

HB1619/987675/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1619
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 18, after “policies;” insert “requiring the State Ethics Commission to review certain policies that pertain to conflicts of interest and, if appropriate, to approve the policies;”.

On page 2, strike beginning with “requiring” in line 1 down through “foundation” in line 3 and substitute “providing that the Public Ethics Law does not prohibit an Authority official or employee from working in certain capacities for an affiliated foundation; prohibiting an official or employee of the Authority who serves in certain capacities for an affiliated foundation from being compensated by the affiliated foundation; authorizing an official or employee of the Authority who serves in certain capacities for an affiliated foundation to be reimbursed for certain expenses incurred in serving in certain capacities for an affiliated foundation; requiring the Authority to notify the Commission in a certain manner whenever the Authority permits an official or employee of the Authority to serve in certain capacities for an affiliated foundation; requiring the Commission to notify the Authority within a certain time of any objections or concerns pertaining to a certain notice; requiring the Authority to reexamine a certain matter on receipt of a certain notice; requiring the Authority to report annually to the Governor, the Legislative Policy Committee, and the Commission on certain information”.

AMENDMENT NO. 2

On page 4, after line 23, insert:

“(3) THE STATE ETHICS COMMISSION SHALL REVIEW THE POLICIES THE AUTHORITY DEVELOPS UNDER PARAGRAPH (1) OF THIS

(Over)

SUBSECTION THAT PERTAIN TO CONFLICTS OF INTEREST AND, IF APPROPRIATE, APPROVE THEM TO GOVERN AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY ALSO SERVING AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION.”.

On page 5, in line 5, after “(F)” insert “(1)”; strike beginning with “THE” in line 7 down through “AUTHORITY” in line 9 and substitute “SECTIONS 5-501 THROUGH 5-504 OF THE GENERAL PROVISIONS ARTICLE DO NOT PROHIBIT AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY FROM”; in line 9, strike the comma and substitute “OR”; in line 10, strike “, OR AN EMPLOYEE”; and after line 11, insert:

“(2) AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY WHO SERVES AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION ORGANIZED UNDER THIS SECTION:

(I) MAY NOT BE COMPENSATED, DIRECTLY OR INDIRECTLY, BY THE AFFILIATED FOUNDATION; AND

(II) MAY BE REIMBURSED FOR BONA FIDE EXPENSES INCURRED IN THE PERFORMANCE OF ACTIVITIES UNDERTAKEN ON BEHALF OF THE AFFILIATED FOUNDATION AS AUTHORIZED BY THE BOARD OF DIRECTORS OF THAT AFFILIATED FOUNDATION AND BY THE AUTHORITY.

(3) (I) THE AUTHORITY SHALL NOTIFY THE STATE ETHICS COMMISSION IN WRITING WHENEVER THE AUTHORITY PERMITS AN OFFICIAL OR EMPLOYEE OF THE AUTHORITY TO SERVE AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION.

(II) WITHIN 30 DAYS AFTER RECEIPT OF THE NOTICE UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE ETHICS COMMISSION

SHALL NOTIFY THE AUTHORITY OF ANY OBJECTIONS OR CONCERNS PERTAINING TO THE JOINT SERVICE IDENTIFIED IN THE NOTICE.

(III) ON RECEIPT OF A NOTICE FROM THE STATE ETHICS COMMISSION UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE AUTHORITY SHALL REEXAMINE THE MATTER.

(4) THE AUTHORITY SHALL REPORT ANNUALLY TO THE GOVERNOR, THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AND THE STATE ETHICS COMMISSION:

(I) THE NAMES OF THE OFFICIALS AND EMPLOYEES SERVING AS A DIRECTOR OR OFFICIAL OF AN AFFILIATED FOUNDATION; AND

(II) HOW THE POLICIES AND PROCEDURES ADOPTED UNDER SUBSECTION (C) OF THIS SECTION HAVE BEEN IMPLEMENTED IN THE PRECEDING YEAR.”