

APPENDIX IV

CODE OF ETHICS: PARAGRAPH 74 OF THE PUBLIC OFFICERS LAW

A. CODE OF ETHICS

1. DEFINITION

As used in this section: The term "state agency" shall mean any state department, or division, board, commission, or bureau of any state department.

The term "legislative employee" shall mean any officer or employee of the legislature but it shall not include members of the legislature.

2. RULE WITH RESPECT TO CONFLICTS OF INTEREST

No officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his/her duties in the public interest.

3. STANDARDS

- a. No officer or employee of a state agency, member of the legislature or legislative employee should accept other employment which will impair his/her independence of judgment in the exercise of his/her official duties.
- b. No officer or employee of a state agency, member of the legislature or legislative employee should accept employment or engage in any business or professional activity which will require him/her to disclose confidential information which he/she has gained by reason of his/her official position or authority.
- c. No officer or employee of a state agency, member of the legislature or legislative employee should disclose confidential information acquired by him/her in the course of his/her official duties nor use such information to further his/her personal interests.
- d. No officer or employee of a state agency, member of the legislature or legislative employee should use or attempt to use his/her official position to secure unwarranted privileges or exemptions for himself/herself or others.
- e. No officer or employee of a state agency, member of the legislature or legislative employee should engage in any transaction as representative or agent of the state with any business entity in which he/she has a direct or indirect financial interests that might reasonably tend to conflict with the proper discharge of his/her official duties.
- f. An officer or employee of a state agency, member of the legislature or legislative employee should not by his/her conduct give reasonable basis for the impression that any person can improperly influence him/her or unduly enjoy his/her favor in

the performance of his/her official duties, or that he/she is affected by the kinship, rank, position or influence of any part or person.

- g. An officer or employee of a state agency should abstain from making personal investments in enterprises which he/she has reason to believe may be directly involved in decisions to be made by him/her or which will otherwise create substantial conflict between his/her duty in the public interest and his/her private interest.
- h. An officer or employee of a state agency, member of the legislature or legislative employee should endeavor to pursue a course of conduct which will not raise suspicion among the public that he/she is likely to be engaged in acts that are in violation of his/her trust.
- i. No officer or employee of a state agency employed on a full-time basis nor any firm or association of which such an officer or employee is a member nor corporation a substantial portion of the stock of which is owned or controlled directly or indirectly by such officer or employee, should sell goods or services to any person, firm, corporation or association which is licensed or whose rates are fixed by the state agency in which such officer or employee serves or is employed.
- j. If any officer or employee of a state agency shall have a financial interest, direct or indirect, having a value of ten thousand dollars or more in any activity which is subject to the jurisdiction of a regulatory agency, he/she should file with the secretary of state a written statement that he/she has such a financial interest in such activity which statement shall be open to public inspection.

4. VIOLATIONS

In addition to any penalty contained in any other provision of law any such officer, member or employee who shall knowingly and intentionally violate any of the provisions of this section may be fined, suspended or removed from office or employment in the manner provided by law.