



COMMISSION MEMBERS:
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MARIELA OLIVARES
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PANSY S. WATSON
Assistant Counsel

MINUTES OF THE STATE ETHICS COMMISSION MEETING

November 16, 2023

Commission Members Present: Craig D. Roswell, Chair
Bonnie A. Kirkland
James N. Robey, Jr.
Geneau M. Thames

Commission Member Absent: Mariela Olivares

Staff Members Present: Jennifer K. Allgair, Executive Director
William J. Colquhoun, General Counsel
Katherine P. Thompson, Staff Counsel
Pansy S. Watson, Assistant Counsel
Jill Byczek, Paralegal
Stephen Garrett, Paralegal
Maura Pizzi, Paralegal

The meeting convened at 9:02 a.m. at 45 Calvert Street, 3rd Floor conference room. The newest Commission staff member, Pansy Watson, was introduced. 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 September 7, 2023, Meeting

Discussion: The draft minutes of the September 7, 2023, meeting were reviewed and discussed.

Decision: The draft minutes were approved.

ITEM 3: 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 Public Safety & Correctional Services, Maryland Prescription Drug Affordability Board, Department of Natural Resources, Department of Transportation, Department of Disabilities, Department of Housing & Community Development, College of Southern Maryland, University of Maryland Global Campus, Maryland Environmental Service, Department of Commerce, Department of Information Technology, Maryland Transportation Authority, Department of Transportation, Department of Health, Board of Public Works, Department of Agriculture, University of Maryland Baltimore, Treasurer's Office, Maryland Longitudinal Data System Center, University of Maryland College Park, and the University System of Maryland.

Decision: The Commission approved Ms. Allgair's recommendations on financial disclosure position additions and deletions.

ITEM 4: Financial Disclosure Exemption Requests

Discussion: Ms. Allgair briefed the Commission on requests for exemption from the financial disclosure requirement from the Career and Technical Education Skills Standards Advisory Committee, Task Force to Study Solar Incentives, Task Force to Study Nonpublic Student Bus Transportation, Apprenticeship 2030 Commission and the Accessory Dwelling Unit Policy Task Force.

Decision: The Commission granted financial disclosure exemptions for the Career and Technical Education Skills Standards Advisory Committee, Task Force to Study Solar Incentives, Task Force to Study Nonpublic Student Bus Transportation, Apprenticeship 2030 Commission, and the Accessory Dwelling Unit Policy Task Force.

ITEM 5: Local Government – Town of Riverdale Park (23-0743)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Town of Riverdale Park.

Decision: The Commission approved the proposed amendments.

ITEM 6: Local Government – City of Hagerstown (23-0755)

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

Decision: The Commission approved the proposed amendments.

ITEM 7: Local Government – Town of North East (23-0815)

Discussion: Mr. Colquhoun briefed the Commission on the proposed amendments to the local ethics ordinance for the Town of North East.

Decision: The Commission approved the proposed amendments.

ITEM 8: Local Government – City of Hyattsville (23-0820)

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

Decision: The Commission approved the proposed amendments.

ITEM 9: Local Government – Baltimore City Board of Education (23-0860)

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

Decision: The Commission approved the proposed amendments.

ITEM 10: Executive Director’s Report – Staffing updates

Discussion: Ms. Allgair updated the Commission on staff information. Pansy Watson was hired as the Assistant Counsel. Ana Henry will be returning to the office on December 18, 2023. The Commission welcomed Ms. Watson to the staff.

ITEM 11: Executive Director's Report – Trainings

Discussion: Ms. Allgair updated the Commission on the staff’s training and briefing activities since the last meeting. All elected officials required to receive ethics training from the Commission have complied with the statutory requirement. The Commission’s staff also providing ethics briefings for a delegation from Uzbekistan and the Maryland Racing Commission.

ITEM 12: Executive Director's Report – 2024 Legislative Session

Discussion: Ms. Allgair briefed the Commission on the upcoming legislative session. Session begins on January 10, 2024 and ends on April 8, 2024. The State Ethics Commission did not submit any departmental legislative proposals for the upcoming session. Commission staff will update the Commission on legislation throughout the session.

A motion was made by Mr. Robey and seconded by Ms. Thames 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 9:19 a.m.

ITEM 13: Informal Matter – Memo on Non-Participation Plans and Mitigation Agreements

Discussion: Mr. Colquhoun presented four non-participation agreements or mitigation agreements provided and approved by the staff. The matters included 23-0330, 23-0725, 23-0751 and 23-0811.

ITEM 14: Informal Matter – Health Services Cost Review Commission (23-0839)

Discussion: Ms. Allgair briefed the Commission on a participation matter relating to a member of the Health Services Cost Review Commission.

Decision: The Commission concurred with previous Staff guidance to allow this secondary employment.

ITEM 15: Informal Matter – Department of Human Services (23-0672)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services serving as a member of an entity that has a relationship with the Department.

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

ITEM 16: Informal Matter – University of Maryland Baltimore (23-0674)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee at the University of Maryland Baltimore.

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

ITEM 17: Informal Matter – Harford County Sheriff's Office (23-0784)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Harford County Sheriff's Office.

Decision: The Commission asked the Staff to request additional information and that the matter be reviewed further at its next meeting.

ITEM 18: Informal Matter – Maryland Department of Health (23-0837)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health working for an entity that is regulated by the Department.

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

ITEM 19: Informal Matter – Maryland Department of Health (23-0851)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health working for an entity that is regulated by the Department.

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

ITEM 20: Informal Matter – Maryland Department of Health (23-0800)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health working for an entity regulated by the Department.

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

ITEM 21: Informal Matter – Maryland Department of Human Services (23-0842)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services working for an entity regulated by the Department.

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

ITEM 22: Informal Matter – Maryland Department of Health (23-0850)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health working for an entity regulated by the Department.

Decision: The Commission granted an exception to allow this secondary employment conditioned upon Secretary approval.

ITEM 23: Informal Matter – Maryland Department of Health (23-0880)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health working for an entity regulated by the Department.

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

ITEM 24: Informal Matter – Office of the Attorney General (23-0881)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Education and Office of the Attorney General working for an entity that does business with the Department.

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

ITEM 25: Informal Matter – Department of Juvenile Services (23-0871)

Discussion: Ms. Allgair briefed the Commission on a secondary employment request regarding an employee in the Department of Juvenile Services who had authored a book. Commission staff provided preliminary guidance to the employee and presented that guidance to the Commission for confirmation.

Decision: The Commission concurred with prestige of office and secondary employment advice previously to the employee provided by Commission staff.

ITEM 26: Informal Matter – Department of Agriculture (23-0175)

Discussion: Mr. Colquhoun briefed the Commission on a financial interest request regarding an employee at the Department of Agriculture who would like time to wind down their financial interest in a business.

Decision: The Commission authorized Staff to provide advice to the employee regarding the winding down of their business.

ITEM 27: Informal Matter – Department of Natural Resources (23-0733)

Discussion: Mr. Colquhoun briefed the Commission on a financial interest request regarding an employee in the Department of Natural Resources who would like to apply for a Conservation Easement.

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

ITEM 28: Informal Matter – Community Health Resources Commission (23-0884)

Discussion: Ms. Allgair briefed the Commission on whether a member of the Community Health Resources Commission would be allowed to have a financial interest in an entity that did business with the Department of Health.

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

ITEM 29: A-43-23

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

Decision: The matter will be placed on the Preliminary Inquiry Docket. (B-10-23)

ITEM 30: A-44-23

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

Decision: The matter will be placed on the Preliminary Inquiry Docket. (B-11-23)

ITEM 31: A-50-23

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

Decision: This matter will be closed with letters.

ITEM 32: C-4-23

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

Decision: The Commission determined not to accept the proposed Stipulation of Settlement Agreement and determined to issue a Notice of Hearing.

ITEM 33: A-42-23

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

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 34: Section 5-716 Enforcement Advice

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

Decision: The Commission approved the internal policy.

ITEM 35: A-38-23

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

Decision: The Commission issued a complaint in this matter. (C-6-23)

ITEM 36: A-45-23

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

Decision: The Commission authorized complaints in these matters.

ITEM 37: A-46-23

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

Decision: The Commission authorized complaints in these matters.

ITEM 38: Proposed policy concerning the Office of Legislative Audits

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

Decision: The Commission approved the internal policy.

(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 29 through 38.)

The meeting was adjourned at 11:39 a.m.