

THE COMMITTEE MAY:

- (1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;
 - (2) RETAIN CONSULTANTS; AND
 - (3) DO ANYTHING NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS OF THE COMMITTEE AND THE PURPOSES OF THIS SUBTITLE.
- (H) PUBLIC ETHICS; RULES OF CONSTRUCTION.

EVEN THOUGH A DETERMINATION BY THE COMMITTEE ABOUT FINANCIAL ASSISTANCE IS SUBJECT TO THE MARYLAND PUBLIC ETHICS LAW, THE EXISTENCE OF A CONFLICT OF INTEREST OR A VIOLATION OF THE MARYLAND PUBLIC ETHICS LAW DOES NOT AFFECT:

- (1) THE VALIDITY OF A FINDING OR DETERMINATION MADE UNDER THIS SUBTITLE; OR
- (2) THE ENFORCEABILITY OF AN AGREEMENT MADE UNDER THIS SUBTITLE.

(I) ESSENTIAL GOVERNMENTAL FUNCTION.

THE EXERCISE BY THE COMMITTEE OF THE POWERS GRANTED UNDER THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL GOVERNMENTAL FUNCTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 83A, § 6-504(a) through (d) and (f) through (k).

In subsection (c)(1) of this section and throughout this section, the former redundant references to an "appointed" member are deleted because all members of the Committee are appointed.

In subsection (c)(1) of this section, the former reference to a term of "at least" 2 years is deleted in light of the requirement to stagger terms in subsection (c)(2) of this section and the provision for the continuity of service until a successor is appointed under subsection (c)(3) of this section.

In subsection (c)(5) of this section, the reference to "remov[al] by the Secretary with or without cause" is substituted for the former reference to "serv[ing] at the pleasure of the Secretary" to clarify the apparent intent of the former law; *i.e.*, that members serve a term of 2 years, but may be replaced at any time by the Secretary.

In subsection (d) of this section, the references to a "chair" and "vice chair" are substituted for the former references to a "chairperson" and "vice chairperson" for consistency within this article.

In subsection (g) of this section, the former phrase "[i]n addition to any other powers set forth in this subtitle" is deleted as implicit in the authority granted under this paragraph.

Subsection (h) of this section is restated as a rule of construction for a determination of the Committee subject to the Maryland Public Ethics