

The State of Maryland
Executive Department

EXECUTIVE ORDER

01.01.2020.05

State Transparency and Accountability Reform Commission

- WHEREAS, The people of Maryland deserve a government that operates with transparency and integrity;
- WHEREAS, Maryland law has established quasi-governmental agencies that are designed to fulfill public purposes by operating with structures that provide managerial flexibility necessary for optimal performance;
- WHEREAS, While quasi-governmental agencies in some ways operate as private organizations, those that are instrumentalities of State government must provide accountability sufficient to protect the public interest; and
- WHEREAS, It is essential that there be adequate safeguards and oversight of quasi-governmental agencies to ensure that they operate consistently with the public trust;

NOW, THEREFORE, I, LAWRENCE J. HOGAN, JR., GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

- A. There is a State Transparency and Accountability Reform Commission (the “Commission”).
- B. Membership and Procedures.
 - (1) The Commission shall consist of the following members:

- (a) The Secretary of Budget and Management, or the Secretary's designee;
 - (b) The Secretary of Commerce, or the Secretary's designee;
 - (c) The Secretary of Labor, or the Secretary's designee;
 - (d) The Secretary of the Environment, or the Secretary's designee;
 - (e) The Secretary of Natural Resources, or the Secretary's designee;
 - (f) The Maryland Insurance Commissioner, or the Commissioner's designee;
 - (g) Two members of the House of Delegates, one appointed by the Speaker of the House and one by the House Minority Leader;
 - (h) Two members of the Senate of Maryland, one appointed by the President of the Senate and one by the Senate Minority Leader;
 - (i) An expert in ethics, appointed by the Governor;
 - (j) An expert in financial matters, appointed by the Governor; and
 - (k) Two members of the general public, appointed by the Governor.
- (2) The Governor shall select the Chairperson from among the members.
- (3) The members appointed by the Governor serve at the pleasure of the Governor.
- (4) The Office of the Governor shall provide support staff for the Commission.
- (5) A majority of the authorized membership of the Commission shall constitute a quorum for the transaction of any Commission business.
- (6) Members of the Commission may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of their duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

C. To ensure adherence to the highest ethical standards, and identify commonalities that support unified policies and regulations for standardized oversight and accountability, the Commission shall review and investigate the operations and structures of the following State instrumentalities (“quasi-governmental agencies”):

- (1) Maryland Agricultural and Resource-Based Industry Development Corporation;
- (2) Bainbridge Development Corporation;
- (3) Canal Place Preservation and Development Authority;
- (4) Maryland Economic Development Commission;
- (5) Maryland Clean Energy Center;
- (6) Maryland Environmental Service;
- (7) Maryland Food Center Authority;
- (8) Maryland Health and Higher Educational Facilities Authority;
- (9) Maryland Automobile Insurance Fund;
- (10) Maryland Stadium Authority;
- (11) Maryland Technology Development Corporation;
- (12) Northeast Maryland Waste Disposal Authority;
- (13) Maryland Industrial Development Financing Authority;
- (14) Maryland Venture Capital Trust; and
- (15) Any others, as deemed appropriate by the Commission, that are:
 - (a) body politic and corporate, or similarly independent; or
 - (b) otherwise authorized to:

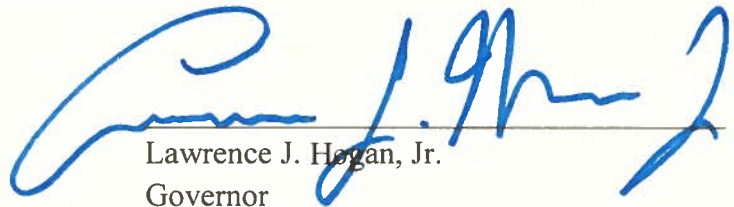
- i. bill their costs and expenses to persons or governments subject to their jurisdiction;
- ii. pay commissions or bonuses to employees or agents;
- iii. seek private grants, gifts, bequests, endowments, and legacies, or other contributions from the private sector;
- iv. enter into private sector cooperative agreements; or
- v. acquire, hold, sell, convey, assign, lease, transfer, or dispose of property, or enter into contracts incident thereto, independently of the Board of Public Works or Department of General Services, or are otherwise exempt from the General Procurement Law of the State.

D. For each quasi-governmental agency, the Commission shall study and if appropriate make recommendations about:

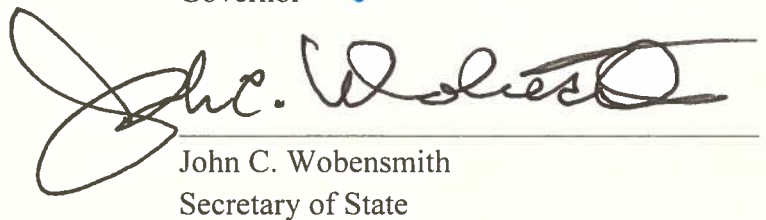
- (1) Term limits for members or directors;
- (2) Employees serving as members or directors;
- (3) Requirements for financial and conflict-of-interest disclosures;
- (4) Standards:
 - (a) To maintain and improve the efficiency and effectiveness of governmental operations; and
 - (b) For ethical responsibilities regarding:
 - i. out-of-state travel;
 - ii. bonuses and severance pay;
 - iii. conflicts of interest; and
 - iv. reimbursable expenses;
- (5) Instruction on ethics;

- (6) Independent financial and compliance audits;
 - (7) Preparation of budgets;
 - (8) Periodic reports on activities, findings, accomplishments, business transactions, and financial condition;
 - (9) The balance between independence and accountability necessary for efficient or effective operations; and
 - (10) Any other matter that the Commission considers appropriate and relevant.
- E. All Executive Branch units subject to the supervision and direction of the Governor shall cooperate with and assist the Commission in fulfilling its duties.
- F. On or before December 1, 2021, the Commission shall report to the Governor and General Assembly on the Commission's findings and recommendations.

Given Under my Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 16th Day of December, 2020.



Lawrence J. Hogan, Jr.
Governor



John C. Wobensmith
Secretary of State