

HOUSE BILL 1023

G2

3lr2700

By: **Delegate Kipke**

Introduced and read first time: February 8, 2013

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Blind Industries and Services of Maryland**

3 FOR the purpose of providing that Blind Industries and Services of Maryland is an
4 executive unit under the Maryland Public Ethics Law; providing that an
5 employee or a board member of Blind Industries and Services of Maryland is a
6 public official under the Maryland Public Ethics Law; and generally relating to
7 public ethics and Blind Industries and Services of Maryland.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 15–102(m) and 15–103(b)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

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

15 **Article – State Government**

16 15–102.

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

19 (i) is established by law; and

20 (ii) is not in the Legislative Branch or the Judicial Branch of
21 State government.

22 (2) “Executive unit” includes:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 (ii) the office of the sheriff in each county;

5 (iii) the office of the State’s Attorney in each county; [and]

6 (iv) the Liquor Control Board for Somerset County; AND

7 (v) **BLIND INDUSTRIES AND SERVICES OF MARYLAND.**

8 15–103.

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

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

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

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

18 2. in exercising quasi–judicial, regulatory, licensing,
19 inspecting, or auditing functions; and

20 (ii) the individual’s duties are not essentially administrative
21 and ministerial;

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

27 (3) a member, appointee, or employee of the Maryland Stadium
28 Authority;

29 (4) a member, appointee, or employee of the Canal Place Preservation
30 and Development Authority; [and]

31 (5) a member of the Emergency Medical Services Board; AND

1 **(6) AN EMPLOYEE OR A BOARD MEMBER OF BLIND INDUSTRIES**
2 **AND SERVICES OF MARYLAND.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2013.