

ASSEMBLY CONCURRENT RESOLUTION No. 38

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman IMPREVEDUTO

1 **A CONCURRENT RESOLUTION** to adopt a Legislative Code of Ethics for 1994  
2 and 1995.

3  
4 **WHEREAS**, The "New Jersey Conflicts of Interest Law," P.L.1971, c.182  
5 (C.52:13D-12 et seq.), directs the formulation of a code of ethics to  
6 govern and guide the conduct of members of the Legislature and officers  
7 and employees in the legislative branch and provides it shall not be effective  
8 unless first approved by concurrent resolution; now, therefore,

9  
10 **BE IT RESOLVED** by the General Assembly of the State of New Jersey  
11 (the Senate concurring):

12  
13 The following Legislative Code of Ethics is adopted for 1994 and  
14 1995 and the text thereof shall be reprinted:

15  
16 LEGISLATIVE CODE OF ETHICS

17 1. DEFINITIONS

18 1:1. For the purposes of the New Jersey Conflicts of Interest Law and this  
19 Code of Ethics:

20 "State officer or employee" in the legislative branch of the State  
21 Government means a salaried officer or employee, other than a member of the  
22 Senate or General Assembly or a special State officer or employee, who  
23 spends the predominant part of his working time in the employ of the  
24 Legislature or either House thereof, or of an agency, commission or committee  
25 in the legislative branch;

26 "Special State officer or employee" in the legislative branch of the State  
27 Government means a part-time elected or appointed officer or employee,  
28 including a legislative aide, other than a member of the Senate or General  
29 Assembly, of the Legislature or either House thereof, or of an agency,  
30 commission or committee in the legislative branch, whether he is salaried or

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 compensated by the hour, day or under contract or serves without  
2 compensation other than reimbursement for expenses;

3 "Interest" means (a) the ownership or control of more than 10% of the  
4 profits or assets of a firm, association, or partnership, or more than 10% of the  
5 stock in a corporation for profit other than a professional service corporation  
6 organized under the "Professional Service Corporation [Act" (N.J.S.14A:17-1  
7 et seq.)]Act," P.L.1969, c.232 (C.14A:17-1 et seq.); or (b) the ownership  
8 or control of more than 1% of the profits or assets of a firm, association, or  
9 partnership, or more than 1% of the stock in any corporation, which is the  
10 holder of, or an applicant for, a casino license or in any holding or intermediary  
11 company with respect thereto, as defined by the "Casino Control Act,"  
12 P.L.1977, c.110 (C.5:12-1 et seq.). The provisions of this code governing  
13 the conduct of individuals are applicable to shareholders, associates or  
14 professional employees of a professional service corporation regardless of the  
15 extent or amount of their shareholder interest in such a corporation. (As to  
16 attorneys, see N.J. Court Rules, 1:21-1A);

17 "Less than an interest" means (a) the ownership or control of 10% or less  
18 of the profits or assets of a firm, association, or partnership, or 10% or less of  
19 the stock in a corporation for profit other than a professional service  
20 corporation organized under the "Professional Service Corporation [Act"  
21 (N.J.S.14A:17-1 et seq.)]Act," P.L.1969, c.232 (C.14A:17-1 et seq.); or  
22 (b) the ownership or control of 1% or less of the profits or assets of a firm,  
23 association, or partnership, or 1% or less of the stock in any corporation,  
24 which is the holder of, or an applicant for, a casino license or in any holding or  
25 intermediary company with respect thereto, as defined by the Casino Control  
26 Act;

27 "Legislative aide" means any person appointed to serve with or without  
28 compensation as a staff aide or assistant to a member of the Senate or General  
29 Assembly[.];

30 "Member of immediate family" means a person's spouse, child, parent or  
31 sibling residing in the same household[.];

32 "Document" means any statement, report, form, or accounting which is  
33 required to be filed with the Joint Legislative Committee on Ethical Standards  
34 within a prescribed period or on or before a prescribed date pursuant to law  
35 or this code of ethics promulgated pursuant to the "New Jersey Conflicts of  
36 Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.); the term "within a  
37 prescribed period or on or before a prescribed date" includes any extension  
38 of time granted by the Joint Legislative Committee on Ethical Standards for  
39 filing a document.

40

## 41 2. MEMBERS OF THE LEGISLATURE

42 2:1. a. No member of the Legislature shall undertake any employment or  
43 act in any way that impairs the objectivity or independence of judgment of the

1 member of the Legislature in the exercise of his or her duties or is violative of  
2 the public trust by an elected official or which creates a justifiable impression  
3 among the public that such trust is being violated (C.52:13D-12 and  
4 52:13D-23).

5 b. No member of the Legislature shall accept from any person, directly or  
6 indirectly, whether by himself or through his spouse or a member of his family  
7 or through any partner or business or professional associate, any gift, favor,  
8 service, employment or offer of employment or any other thing of value, which  
9 he knows or has reason to believe is made or offered to him with the intent to  
10 influence him in the performance of his duties as a member of the Senate or  
11 General Assembly; but this section shall not apply to the acceptance of  
12 contributions to his campaign by a member of the Legislature who has  
13 announced his candidacy for any elective public office and the member has no  
14 knowledge or reason to believe that the campaign contribution is offered or  
15 given with the intent to influence the member in the performance of his public  
16 duties and responsibilities (C.52:13D-14).

17 2:2. Except as hereinafter provided in sections 2:3 and 2:4, no member of  
18 the Legislature nor any partnership or firm of which he is a member or any  
19 corporation in which he owns or controls an interest, nor any partner, officer  
20 or employee of any such partnership, firm or corporation, shall represent,  
21 appear for, or negotiate on behalf of, or agree to represent, appear for, or  
22 negotiate on behalf of, any person or party other than the State in connection  
23 with:

24 a. The acquisition or sale by the State or a State agency of any interest in  
25 real or tangible or intangible personal property (C.52:13D-15);

26 b. The acquisition by the State or a State agency of any interest in real  
27 property by condemnation proceedings (C.52:13D-15);

28 c. Any specific cause, proceeding, application or other matter before any  
29 State agency (C.52:13D-16).

30 2:3. a. The provisions of section 2:2 above shall not prohibit or restrict a  
31 member of the Legislature from:

32 (1) Representing himself in negotiations or proceedings concerning his own  
33 interest in real property, or

34 (2) Making an inquiry of a State agency for information on behalf of a  
35 constituent, if no fee, reward or other thing of value is promised or given to,  
36 or accepted directly or indirectly by, the member therefor.

37 b. The provisions of section 2:2 above shall not prohibit or restrict a  
38 partnership or firm with which a member of the Legislature is associated or a  
39 corporation in which he owns or controls an interest from appearing before a  
40 State agency in any cause, proceeding or other matter on its own behalf  
41 (C.52:13D-16).

42 2:4. A member of the Legislature is authorized to represent, appear for or  
43 negotiate on behalf of, or agree so to do, any person other than the State in

1 any proceeding before:

2 a. Any court of record;

3 b. The Division of Workers' Compensation;

4 c. The Division of Taxation in connection with the determination or review  
5 of transfer inheritance or estate taxes;

6 d. The Department of State in connection with the filing of corporate or  
7 other documents;

8 e. The Division on Civil Rights;

9 f. The New Jersey Board of Mediation;

10 g. The New Jersey Public Employment Relations Commission;

11 h. The Unsatisfied Claim and Judgment Fund Board, solely for the purpose  
12 of filing a protective notice of intention pursuant to P.L.1952, c.174, s.5  
13 (C.39:6-65);

14 i. A State agency, other than the Legislature or any agency thereof, on  
15 behalf of a county, municipality or school district, or any authority, agency or  
16 commission of any thereof, except where the State is an adverse party in the  
17 cause, action or proceeding. The State shall not be considered an "adverse  
18 party" in a cause, action or proceeding where joinder of the State or a State  
19 agency as a party is required by law[, court rule] or order to protect possible  
20 incidental interests of the State (C.52:13D-16).

21 2:5. [Prior approval of the Joint Legislative Committee on Ethical  
22 Standards shall be obtained for a member of the Legislature, individually,  
23 through a partnership or firm with which he is associated or by a corporation  
24 in which he owns or controls an interest, to bid on and to accept awards of  
25 contracts let or awarded by a State agency where the dollar value thereof is  
26 \$25.00 or more.

27 Where approval is desired to bid on and, if successful, to accept and  
28 undertake contracts to be awarded by a State agency after public notice and  
29 competitive bidding or to negotiate, accept and execute contracts of the types  
30 enumerated in P.L.1954, c.48, s.5 (C.52:34-10) awarded without advertising  
31 with the approval of the State Treasurer or contracts of insurance to be  
32 entered into pursuant to P.L.1944, c.112, s.10 (C.52:27B-62), an application  
33 to, and approval by, the joint committee]

34 a. No member of the Legislature shall knowingly himself, or by his partners  
35 or through any corporation which he controls or in which he owns or controls  
36 more than 1% of the stock, or by any other person for his use or benefit or on  
37 his account, undertake or execute, in whole or in part, any contract,  
38 agreement, sale or purchase of the value of \$25.00 or more, made, entered  
39 into, awarded or granted by any State agency, except as provided in  
40 subsection b. of this section. The restriction contained in this subsection shall  
41 apply to the contracts of interstate agencies to the extent consistent with law  
42 only if the contract, agreement, sale or purchase is undertaken or executed by  
43 a New Jersey member to that agency or by his partners or a corporation in

1 which he owns or controls more than 1% of the stock.

2 b. The provisions of subsection a. of this section shall not apply to (a)  
3 purchases, contracts, agreements or sales which (1) are made or let after  
4 public notice and competitive bidding or which (2), pursuant to section 5 of  
5 P.L.1954, c.48 (C.52:34-10) or such other similar provisions contained in the  
6 public bidding laws or regulations applicable to other State agencies, may be  
7 made, negotiated or awarded without public advertising or bids, or (b) any  
8 contract of insurance entered into by the Director of the Division of Purchase  
9 and Property pursuant to section 10 of P.L.1944, c.112 (C.52:27B-62), if the  
10 purchases, contracts or agreements, including change orders and amendments  
11 thereto, shall receive prior approval of the Joint Legislative Committee on  
12 Ethical Standards, which approval may be made for a period not in excess of  
13 the elective term of the member of the Legislature.

14 Upon the award of a contract by a State agency to a member of the  
15 Legislature, his partnership or firm or corporation described in this section he  
16 shall file with the joint committee a notice of the award, the name of the State  
17 agency involved and the dollar amount of the contract. Any amendment or  
18 change order to any such contract involving a change in the dollar amount  
19 involved shall likewise be reported to the joint committee[(C.52:13D-19)].

20 Within 15 days of receipt by the joint committee of a request by a member  
21 of the Legislature for approval to bid on or negotiate a State agency contract  
22 or contracts or notice of the award of a State agency contract or amendment  
23 of or change order to an approved State agency contract, the joint committee  
24 shall notify the member of its approval, disapproval or the time and place of  
25 a meeting to discuss the matter with the member. Any request so submitted  
26 to the joint committee shall be deemed to be approved after the expiration of  
27 15 days from the receipt thereof unless the joint committee shall otherwise  
28 advise the member in writing (C.52:13D-19).

29 2:6. A member of the Legislature shall not act as an agent of the  
30 Legislature, either House thereof or agency in the legislative branch in  
31 connection with the transaction of any business with himself or with a  
32 corporation, company, association or firm in which he owns or controls an  
33 interest in its profits (C.52:13D-20).

34 2:7. Any member of the Legislature who engages in the conduct or  
35 practice of, or is employed in, a particular business, profession, trade or  
36 occupation which is subject to licensing or regulation by a particular State  
37 agency shall file a notice that he is the holder of a particular license or is  
38 engaged or employed in such activity with the Joint Legislative Committee on  
39 Ethical Standards within 60 days of the adoption of this code and, thereafter,  
40 within 10 days of such holding, engagement, employment, or service. Renewal  
41 of licenses need not be reported (C.52:13D-23(e)(2)).

42 2:8. a. No member of the Legislature, nor any member of his immediate  
43 family, nor any partnership, firm or corporation with which he is associated in

1 any capacity, shall appear or practice in any capacity representing any person,  
2 firm, corporation or association before the Casino Control Commission or the  
3 Division of Gaming Enforcement.

4 b. No member of the Legislature, nor any member of his immediate family,  
5 nor any partnership, firm or corporation with which he is associated as an  
6 officer, director, employee or holder of an interest or less than an interest, as  
7 defined in section 1:1 of this code, shall represent, appear for, or negotiate on  
8 behalf of, the holder of, or applicant for, a casino license, or any holding or  
9 intermediary company with respect thereto, as the same are defined in the  
10 Casino Control Act.

11 c. No member of the Legislature, or any firm with which he is associated  
12 as an officer, director or holder of an interest, as defined in section 1:1 of this  
13 code, shall represent, appear for, or negotiate on behalf of, any person, firm,  
14 corporation or association with respect to any transaction between such  
15 person, firm, corporation or association and the holder of, or applicant for, a  
16 casino license, or any holding or intermediary company with respect thereto, as  
17 the same are defined in the Casino Control Act. A member of the Legislature  
18 who is an employee of, or who is the holder of less than an interest, as defined  
19 in section 1:1 of this code, in, any firm which represents, appears for, or  
20 negotiates on behalf of, any person, firm, corporation, or association with  
21 respect to any transaction between such person, firm, corporation or  
22 association and the holder of, or applicant for, a casino license, or any holding  
23 or intermediary company with respect thereto, as the same are defined in the  
24 Casino Control Act, shall, within 60 days of the adoption of this code and,  
25 thereafter, within 10 days of such representation, appearance, or negotiation,  
26 file a statement with the Joint Legislative Committee on Ethical Standards so  
27 indicating. If such statement is properly and timely filed, such employment or  
28 holding shall not, in and of itself and without more, be considered a "personal  
29 interest" for purposes of section 2:9 of this code, although the filing of such  
30 statement shall not relieve a member of the Legislature who shall have a  
31 personal interest in any legislation from complying with the requirements of  
32 section 2:9.

33 d. No member of the Legislature, nor any member of his immediate family,  
34 nor any partnership, firm or corporation with which he is associated as an  
35 officer, director, or holder of an interest, as defined in section 1:1 of this code,  
36 shall be an officer, director, employee, or holder of an interest, as defined in  
37 section 1:1 of this code, in any firm, corporation, or association, or holding or  
38 intermediary company with respect thereto, as the same are defined in the  
39 Casino Control Act, which is the holder of, or an applicant for, a casino  
40 license, except that a member of the immediate family of a member of the  
41 Legislature may hold employment with the holder of, or applicant for, a casino  
42 license if, in the judgment of the Joint Legislative Committee on Ethical  
43 Standards such employment will not interfere with the responsibilities of the

1 member of the Legislature, and will not create a conflict of interest, or  
2 reasonable risk of the public perception of a conflict of interest, on the part of  
3 the member of the Legislature. A member of the Legislature who is the holder  
4 of less than an interest, as defined in section 1:1 of this code, in any firm,  
5 corporation, or association, or any holding or intermediary company with  
6 respect thereto, which is the holder of, or an applicant for, a casino license; or  
7 who is associated as an officer or director with any firm which is the holder of  
8 less than an interest, as defined in section 1:1 of this code, in any firm,  
9 corporation, or association, or any holding or intermediary company with  
10 respect thereto, which is the holder of, or an applicant for, a casino license; or  
11 who is an employee of any firm which is the holder of an interest or less than  
12 an interest, as defined in section 1:1 of this code, in any firm, corporation, or  
13 association, or holding or intermediary company with respect thereto, which  
14 is the holder of, or an applicant for a casino license; or who is the holder of  
15 less than an interest, as defined in section 1:1 of this code, in any firm which  
16 is the holder of an interest or less than an interest in any firm, corporation, or  
17 association, or any holding or intermediary company with respect thereto,  
18 which is the holder of, or an applicant for, a casino license; or who is the  
19 holder of an interest or less than an interest, as defined in section 1:1 of this  
20 code, in any firm which is the holder of less than an interest, as defined in  
21 section 1:1 of this code, in any firm, corporation, or association, or any holding  
22 or intermediary company with respect thereto, which is the holder of, or an  
23 applicant for, a casino license, shall, within 60 days of the adoption of this  
24 code and, thereafter, within 10 days of such association, such employment or  
25 the acquisition of such holding or the knowledge by the legislator of the  
26 acquisition of such holding, file with the Joint Legislative Committee on Ethical  
27 Standards a statement so indicating and, in the case of a holding, listing the  
28 nature and extent of such holding and date of acquisition thereof. If such  
29 statement is properly and timely filed, such association, employment, or  
30 holding shall not, in and of itself and without more, be considered a "personal  
31 interest" for purposes of section 2:9 of this code, although the filing of such  
32 statement shall not relieve a member of the Legislature who shall have a  
33 personal interest in any legislation from complying with the requirements of  
34 section 2:9.

35 e. No member of the Legislature, nor any member of his immediate family,  
36 nor any partnership, firm or corporation with which he is associated as an  
37 officer, director, or holder of an interest, as defined in section 1:1 of this code,  
38 shall be an officer, director, or holder of an interest, as defined in section 1:1  
39 of this code, in any firm, corporation, or association, or holding or intermediary  
40 company with respect thereto, as the same are defined in the Casino Control  
41 Act, which is the holder of, or an applicant for, a casino service industry  
42 license or which is doing or seeking to do business, other than provision of  
43 goods and services as a licensed public utility or as a patron or on a casual

1 basis, with a casino licensee or its affiliated hotel. A member of the Legislature  
2 who is an employee of, or who is the holder of less than an interest, as defined  
3 in section 1:1 of this code, in, such a firm, corporation, or association, or  
4 holding or intermediary company with respect thereto; or who is associated  
5 as an officer or director with any firm which is the holder of less than an  
6 interest, as defined in section 1:1 of this code, in such a firm, corporation, or  
7 association, or holding or intermediary company with respect thereto; or who  
8 is an employee of any firm which is the holder of an interest or less than an  
9 interest, as defined in section 1:1 of this code, in such a firm, corporation, or  
10 association, or holding or intermediary company with respect thereto; or who  
11 is the holder of an interest or less than an interest, as defined in section 1:1 of  
12 this code, in a firm which is the holder of less than an interest in such a firm,  
13 corporation, or association, or holding or intermediary company with respect  
14 thereto; or who is the holder of less than an interest, as defined in section 1:1  
15 of this code, in a firm which is the holder of an interest or less than an interest,  
16 as defined in section 1:1 of this code, in such a firm, corporation or  
17 association, or holding or intermediary company with respect thereto, shall,  
18 within 60 days of the adoption of this code and, thereafter, within 10 days of  
19 such association, such employment or the acquisition of such holding or the  
20 knowledge by the legislator of the acquisition of such holding, file with the Joint  
21 Legislative Committee on Ethical Standards a statement so indicating and, in  
22 the case of a holding, listing the nature and extent of such holding and the date  
23 of acquisition thereof. Notwithstanding the foregoing, no such statement shall  
24 be required with respect to the ownership or control of a holding in a publicly  
25 traded corporation which is the holder of, or applicant for, a casino service  
26 industry license, or any holding or intermediary company with respect thereto;  
27 or which is doing or seeking to do business, other than provision of goods and  
28 services as a licensed public utility or as a patron or on a casual basis, with a  
29 casino licensee or its affiliated hotel; or which is the holding or intermediary  
30 company of any firm, corporation, or association which is doing or seeking to  
31 do such business. If such statement is properly and timely filed, such  
32 association, employment, or holding shall not, in and of itself and without more,  
33 be considered a "personal interest" for purposes of section 2:9 of this code,  
34 although the filing of such statement shall not relieve a member of the  
35 Legislature who shall have a personal interest in any legislation from complying  
36 with the requirements of section 2:9. For the purposes of this subsection and  
37 subsection g., business "on a casual basis" shall include, but not be limited to,  
38 business conducted with a casino licensee or its affiliated hotel by a firm,  
39 corporation, or association with which the licensee has or would have no  
40 separate or individual contract or agreement which is required to be approved  
41 by the Casino Control Commission pursuant to subsection b. of section 104  
42 of the Casino Control Act (P.L.1977, c.110; C.5:12-104b.).

43 f. A member of the Legislature who is an officer, director, employee, or

1 holder of an interest or less than an interest, as defined in section 1:1 of this  
2 code, in any firm, corporation, or association, or holding or intermediary  
3 company with respect thereto, which is doing or seeking to do business on a  
4 casual basis with a casino licensee or its affiliated hotel shall, within 60 days of  
5 the adoption of this code and, thereafter, within 10 days of becoming such an  
6 officer, director, employee, or holder of an interest or less than an interest, as  
7 defined in section 1:1 of this code, file with the Joint Legislative Committee on  
8 Ethical Standards a statement so indicating and, in the case of a holding, listing  
9 the nature and extent of such holding and the date of acquisition thereof.  
10 Notwithstanding the foregoing, no such statement shall be required with  
11 respect to the ownership or control of a holding in a publicly traded  
12 corporation which is doing or seeking to do business on a casual basis with a  
13 casino licensee or its affiliated hotel, or which is the holding or intermediary  
14 company of any such firm, corporation, or association. If such statement is  
15 properly and timely filed, such association as an officer, director, employee,  
16 or holder of an interest or less than an interest, as defined in section 1:1 of this  
17 code, shall not, in and of itself and without more, be considered a "personal  
18 interest" for purposes of section 2:9 of this code, although the filing of such  
19 statement shall not relieve a member of the Legislature who shall have a  
20 personal interest in any legislation from complying with the requirements of  
21 section 2:9. For the purposes of this subsection, "business on a casual basis"  
22 shall mean business conducted with a casino licensee or its affiliated hotel by  
23 a firm, corporation, or association with which the licensee has or would have  
24 no separate or individual contract or agreement which is required to be  
25 approved by the Casino Control Commission pursuant to subsection b. of  
26 section 104 of the Casino Control Act (P.L.1977, c.110; C.5:12-104b.), but  
27 shall not mean the provision of goods and services as a licensed public utility.

28 g. If a member of the immediate family of a member of the Legislature is  
29 the holder of an interest or less than an interest, as defined in section 1:1 of this  
30 code, in any firm, corporation, or association, or holding or intermediary  
31 company with respect thereto, which is the holder of, or an applicant for, a  
32 casino license or a casino service industry license, or which is doing or seeking  
33 to do business, other than provision of goods and services as a licensed public  
34 utility or as a patron or on a casual basis, with a casino licensee or its affiliated  
35 hotel, the family member shall, within 60 days of the adoption of this code and,  
36 thereafter, within 10 days of the knowledge by the legislator of the acquisition  
37 of such holding by the family member, file with the Joint Legislative Committee  
38 on Ethical Standards, a statement listing the nature and extent of such holding,  
39 the holder thereof and the date of acquisition thereof. Notwithstanding the  
40 foregoing, no such statement shall be required with respect to the ownership  
41 or control of a holding in a publicly traded corporation which is the holder of,  
42 or applicant for, a casino service industry license, or any holding or  
43 intermediary company with respect thereto; or which is doing or seeking to do

1 business, other than provision of goods and services as a licensed public utility  
2 or as a patron or on a casual basis, with a casino licensee or its affiliated hotel;  
3 or which is the holding or intermediary company of any firm, corporation, or  
4 association which is doing or seeking to do such business. If such statement  
5 is properly and timely filed, such holding shall not, in and of itself and without  
6 more, be considered a "personal interest" for purposes of section 2:9 of this  
7 code, although the filing of such statement shall not relieve a member of the  
8 Legislature who shall have a personal interest in any legislation from complying  
9 with the requirements of section 2:9.

10 h. A member of the Legislature who has or enters into any financial  
11 relationship, whether as debtor, creditor, mortgagor, mortgagee, or otherwise,  
12 with a holder of or applicant for a casino license or with a holding or  
13 intermediary company with respect thereto, or a member of his immediate  
14 family who has or enters into any such relationship, shall, within 60 days of the  
15 adoption of this code and, thereafter, within 10 days of entering into such a  
16 relationship or of the knowledge by the legislator of such a relationship, file  
17 with the Joint Legislative Committee on Ethical Standards, a statement listing  
18 the nature of the relationship, the parties thereto and the terms thereof.

19 i. A member of the Legislature who owns or holds an interest in any land  
20 or building in any city in which casino gambling is authorized, or a member of  
21 his immediate family who owns or holds an interest in any land or building in  
22 any city in which casino gambling is authorized shall, within 60 days of the  
23 adoption of this code and, thereafter, within 10 days of the acquisition of such  
24 ownership or holding, file with the Joint Legislative Committee on Ethical  
25 Standards, a statement listing such ownership or control.

26 j. No member of the Legislature shall accept any complimentary service,  
27 discount, or credit from any casino applicant or licensee which he knows or  
28 has reason to know is other than such service, discount, or credit that is  
29 offered to the general public (C.52:13D-17.2). [(New.)]

30 k. No member of the Legislature or any member of his immediate family,  
31 nor any partnership, firm or corporation with which he is associated or in  
32 which he has an interest, nor any partner, officer, director or employee while  
33 he is associated with such partnership, firm or corporation, shall, within two  
34 years next subsequent to the termination of the office of the member of the  
35 Legislature hold, directly or indirectly, an interest in, or hold employment with,  
36 or represent, appear for or negotiate on behalf of, any holder of, or applicant  
37 for, a casino license in connection with any cause, application or matter, or any  
38 holding or intermediary company with respect to such holder of, or applicant  
39 for, a casino license in connection with any phase of casino development,  
40 permitting, licensure or any other matter whatsoever related to casino activity,  
41 except that a member of the immediate family of a member of the Legislature  
42 may hold employment with the holder of, or applicant for, a casino license if,  
43 in the judgment of the Joint Legislative Committee on Ethical Standards such

1 employment will not interfere with the responsibilities of the member of the  
2 Legislature and will not create a conflict of interest, or reasonable risk of the  
3 public perception of a conflict of interest, on the part of the member of the  
4 Legislature (C.52:13D-17.2).

5 2:9. No member of the Legislature shall participate by voting or any other  
6 action on the floor of either House, in committee or elsewhere, in the  
7 enactment or defeat of legislation in which he has a personal interest unless and  
8 until he files with the Secretary of the Senate or the Clerk of the General  
9 Assembly, as the case may be, and with the Joint Legislative Committee on  
10 Ethical Standards a statement that he has a personal interest in the legislation,  
11 identifying it by bill or resolution number, and that notwithstanding his interest,  
12 he is able to cast a fair and objective vote and otherwise participate in  
13 connection with and consideration of such legislation.

14 The Joint Legislative Committee on Ethical Standards is authorized to  
15 investigate the circumstances giving rise to the filing of a statement of personal  
16 interest and upon a finding, after a hearing thereon, that the member's  
17 participation with respect to the enactment or defeat of the legislation would  
18 constitute a violation of the public trust or create an impression among the  
19 public of a violation of the public trust, the joint committee shall direct the  
20 member to withdraw his sponsorship of, or participation in, the enactment or  
21 defeat of the legislation.

22 For the purpose of this section a "personal interest" means the member of  
23 the Legislature believes or has reason to believe he will derive a direct  
24 monetary gain or suffer a direct monetary loss by the enactment or defeat of  
25 the legislation; a "personal interest" does not mean that by enactment or defeat  
26 of the legislation no benefit or detriment to him could be expected to accrue  
27 to him, as a member of a business, profession, occupation or group, to any  
28 greater extent than any such benefit or detriment could be expected to accrue  
29 to any other member of such business, profession, occupation or group.

30 Statements filed pursuant to this section shall be entered verbatim in the  
31 Senate Journal or Minutes of the General Assembly, as the case may be  
32 (C.52:13D-18).

33 2:10. No member of the Legislature shall solicit, receive or agree to  
34 receive, whether directly or indirectly, any compensation, reward,  
35 employment, gift or other thing of value, from any source other than the State  
36 of New Jersey, for any service, advice, assistance or other matter related to  
37 his official duties, except reasonable fees for speeches or published works on  
38 matters within his official duties and except, in connection therewith,  
39 reimbursement of actual expenditures for travel and reasonable subsistence for  
40 which no payment or reimbursement is made by the State of New Jersey.  
41 This section shall not apply to the solicitation or acceptance of contributions  
42 to the campaign of an announced candidate for elective public office and the  
43 member has no knowledge or reason to believe that the solicited campaign

1 contribution, if accepted, would be given with the intent to influence the  
2 member in the performance of his public duties and responsibilities  
3 (C.52:13D-24).

4 2:11. No member of the Legislature shall willfully disclose to any person,  
5 whether or not for pecuniary gain, any information not generally available to  
6 members of the public which he receives or acquires in the course of and by  
7 reason of his official duties. No member of the Legislature shall use for the  
8 purpose of pecuniary gain, whether directly or indirectly, any information not  
9 generally available to members of the public which he receives or acquires in  
10 the course of and by reason of his official duties (C.52:13D-25).

11 2:12. If any person shall attempt to induce a member of the Legislature to  
12 violate any provision of the New Jersey Conflicts of Interest Law or this code,  
13 the member shall report the matter to the Attorney General in writing no later  
14 than 72 hours after the attempt and shall advise concurrently in writing the  
15 Joint Legislative Committee on Ethical Standards that he has made such a  
16 report to the Attorney General (C.52:13D-26).

17 2:13. Any member of the Legislature may request and obtain an advisory  
18 opinion of the Joint Legislative Committee on Ethical Standards as to whether  
19 or not the amount of a fee for a speech or published work is reasonable or that  
20 any proposed activity or conduct would in its opinion constitute a violation of  
21 the provisions of the New Jersey Conflicts of Interest Law or this code.  
22 Advisory opinions of the joint committee shall not be made public, except  
23 when the joint committee by the vote of three-fourths of all of its members  
24 directs that the same be made public or upon the request of the member  
25 seeking the advisory opinion. Public advisory opinions shall not disclose the  
26 name of any member of the Legislature unless the joint committee in directing  
27 that the same be made public so directs. All advisory opinions shall remain on  
28 file for 5 years from the date of issuance (C.52:13D-22 (g) and 52:13D-24).

29 2:14. a. Within 60 days of the adoption of this code and, thereafter, no  
30 later than May 15 of each year, each member of the Senate and General  
31 Assembly shall file with the Joint Legislative Committee on Ethical Standards  
32 or any successor thereto a financial disclosure statement, on a form to be  
33 prescribed by the Joint Legislative Committee on Ethical Standards or its  
34 successor, with respect to the member's, his spouse's and minor children's  
35 sources of income, received from sources other than the State, during the  
36 preceding calendar year. Without disclosing the amounts of income,  
37 reimbursements and gifts, the statement shall include an enumeration of:

38 (1) Each of the following categories of earned income totalling more than  
39 \$1,000.00: salaries, bonuses, royalties, fees, commissions and profit sharing  
40 paid to the member or his spouse as an officer, employee, partner or  
41 consultant of a named corporation, professional association, partnership or  
42 sole proprietorship;

43 (2) Each of the following categories of unearned income totalling more

1 than \$1,000.00: rents, dividends and other income received by the member,  
2 his spouse or minor child from named investments, trusts and estates;

3 (3) Fees and honorariums totalling more than \$100.00 for personal  
4 appearances, speeches or writings received by the member or his spouse from  
5 named payers;

6 (4) Reimbursements totalling more than \$100.00 for travel, subsistence or  
7 facilities provided in kind received by the member, his spouse or minor child  
8 from named payers or providers other than the State, any political subdivision  
9 thereof, a principal employer, or a nonprofit organization; and

10 (5) Gifts having a value totalling more than \$250.00, other than devises,  
11 bequests, intestate estate distributions or principal distributions of trusts or gifts  
12 from a spouse or other relative, received by the member, his spouse or minor  
13 child from named donors.

14 b. The financial disclosure statement filed pursuant to this section shall also  
15 include the address and brief description of all real property in the State in  
16 which the legislator, his spouse or dependent child held an interest during the  
17 preceding calendar year.

18 [b.] c. The failure of a member of the Legislature to file a statement as  
19 required by this section shall be reported to the President of the Senate or  
20 Speaker of the General Assembly.

21 [c.] d. The Joint Legislative Committee on Ethical Standards or its  
22 successor after review of statements filed pursuant to this section may by  
23 advisory opinion determine that in its opinion a particular category of income,  
24 reimbursements or gifts or real estate holding gives rise to an appearance of  
25 conflict with the member's service as a member of the Legislature.

26 [d.] e. Advisory opinions issued pursuant to subsection [c.]d. shall be  
27 public records and shall remain on file for 5 years from the date of issuance.

### 29 3. OFFICERS AND EMPLOYEES IN THE LEGISLATIVE BRANCH

30 3:1. No State officer or employee or special State officer or employee  
31 shall accept from any person, directly or indirectly, whether by himself or  
32 through his spouse or a member of his family or through any partner or  
33 business or professional associate, any gift, favor, service, employment or offer  
34 of employment or any other thing of value, which he knows or has reason to  
35 believe is made or offered to him with the intent to influence him in the  
36 performance of his duties as a State officer or employee or special State  
37 officer or employee.

38 This section shall not apply to the acceptance of contributions to the  
39 campaign of an announced candidate for any elective public office by a special  
40 State officer or employee (C.52:13D-14).

41 3:2. Except as hereinafter provided in sections 3:4 and 3:5 no State officer  
42 or employee nor any partnership or firm of which he is a member or any  
43 corporation in which he owns or controls an interest, nor any partner, officer

1 or employee of any such partnership, firm or corporation, shall represent,  
2 appear for, or negotiate on behalf of, or agree to represent, appear for, or  
3 negotiate on behalf of, any person or party other than the State in connection  
4 with:

5 a. The acquisition or sale by the State or a State agency of any interest in  
6 real or tangible or intangible personal property (C.52:13D-15);

7 b. The acquisition by the State or a State agency of any interest in real  
8 property by condemnation proceedings (C.52:13D-15);

9 c. Any specific cause, proceeding, application or other matter before any  
10 State agency (C.52:13D-16).

11 3:3. No special State officer or employee nor any partnership or firm of  
12 which he is a member or any corporation in which he owns or controls an  
13 interest, nor any partner, officer or employee of any such partnership, firm or  
14 corporation, shall represent, appear for, or negotiate on behalf of, or agree to  
15 represent, appear for, or negotiate on behalf of, any person or party other than  
16 the State in connection with any cause, proceeding, application or other matter  
17 pending before the Legislature or either House thereof or an agency,  
18 commission or committee in the legislative branch (C.52:13D-16a.).

19 3:4. [a.] The provisions of section 3:2 above shall not prohibit or restrict  
20 a State officer or employee from representing himself in negotiations or  
21 proceedings concerning his own interest in real property, or prohibit or restrict  
22 a partnership or firm with which a State officer or employee is associated or  
23 a corporation in which he owns or controls an interest from appearing before  
24 a State agency in any cause, proceeding or other matter on its own behalf  
25 (C.52:13D-16).

26 3:5. A State officer or employee whose conditions of employment permit  
27 him to engage in private law practice is authorized to represent, appear for or  
28 negotiate on behalf of, or agree so to do, any person other than the State in  
29 any action, cause, proceeding or application before:

30 a. Any court of record, except where the State or a State agency is an  
31 adverse party;

32 b. The Division of Workers' Compensation, except in connection with a  
33 claim by a State employee;

34 c. The Division of Taxation in connection with the determination or review  
35 of transfer inheritance or estate taxes;

36 d. The Department of State in connection with the filing of corporate or  
37 other documents;

38 e. The Unsatisfied Claim and Judgment Fund Board, solely for the purpose  
39 of filing a protective notice of intention (C.52:13D-16).

40 3:6. No State officer or employee or special State officer or employee,  
41 subsequent to the termination of his office or employment in any State agency,  
42 shall represent, appear for [or], negotiate on behalf of, or provide information  
43 not generally available to members of the public or services to, or agree to

1 represent, appear for, [or] negotiate on behalf of, or provide information not  
2 generally available to members of the public or services to, whether by himself  
3 or through any partnership, firm or corporation in which he [owns or controls]  
4 has an interest or through any partner, officer or employee thereof, any person  
5 or party other than the State in connection with any cause, proceeding,  
6 application or other matter with respect to which such State officer or  
7 employee or special State officer or employee shall have made any  
8 investigation, rendered any ruling, given any opinion, or been otherwise  
9 substantially and directly involved at any time during the course of his office or  
10 employment (C.52:13D-17).

11 3:7. [Prior approval of the Joint Legislative Committee on Ethical  
12 Standards shall be obtained for a State officer or employee, individually,  
13 through a partnership or firm with which he is associated or by a corporation  
14 in which he owns or controls an interest, to bid on and to accept awards of  
15 contracts let or awarded by a State agency where the dollar value thereof is  
16 \$25.00 or more.

17 Where approval is desired to bid on and, if successful, to accept and  
18 undertake contracts to be awarded by a State agency after public notice and  
19 competitive bidding or to negotiate, accept and execute contracts of the types  
20 enumerated in P.L.1954, c.48, s.5 (C.52:34-10) awarded without advertising  
21 with the approval of the State Treasurer or contracts of insurance to be  
22 entered into pursuant to P.L.1944, c.112, s.10 (C.52:27B-62), an application  
23 to, and approval by, the joint committee]

24 a. No State officer or employee shall knowingly himself, or by his partners  
25 or through any corporation which he controls or in which he owns or controls  
26 more than 1% of the stock, or by any other person for his use or benefit or on  
27 his account, undertake or execute, in whole or in part, any contract,  
28 agreement, sale or purchase of the value of \$25.00 or more, made, entered  
29 into, awarded or granted by any State agency, except as provided in  
30 subsection b. of this section. No special State officer or employee having any  
31 duties or responsibilities in connection with the purchase or acquisition of  
32 property or services by the State agency where he is employed or an officer  
33 shall knowingly himself, by his partners or through any corporation which he  
34 controls or in which he owns or controls more than 1% of the stock, or by any  
35 other person for his use or benefit or on his account, undertake or execute, in  
36 whole or in part, any contract, agreement, sale or purchase of the value of  
37 \$25.00 or more, made, entered into, awarded or granted by that State  
38 agency, except as provided in subsection b. of this section. The restriction  
39 contained in this subsection shall apply to the contracts of interstate agencies  
40 to the extent consistent with law only if the contract, agreement, sale or  
41 purchase is undertaken or executed by a New Jersey member to that agency  
42 or by his partners or a corporation in which he owns or controls more than 1%  
43 of the stock.

1        b. The provisions of subsection a. of this section shall not apply to (a)  
2 purchases, contracts, agreements or sales which (1) are made or let after  
3 public notice and competitive bidding or which (2), pursuant to section 5 of  
4 P.L.1954, c.48 (C.52:34-10) or such other similar provisions contained in the  
5 public bidding laws or regulations applicable to other State agencies, may be  
6 made, negotiated or awarded without public advertising or bids, or (b) any  
7 contract of insurance entered into by the Director of the Division of Purchase  
8 and Property pursuant to section 10 of P.L.1944, c.112 (C.52:27B-62), if the  
9 purchases, contracts or agreements, including change orders and amendments  
10 thereto, shall receive prior approval of the Joint Legislative Committee on  
11 Ethical Standards, which approval may be made for a period not in excess of  
12 one legislative year.

13        Upon the award of a contract by a State agency to a State officer or  
14 employee or special State officer or employee, his partnership or firm or  
15 corporation described in this section he shall file with the joint committee a  
16 notice of the award, the name of the State agency involved and the dollar  
17 amount of the contract. Any amendment or change order to any such contract  
18 involving a change in the dollar amount involved shall likewise be reported to  
19 the joint committee (C.52:13D-19).

20        3:7.1 (New section) Notwithstanding the provisions of P.L.1971, c.182  
21 (C.52:13D-12 et seq.) and this code of ethics, a State officer or employee or  
22 a special State officer or employee or his partners or any corporation or firm  
23 in which he owns or controls more than 1% of the stock, assets or profits may  
24 enter into a contract or agreement with a State agency where the contract or  
25 agreement is for the development of scientific or technological discoveries or  
26 innovations in which the State agency has a property right, if the State agency  
27 has a procedure in its code of ethics for authorizing these contracts or  
28 agreements which minimizes actual conflicts of interest and the code of ethics  
29 was approved in accordance with section 12 of P.L.1971, c.182  
30 (C.52:13D-23) and the contract or agreement complies with that code  
31 procedure (C.52:13D-19.1).

32        3:7.2 (New section) Notwithstanding the provisions of P.L.1971, c.182  
33 (C.52:13D-12 et seq.) and this code of ethics, a State officer or employee or  
34 a special State officer or employee or his partners or any corporation or firm  
35 in which he owns or controls more than 1% of the stock, assets or profits may  
36 enter into a rental agreement with a State agency which operates a facility  
37 which rents space or provides services to assist small businesses which employ  
38 50 people or less, pursuant to the same terms and conditions as those offered  
39 to members of the public generally (C.52:13D-19.2).

40        3:8. A State officer or employee or special State officer or employee shall  
41 not act as an agent of the Legislature, either House thereof or agency in the  
42 legislative branch in connection with the transaction of any business with  
43 himself or with a corporation, company, association or firm in which he owns

1 or controls an interest (C.52:13D-20).

2 3:9. Any State officer or employee or special State officer or employee  
3 whose conditions of employment so permit and who engages in the conduct  
4 or practice of a particular business, profession, trade or occupation which is  
5 subject to licensing or regulation by a particular State agency shall file a notice  
6 that he is the holder of a particular license or is engaged in such activity with  
7 the Joint Legislative Committee on Ethical Standards. A State officer or  
8 employee or special State officer or employee whose conditions of  
9 employment authorize him to engage in private law practice shall so report to  
10 the joint committee. Renewal of licenses need not be reported  
11 (C.52:13D-23(e)(2)).

12 3:10. a. No State officer or employee or any special State officer or  
13 employee with responsibility for matters affecting casino activity, nor any  
14 member of his immediate family, nor any other special State officer or  
15 employee, or any partnership, firm or corporation with which he is associated  
16 or in which he holds an interest, shall represent, appear for, or negotiate on  
17 behalf of the holder of, or an applicant for, a casino license or any holding or  
18 intermediary company with respect thereto, as the same are defined in the  
19 Casino Control Act.

20 b. No State officer or employee or any special State officer or employee  
21 with responsibility for matters affecting casino activity, nor any member of his  
22 immediate family, nor any other special State officer or employee, or any  
23 partnership, firm or corporation with which he is associated or in which he  
24 holds an interest, shall be an officer, director, employee, or holder of an  
25 interest, as defined in section 1:1 of this code, in any holder of, or an applicant  
26 for, a casino license or any holding or intermediary company with respect  
27 thereto, as the same are defined in the Casino Control Act, except that a  
28 member of the immediate family of a State officer or employee, or special  
29 State officer or employee with responsibility for matters affecting casino  
30 activity may hold employment with the holder of, or applicant for, a casino  
31 license if, in the judgment of the Joint Legislative Committee on Ethical  
32 Standards such employment will not interfere with the responsibilities of the  
33 State officer or employee, and will not create a conflict of interest, or  
34 reasonable risk of the public perception of a conflict of interest, on the part of  
35 the State officer or employee.

36 c. No State officer or employee or special State officer or employee, or  
37 any firm with which he is associated, shall appear or practice in any capacity  
38 representing any person, firm, corporation or association before the Casino  
39 Control Commission or the Division of Gaming Enforcement [(New).]

40 d. A special State officer or employee without responsibility for matters  
41 affecting casino activity may hold employment directly with any holder of or  
42 applicant for a casino license or any holding or intermediary company thereof  
43 and if so employed may hold, directly or indirectly, an interest in, or represent,

1 appear for, or negotiate on behalf of, his employer, except as otherwise  
2 prohibited by law.

3 e. This section shall not apply to the spouse of a State officer or employee,  
4 which State officer or employee is without responsibility for matters affecting  
5 casino activity, who becomes the spouse subsequent to the State officer's or  
6 employee's appointment or employment as a State officer or employee and  
7 who is not individually or directly employed by a holder of, or applicant for,  
8 a casino license, or any holding or intermediary company.

9 f. As used in this subsection "person" means any State officer or employee  
10 with responsibility for matters affecting casino activity, any special State officer  
11 or employee with responsibility for matters affecting casino activity or any  
12 full-time professional employee of the Legislature. No person or any member  
13 of his immediate family, nor any partnership, firm or corporation with which  
14 such person is associated or in which he has an interest, nor any partner,  
15 officer, director or employee while he is associated with such partnership, firm  
16 or corporation, shall, within two years next subsequent to the termination of  
17 the office or employment of such person, hold, directly or indirectly, an interest  
18 in, or hold employment with, or represent, appear for or negotiate on behalf  
19 of, any holder of, or applicant for, a casino license in connection with any  
20 cause, application or matter, or any holding or intermediary company with  
21 respect to such holder of, or applicant for, a casino license in connection with  
22 any phase of casino development, permitting, licensure or any other matter  
23 whatsoever related to casino activity, except that a member of the immediate  
24 family of a person may hold employment with the holder of, or applicant for,  
25 a casino license if, in the judgment of the Joint Legislative Committee on  
26 Ethical Standards such employment will not interfere with the responsibilities  
27 of the person and will not create a conflict of interest, or reasonable risk of the  
28 public perception of a conflict of interest, on the part of the person  
29 (C.52:13D-17.2).

30 3:11. No State officer or employee or special State officer or employee  
31 shall solicit, receive or agree to receive, whether directly or indirectly, any  
32 compensation, reward, employment, gift or other thing of value from any  
33 source other than the State of New Jersey, for any service, advice, assistance  
34 or other matter related to his official duties, except reasonable fees for  
35 speeches or published works on matters within his official duties and except,  
36 in connection therewith, reimbursement of actual expenditures for travel and  
37 reasonable subsistence for which no payment or reimbursement is made by the  
38 State of New Jersey. This section shall not apply to the solicitation or  
39 acceptance of contributions to the campaign of an announced candidate for  
40 elective public office by a special State officer or employee; provided, the  
41 special State officer or employee has no knowledge or reason to believe that  
42 the contribution is solicited, offered or accepted with the intent to influence the  
43 special State officer or employee or the candidate to whose campaign it is

1 offered or made in the performance of his public duties and responsibilities  
2 (C.52:13D-24).

3 3:12. No State officer or employee or special State officer or employee  
4 shall accept any complimentary service, discount, or credit from any casino  
5 applicant or licensee which he knows or has reason to know is other than such  
6 service, discount, or credit that is offered to the general public in like  
7 circumstance[(New)](C.52:13D-17.2).

8 3:13. No State officer or employee or special State officer or employee  
9 shall willfully disclose to any person, whether or not for pecuniary gain, any  
10 information not generally available to members of the public which he receives  
11 or acquires in the course of and by reason of his official duties. No State  
12 officer or employee or special State officer or employee shall use for the  
13 purpose of pecuniary gain, whether directly or indirectly, any information not  
14 generally available to members of the public which he receives or acquires in  
15 the course of and by reason of his official duties (C.52:13D-25).

16 3:14. If any person shall attempt to induce a State officer or employee or  
17 special State officer or employee to violate any provision of the New Jersey  
18 Conflicts of Interest Law or this code, the officer or employee shall report the  
19 matter to the Attorney General in writing no later than 72 hours after the  
20 attempt and shall advise concurrently in writing the Joint Legislative Committee  
21 on Ethical Standards that he has made such a report to the Attorney General  
22 (C.52:13D-26).

23 3:15. Any State officer or employee or special State officer or employee  
24 may request and obtain an advisory opinion of the Joint Legislative Committee  
25 on Ethical Standards as to whether or not the amount of any fee for a speech  
26 or published work is reasonable or any proposed activity or conduct would  
27 in its opinion constitute a violation of the provisions of the New Jersey  
28 Conflicts of Interest Law or this code.

29 Advisory opinions of the joint committee shall not be made public, except  
30 when the joint committee by the vote of three-fourths of all its members directs  
31 that the same be made public or upon the request of the officer or employee  
32 seeking the advisory opinion. Public advisory opinions shall not disclose the  
33 name of any State officer or employee or special State officer or employee  
34 unless the joint committee in directing that the same be made public so directs.  
35 All advisory opinions shall remain on file for 5 years from the date of issuance  
36 (C.52:13D-22(g) and 52:13D-24).

37

#### 38 4. ADMINISTRATION AND ENFORCEMENT

39 4:1. Administration and enforcement of the New Jersey Conflicts of  
40 Interest Law, any supplements thereto and this code of ethics with respect to  
41 members of the Legislature [and], State officers [and] or employees and  
42 special State officers [and] or employees in the legislative branch of the State  
43 Government is vested in the Joint Legislative Committee on Ethical Standards

1 which shall be exercised in accordance with the code of fair procedure  
2 governing State investigating agencies (P.L.1968, c.376, C.52:13E-1 et seq.),  
3 the New Jersey Conflicts of Interest Law, this legislative code of ethics and  
4 rules of procedure adopted by the joint committee.

5 4:2. The Legislative Services Commission may with respect to State  
6 officers [and] or employees and special State officers or employees in its  
7 employ prescribe additional conditions of employment, a copy of which shall  
8 be filed with the Joint Legislative Committee on Ethical Standards.

9 4:3. No action for removal or discipline of a member of the Legislature or  
10 a State officer or employee or a special State officer or employee in the  
11 legislative branch of the State Government for a violation of the New Jersey  
12 Conflicts of Interest Law or this code shall be taken except with the approval  
13 of the Joint Legislative Committee on Ethical Standards.

14 4:4. All notices or statements to be filed with the Joint Legislative  
15 Committee on Ethical Standards shall be public records. All such notices or  
16 statements shall be available for inspection by the public at the office where  
17 required to be filed, and shall remain on file for 5 years from the date of  
18 issuance.

19 4:5. The Joint Committee on Ethical Standards shall prepare and prescribe  
20 appropriate forms to be used for the filing of notices and statements required  
21 pursuant to this code.

22 4:6. (New section) Any document which is mailed shall be deemed to be  
23 timely filed if the postmark stamped on the cover, envelope or wrapper in  
24 which the document was mailed bears a date on or before the date of the last  
25 day prescribed for filing the document (C.52:13D-22.2).

26 4:7. (New section) When the date or the last day prescribed for filing a  
27 document falls on a Saturday, Sunday or legal holiday, the next succeeding  
28 business day shall be regarded as the date of the last day prescribed for filing  
29 the document (C.52:13D-22.3).

30

31

32

#### STATEMENT

33

34 This concurrent resolution adopts a Legislative Code of Ethics for 1994  
35 and 1995. The changes from the 1982-1983 Legislative Code of Ethics,  
36 temporarily adopted for 1994, are as follows:

37 1. Section 1:1 is amended to correct a technical error in the citation of the  
38 "Professional Services Corporation Act," P.L.1969, c.232 (C.14A:17-1 et  
39 seq.). This amendment conforms the Code to the changes made to the "New  
40 Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.) by  
41 P.L.1987, c.432. The definition of the term "document" is added to conform  
42 the Code to the changes made by P.L.1991, c.333.

43 2. Section 2:4 is amended for purposes of internal consistency to clarify

1 that lawyer-legislators may represent local public entities in court even where  
2 the State is an adverse party. This conforms the Code to the changes made  
3 by P.L.1987, c.432.

4 3. Section 2:5 is amended to state that a legislator shall not individually, by  
5 his partners or through a corporation in which he owns or controls more than  
6 1% of the stock, contract with a State agency in an amount exceeding \$25.00,  
7 except where the contract is publicly bid or where the contract falls within the  
8 limited exceptions enumerated in the section. The restrictions apply to  
9 contracts of interstate agencies only if the contract is undertaken or executed  
10 by a New Jersey member to that interstate agency or by his partners or a  
11 corporation in which he owns or controls more than 1% of the stock. This  
12 amendment conforms the Code to the changes made by P.L.1987, c.432.

13 4. Section 2:8 is amended to allow a member of the immediate family of  
14 a member of the Legislature to hold employment with a casino licensee or  
15 applicant if the Joint Legislative Committee on Ethical Standards determines  
16 that the employment does not create an actual or perceived conflict of interest.  
17 This amendment conforms the Code to the changes made by P.L.1993,  
18 c.292. This section is further amended to add the post employment  
19 restrictions imposed by P.L.1981, c.142.

20 5. Section 2:14 is amended to require legislators to disclose the address  
21 and a brief description of all real property in the State in which the legislator,  
22 legislator's spouse or minor child held an interest during the preceding calendar  
23 year. This amendment was recommended by the Joint Legislative Committee  
24 on Ethical Standards and would parallel the real estate disclosure required by  
25 local government officers pursuant to the "Local Government Ethics Law."

26 6. Section 3:4 is amended to delete an "a." subsection designation since  
27 there is no subsection b.

28 7. Section 3:6 is amended to broaden the post employment restrictions to  
29 prohibit a State officer or employee or special State officer or employee from  
30 providing or agreeing to provide information not generally available to  
31 members of the public or services to, either individually or through an  
32 organization in which he has an interest, anyone other than the State in  
33 connection with any matter in which he was substantially and directly involved  
34 during the course of his office or employment. This amendment conforms the  
35 Code to the changes made by P.L.1987, c.432.

36 8. Section 3:7 is amended to prohibit a State officer or employee or a  
37 special State officer or employee with purchasing responsibility individually, by  
38 his partners or through a corporation in which he owns or controls more than  
39 1% of the stock from contracting with any State agency, in the case of a State  
40 officer or employee, or the State agency in which he is employed, in the case  
41 of a special State officer or employee, in an amount exceeding \$25.00, except  
42 where the contract is publicly bid or falls within the limited exceptions  
43 enumerated in the section. The restrictions apply to contracts of interstate

1 agencies only if the contract is undertaken or executed by a New Jersey  
2 member to that interstate agency or by his partners or a corporation in which  
3 he owns or controls more than 1% of the stock. This amendment conforms  
4 the Code to the changes made by P.L.1987, c.432.

5 9. New section 3:7.1 is added to allow State officers or employees and  
6 special State officers or employees and their firms to contract with State  
7 agencies for the development of scientific or technological discoveries or  
8 innovations in which the State has a property right under certain conditions.  
9 This supplemental section conforms the Code to the changes made by  
10 P.L.1991,c.254.

11 10. New section 3:7.2 is added to allow State officers or employees and  
12 special State officers or employees and their firms to enter into rental  
13 agreements with State agencies which operate facilities which rent space or  
14 provide services to assist small businesses. This supplemental section  
15 conforms the Code to the changes made by P.L.1991, c.254.

16 11. Section 3:9 is amended to require special State officers and employees  
17 whose trade or occupation subjects them to licensing or regulation by a State  
18 agency or who practice law to report that fact to the Joint Legislative  
19 Committee on Ethical Standards. This amendment conforms the Code to the  
20 changes made by P.L.1987, c.432.

21 12. Section 3:10 is amended to allow a member of the immediate family  
22 of a State officer or employee or a special State officer or employee with  
23 responsibility for matters affecting casino activity to hold employment with a  
24 casino licensee or applicant if the Joint Legislative Committee on Ethical  
25 Standards determines that the employment does not create an actual or  
26 perceived conflict of interest. The section is also amended to allow a special  
27 State officer or employee without responsibility for matters affecting casino  
28 activity to hold employment directly with any holder of or applicant for a  
29 casino license or any holding or intermediary company thereof and if so  
30 employed to hold, directly or indirectly, an interest in, or represent, appear for,  
31 or negotiate on behalf of, his employer, except as otherwise prohibited by law.  
32 These amendments conform the Code to the changes made by P.L.1991,  
33 c.182 and P.L.1993, c.292. The section is also amended to conform the  
34 Code to the representation, employment and post employment restrictions in  
35 P.L.1981, c.142 and the spousal exception in P.L.1983, c.185.

36 13. Section 4:1 is amended to clarify that the jurisdiction of the Joint  
37 Legislative Committee on Ethical Standards extends to acts supplementing the  
38 New Jersey Conflicts of Interest Law.

39 14. Section 4:2 is amended to clarify that the Legislative Services  
40 Commission may prescribe additional conditions of employment for special  
41 State officers or employees.

42 15. New section 4:6 is added to allow documents filed with the Joint  
43 Committee to be deemed timely filed if the postmark bears a date on or before

1 the date of the last day prescribed for filing. This supplemental section  
2 conforms the Code to the changes made by P.L.1991, c.333.

3 16. New section 4:7 is added to provide that when the last day prescribed  
4 for filing a document falls on a Saturday, Sunday or legal holiday, the next  
5 succeeding business day shall be regarded as the date of the last day  
6 prescribed for filing the document. This supplemental section conforms the  
7 Code to the changes made by P.L.1991, c.333.

8

9

10

11

12 Adopts a permanent Legislative Code of Ethics for 1994 and 1995 and  
13 amends and supplements the temporarily adopted Code to conform to  
14 statutory and recommended changes.

WITHDRAWN