

self from voting or acting thereon on behalf of such agency, unless his doing so shall previously be approved by the Board of Public Works as being required in the public interest because of his special knowledge or experience in the subject matter of the transaction. If, through disqualifications in accordance with this section, less than a quorum of any agency is capable of participating in a transaction, the remaining member or members shall constitute a quorum and shall have authority to transact any business, provided that such action shall be approved by a majority of the Board of Public Works.

4. *Penalties for Violation. Any person who violates any of the provisions of this section shall be deemed guilty of a misdemeanor and shall, on conviction thereof, be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both; and, in addition, it shall be obligatory upon the Governor of the State of Maryland, or the employing agency, as the case may be, following such conviction, forthwith to dismiss such convicted person from his office or position.*

5. *Avoidance of Transactions. Any transaction entered into by any agency of this State in violation of this section may be set aside in a suit brought on behalf of the State of Maryland by the Attorney General, unless the court finds that such transaction is in the public interest, and the burden of proof shall be upon the party seeking to uphold such transaction to show that avoidance of such transaction would not be in the public interest. Except as herein provided, no transaction of such agency shall be set aside because of violation of this section or on the ground of conflict of interest.*

6. *Definitions. (a) For the purpose of this Article, a person shall be deemed to have a direct financial interest in a transaction if such transaction is to be consummated between the public agency of which he is a member, agent or employee and such person himself, or his spouse, brother, sister or child, or between such public agency and any firm, corporation or association in which he or his spouse, brother, sister or child, either jointly or severally, owns in total more than three per cent of the invested capital or capital stock, or from which such person or persons, either jointly or severally, are receiving a total combined compensation of more than five thousand dollars per year. Any financial interest of any member, agent or employee of a public agency in a transaction not included within the foregoing definition of a direct financial interest shall be deemed an indirect financial interest.*

(b) The provisions of this Article shall not apply to members, agents or employees of the Board of Public Works, or of the Executive Department per se, or of the General Assembly or of the Judiciary Department when such members, agents or employees are performing the duties attendant to these bodies.

SEC. 2. And be it further enacted, That all laws or parts of laws DEALING WITH THE SUBJECT OF CONFLICT OF INTEREST AFFECTING MEMBERS, AGENTS OR EMPLOYEES OF ANY DEPARTMENT, BOARD COMMISSION OR AUTHORITY OR OTHER PUBLIC AGENCY OF THE STATE OF MARYLAND ARE HEREBY REPEALED.

inconsistent with the provisions of this Act be, and the same are hereby repealed to the extent of such inconsistency.