

SENATE, No. 652

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 5, 1996

By Senators SCHLUTER and LYNCH

1 AN ACT restricting the receipt of certain things of value by members
2 of the Legislature and officers and employees of the State and
3 limiting certain gifts thereto and amending and supplementing
4 P.L.1971, c.182 and supplementing P.L.1971, c.183.

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6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

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9 1. Section 13 of P.L.1971, c.182 (C.52:13D-24) is amended to
10 read as follows:

11 13. a. No State officer or employee, special State officer or
12 employee, or member of the Legislature shall solicit, receive or agree
13 to receive, whether directly or indirectly, any compensation, reward,
14 employment, gift, honorarium, out of State travel or subsistence
15 expense or other thing of value from any source other than the State
16 of New Jersey, for any service, advice, assistance, appearance, speech
17 or other matter related to his official duties, except [reasonable fees
18 for speeches or published works on matters within his official duties
19 and except, in connection therewith, reimbursement of actual
20 expenditures for travel and reasonable subsistence for which no
21 payment or reimbursement is made by the State of New Jersey] as
22 authorized in this section.

23 b. A State officer or employee, special State officer or employee,
24 or member of the Legislature may, in connection with any service,
25 advice, assistance, appearance, speech or other matter related to his
26 official duties, solicit, receive or agree to receive, whether directly or
27 indirectly, from sources other than the State, the following:

28 (1) reasonable fees for published books on matters within his
29 official duties;

30 (2) reimbursement or payment of actual and reasonable
31 expenditures for travel or subsistence in New Jersey which is not paid
32 for by the State of New Jersey;

33 (3) reimbursement or payment of actual and reasonable
34 expenditures for travel or subsistence outside New Jersey not to

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

Matter underlined thus is new matter.

1 exceed \$500.00 per trip which is not paid for by the State of New
2 Jersey. Members of the Legislature shall obtain the joint approval of
3 the presiding officer and minority leader of the member's House before
4 accepting any reimbursement or payment of expenditures for travel or
5 subsistence outside New Jersey.

6 As used in this section "reasonable expenditures for travel or
7 subsistence" means commercial travel rates directly to and from an
8 event and food and lodging expenses which are moderate and neither
9 elaborate nor excessive.

10 c. This section shall not apply to the solicitation or acceptance of
11 contributions to the campaign of an announced candidate for elective
12 public office, except that campaign contributions may not be accepted
13 if they are known to be given in lieu of a payment prohibited pursuant
14 to this section.

15 (cf: P.L.1971, c.182, s.13)

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17 2. (New section) Except as expressly authorized in section 13 of
18 P.L.1971, c.182 (C.52:13D-24) or where the lobbyist or legislative
19 agent is a member of the immediate family of the State officer or
20 employee, special State officer or employee or member of the
21 Legislature, no State officer or employee, special State officer or
22 employee or member of the Legislature may accept, directly or
23 indirectly, any compensation, awards, employment, gifts or other
24 things of value from each lobbyist or legislative agent, as defined in
25 the "Legislative Activities Disclosure Act of 1971," P.L.1971, c.183
26 (C.52:13C-18 et. seq.), totalling more than \$100.00 in a calendar year.
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28 3. (New section) Except as expressly authorized in section 13 of
29 P.L.1971, c.182 (C.52:13D-24) or where the lobbyist or legislative
30 agent is a member of the immediate family of the State officer or
31 employee, special State officer or employee or member of the
32 Legislature, no lobbyist or legislative agent shall offer or give or agree
33 to offer or give, directly or indirectly, any compensation, awards,
34 employment, gifts or other things of value to a State officer or
35 employee, special State officer or employee or member of the
36 Legislature, totalling more than \$100.00 in a calendar year.
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38 4. (New section) The Legislature shall provide a program on
39 legislative ethics for its members and State officers or employees and
40 special State officers or employees in the Legislative Branch of
41 government no later than April 1 of every even-numbered year.
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43 5. This act shall take effect on January 1 next following enactment.

STATEMENT

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3 This bill amends and supplements the "New Jersey Conflicts of
4 Interest Law" and supplements the "Legislative Activities Disclosure
5 Act of 1971."

6 The bill prohibits legislators, State officers or employees or special
7 State officers or employees from soliciting or receiving honoraria from
8 sources other than the State for matters related to their official duties.
9 The bill also limits the receipt of travel or subsistence expenses related
10 to official duties from sources other than the State. Legislators, State
11 officers or employees and special State officers or employees would
12 be allowed to receive reasonable reimbursement or payment of
13 expenditures for travel or subsistence in New Jersey from sources
14 other than the State for official appearances. Reimbursement or
15 payment of expenditures for travel or subsistence outside New Jersey
16 from sources other than the State for official appearances would be
17 limited to \$500.00 per trip. Legislators would have to receive joint
18 approval from the presiding officer and minority leader of their House
19 before accepting reimbursement or payment of expenditures for travel
20 or subsistence outside New Jersey.

21 Except for the travel or subsistence expenses so authorized,
22 legislators, State officers or employees and special State officers or
23 employees would be prohibited from accepting from a lobbyist or
24 legislative agent, and lobbyists or legislative agents would be
25 prohibited from giving to legislators, State officers or employees and
26 special State officers and employees, things of value totalling more
27 than \$100.00 in a calendar year. Where a lobbyist or legislative agent
28 is a member of the immediate family of a legislator, State officer or
29 employee or special State officer or employee the restriction would
30 not apply.

31 The bill also requires the Legislature to provide on a biennial basis
32 a program on legislative ethics for legislators and officers and
33 employees in the Legislative Branch of State government.

34 The bill would take effect on January 1 next following enactment.
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39 Restricts the receipt of certain things of value by legislators and
40 officers and employees of the State and limits certain gifts thereto.