

Art. 41, § 231-I was transferred to Art. 21 by Ch. 775, Acts of 1980 and then was amended by Ch. 320, Acts of 1983 so as not to apply to the Secretary. Thus, the new language embraces the same powers and duties as the previously enumerated sections.

The former reference to "functions" is deleted as included in the words "power or duty".

The former words "the powers, duties and functions", which referred to certain powers transferred to the Secretary under the second sentence of former Art. 41, § 231F, are deleted as unnecessary because the transferred powers and duties are the same powers included in the sections enumerated in the third sentence of former Art. 41, § 231F.

The Commission to Revise the Annotated Code points out to the General Assembly that the provisions in Part III of this subtitle that grant powers to or impose duties on the Secretary are not included as powers or duties that the Secretary may delegate under this section because former Art. 41, § 231G-1, which is revised as Part III of this subtitle, was not listed in the enumeration of sections in the third sentence of former Art. 41, § 231F. The Commission notes that the General Assembly may have intended to make any powers and duties in former Art. 41, § 231G-1 delegable to the Chief of the Purchasing Bureau.

The second sentence of former Art. 41, § 231F, which provided for the transfer of certain powers from the Director of Budget and Procurement to the Secretary, is deleted as obsolete.

Defined term: "Secretary" § 4-101

#### 4-304. CONFLICT OF INTEREST.

##### (A) IN GENERAL.

THE SECRETARY OR ANY EMPLOYEE OF THE DEPARTMENT MAY NOT:

(1) BE INTERESTED IN ANY CONTRACT OR BID FOR FURNISHING ANY SUPPLIES TO ANY USING AGENCY;

(2) BE CONNECTED IN ANY MANNER, DIRECTLY OR INDIRECTLY, WITH ANY CONTRACT OR BID FOR FURNISHING ANY SUPPLIES TO ANY USING AGENCY; OR

(3) ACCEPT OR RECEIVE, DIRECTLY OR INDIRECTLY, WHETHER BY REBATE, GIFT, OR OTHERWISE, FROM A PERSON TO WHOM A CONTRACT MAY BE AWARDED:

(1) ANY MONEY OR THING OF VALUE; OR