the bi-county commissions submitted the required annual certification form to certify that all ethics policies meet the requirements for conflict of interests, financial disclosure, and lobbying.

ITEM 14: Executive Director's Report – New Commissioner, interns and new staff position

Discussion: Ms. Allgair advised the Commission that Mariela Olivares has been appointed to the Commission and will begin her term on July 1, 2023. Ms. Allgair acknowledged the Commission’s two summer interns, Katylee Cannon and Spencer Balducci, and thanked them for their work over the last several months. Ms. Allgair also advised that new attorney position of Assistant Counsel was added in the FY24 budget and the agency will begin the interview and hiring process in September.

ITEM 15: Executive Director's Report – Update on required ethics training for elected officials

Discussion: Ms. Allgair reported that Commission staff has provided the required ethics training to all but one elected official subject to the jurisdiction of the State Ethics Commission.

A motion was made by Mr. Roswell and seconded by Ms. Kirkland to close the meeting to the public pursuant to §3-305(b)(13) of the Open Meetings Act to consider confidential advice matters and enforcement matters per §5-303 and §5-407 of the Public Ethics Law, and to receive the advice of counsel pursuant to §3-305(b)(7) of the Open Meetings Act. The Commission voted unanimously in favor of closing the meeting at 9:34 a.m.

ITEM 16: Informal Matter – Carroll County Sheriff’s Office (23-0330)

Discussion: Mr. Colquhoun briefed the Commission on a potential non-participation plan regarding a family member of an individual at the Carroll County Sheriff’s Office.

Decision: The Commission preliminarily approved the matter, pending final review of the non-participation plan.

ITEM 17: Informal Matter – Harford County Register of Wills (23-0218)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an individual at the Harford County Register of Wills working for an entity that has received a grant from the Harford County government.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 18: Informal Matter – Morgan State University (23-0267)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee at Morgan State University working for an entity that does business with the Department.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 19: Informal Matter – Maryland Department of Health (23-0292)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Maryland Department of Health working for an entity that does business with the Department.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 20: Informal Matter – Maryland Department of Health (23-0296)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Maryland Department of Health working for an entity that does business with the Department.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 21: Informal Matter – Maryland Department of Health (23-0346)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Maryland Department of Health working for a company that is regulated by the Department.

Decision: The Commission approved this secondary employment.

ITEM 22: Informal Matter – Department of Human Services (23-0439)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services requesting to continue service as a board member with an agency that does business with the Department.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 23: Informal Matter – Maryland Lottery and Gaming Control Agency (23-0445)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Maryland Lottery and Gaming Control Agency who would like to continue their secondary employment with an entity that does business with their Agency.

Decision: The Commission granted an exception to allow this secondary employment.

ITEM 24: Informal Matter – Maryland Department of Health (23-0449)

Discussion: Ms. Henry briefed the Commission on a secondary employment and financial interest request regarding an employee in the Maryland Department of Health who would like to continue their secondary employment and financial interest in a business that is regulated by the Department.

Decision: The Commission granted an exception to allow this secondary employment and financial interest.

ITEM 25: Informal Matter – Frederick County Liquor Board (23-0167)

Discussion: Mr. Colquhoun briefed the Commission on a request to dissolve a financial interest regarding an employee at the Frederick County Liquor Board.

Decision: The Commission granted the employee until the end of the year to dissolve the financial interest.

ITEM 26: Informal Matter – University of Maryland, Baltimore (23-0431)

Discussion: Ms. Henry briefed the Commission on a financial interest exception request regarding an employee at the University of Maryland, Baltimore wanting to retain an interest in a company that does business with the University.

Decision: The Commission granted an exception to allow this financial interest.

ITEM 27: Informal Matter – State’s Attorney for Baltimore City (23-0417)

Discussion: Mr. Colquhoun briefed the Commission on a request regarding employees with the State’s Attorney for Baltimore City wanting to film a documentary within the Office.

Decision: The Commission allowed the participation in the documentary.

ITEM 28: Informal Matter – Maryland-National Capital Park and Planning Commission (22-0332)

Discussion: Ms. Henry briefed the Commission on a post-employment request regarding a former employee with the Maryland-National Capital Park and Planning Commission.

Decision: The Commission recommended that the employee not participate in the post-employment matter requested.

ITEM 29: Informal Matter – Bowie State University (23-0235)

Discussion: Ms. Henry briefed the Commission on a Section 5-525 policy sent to the Commission by Bowie State University for review.

Decision: The Commission approved the Section 5-525 policy.

ITEM 30: A-16-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be placed on hold.

ITEM 31: A-17-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be placed on the Preliminary Inquiry Docket. (B-6-23)

ITEM 32: A-24-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be further reviewed at a later meeting.

ITEM 33: B-16-22

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission issued a complaint in this matter. (C-4-23)

ITEM 34: B-3-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be closed with a letter.

ITEM 35: B-5-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: This matter will be closed.

ITEM 36: C-13-22

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Stipulation of Settlement Agreement.

ITEM 37: A-18-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 38: A-19-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 39: A-21-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 40: A-22-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 41: A-23-23

Discussion: Ms. Thompson briefed the Commission on this matter.

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 42: A-14-23

Discussion: Ms. Thompson briefed the Commission on these matters.

Decision: The Commission issued complaints in these matters. (C-2-23, C-3-23)

ITEM 43: A-25-23

Discussion: Ms. Thompson briefed the Commission on these matters.

Decision: The Commission authorized complaints in these matters.

ITEM 44: A-26-23

Discussion: Ms. Thompson briefed the Commission on these matters.

Decision: The Commission authorized complaints in these matters.

(Ms. Thompson, Ms. Allgair, Ms. Pizzi, and Mr. Garrett participated in the briefings to the Commission, but did not participate in the decisions regarding Items 30 through 44.)

The meeting was adjourned at 10:58 a.m.