

~~(2) THE SUPPLIES OR SERVICES ARE UNOBTAINABLE ELSEWHERE FOR THE SAME OR LOWER COST, OR THEY ARE BEING FURNISHED TO THE STATE AGENCY AS PART OF A CONTINUING COURSE OF DEALING ESTABLISHED PRIOR TO THE TIME THE STATE OFFICIAL OR STATE EMPLOYEE BECAME ASSOCIATED WITH THE STATE AGENCY; AND~~

~~(3) THE TREATMENT ACCORDED THE STATE AGENCY IS EITHER PREFERENTIAL OR THE SAME AS THAT ACCORDED OTHER CUSTOMERS OR CLIENTS IN SIMILAR TRANSACTIONS; AND~~

~~(4) THE ENTIRE TRANSACTION IS CONDUCTED AT ARM'S LENGTH, WITH FULL KNOWLEDGE BY THE STATE AGENCY OF THE INTEREST OF THE STATE OFFICIAL OR EMPLOYEE OR A MEMBER OF HIS HOUSEHOLD.~~

~~3-105. USE OF PRESTIGE OF OFFICE.~~

~~OTHER THAN IN THE DISCHARGE OF HIS OFFICIAL DUTIES, AN OFFICIAL OR EMPLOYEE MAY NOT INTENTIONALLY USE THE PRESTIGE OF HIS OFFICE FOR HIS OWN PRIVATE GAIN OR THAT OF ANOTHER. THE PERFORMANCE OF USUAL AND CUSTOMARY CONSTITUENT SERVICE DOES NOT CONSTITUTE THE USE OF THE PRESTIGE OF OFFICE FOR AN OFFICIAL'S PRIVATE GAIN OR PRIVATE GAIN OF ANOTHER.~~

~~3-105~~ 3-104. USE OF PRESTIGE OF OFFICE.

A PUBLIC OFFICIAL OR EMPLOYEE MAY NOT INTENTIONALLY USE THE PRESTIGE OF HIS OFFICE FOR HIS OWN PRIVATE GAIN OR THAT OF ANOTHER. THE PERFORMANCE OF USUAL AND CUSTOMARY CONSTITUENT SERVICES, WITHOUT ADDITIONAL COMPENSATION, DOES NOT CONSTITUTE THE USE OF THE PRESTIGE OF OFFICE FOR A PUBLIC OFFICIAL'S PRIVATE GAIN OR THAT OF ANOTHER.

~~3-106~~ 3-105. RESTRICTION ON OUTSIDE EMPLOYMENT.

IT IS UNLAWFUL FOR ANY OFFICIAL OR EMPLOYEE OF THE STATE OF MARYLAND, OR ANY DEPARTMENT, COMMISSION, AGENCY, OR BRANCH THEREOF, WHOSE DUTIES AS SUCH OFFICIAL OR EMPLOYEE INCLUDE MATTERS RELATING TO OR AFFECTING THE SUBJECT MATTER OF ANY CONTRACT BINDING OR PURPORTING TO BIND THE STATE OF MARYLAND, BY OR THROUGH ANY DEPARTMENT, COMMISSION, AGENCY, OR BRANCH THEREOF, TO BECOME OR BE, WHILE SUCH OFFICIAL OR EMPLOYEE, AN EMPLOYEE OF THE PARTY OR PARTIES CONTRACTING AS AFORESAID WITH THE STATE OF MARYLAND, BY OR THROUGH THE PARTICULAR STATE DEPARTMENT, COMMISSION, AGENCY, OR BRANCH THEREOF IN WHICH THE PERSON IS EMPLOYED. FOR THE PURPOSE OF THIS SECTION, THE WORD "CONTRACT" MEANS ANY CONTRACT BINDING OR PURPORTING TO BIND THE STATE OF MARYLAND, OR ANY DEPARTMENT, COMMISSION, AGENCY, OR BRANCH THEREOF, TO PAY A SUM OF MONEY IN EXCESS OF \$1,000 FOR THE PURPOSE FOR WHICH THE CONTRACT IS MADE.

~~3-107~~ 3-106. SOLICITATION OR ACCEPTANCE OF GIFTS.

~~AN OFFICIAL OR EMPLOYEE MAY NOT SOLICIT ANY GIFT NOR MAY HE ACCEPT ANY GIFT WHICH WOULD TEND TO IMPAIR THE~~