

[First Reprint]

SENATE CONCURRENT RESOLUTION No. 38

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senators SCHLUTER, DiFRANCESCO,  
Codey, Sacco and Adler

1 A CONCURRENT RESOLUTION to adopt a Legislative Code of Ethics for 1996  
2 and 1997.

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 Senate of the State of New Jersey (the General  
11 Assembly concurring):

12  
13 The following Legislative Code of Ethics is adopted for 1996 and 1997  
14 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

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SJU committee amendments adopted January 14, 1997.

1 Assembly, of the Legislature or either House thereof, or of an agency,  
2 commission or committee in the legislative branch, whether he is salaried or  
3 compensated by the hour, day or under contract or serves without  
4 compensation other than reimbursement for expenses;

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

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

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

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

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

42

43

## 2. MEMBERS OF THE LEGISLATURE

1       2:1. a. No member of the Legislature shall undertake any employment or  
2 act in any way that impairs the objectivity or independence of judgment of the  
3 member of the Legislature in the exercise of his or her duties or is violative of  
4 the public trust by an elected official or which creates a justifiable impression  
5 among the public that such trust is being violated (C.52:13D-12 and  
6 52:13D-23).

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

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

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

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

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

32       2:3. a. The provisions of section 2:2 above shall not prohibit or restrict a  
33 member of the Legislature from:

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

36       (2) ~~1~~[Making an inquiry of a State agency for information on behalf of a  
37 constituent, if no fee, reward or other thing of value is promised or given to,  
38 or accepted directly or indirectly by, the member therefor.] (a) Making an  
39 inquiry for information on behalf of a constituent, which may include  
40 ascertaining the status of a matter, identifying the statutes or regulations  
41 involved in a matter or inquiring how to expedite a matter; (b) assisting the  
42 constituent in bringing the merits of the constituent's position to the attention of  
43 a State agency; or (c) making a recommendation on a matter or indicating

1 support for the constituent's position to a State agency; if no fee, reward,  
2 employment, offer of employment, or other thing of value is promised to, given  
3 to or accepted by the member, whether directly or indirectly, and the member  
4 does not endeavor to use his official position to improperly influence any  
5 determination. As used in this paragraph "constituent" shall mean any State  
6 resident or other person seeking legislative assistance. Nothing contained  
7 herein shall authorize contact with State agencies by members of the  
8 Legislature which is otherwise prohibited by the criminal law, by the "New  
9 Jersey Conflicts of Interest Law," P.L. 1971, c.182 (C. 52:13D-12 et seq.)  
10 or this code and nothing contained herein shall authorize contact with an  
11 administrative law judge or agency head during the hearing of a contested  
12 case.<sup>1</sup>

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

18 2:4. A member of the Legislature is authorized to represent, appear for or  
19 negotiate on behalf of, or agree so to do, any person other than the State in  
20 any proceeding before:

21 a. Any court of record;

22 b. The Division of Workers' Compensation;

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

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

27 e. The Division on Civil Rights;

28 f. The New Jersey Board of Mediation;

29 g. The New Jersey Public Employment Relations Commission;

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

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

40 2:5. [Prior approval of the Joint Legislative Committee on Ethical  
41 Standards shall be obtained for a member of the Legislature, individually,  
42 through a partnership or firm with which he is associated or by a corporation  
43 in which he owns or controls an interest, to bid on and to accept awards of

1 contracts let or awarded by a State agency where the dollar value thereof is  
2 \$25.00 or more.

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

10 a. No member of the Legislature shall knowingly himself, or by his partners  
11 or through any corporation which he controls or in which he owns or controls  
12 more than 1% of the stock, or by any other person for his use or benefit or on  
13 his account, undertake or execute, in whole or in part, any contract,  
14 agreement, sale or purchase of the value of \$25.00 or more, made, entered  
15 into, awarded or granted by any State agency, except as provided in  
16 subsection b. of this section. The restriction contained in this subsection shall  
17 apply to the contracts of interstate agencies to the extent consistent with law  
18 only if the contract, agreement, sale or purchase is undertaken or executed by  
19 a New Jersey member to that agency or by his partners or a corporation in  
20 which he owns or controls more than 1% of the stock.

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

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

39 Within 15 days of receipt by the joint committee of a request by a member  
40 of the Legislature for approval to bid on or negotiate a State agency contract  
41 or contracts or notice of the award of a State agency contract or amendment  
42 of or change order to an approved State agency contract, the joint committee  
43 shall notify the member of its approval, disapproval or the time and place of

1 a meeting to discuss the matter with the member. Any request so submitted  
2 to the joint committee shall be deemed to be approved after the expiration of  
3 15 days from the receipt thereof unless the joint committee shall otherwise  
4 advise the member in writing (C.52:13D-19).

5 2:6. A member of the Legislature shall not act as an agent of the  
6 Legislature, either House thereof or agency in the legislative branch in  
7 connection with the transaction of any business with himself or with a  
8 corporation, company, association or firm in which he owns or controls an  
9 interest in its profits (C.52:13D-20).

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

18 2:8. a. No member of the Legislature, nor any member of his immediate  
19 family, nor any partnership, firm or corporation with which he is associated in  
20 any capacity, shall appear or practice in any capacity representing any person,  
21 firm, corporation or association before the Casino Control Commission or the  
22 Division of Gaming Enforcement.

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

30 c. No member of the Legislature, or any firm with which he is associated  
31 as an officer, director or holder of an interest, as defined in section 1:1 of this  
32 code, shall represent, appear for, or negotiate on behalf of, any person, firm,  
33 corporation or association with respect to any transaction between such  
34 person, firm, corporation or association and the holder of, or applicant for, a  
35 casino license, or any holding or intermediary company with respect thereto,  
36 as the same are defined in the Casino Control Act. A member of the  
37 Legislature who is an employee of, or who is the holder of less than an interest,  
38 as defined in section 1:1 of this code, in, any firm which represents, appears  
39 for, or negotiates on behalf of, any person, firm, corporation, or association  
40 with respect to any transaction between such person, firm, corporation or  
41 association and the holder of, or applicant for, a casino license, or any holding  
42 or intermediary company with respect thereto, as the same are defined in the  
43 Casino Control Act, shall, within 60 days of the adoption of this code and,

1 thereafter, within 10 days of such representation, appearance, or negotiation,  
2 file a statement with the Joint Legislative Committee on Ethical Standards so  
3 indicating. If such statement is properly and timely filed, such employment or  
4 holding shall not, in and of itself and without more, be considered a "personal  
5 interest" for purposes of section 2:9 of this code, although the filing of such  
6 statement shall not relieve a member of the Legislature who shall have a  
7 personal interest in any legislation from complying with the requirements of  
8 section 2:9.

9 d. No member of the Legislature, nor any member of his immediate family,  
10 nor any partnership, firm or corporation with which he is associated as an  
11 officer, director, or holder of an interest, as defined in section 1:1 of this code,  
12 shall be an officer, director, employee, or holder of an interest, as defined in  
13 section 1:1 of this code, in any firm, corporation, or association, or holding or  
14 intermediary company with respect thereto, as the same are defined in the  
15 Casino Control Act, which is the holder of, or an applicant for, a casino  
16 license, except that a member of the immediate family of a member of the  
17 Legislature may hold employment with the holder of, or applicant for, a casino  
18 license if, in the judgment of the Joint Legislative Committee on Ethical  
19 Standards such employment will not interfere with the responsibilities of the  
20 member of the Legislature, and will not create a conflict of interest, or  
21 reasonable risk of the public perception of a conflict of interest, on the part of  
22 the member of the Legislature. A member of the Legislature who is the holder  
23 of less than an interest, as defined in section 1:1 of this code, in any firm,  
24 corporation, or association, or any holding or intermediary company with  
25 respect thereto, which is the holder of, or an applicant for, a casino license; or  
26 who is associated as an officer or director with any firm which is the holder of  
27 less than an interest, as defined in section 1:1 of this code, in any firm,  
28 corporation, or association, or any holding or intermediary company with  
29 respect thereto, which is the holder of, or an applicant for, a casino license; or  
30 who is an employee of any firm which is the holder of an interest or less than  
31 an interest, as defined in section 1:1 of this code, in any firm, corporation, or  
32 association, or holding or intermediary company with respect thereto, which  
33 is the holder of, or an applicant for a casino license; or who is the holder of  
34 less than an interest, as defined in section 1:1 of this code, in any firm which  
35 is the holder of an interest or less than an interest in any firm, corporation, or  
36 association, or any holding or intermediary company with respect thereto,  
37 which is the holder of, or an applicant for, a casino license; or who is the  
38 holder of an interest or less than an interest, as defined in section 1:1 of this  
39 code, in any firm which is the holder of less than an interest, as defined in  
40 section 1:1 of this code, in any firm, corporation, or association, or any holding  
41 or intermediary company with respect thereto, which is the holder of, or an  
42 applicant for, a casino license, shall, within 60 days of the adoption of this  
43 code and, thereafter, within 10 days of such association, such employment or

1 the acquisition of such holding or the knowledge by the legislator of the  
2 acquisition of such holding, file with the Joint Legislative Committee on Ethical  
3 Standards a statement so indicating and, in the case of a holding, listing the  
4 nature and extent of such holding and date of acquisition thereof. If such  
5 statement is properly and timely filed, such association, employment, or  
6 holding shall not, in and of itself and without more, be considered a "personal  
7 interest" for purposes of section 2:9 of this code, although the filing of such  
8 statement shall not relieve a member of the Legislature who shall have a  
9 personal interest in any legislation from complying with the requirements of  
10 section 2:9.

11 e. No member of the Legislature, nor any member of his immediate family,  
12 nor any partnership, firm or corporation with which he is associated as an  
13 officer, director, or holder of an interest, as defined in section 1:1 of this code,  
14 shall be an officer, director, or holder of an interest, as defined in section 1:1  
15 of this code, in any firm, corporation, or association, or holding or intermediary  
16 company with respect thereto, as the same are defined in the Casino Control  
17 Act, which is the holder of, or an applicant for, a casino service industry  
18 license or which is doing or seeking to do business, other than provision of  
19 goods and services as a licensed public utility or as a patron or on a casual  
20 basis, with a casino licensee or its affiliated hotel. A member of the Legislature  
21 who is an employee of, or who is the holder of less than an interest, as defined  
22 in section 1:1 of this code, in, such a firm, corporation, or association, or  
23 holding or intermediary company with respect thereto; or who is associated  
24 as an officer or director with any firm which is the holder of less than an  
25 interest, as defined in section 1:1 of this code, in such a firm, corporation, or  
26 association, or holding or intermediary company with respect thereto; or who  
27 is an employee of any firm which is the holder of an interest or less than an  
28 interest, as defined in section 1:1 of this code, in such a firm, corporation, or  
29 association, or holding or intermediary company with respect thereto; or who  
30 is the holder of an interest or less than an interest, as defined in section 1:1 of  
31 this code, in a firm which is the holder of less than an interest in such a firm,  
32 corporation, or association, or holding or intermediary company with respect  
33 thereto; or who is the holder of less than an interest, as defined in section 1:1  
34 of this code, in a firm which is the holder of an interest or less than an interest,  
35 as defined in section 1:1 of this code, in such a firm, corporation or  
36 association, or holding or intermediary company with respect thereto, shall,  
37 within 60 days of the adoption of this code and, thereafter, within 10 days of  
38 such association, such employment or the acquisition of such holding or the  
39 knowledge by the legislator of the acquisition of such holding, file with the Joint  
40 Legislative Committee on Ethical Standards a statement so indicating and, in  
41 the case of a holding, listing the nature and extent of such holding and the date  
42 of acquisition thereof. Notwithstanding the foregoing, no such statement shall  
43 be required with respect to the ownership or control of a holding in a publicly

1 traded corporation which is the holder of, or applicant for, a casino service  
2 industry license, or any holding or intermediary company with respect thereto;  
3 or which is doing or seeking to do business, other than provision of goods and  
4 services as a licensed public utility or as a patron or on a casual basis, with a  
5 casino licensee or its affiliated hotel; or which is the holding or intermediary  
6 company of any firm, corporation, or association which is doing or seeking to  
7 do such business. If such statement is properly and timely filed, such  
8 association, employment, or holding shall not, in and of itself and without more,  
9 be considered a "personal interest" for purposes of section 2:9 of this code,  
10 although the filing of such statement shall not relieve a member of the  
11 Legislature who shall have a personal interest in any legislation from complying  
12 with the requirements of section 2:9. For the purposes of this subsection and  
13 subsection g., business "on a casual basis" shall include, but not be limited to,  
14 business conducted with a casino licensee or its affiliated hotel by a firm,  
15 corporation, or association with which the licensee has or would have no  
16 separate or individual contract or agreement which is required to be approved  
17 by the Casino Control Commission pursuant to subsection b. of section 104  
18 of the Casino Control Act (P.L.1977, c.110; C.5:12-104b.).

19 f. A member of the Legislature who is an officer, director, employee, or  
20 holder of an interest or less than an interest, as defined in section 1:1 of this  
21 code, in any firm, corporation, or association, or holding or intermediary  
22 company with respect thereto, which is doing or seeking to do business on a  
23 casual basis with a casino licensee or its affiliated hotel shall, within 60 days of  
24 the adoption of this code and, thereafter, within 10 days of becoming such an  
25 officer, director, employee, or holder of an interest or less than an interest, as  
26 defined in section 1:1 of this code, file with the Joint Legislative Committee on  
27 Ethical Standards a statement so indicating and, in the case of a holding, listing  
28 the nature and extent of such holding and the date of acquisition thereof.  
29 Notwithstanding the foregoing, no such statement shall be required with  
30 respect to the ownership or control of a holding in a publicly traded  
31 corporation which is doing or seeking to do business on a casual basis with a  
32 casino licensee or its affiliated hotel, or which is the holding or intermediary  
33 company of any such firm, corporation, or association. If such statement is  
34 properly and timely filed, such association as an officer, director, employee,  
35 or holder of an interest or less than an interest, as defined in section 1:1 of this  
36 code, shall not, in and of itself and without more, be considered a "personal  
37 interest" for purposes of section 2:9 of this code, although the filing of such  
38 statement shall not relieve a member of the Legislature who shall have a  
39 personal interest in any legislation from complying with the requirements of  
40 section 2:9. For the purposes of this subsection, "business on a casual basis"  
41 shall mean business conducted with a casino licensee or its affiliated hotel by  
42 a firm, corporation, or association with which the licensee has or would have  
43 no separate or individual contract or agreement which is required to be

1 approved by the Casino Control Commission pursuant to subsection b. of  
2 section 104 of the Casino Control Act (P.L.1977, c.110; C.5:12-104b.), but  
3 shall not mean the provision of goods and services as a licensed public utility.

4 g. If a member of the immediate family of a member of the Legislature is  
5 the holder of an interest or less than an interest, as defined in section 1:1 of this  
6 code, in any firm, corporation, or association, or holding or intermediary  
7 company with respect thereto, which is the holder of, or an applicant for, a  
8 casino license or a casino service industry license, or which is doing or seeking  
9 to do business, other than provision of goods and services as a licensed public  
10 utility or as a patron or on a casual basis, with a casino licensee or its affiliated  
11 hotel, the family member shall, within 60 days of the adoption of this code and,  
12 thereafter, within 10 days of the knowledge by the legislator of the acquisition  
13 of such holding by the family member, file with the Joint Legislative Committee  
14 on Ethical Standards, a statement listing the nature and extent of such holding,  
15 the holder thereof and the date of acquisition thereof. Notwithstanding the  
16 foregoing, no such statement shall be required with respect to the ownership  
17 or control of a holding in a publicly traded corporation which is the holder of,  
18 or applicant for, a casino service industry license, or any holding or  
19 intermediary company with respect thereto; or which is doing or seeking to do  
20 business, other than provision of goods and services as a licensed public utility  
21 or as a patron or on a casual basis, with a casino licensee or its affiliated hotel;  
22 or which is the holding or intermediary company of any firm, corporation, or  
23 association which is doing or seeking to do such business. If such statement  
24 is properly and timely filed, such holding shall not, in and of itself and without  
25 more, be considered a "personal interest" for purposes of section 2:9 of this  
26 code, although the filing of such statement shall not relieve a member of the  
27 Legislature who shall have a personal interest in any legislation from complying  
28 with the requirements of section 2:9.

29 h. A member of the Legislature who has or enters into any financial  
30 relationship, whether as debtor, creditor, mortgagor, mortgagee, or otherwise,  
31 with a holder of or applicant for a casino license or with a holding or  
32 intermediary company with respect thereto, or a member of his immediate  
33 family who has or enters into any such relationship, shall, within 60 days of the  
34 adoption of this code and, thereafter, within 10 days of entering into such a  
35 relationship or of the knowledge by the legislator of such a relationship, file  
36 with the Joint Legislative Committee on Ethical Standards, a statement listing  
37 the nature of the relationship, the parties thereto and the terms thereof.

38 i. A member of the Legislature who owns or holds an interest in any land  
39 or building in any city in which casino gambling is authorized, or a member of  
40 his immediate family who owns or holds an interest in any land or building in  
41 any city in which casino gambling is authorized shall, within 60 days of the  
42 adoption of this code and, thereafter, within 10 days of the acquisition of such  
43 ownership or holding, file with the Joint Legislative Committee on Ethical

1 Standards, a statement listing such ownership or control.

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

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

24 2:9. No member of the Legislature shall participate by voting or any other  
25 action on the floor of either House, in committee or elsewhere, in the  
26 enactment or defeat of legislation in which he has a personal interest unless and  
27 until he files with the Secretary of the Senate or the Clerk of the General  
28 Assembly, as the case may be, and with the Joint Legislative Committee on  
29 Ethical Standards a statement that he has a personal interest in the legislation,  
30 identifying it by bill or resolution number, and that notwithstanding his interest,  
31 he is able to cast a fair and objective vote and otherwise participate in  
32 connection with and consideration of such legislation.

33 The Joint Legislative Committee on Ethical Standards is authorized to  
34 investigate the circumstances giving rise to the filing of a statement of personal  
35 interest and upon a finding, after a hearing thereon, that the member's  
36 participation with respect to the enactment or defeat of the legislation would  
37 constitute a violation of the public trust or create an impression among the  
38 public of a violation of the public trust, the joint committee shall direct the  
39 member to withdraw his sponsorship of, or participation in, the enactment or  
40 defeat of the legislation.

41 For the purpose of this section a "personal interest" means the member of  
42 the Legislature believes or has reason to believe he will derive a direct  
43 monetary gain or suffer a direct monetary loss by the enactment or defeat of

1 the legislation; a "personal interest" does not mean that by enactment or defeat  
2 of the legislation no benefit or detriment to him could be expected to accrue  
3 to him, as a member of a business, profession, occupation or group, to any  
4 greater extent than any such benefit or detriment could be expected to accrue  
5 to any other member of such business, profession, occupation or group.

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

9 2:10. No member of the Legislature shall solicit, receive or agree to  
10 receive, whether directly or indirectly, any compensation, reward,  
11 employment, gift or other thing of value, from any source other than the State  
12 of New Jersey, for any service, advice, assistance or other matter related to  
13 his official duties, except reasonable fees for speeches or published works on  
14 matters within his official duties and except, in connection therewith,  
15 reimbursement of actual expenditures for travel and reasonable subsistence for  
16 which no payment or reimbursement is made by the State of New Jersey.  
17 This section shall not apply to the solicitation or acceptance of contributions  
18 to the campaign of an announced candidate for elective public office and the  
19 member has no knowledge or reason to believe that the solicited campaign  
20 contribution, if accepted, would be given with the intent to influence the  
21 member in the performance of his public duties and responsibilities  
22 (C.52:13D-24).

23 2:11. No member of the Legislature shall willfully disclose to any person,  
24 whether or not for pecuniary gain, any information not generally available to  
25 members of the public which he receives or acquires in the course of and by  
26 reason of his official duties. No member of the Legislature shall use for the  
27 purpose of pecuniary gain, whether directly or indirectly, any information not  
28 generally available to members of the public which he receives or acquires in  
29 the course of and by reason of his official duties (C.52:13D-25).

30 2:12. If any person shall attempt to induce a member of the Legislature to  
31 violate any provision of the New Jersey Conflicts of Interest Law or this code,  
32 the member shall report the matter to the Attorney General in writing no later  
33 than 72 hours after the attempt and shall advise concurrently in writing the  
34 Joint Legislative Committee on Ethical Standards that he has made such a  
35 report to the Attorney General (C.52:13D-26).

36 2:13. Any member of the Legislature may request and obtain an advisory  
37 opinion of the Joint Legislative Committee on Ethical Standards as to whether  
38 or not the amount of a fee for a speech or published work is reasonable or that  
39 any proposed activity or conduct would in its opinion constitute a violation of  
40 the provisions of the New Jersey Conflicts of Interest Law or this code.  
41 Advisory opinions of the joint committee shall not be made public, except  
42 when the joint committee by the vote of three-fourths of all of its members  
43 directs that the same be made public or upon the request of the member

1 seeking the advisory opinion. Public advisory opinions shall not disclose the  
2 name of any member of the Legislature unless the joint committee in directing  
3 that the same be made public so directs. All advisory opinions shall remain on  
4 file for 5 years from the date of issuance (C.52:13D-22 (g) and 52:13D-24).

5 2:14. a. Within 60 days of the adoption of this code and, thereafter, no  
6 later than May 15 of each year, each member of the Senate and General  
7 Assembly shall file with the Joint Legislative Committee on Ethical Standards  
8 or any successor thereto a financial disclosure statement, on a form to be  
9 prescribed by the Joint Legislative Committee on Ethical Standards or its  
10 successor, with respect to the member's, his spouse's and minor children's  
11 sources of income, received from sources other than the State, during the  
12 preceding calendar year. Without disclosing the amounts of income,  
13 reimbursements and gifts, the statement shall include an enumeration of:

14 (1) Each of the following categories of earned income totalling more than  
15 \$1,000.00: salaries, bonuses, royalties, fees, commissions and profit sharing  
16 paid to the member or his spouse as an officer, employee, partner or  
17 consultant of a named corporation, professional association, partnership or  
18 sole proprietorship;

19 (2) Each of the following categories of unearned income totalling more  
20 than \$1,000.00: rents, dividends and other income received by the member,  
21 his spouse or minor child from named investments, trusts and estates;

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

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

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

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

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

40 [c.] d. The Joint Legislative Committee on Ethical Standards or its  
41 successor after review of statements filed pursuant to this section may by  
42 advisory opinion determine that in its opinion a particular category of income,  
43 reimbursements or gifts or real estate holding gives rise to an appearance of

1 conflict with the member's service as a member of the Legislature.

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

4

### 5 3. OFFICERS AND EMPLOYEES

#### 6 IN THE LEGISLATIVE BRANCH

7 3:1. No State officer or employee or special State officer or employee  
8 shall accept from any person, directly or indirectly, whether by himself or  
9 through his spouse or a member of his family or through any partner or  
10 business or professional associate, any gift, favor, service, employment or offer  
11 of employment or any other thing of value, which he knows or has reason to  
12 believe is made or offered to him with the intent to influence him in the  
13 performance of his duties as a State officer or employee or special State  
14 officer or employee.

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

18 3:2. Except as hereinafter provided in sections 3:4 and 3:5 no State officer  
19 or employee nor any partnership or firm of which he is a member or any  
20 corporation in which he owns or controls an interest, nor any partner, officer  
21 or employee of any such partnership, firm or corporation, shall represent,  
22 appear for, or negotiate on behalf of, or agree to represent, appear for, or  
23 negotiate on behalf of, any person or party other than the State in connection  
24 with:

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

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

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

31 3:3. No special State officer or employee nor any partnership or firm of  
32 which he is a member or any corporation in which he owns or controls an  
33 interest, nor any partner, officer or employee of any such partnership, firm or  
34 corporation, shall represent, appear for, or negotiate on behalf of, or agree to  
35 represent, appear for, or negotiate on behalf of, any person or party other than  
36 the State in connection with any cause, proceeding, application or other matter  
37 pending before the Legislature or either House thereof or an agency,  
38 commission or committee in the legislative branch (C.52:13D-16a.).

39 3:4. [a.] 1a.1 The provisions of section 3:2 above shall not prohibit or  
40 restrict a State officer or employee from representing himself in negotiations  
41 or proceedings concerning his own interest in real property, or prohibit or  
42 restrict a partnership or firm with which a State officer or employee is  
43 associated or a corporation in which he owns or controls an interest from

1 appearing before a State agency in any cause, proceeding or other matter on  
2 its own behalf (C.52:13D-16).

3 b. The provisions of section 3:2 shall not prohibit or restrict an employee  
4 acting on the behalf of a member of the Legislature from (1) making an inquiry  
5 for information on behalf of a constituent, which may include ascertaining the  
6 status of a matter, identifying the status or regulations involved in a matter or  
7 inquiring how to expedite a matter; (2) assisting a constituent in bringing the  
8 merits of the constituent's position to the attention of a State agency; or (3)  
9 making a recommendation on a matter or indicating support for a constituent's  
10 position to a State agency; if no fee, reward, employment, offer of  
11 employment, or other thing of value is promised to, given to or accepted by  
12 the employee therefor, whether directly or indirectly, and the employee does  
13 not endeavor to use his official position to improperly influence any  
14 determination. As used in this subsection "constituent" shall mean any State  
15 resident or other person seeking legislative assistance. Nothing contained  
16 herein shall authorize contact with State agencies by employees which is  
17 otherwise prohibited by the criminal law, by the "New Jersey Conflicts of  
18 Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.) or this code and  
19 nothing contained herein shall authorize contact with an administrative law  
20 judge or agency head during the hearing of a contested case.<sup>1</sup>

21 3:5. A State officer or employee whose conditions of employment permit  
22 him to engage in private law practice is authorized to represent, appear for or  
23 negotiate on behalf of, or agree so to do, any person other than the State in  
24 any action, cause, proceeding or application before:

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

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

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

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

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

35 3:6. No State officer or employee or special State officer or employee,  
36 subsequent to the termination of his office or employment in any State agency,  
37 shall represent, appear for [or], negotiate on behalf of, or provide information  
38 not generally available to members of the public or services to, or agree to  
39 represent, appear for, [or] negotiate on behalf of, or provide information not  
40 generally available to members of the public or services to, whether by himself  
41 or through any partnership, firm or corporation in which he [owns or controls]  
42 has an interest or through any partner, officer or employee thereof, any person  
43 or party other than the State in connection with any cause, proceeding,

1 application or other matter with respect to which such State officer or  
2 employee or special State officer or employee shall have made any  
3 investigation, rendered any ruling, given any opinion, or been otherwise  
4 substantially and directly involved at any time during the course of his office or  
5 employment (C.52:13D-17).

6 3:7. [Prior approval of the Joint Legislative Committee on Ethical  
7 Standards shall be obtained for a State officer or employee, individually,  
8 through a partnership or firm with which he is associated or by a corporation  
9 in which he owns or controls an interest, to bid on and to accept awards of  
10 contracts let or awarded by a State agency where the dollar value thereof is  
11 \$25.00 or more.

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

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

39 b. The provisions of subsection a. of this section shall not apply to (a)  
40 purchases, contracts, agreements or sales which (1) are made or let after  
41 public notice and competitive bidding or which (2), pursuant to section 5 of  
42 P.L.1954, c.48 (C.52:34-10) or such other similar provisions contained in the  
43 public bidding laws or regulations applicable to other State agencies, may be

1 made, negotiated or awarded without public advertising or bids, or (b) any  
2 contract of insurance entered into by the Director of the Division of Purchase  
3 and Property pursuant to section 10 of P.L.1944, c.112 (C.52:27B-62), if the  
4 purchases, contracts or agreements, including change orders and amendments  
5 thereto, shall receive prior approval of the Joint Legislative Committee on  
6 Ethical Standards, which approval may be made for a period not in excess of  
7 one legislative year.

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

15       3:7.1 (New section) Notwithstanding the provisions of P.L.1971, c.182  
16 (C.52:13D-12 et seq.) and this code of ethics, a State officer or employee or  
17 a special State officer or employee or his partners or any corporation or firm  
18 in which he owns or controls more than 1% of the stock, assets or profits may  
19 enter into a contract or agreement with a State agency where the contract or  
20 agreement is for the development of scientific or technological discoveries or  
21 innovations in which the State agency has a property right, if the State agency  
22 has a procedure in its code of ethics for authorizing these contracts or  
23 agreements which minimizes actual conflicts of interest and the code of ethics  
24 was approved in accordance with section 12 of P.L.1971, c.182  
25 (C.52:13D-23) and the contract or agreement complies with that code  
26 procedure (C.52:13D-19.1).

27       3:7.2 (New section) Notwithstanding the provisions of P.L.1971, c.182  
28 (C.52:13D-12 et seq.) and this code of ethics, a State officer or employee or  
29 a special State officer or employee or his partners or any corporation or firm  
30 in which he owns or controls more than 1% of the stock, assets or profits may  
31 enter into a rental agreement with a State agency which operates a facility  
32 which rents space or provides services to assist small businesses which employ  
33 50 people or less, pursuant to the same terms and conditions as those offered  
34 to members of the public generally (C.52:13D-19.2).

35       3:8. A State officer or employee or special State officer or employee shall  
36 not act as an agent of the Legislature, either House thereof or agency in the  
37 legislative branch in connection with the transaction of any business with  
38 himself or with a corporation, company, association or firm in which he owns  
39 or controls an interest (C.52:13D-20).

40       3:9. Any State officer or employee or special State officer or employee  
41 whose conditions of employment so permit and who engages in the conduct  
42 or practice of a particular business, profession, trade or occupation which is  
43 subject to licensing or regulation by a particular State agency shall file a notice

1 that he is the holder of a particular license or is engaged in such activity with  
2 the Joint Legislative Committee on Ethical Standards. A State officer or  
3 employee or special State officer or employee whose conditions of  
4 employment authorize him to engage in private law practice shall so report to  
5 the joint committee. Renewal of licenses need not be reported  
6 (C.52:13D-23(e)(2)).

7 3:10. 1[a. No State officer or employee or any special State officer or  
8 employee with responsibility for matters affecting casino activity, nor any  
9 member of his immediate family, nor any other special State officer or  
10 employee, or any partnership, firm or corporation with which he is associated  
11 or in which he holds an interest, shall represent, appear for, or negotiate on  
12 behalf of the holder of, or an applicant for, a casino license or any holding or  
13 intermediary company with respect thereto, as the same are defined in the  
14 Casino Control Act.

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

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

35 d. A special State officer or employee without responsibility for matters  
36 affecting casino activity may hold employment directly with any holder of or  
37 applicant for a casino license or any holding or intermediary company thereof  
38 and if so employed may hold, directly or indirectly, an interest in, or represent,  
39 appear for, or negotiate on behalf of, his employer, except as otherwise  
40 prohibited by law.

41 e. This section shall not apply to the spouse of a State officer or employee,  
42 which State officer or employee is without responsibility for matters affecting  
43 casino activity, who becomes the spouse subsequent to the State officer's or

1 employee's appointment or employment as a State officer or employee and  
2 who is not individually or directly employed by a holder of, or applicant for,  
3 a casino license, or any holding or intermediary company.

4 f.] a. As used in this section "person" means any State officer or employee  
5 with responsibility for matters affecting casino activity, any special State officer  
6 or employee with responsibility for matters affecting casino activity or any  
7 full-time professional employee of the Legislature.

8 b. No State officer or employee, nor any person, nor any member of the  
9 immediate family of any State officer or employee, or person, nor any  
10 partnership, firm or corporation with which any such State officer or employee  
11 or person is associated or in which he has an interest, nor any partner, officer,  
12 director or employee while he is associated with such partnership, firm, or  
13 corporation, shall hold, directly or indirectly, an interest in, or hold  
14 employment with, or represent, appear for, or negotiate on behalf of, any  
15 holder of, or applicant for, a casino license, or any holding or intermediary  
16 company with respect thereto, in connection with any cause, application, or  
17 matter, except that (1) a State officer or employee other than a State officer  
18 or employee included in the definition of person, and (2) a member of the  
19 immediate family of a State officer or employee, or of a person, may hold  
20 employment with the holder of, or applicant for, a casino license if, in the  
21 judgment of the Joint Legislative Committee on Ethical Standards, such  
22 employment will not interfere with the responsibilities of the State officer or  
23 employee, or person, and will not create a conflict of interest, or reasonable  
24 risk of the public perception of a conflict of interest, on the part of the State  
25 officer or employee, or person. No special State officer or employee without  
26 responsibility for matters affecting casino activity, shall hold, directly or  
27 indirectly, an interest in, or represent, appear for, or negotiate on behalf of, any  
28 holder of, or applicant for, a casino license, or any holding or intermediary  
29 company with respect thereto, in connection with any cause, application, or  
30 matter. However, a special State officer or employee without responsibility  
31 for matters affecting casino activity may hold employment directly with any  
32 holder of or applicant for a casino license or any holding or intermediary  
33 company thereof and if so employed may hold, directly or indirectly, an  
34 interest in, or represent, appear for, or negotiate on behalf of, his employer,  
35 except as otherwise prohibited by law.

36 c. No person or any member of his immediate family, nor any partnership,  
37 firm or corporation with which such person is associated or in which he has an  
38 interest, nor any partner, officer, director or employee while he is associated  
39 with such partnership, firm or corporation, shall, within two years next  
40 subsequent to the termination of the office or employment of such person,  
41 hold, directly or indirectly, an interest in, or hold employment with, or  
42 represent, appear for or negotiate on behalf of, any holder of, or applicant for,  
43 a casino license in connection with any cause, application or matter, or any

1 holding or intermediary company with respect to such holder of, or applicant  
2 for, a casino license in connection with any phase of casino development,  
3 permitting, licensure or any other matter whatsoever related to casino activity,  
4 except that:

5 (1) a member of the immediate family of a person may hold employment  
6 with the holder of, or applicant for, a casino license if, in the judgment of the  
7 Joint Legislative Committee on Ethical Standards, such employment will not  
8 interfere with the responsibilities of the person and will not create a conflict of  
9 interest, or reasonable risk of the public perception of a conflict of interest, on  
10 the part of the person; and

11 (2) an employee who is terminated as a result of a reduction in the  
12 workforce at the agency where employed, other than an employee who held  
13 a policy-making management position at any time during the five years prior  
14 to termination of employment, may, at any time prior to the end of the  
15 two-year period, accept employment with the holder of, or applicant for, a  
16 casino license if, in the judgment of the Joint Legislative Committee on Ethical  
17 Standards, such employment will not create a conflict of interest, or reasonable  
18 risk of the public perception of a conflict of interest, on the part of the  
19 employee. In no case shall the restrictions of this subsection apply to a  
20 secretarial or clerical employee.

21 d. This section shall not apply to the spouse of a State officer or  
22 employee, which State officer or employee is without responsibility for matters  
23 affecting casino activity, who becomes the spouse subsequent to the State  
24 officer's or employee's appointment or employment as a State officer or  
25 employee and who is not individually or directly employed by a holder of, or  
26 applicant for, a casino license, or any holding or intermediary company.

27 e. No person shall solicit or accept, directly or indirectly, any  
28 complimentary service or discount from any casino applicant or licensee which  
29 he knows or has reason to know is other than a service or discount that is  
30 offered to members of the general public in like circumstance.<sup>1</sup>

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

1 special State officer or employee or the candidate to whose campaign it is  
2 offered or made in the performance of his public duties and responsibilities  
3 (C.52:13D-24).

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

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

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

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

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

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#### 39 4. ADMINISTRATION AND ENFORCEMENT

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

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

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

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

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

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

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

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

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35 Adopts a permanent Legislative Code of Ethics for 1996 and 1997 and  
36 amends and supplements the temporarily adopted Code to conform to  
37 statutory and recommended changes.