

Executive Secretary of the Board, or, with the approval of the Secretary of Personnel, any employee in the Department of Personnel. Whenever a hearing is conducted by a hearing officer instead of by the Board itself, the hearing officer must submit a written report of the hearing to the Board. The Board is authorized to promulgate further rules or regulations not inconsistent with this Code governing requests for hearings, conduct of hearings, reports of hearings, and any other matters in connection with such hearings.

6. Any opinion or report of the Board rendered pursuant to paragraphs 2, 3, or 4 of this Article, may be utilized as the basis for any administrative action appropriate under the circumstances in accordance with administrative procedures provided for by law.

7. Under no circumstances shall the Board of Ethics be empowered to take direct administrative action itself but rather its function shall be solely advisory and investigatory as provided for herein.

#### Article V. Application

1. The standards of ethical conduct set forth in this Code of Ethics shall be applicable without exception to all part-time and full-time officers and employees in the executive branch of the State of Maryland whether or not they are members of the Merit System or exempt from the provisions of the Merit System.

2. All officers and employees who have been appointed by the Governor shall conform to these standards without further directive. All other officers and employees who serve under a State appointing authority [which is appointed by the Governor] shall comply with the agency code of ethics to be issued by such respective authorities as provided for in Article VI hereof. Failure to conform to the standards of ethical conduct so prescribed may lead to removal from office, termination of employment, or other action as the particular case may require.

3. THE STANDARDS OF ETHICAL CONDUCT SET FORTH IN THIS CODE OF ETHICS SHALL BE APPLICABLE TO ALL ELECTED CONSTITUTIONAL OFFICERS OF THE EXECUTIVE BRANCH OF THE STATE OF MARYLAND. HOWEVER, THE PROVISIONS OF ARTICLE IV, SECTIONS 3 AND 4 OF THE CODE OF ETHICS SHALL NOT BE APPLICABLE TO ALLEGED VIOLATIONS OF SAID CODE BY CONSTITUTIONALLY ELECTED OFFICERS.

#### Article VI.