



**COMMISSION MEMBERS:**

JANET E. McHUGH, *Chair*  
BONNIE A. KIRKLAND  
JAMES N. ROBESY, JR.  
CRAIG D. ROSWELL  
GENEAU M. THAMES

**STATE ETHICS COMMISSION**

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WILLIAM J. COLQUHOUN  
*General Counsel*  
KATHERINE P. THOMPSON  
*Staff Counsel*  
ANA L. HENRY  
*Assistant General Counsel*

**MINUTES OF THE STATE ETHICS COMMISSION MEETING**

**March 2, 2022**

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

Staff Members Present: Jennifer K. Allgair, Executive Director  
William J. Colquhoun, General Counsel  
Katherine P. Thompson, Staff Counsel  
Ana L. Henry, Assistant General Counsel  
Darlene Gavel, Office Manager  
Jill Byczek, Legal Assistant/Paralegal  
Stephen Garrett, Paralegal  
Maura Pizzi, Paralegal

The meeting convened at 9:00 a.m. at 45 Calvert Street, 3rd Floor conference room. 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. Mr. Roswell congratulated Ms. Geneau Thames for being named as one of *The Daily Record's* 2022 Leaders in Law Honorees.

ITEM 1: Tentative Agenda

Discussion: The Commission reviewed the tentative agenda.

Decision: The tentative agenda was approved.

ITEM 2: Minutes of the January 6, 2022 Meeting

Discussion: The draft minutes of the January 6, 2022 meeting were reviewed and discussed.

Decision: The draft minutes were approved as amended.

### ITEM 3: Boards and Commissions - Executive Unit Determination

Discussion: Ms. Allgair briefed the Commission on whether or not the Commission on Health Equity Policy Subcommittee should be considered an executive unit covered by the Public Ethics Law.

Decision: The Commission determined that the Commission on Health Equity Policy Subcommittee is not an executive agency and its members are not public officials covered by the Ethics Law.

### ITEM 4: Financial Disclosure Exemption Request

Discussion: Ms. Allgair briefed the Commission on a request for exemption from the financial disclosure requirement from the Advisory Committee on Veteran-Owned Small Business Enterprise.

Decision: The Commission granted an exemption for the Advisory Committee on Veteran-Owned Small Business Enterprise.

### ITEM 5: 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 University of Maryland-Baltimore, Towson University, Department of Natural Resources, Department of General Services, Howard Community College, Maryland Transportation Authority, Department of Juvenile Services, Department of Commerce, Department of Health, Salisbury University, Maryland Aviation Administration, Department of Agriculture, African American Museum Corporation, Maryland Office of the Inspector General for Education, State Highway Administration and the Department of Labor.

Decision: The Commission approved Ms. Allgair's recommendations.

### ITEM 6: Draft Annual Report for 2021

Discussion: There was a general discussion of the Commission's draft Annual Report.

Decision: The draft Annual Report was approved as amended.

### ITEM 7: Local Government – City of Aberdeen (21-0805)

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

Decision: The Commission approved the proposed amendments.

### ITEM 8: Executive Director's Report – Financial Disclosure Issues

Discussion: Ms. Allgair briefed the Commission on some electronic filing issues with the financial disclosure filing system which have now been corrected.

### ITEM 9: Executive Director's Report – New Training Module

Discussion: Ms. Allgair briefed the Commission on the need to develop a new training module for elected officials effective January 1, 2023.

Decision: It was decided the training would be only informational and would not contain question and answer portions like the current Conflict of Interest training module.

ITEM 10: Executive Director's Report – 2022 Legislative Update

Discussion: Ms. Allgair briefed the Commission on the status of legislation affecting the Public Ethics Law, discussed the expected impact of those bills if enacted, and obtained the Commission's guidance and advice of counsel on the approach to take on the bills. The bills include: SB15/HB340 – Election Law – Campaign Finance – Enforcement; HB59 - Ethics – Local Governments – Registration of Lobbyists; HB1059 – Bi-county Commissions – Ethics – Certification of Compliance; HB1136 – Public Ethics – Former Employees and Officials – Employment Restriction; SB570 – Public Ethics – Former Secretary, Deputy Secretary, or Assistant Secretary of a Principal Department – Employment Restrictions and SB589 – University of Maryland – Employees – Authorization to Fund-Raise.

The Commission voted unanimously to close the meeting at 9:33 a.m. pursuant to §3-305(b)(13) of the Open Meetings Act to consider confidential enforcement matters per §5-407 of the Public Ethics Law and confidential advice matters per §5-303 of the Public Ethics Law and receive the advice of counsel.

ITEM 11: A-1-22

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

Decision: This matter will be placed on the Preliminary Inquiry Docket. (B-6-22)

ITEM 12: B-3-21

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

Decision: This matter will be closed with a letter.

ITEM 13: B-6-21

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

Decision: This matter will remain on the Preliminary Inquiry Docket.

ITEM 14: B-4-22

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

Decision: This matter will be placed on hold.

ITEM 15: A-2-22

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

Decision: The Commission accepted the Lobbyist Filing Agreement.

ITEM 16: A-3-22

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

Decision: The Commission authorized complaints in these matters. (C-1-22 to C-5-22)

ITEM 17: A-4-22

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

Decision: The Commission authorized complaints in these matters. No complaints were issued.

ITEM 18: Financial Disclosure Enforcement Policy

Discussion: Ms. Thompson briefed the Commission on this matter regarding financial disclosure filers who were newly added late in 2021, then created accounts in 2022 and filed for 2021, but did not file for 2020, the previous year to which they were added as filers and required to file.

Decision: The Commission would like a follow-up notification sent to get them to file the required 2020 statement.

(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 11 through 18.)

ITEM 19: Informal Matter – Department of Health (21-0757) The subject of this matter was present for the discussion.

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to get paid as a consultant to a private university in which the Department regulates.

Decision: The Commission did not grant an exemption for this secondary employment.

ITEM 20: Memo on Non-Participation Plans and Mitigation Agreements

Discussion: Mr. Colquhoun presented nine non-participation agreements or mitigation agreements provided and approved by the staff. The matters included 21-0811, 21-0816, 21-0818, 22-0023, 22-0024, 22-0086, 22-0088, 22-089 and 22-0090.

ITEM 21: Informal Matter – Department of Health (21-0786)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Health wanting to work as an Administrative Assistant for a private recovery center that has a relationship with the Department.

Decision: The Commission did not grant the exemption for this secondary employment.

ITEM 22: Informal Matter – Department of Natural Resources (22-0003)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Natural Resources wanting to seek election as a county council member.

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

ITEM 23: Informal Matter – Department of Health (22-0008)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department wanting to work at a coffee shop that is regulated by the Department.

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

ITEM 24: Informal Matter – Department of Labor (22-0016)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Labor wanting to seek election as a county council member.

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

ITEM 25: Informal Matter – Department of Transportation (22-0019)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of Transportation wanting to work as an armed security guard with a company that has a contract with the Department.

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

ITEM 26: Informal Matter – Department of Human Services (22-0034)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a mental health therapist with an agency that has a referral relationship with the Department.

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

ITEM 27: Informal Matter – Department of the Environment (22-0060)

Discussion: Mr. Colquhoun briefed the Commission on a secondary employment request regarding an employee in the Department of the Environment wanting to work as a consultant for a nature conservancy chapter in another state that has a business relationship with the Department and engages in lobbying.

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

ITEM 28: Informal Matter – Department of Labor (22-0083)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Labor wanting to serve as a member of a county republican central committee.

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

ITEM 29: Informal Matter – Department of Human Services (22-0032)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a cashier at convenience store.

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

ITEM 30: Informal Matter – Department of Human Services (22-0092)

Discussion: Ms. Henry briefed the Commission on a secondary employment request regarding an employee in the Department of Human Services wanting to work as a family nurse practitioner.

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

The meeting was adjourned at 11:54 a.m.