

JOINT LEGISLATIVE COMMITTEE ON ETHICAL STANDARDS

RESOLUTION ON ETHICS COUNSEL'S QUESTION 2

ADOPTED May 26, 2009

Question 2 of Ethics Counsel reads as follows:

2. For legislators (and/or their spouses) employed by hospitals, colleges, nursing homes and similar entities regularly seeking State funding, under what conditions can they: (a) participate in legislation (in which they do not meet the definition of "personal interest") specifically affecting their employer (e.g. sponsor an appropriation for their hospital) or (b) represent the interests of their employer before State agencies and officials (e.g. send a letter on their legislative stationery requesting a State agency grant for their hospital)?

BE IT RESOLVED by the Joint Legislative Committee on Ethical Standards:

Whereas, Code 2:1c., which prohibits certain legislative activity with respect to for profit ventures, by implication, allows members of the Legislature to engage in activity with respect to not-for-profit entities. Code 2:3 allows for representation before State agencies of not-for-profit constituencies by members of the Legislature;

Code 2:9 allows members of the Legislature to participate in legislation except where the member has a "personal interest" as defined therein; now, therefore,

It is resolved that members of the Legislature may engage in the conduct and activity set forth in Ethics Counsel's Question 2, except where otherwise prohibited in the Law or Code.