

5:12-59

LEGISLATIVE HISTORY CHECKLIST

NJSA: 5:12-59

(Casino Control Commission—certain employees allow outside employment)

LAWS OF: 1983

CHAPTER: 406

Bill No: S948

Sponsor(s): Codey and McManimon

Date Introduced: February 8, 1982

Committee:

Assembly: Independent Authorities and Commissions

Senate: State Government, Federal & Interstate Relations & Veterans Affairs

Amended during passage:

NO

Date of Passage:

Assembly: December 8, 1983

Senate: October 18, 1982

Date of Approval: January 3, 1984

Following statements are attached if available:

Sponsor statement:

YES

Committee statement:

Assembly

NO

Senate

YES

Fiscal Note:

NO

Veto Message:

NO

Message on Signing:

yes

Following were printed:

Reports:

NO

Hearings:

NO

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SENATE, No. 948

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1982

By Senators CODEY and McMANIMON

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT to amend the "Casino Control Act," approved June 2, 1977
(P. L. 1977, c. 110).

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. Section 59 of P. L. 1977, c. 110 (C. 5:12-59) is amended to
2 read as follows:

3 59. Employment Restrictions on Commissioners, Commission
4 Employees and Division Employees. a. The "New Jersey Conflicts
5 of Interest Law" (P. L. 1971, c. 182; C. 52:13D-12 et seq.) shall
6 apply to members of the commission and to all employees of the
7 commission and the division, except as herein specifically provided.

8 b. The commission shall, no later than January 1, 1981, promul-
9 gate a Code of Ethics that is modeled upon the Code of Judicial
10 Conduct of the American Bar Association, as amended and adopted
11 by the Supreme Court of New Jersey. This Code of Ethics shall
12 include, but not be limited to, provisions that address the pro-
13 priety of relationships and dealings between the commission and
14 its staff, and licensees and applicants for licensure under this act.

15 c. The division shall promulgate a Code of Ethics governing its
16 specific needs.

17 d. The Codes of Ethics promulgated by the commission and the
18 division shall not be in conflict with the laws of this State, except,
19 however, that said Codes of Ethics may be more restrictive than
20 any law of this State.

21 e. The Codes of Ethics promulgated by the commission and the
22 division shall be submitted to the Executive Commission on Ethical
23 Standards for approval. The Codes of Ethics shall include, but not
24 be limited to provisions that:

25 (1) No commission member or employee or division employee or
26 agent shall be permitted to gamble in any establishment licensed
27 by the commission except in the course of his duties.

28 (2) No commission member or employee or division employee or
29 agent shall solicit or accept employment from any person licensed
30 by or registered with the commission or from any applicant for a
31 period of 4 years after termination of service with the commission,
32 or division, unless subject to section 60 of this act.

33 (3) No commission member or employee or any division employee
34 or agent shall act in his official capacity in any matter wherein he
35 or his spouse, child, parent or sibling has a direct or indirect per-
36 sonal financial interest that might reasonably be expected to impair
37 his objectivity or independence of judgment.

38 (4) No commission employee or any division employee or agent
39 shall act in his official capacity in a matter concerning an applicant
40 for licensure or a licensee who is the employer of a spouse, child,
41 parent or sibling of said commission or division employee or agent
42 when the fact of the employment of such spouse, child, parent or
43 sibling might reasonably be expected to impair the objectivity and
44 independence of judgment of said commission employee or division
45 employee or agent.

46 (5) No spouse, child, parent or sibling of a commission member
47 shall be employed in any capacity by an applicant for a casino
48 license or a casino licensee nor by any holding, intermediary or
49 subsidiary company thereof.

50 (6) No commission member shall meet with any person, except
51 for any other member of the commission or employee of the com-
52 mission, or discuss with any issues involving any pending or pro-
53 posed application or any matter whatsoever which may reasonably
54 be expected to come before the commission, or any member thereof,
55 for determination unless the meeting or discussion takes place on
56 the business premises of the commission, provided, however, that
57 commission members may meet to consider matters requiring the
58 physical inspection of equipment or premises at the location of
59 the equipment or premises. All meetings or discussions subject to
60 this paragraph shall be noted in a log maintained for this purpose
61 and available for inspection pursuant to the provisions of P. L.
62 1963, c. 73 (C. 47:1A-1 et seq.).

63 f. No commission member or employee or division employee or
64 agent shall have any interest, direct or indirect, in any applicant
65 or in any person licensed by or registered with the commission
66 during his term of office or employment.

67 g. Each commission member and employee of the commission,
68 including legal counsel, and each employee and agent of the di-
69 vision shall devote his entire time and attention to his duties and
70 shall not pursue any other business or occupation or other gainful

71 employment; provided, however, that secretarial and clerical per-
72 sonnel may engage in such other gainful employment as shall not
73 interfere with their duties to the commission or division, unless
74 otherwise directed; *and provided further, however, that other em-*
75 *ployees of the commission and division and agents of the division*
76 *may engage in such other gainful employment as shall not interfere*
77 *or be in conflict with their duties to the commission or division,*
78 *upon approval by the commission or the director of the division,*
79 *as the case may be.*

80 h. No member of the commission, employee of the commission,
81 or employee or agent of the division shall:

82 (1) Use his official authority or influence for the purpose of
83 interfering with or affecting the result of an election or a nomina-
84 tion for office;

85 (2) Directly or indirectly coerce, attempt to coerce, command or
86 advise any person to pay, lend or contribute anything of value to
87 a party, committee, organization, agency or person for political
88 purposes; or

89 (3) Take any active part in political campaigns or the manage-
90 ment thereof; provided, however, that nothing herein shall pro-
91 hibit a person from voting as he chooses or from expressing his
92 personal opinions on political subjects and candidates.

93 i. For the purpose of applying the provisions of the "New Jersey
94 Conflicts of Interest Law," any consultant or other person under
95 contract for services to the commission shall be deemed to be a
96 special State employee. Such person and any corporation, firm or
97 partnership in which he has an interest or by which he is employed
98 shall not represent any person or party other than the commission
99 before the commission.

1 2. This act shall take effect immediately.

STATEMENT

At the present time, only secretarial and clerical personnel of the Casino Control Commission and the Division of Gaming Enforcement are permitted to pursue outside gainful employment, provided it does not interfere with their duties to the commission or division. This bill permits other employees of the commission and division to pursue outside gainful employment, provided it does not interfere with and is not in conflict with their duties and provided the commission or the director of the division, as the case may be, approves.

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5948 (1982)

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS
AFFAIRS COMMITTEE

STATEMENT TO
SENATE, No. 948

STATE OF NEW JERSEY

DATED: JUNE 21, 1982

This bill permits all employees of the Casino Control Commission and the Division of Gaming Enforcement to pursue outside gainful employment, provided it does not interfere with and is not in conflict with their duties and provided that the commission or the division director, as the case may be, approves. At the present time, secretarial and clerical personnel of the Casino Control Commission and the Division of Gaming Enforcement are permitted to pursue outside gainful employment.

The Casino Control Commission and the Attorney General support this legislation.

OFFICE OF THE GOVERNOR

PLEASE: IMMEDIATE, JAN. 3, 1984

CONTACT: CARL GOLDEN

Gov. Thomas H. Kean today signed legislation to permit certain employees of the Casino Control Commission to pursue outside employment provided it does not interfere with their official duties with the Commission.

The legislation, S-948, was sponsored by Sen. Richard Codey, Essex.

Currently, only secretarial and clerical personnel of the Commission and the Division of Gaming Enforcement are permitted to pursue outside employment. The bill signed today permits other employees to do so with approval of the Commission or the director of the Division of Gaming Enforcement.

Kean also signed S-3125, sponsored by Sen. C. Louis Bassano, R-Norfolk, to authorize the sale of 1.07 acres of surplus property owned by the Department of Human Services in Westfield.

Other bills signed today are:

S-3438, sponsored by Sen. William Gormley, R-Atlantic, to authorize tax court judges to administer oaths of office to certain appointed individuals.