

SENATE BILL 407

M1, G2, P1

4r0814
CF HB 129

By: **Senator Astle**

Introduced and read first time: January 23, 2014

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Chesapeake Bay Trust – Exemptions and Conflict of Interest**
3 **Provisions**

4 FOR the purpose of providing that the trustees and employees of the Chesapeake Bay
5 Trust are exempt from the provisions of the Public Ethics Law subject to the
6 adoption of certain conflict of interest provisions for nonprofit organizations;
7 requiring the Trust to keep on file and make available for public inspection
8 certain conflict of interest provisions; making certain technical changes; and
9 generally relating to public ethics and the Chesapeake Bay Trust.

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 8–1910
13 Annotated Code of Maryland
14 (2012 Replacement Volume and 2013 Supplement)

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

17 **Article – Natural Resources**

18 8–1910.

19 (a) **(1)** Except as provided in [subsection (b) of this section] **PARAGRAPH**
20 **(2) OF THIS SUBSECTION**, in exercising its powers, the Trust:

21 **[(1)] (I)** Is exempt from the provisions of the State Finance and
22 Procurement Article, the provisions of Division I of the State Personnel and Pensions
23 Article that govern the State Personnel Management System, and the provisions of
24 Division II and Title 37 of the State Personnel and Pensions Article; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **[(2)] (II)** May carry out its corporate purposes without obtaining the
2 consent of any department, board, or agency of the State.

3 **[(b)] (2)** The Trust is subject to the provisions of the State Finance and
4 Procurement Article to the extent of State appropriations or contracts or grants from a
5 unit of State government, if any.

6 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
7 **TRUSTEES AND EMPLOYEES OF THE TRUST ARE EXEMPT FROM THE PROVISIONS**
8 **OF THE PUBLIC ETHICS LAW.**

9 **(2) (I) THE BOARD SHALL ADOPT PROVISIONS TO GOVERN THE**
10 **PUBLIC ETHICS OF THE TRUSTEES AND EMPLOYEES OF THE TRUST RELATING**
11 **TO CONFLICTS OF INTEREST FOR NONPROFIT ORGANIZATIONS.**

12 **(II) THE TRUST SHALL KEEP ON FILE AND MAKE AVAILABLE**
13 **FOR PUBLIC INSPECTION AT THE PRINCIPAL OFFICE OF THE TRUST A WRITTEN**
14 **COPY OF THE CONFLICT OF INTEREST PROVISIONS ADOPTED UNDER**
15 **SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2014.