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MINUTES OF THE STATE ETHICS COMMISSION MEETING

January 22, 2015

Commission Members Participating: Paul M. Vettori
Robert G. Blue
Rachel T. McGuckian
Jacob Yosef Miliman

Staff Members Participating: Michael W. Lord, Executive Director
Jennifer K. Allgair, General Counsel
Katherine P. Thompson, Assistant General Counsel

The Commission held a meeting via telephone conference call at 1:35 p.m. at the Commission's office at 45 Calvert Street, 3rd Floor, Annapolis, Maryland. Those listed as participating were present 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.

The Commission voted unanimously to close the meeting at 1:35 p.m. pursuant to §3-305(b)(13) of the Open Meetings Act to consider confidential advice matters per §5-303 of the Public Ethics Law.

ITEM 1: Staff Advice Matters

Discussion: Mr. Lord briefed the Commission on three confidential advice matters in which advice was previously provided by staff.

Decision: The Commission approved the advice provided.

ITEM 2: Informal Matter – Department of Aging (15-0006)

Discussion: Mr. Lord briefed the Commission on a secondary employment and financial interest request regarding a prospective employee in the Department of Aging who would like to continue in an oversight capacity in her family business that does no business with and is not regulated by the agency, continue to serve a committee of a non-profit organization, and continue as a member of a board of trustees for a health care organization.

Decision: The Commission approved the secondary employment/financial interest in the family business and continued service on a committee of a non-profit organization but did not have sufficient information to address continued service on the board of a health care organization.

ITEM 3: Informal Matter – Office of the Secretary of State (15-0055)

Discussion: Mr. Lord briefed the Commission on a secondary employment/financial interest request regarding a prospective employee in the Office of Secretary of State who would like to continue to serve on two boards of directors for private companies in a paid capacity, one of which will also provide stock options, that do no business with and are not regulated by the agency.

Decision: The Commission approved the secondary employment/financial interests with respect to both boards.

ITEM 4: Informal Matter – Department of Information Technology (15-0022)

Discussion: Mr. Lord briefed the Commission on a secondary employment and financial interest request regarding a prospective employee in the Department of Information Technology who would like to continue in a position with a consulting company in which he is the majority shareholder.

Decision: The Commission approved the secondary employment/financial interest with respect to the consulting company.

ITEM 5: Informal Matter – Maryland Insurance Commission (15-0001)

Discussion: Ms. Allgair briefed the Commission on the status of an employee of the Maryland Insurance Commission selling a business and the timeframe for completing the sales. Ms. Allgair also advised the Commission on potential secondary employment requests for the same employee regarding real estate and securities broker activities.

Decision: The Commission directed staff to provide additional information on this matter as received and to advise the employee not to participate in any Maryland Insurance Commission matters involving this business pending the completion of the sale.

ITEM 6: Informal Matter – Department of Information Technology (15-0012)

Discussion: Ms. Thompson briefed the Commission on a secondary employment and financial interest request regarding a prospective employee in the Department of Information Technology who would like to continue in an advisory and equity position with two companies that do business with the State of Maryland, one of which has contracts with the Department of Information Technology.

Decision: The Commission did not approve the financial interest/secondary employment with regard to the company that held contracts with the Department of Information Technology.

ITEM 7: Informal Matter – Governor’s Office of Community Initiatives (15-0051)

Discussion: Ms. Allgair briefed the Commission on the status of an employee of the Governor’s Office of Community Initiatives who will request approval of his secondary employment with and financial interest in a real estate appraisal business. He also maintains a real estate salesman license. The Commission has not yet received completed secondary employment/financial interest review forms.

Decision: The Commission directed staff to provide additional information on this matter as received.

ITEM 8: Informal Matter – Executive Department (15-0052)

Discussion: Ms. Allgair briefed the Commission on an employee of the Governor’s Office who will be requesting approval of her secondary employment with and financial interest in a graphic arts business. The Commission has not yet received completed secondary employment/financial interest review forms.

Decision: The Commission directed staff to provide additional information on this matter as received.

ITEM 9: Informal Matter – Department of Labor, Licensing and Regulation (15-0053)

Discussion: Ms. Allgair briefed the Commission on an employee of the Department of Labor, Licensing and Regulation who will request approval of her secondary employment with and financial interest in a cybersecurity business. The Commission has not yet received completed secondary employment/financial interest review forms.

Decision: The Commission directed staff to provide additional information on this matter as received.

ITEM 10: Informal Matter – Executive Department (15-0054)

Discussion: Ms. Allgair briefed the Commission on an employee of the Governor’s Office who is in the process of selling shares of stocks and options in a private entity that does business with the State. He has requested an extension to complete these transactions by January 4, 2015.

Decision: The Commission approved the extension request and directed staff to advise the employee of the participation restrictions of the Public Ethics Law for any matter involving the private entity pending his complete divestiture of these interests.

ITEM 11: Informal Matter – Executive Department (15-0017)

Discussion: Ms. Allgair briefed the Commission on a request for guidance received by an employee of the Governor’s Legislative Office regarding a potential employee. The potential employee is related to an official and the official will not have any involvement in the potential employee’s hiring or other personnel matters.

Decision: The Commission directed staff to advise the employee of the participation and prestige of office restrictions of the Public Ethics Law and recommend that the office draft a written policy on nonparticipation in matters in which the potential employee has a personal, specific interest. The potential employee is not prohibited from working on policy matters with the relative.

ITEM 12: Informal Matter – Executive Department (15-0015)

Discussion: Mr. Lord briefed the Commission on a request for advice concerning financial interests in two businesses. Robert Scholz, Counsel to the Governor, Steve Crim, Director of Public Affairs, Michael Leahy, Esq. and Bryan Hyre, Esq. participated in this matter.

Decision: The Commission and staff will have further discussions with the representatives on this matter.

The meeting was adjourned at 3:30 p.m.