

November 10, 1971

LEGISLATIVE HISTORY OF R.S.52:13c-18 et seq.

(Legislative Activities Disclosure Act)

Previous legislation: NJSA52:13c-1 et seq.
(chap.207 of 1964) Repealed by this act.

From 1954 to 1971, bills to regulate Lobbyists were introduced almost every year. For numbers of bills see card index to bills under: Lobbying.

L.1964 - chap.207 - A466 - Bateman, et al.
Apr.13 - Committee Substitute passed Assembly.
May 4 - Passed Senate, amended.
May 4 - Senate amendment passed Assembly.
Oct.10 - Approved.
Bill had no statement.
Original, Fiscal note, Assembly Committee Substitute, Senate Committee Amendment to ACS, enclosed.
Governor's Press Release enclosed.

L.1971 - chap.183 - A2294.
Mar.22 - Introduced by Schluter [and 43 others]
Apr.19 - Passed Assembly, amended.
Apr.29 - Passed Senate.
June 2 - Approved.
Bill had no statement.
Original Bill, Assembly Committee Amendments enclosed.

~~For Governor's Press Release see Conflicts of Interest Legislative History 52:13D-12 et seq.~~

Governors' Messages

974.901 Hughes, Richard J. Governor
G52 First Annual Message, 1963 p.39
Second Annual Message, 1964 p.38
Third Annual Message, 1965 p.73
Sixth Annual Message 1968 p.58
Seventh Annual Message 1969 p.58

} enclosed

974.901 Cahill, William T. Governor
G52 First Annual Message, 1971 p.54

} enclosed

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Reports

974.90 Rutgers University, New Brunswick. Eagleton
 L514 Institute of Politics.
 1963b The New Jersey Legislature, a report...
 Trenton, 1963 p.16ff.

974.90 Chandler, Ralph C.
 L514 New Jersey Legislature improves icself
 1964 Trenton, 1964. p.8

Newspaper Clippings

Lobby Regulations passed in House without
 debate TET 4/14/70

Bateman would replace own lobby law
 with better one. John Davies CP 4/17/70

Crackdown on New Jersey Lobbyists
 sees a few more sign up S. Times 10/11/70

Lobbyist offers suggestions to tighten
 the rules HSL 10/1/70

The Lobbyist ? 1971

Cahill Lobby control Bill will be pushed
 next week Ev. News 3/20/71

Assembly OK's Lobby Control NEN 4/20/71

Lobbying Bill before Cahill, Peter Carter NEN 4/30/71

Part-time Lobbyists face full regulations
 for the first time, John McLaughton TET 4/30/71

Lobbying loophole NEN 5/2/71

HP/EH
Encl.

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ASSEMBLY, No. 2294

STATE OF NEW JERSEY

INTRODUCED MARCH 22, 1971

By Assemblymen SCHLUTER, WEIDEL, PARKER, KEAN, FRIEDLAND, WILSON, RICHARDSON, MERLINO, WOODSON, HURLEY, CAFIERO, GOLDFARB, RINALDI, DAWES, KRAVARIK, HIRKALA, DUGAN, FAY, BROWN, MABIE, FLORIO, EWING, Assemblywoman FENWICK, Assemblymen IRWIN, EVERS, ROBERTSON, KALTENBACHER, VREELAND, TURNER, McDONOUGH, JACKMAN, GARIBALDI, MACRAE, DEVERIN, FONTANELLA, SCANCARELLA, HORN, MORAITES, FORAN, LITTELL, DENNIS and COSTA

Referred to Committee on Law, Public Safety and Defense

AN ACT to require the public disclosure of certain information by certain persons seeking to influence legislation in this State, providing penalties for noncompliance, and repealing the "Legislative Activities Disclosure Act," approved October 16, 1964 (P. L. 1964, c. 207).

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

1 1. Declaration of intent. The Legislature affirms that the
2 preservation of responsible government requires that the fullest
3 opportunity be afforded to the people of the State to petition their
4 government for the redress of grievances and to express freely
5 to individual legislators and to committees of the Legislature their
6 opinion on legislation and current issues. The Legislature finds,
7 however, that the preservation and maintenance of the integrity
8 of the legislative process requires the identification in certain
9 instances of persons and groups who seek to influence the content,
10 introduction, passage or defeat of legislation. It is the purpose of
11 this act to require adequate disclosure in certain instances in order
12 to make available to the Legislature and the public information
13 relative to the activities of persons who seek to influence the con-
14 tent, introduction, passage or defeat of legislation by such means.

1 2. Short title. This act shall be known as the "Legislative Ac-
2 tivities Disclosure Act of 1971."

1 3. Definitions. For the purposes of this act, unless the context
2 clearly requires a different meaning:

3 a. The term "person" includes an individual, partnership, com-
4 mittee, association, corporation, and any other organization or
5 group of persons.

6 b. The term "legislation" includes all bills, resolutions, amend-
7 ments, nominations and appointments pending or proposed in
8 either House of the Legislature, and all bills and resolutions which,
9 having passed both Houses, are pending approval by the Governor.

10 c. The term "Legislature" includes the Senate and General
11 Assembly of the State of New Jersey, the members and members-
12 elect thereof and each of them, all committees and commissions
13 established by the Legislature or by either House and all members
14 of any such committee or commission, and all staff, assistants and
15 employees of the Legislature whether or not they receive com-
16 pensation from the State of New Jersey.

17 d. The term "Governor or his staff" includes the Governor or
18 the Acting Governor, the Secretary to the Governor, the Counsel
19 to the Governor, and all other employees of the Chief Executive's
20 Office.

21 e. The term "communication to the Legislature" or "to the
22 Governor or his staff" means any communication, oral or in
23 writing or any other medium, addressed, delivered, distributed or
24 disseminated to the Legislature or the Governor or his staff or
25 to any part thereof or member thereof as distinguished from the
26 general public including but not limited to the Legislature or the
27 Governor or his staff. If any person shall obtain, reproduce or
28 excerpt any communication or part thereof which in its original
29 form was not a communication to the Legislature or the Governor
30 or his staff and shall cause such excerpt or reproduction to be
31 addressed, delivered, distributed or disseminated to the Legis-
32 lature or the Governor or his staff or any part thereof or member
33 thereof, such communication, reproduction or excerpt shall be
34 deemed a communication to the Legislature or the Governor or
35 his staff by such person.

36 f. The term "legislative agent" means any person who receives
37 or agrees to receive, directly or indirectly, compensation, in money
38 or anything of value including reimbursement of his expenses
39 where such reimbursement exceeds \$100.00 in any 3-month period,
40 to influence legislation by communication, personally or through
41 any intermediary, to the Legislature or the Governor or his staff,
42 or who holds himself out as engaging in the business of influencing

43 legislation by such means, or who incident to his regular employ-
44 ment engages in influencing legislation by such means.

45 g. The term "influence legislation" means to make any attempt,
46 whether successful or not, to secure or prevent the initiation of
47 any legislation, or to secure or prevent the passage, defeat, amend-
48 ment or modification thereof by the Legislature, or the approval,
49 amendment or disapproval thereof by the Governor in accordance
50 with his Constitutional authority.

51 h. The term "statement" includes a notice of representation or
52 a report required by this act.

1 4. a. Any person who, on or after the effective date of this act, is
2 employed, retained or engages himself as a legislative agent shall,
3 prior to any communication to the Legislature or to the Governor
4 or his staff, and in any event within 30 days of the effective date
5 of this act or of such employment, retainer or engagement, which-
6 ever occurs later, file a signed notice of representation with the
7 Attorney General in such detail as the Attorney General may
8 prescribe, identifying himself and persons by whom he is employed
9 or retained, and the persons in whose interests he is working, and
10 the general nature of his proposed services as a legislative agent
11 for such persons, which notice shall contain the following
12 information:

13 (1) his name, business address and regular occupation;

14 (2) the name, business address and occupation of the person
15 from whom he receives compensation for acting as a legislative
16 agent;

17 (3) the name, business address and occupation of any person
18 in whose interest he acts as a legislative agent in consideration of
19 the aforesaid compensation, if such person is another than the
20 person from whom said compensation is received;

21 (4) whether the person from whom he receives said compensa-
22 tion employs him solely as a legislative agent, or whether he is
23 a regular employee performing services for his employer which
24 include but are not limited to the influencing of legislation;

25 (5) the length of time for which he will be receiving compensation
26 from the person aforesaid for acting as a legislative agent, if said
27 length of time can be ascertained at the time of filing;

28 (6) the type of legislation or the particular legislation in relation
29 to which he is to act as legislative agent in consideration of the
30 aforesaid compensation, and any particular legislation or type of
31 legislation which he is to promote or oppose;

32 (7) a full and particular description of any agreement, arrange-
33 ment or understanding according to which his compensation, or any

34 portion thereof, is or will be contingent upon the success of any
35 attempt to influence legislation.

36 b. Any legislative agent who receives compensation from more
37 than one person for his services as a legislative agent shall file a
38 separate notice of representation with respect to each such person;
39 except that a legislative agent whose fee for acting as such in
40 respect to the same legislation or type of legislation is paid or
41 contributed to by more than one person may file a single statement,
42 in which he shall detail the name, business address and occupation
43 of each person so paying or contributing.

1 5. a. Every legislative agent shall file with the Attorney General
2 a signed quarterly report of his activity in attempting to influence
3 legislation during each such quarter.

4 b. The quarterly reports required under this section shall be
5 made in the form and manner prescribed by the Attorney General
6 and shall be filed between the first and tenth days of each calendar
7 quarter for such activity during the preceding calendar quarter.
8 The Attorney General may, in his discretion, permit joint reports
9 by persons subject to this act.

10 c. Each such quarterly report shall

11 (1) describe the particular items of legislation and any general
12 category or type of legislation regarding which the legislative agent
13 acted as a legislative agent during the quarter, and any particular
14 items or general types of legislation which he actively promoted
15 or opposed during the quarter; and

16 (2) supply any information necessary to make the notice of
17 representation filed by the legislative agent pursuant to section 4
18 of this act current and accurate as of the final day of the calendar
19 quarter covered by the report.

1 6. The Attorney General shall

2 a. permit public inspection of all statements filed pursuant to
3 this act;

4 b. compile and summarize information contained in statements
5 filed pursuant to this act, and report the same to the Legislature
6 and the Governor;

7 c. ascertain whether any persons have failed to file statements
8 as required by this act, or have filed incomplete or inaccurate state-
9 ments, and give notice to such persons to file such statements as
10 will conform to the requirements of this act;

11 d. investigate and prosecute violations of this act, and report
12 to the Legislature and the Governor thereon;

13 e. make such recommendations to the Legislature and the
14 Governor as will tend to further the objectives of this act and take

15 such other action as shall be necessary and proper to effectuate
16 the purposes of this act;

17 f. report to the Legislature and the Governor annually on the
18 administration of this act;

19 g. develop and prescribe methods and forms for statements
20 required to be filed by this act, and require the use of such forms
21 by persons subject to this act;

22 h. compile and publish at least once each month a list of all
23 legislative agents then registered, together with the information
24 contained in their notices of representation and last quarterly
25 report, which compilation shall be distributed to all members of
26 the Legislature and the Governor, and published in the New Jersey
27 Register;

28 i. prepare and publish a summary and explanation of the
29 registration and reporting requirements of this act for the use and
30 guidance of those persons who may be required to file statements
31 under this act.

1 7. Any person engaged in activity which makes him subject to
2 filing a statement under this act shall keep and preserve all records
3 of his receipts, disbursements and other financial transactions in
4 the course of and as a part of his activities as a legislative agent.
5 Such records shall be preserved for a period of 3 calendar years
6 next succeeding the calendar year in which they were made, and
7 the inspection thereof shall at any time during such period be
8 permitted to the Attorney General or his authorized deputy. The
9 provisions of this section shall not apply to any legislative agent
10 with respect to any quarterly period within which the total of his
11 compensation including reimbursement of expenses is less than
12 \$500.00.

1 8. a. Every legislative agent shall file a notice of termination
2 report within 30 days after his activity shall cease, on such form
3 as the Attorney General shall prescribe, and any person who
4 engages a legislative agent may file a notice of termination after
5 such agent ceases to represent such person.

6 b. A legislative agent who receives or agrees to receive compensa-
7 tion for acting as such from any person not named in the notice
8 of representation filed pursuant to section 4 of this act or in any
9 subsequent supplement or amendment thereto shall, within 15 days
10 of receiving or agreeing to receive such compensation, file an appro-
11 priate notification thereof in writing with the Attorney General.

12 c. A legislative agent shall notify the Attorney General in
13 writing of any material change in the information supplied by him

14 in the notice of representation filed pursuant to section 4 of this
15 act within 15 days of the effective date of such change.

1 9. The statements required by this act to be filed with the
2 Attorney General (a) shall constitute part of the public records
3 of his office and shall be available for public inspection; and (b)
4 shall be preserved by the Attorney General for a period of 5 years
5 from the date of filing.

1 10. This act shall not apply to the following activities:

2 a. the publication or dissemination, in the ordinary course of
3 business, of news items, advertising, editorials or other comments
4 by a newspaper, book publisher, regularly published periodical
5 radio or television station including an owner, editor or employee
6 thereof;

7 b. acts of an officer or employee of the Government of this State
8 or any of its political subdivisions, or of the Government of the
9 United States or of any State or territory thereof or any of their
10 political subdivisions, in carrying out the duties of their public
11 office or employment;

12 c. acts of bona fide religious groups acting solely for the pur-
13 pose of protecting the public right to practice the doctrines of
14 such religious groups;

15 d. acts of a duly organized national, State or local committee
16 of a political party; and

17 e. acts of a person in testifying before a legislative committee
18 or commission, or at a public hearing duly called by the Governor
19 on legislative proposals or on legislation passed and pending his
20 approval in behalf of a nonprofit organization incorporated as
21 such in this State who receives no compensation therefor beyond
22 the reimbursement of necessary and actual expenses, and who
23 makes no other communication to the Legislature or the Governor
24 or his staff in connection with the subject of his testimony.

1 11. Every legislative agent who is in the State House for the
2 purpose of influencing legislation shall at all times wear a descrip-
3 tive name tag of a type prescribed by the Attorney General.

1 12. All staff, assistants and employees of the Legislature who
2 receive for their services a stated salary or similar compensation
3 from the State of New Jersey are forbidden to act as legislative
4 agents or to seek, receive or agree to receive, directly or indirectly,
5 compensation, in money or any thing of value, for influencing or
6 purporting to influence legislation. Whoever violates this section
7 is guilty of a misdemeanor.

1 13. Any person who knowingly and willfully falsifies all or any

2 part of any statement, notice or report under this act shall, upon
3 conviction, be guilty of a misdemeanor.

1 14. Any person who shall transmit, utter or publish to the Legis-
2 lature or the Governor or his staff any communication relating
3 to any legislation or be a party to the preparation thereof, knowing
4 such communication or any signature thereto is false, forged, coun-
5 terfeit, or fictitious, shall upon conviction, be guilty of a misde-
6 meanor.

1 15. Upon the failure to comply with any provisions of this act
2 by any person subject thereto the Attorney General may institute
3 a civil action to enjoin such person from engaging in activity cov-
4 ered by this act until such time as he shall perform any duty im-
5 posed thereby and to require him to file any statement required
6 by this act for the period he acted in violation thereof, and the
7 court may proceed in a summary manner.

1 16. Any legislative agent required to file a notice of representa-
2 tion or report or maintain any record under this act who fails to
3 file such a notice or report or maintain such record shall, upon
4 conviction, be guilty of a misdemeanor.

1 17. Every officer, or person performing the functions of an officer,
2 of any person required by this act to file any statement shall be
3 under obligation to cause such person to file such statement within
4 the time prescribed by this act.

5 The obligation of any person to file any statement required by
6 this act shall continue from day to day, and discontinuance of the
7 activity out of which the obligation arises shall not relieve any
8 person from the obligation to file any statement required for any
9 period of time prior to such discontinuance.

1 18. The Attorney General shall make provision to accept state-
2 ments similar to statements required by this act from persons who
3 are not required by law to file such statements but who choose to
4 make reports upon their activities in influencing legislation. The
5 Attorney General shall have full discretion in prescribing the form
6 and detail of such voluntary statements, and he may by general
7 rules delimit classes of voluntary filings which will or will not be
8 accepted by him in order to further the purposes of this act and
9 the efficient administration thereof. The information contained in
10 such voluntary statements as are accepted by the Attorney General
11 shall be included in the periodic reports and summaries required
12 to be made by him.

1 19. If any provision of this act or the application thereof to any
2 person or circumstance is held invalid, the invalidity shall not
3 affect other provisions or applications of the act which can be given

4 effect without the invalid provision or application, and to this end
5 the provisions of this act are severable.

1 20. The "Legislative Activities Disclosure Act," approved Oc-
2 tober 16, 1964 (P. L. 1964, c. 207) is repealed. All the functions,
3 powers and duties of the Secretary of State under the said act are
4 hereby terminated; and all files, books, papers, records and other
5 property relating to such functions, powers and duties are hereby
6 transferred to the custody and control of the Attorney General.

1 21. This act shall take effect 60 days after its enactment, but
2 such actions as may be necessary to prepare for its effectuation
3 may be taken prior thereto.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 2294

STATE OF NEW JERSEY

ADOPTED APRIL 5, 1971

Amend page 3, section 3, line 44, after "means", insert "; provided, however, that a person shall not be deemed a legislative agent who, in relation to the duties or interests of his employment or at the request or suggestion of his employer, communicates to the Legislature or the Governor or his staff concerning any legislation, if such communication is an isolated, exceptional or infrequent activity in relation to the usual duties of his employment. The Attorney General shall develop and promulgate reasonable rules and guidelines for ascertaining whether a person's communication or communications are isolated, exceptional or infrequent within the intent of this subsection, and shall include such rules and guidelines in the summary and explanation of the registration and reporting requirements of this act which he is required, under subsection i. of section 6 of this act, to prepare and publish for the use and guidance of those persons who may be required to file statements under this act".

Amend page 5, section 7, line 6, after "made", omit ", and".

Amend page 5, section 7, line 7, omit line 7.

Amend page 5, section 7, line 8, omit "permitted to the Attorney General or his authorized deputy".

Amend page 6, section 10, line 24, after line 24, add a new subsection, as follows:

"f. acts of a person in communicating with the Legislature or the Governor or his staff if such communication is undertaken by him as a personal expression and not incident to his employment, even if it is upon a matter relevant to the interests of a person by whom or which he is employed, and if he receives no additional compensation or reward, in money or otherwise, for or as a result of such communication."

Amend page 7, section 18, line 12, after line 12, insert a new section, as follows:

"19. a. When it shall appear to the Attorney General that a person required to file any statement under this act has failed to file such

required statement, or has filed a statement false, inaccurate or incomplete in any material matter, or has otherwise violated the provisions of this act; or when the Attorney General believes it to be in the public interest that an investigation should be made to ascertain whether a person has in fact violated any of the provisions of this act, he may apply to the Superior Court for an order or orders directing

(1) that any such person or persons to make available to his inspection, or to the inspection of any of his authorized deputies or agents, such records as are required to be kept by that person pursuant to section 7 of this act; or

(2) that any such person file a statement or report in writing under oath concerning the facts and circumstances upon which the Attorney General's belief in the necessity of an investigation is based; or,

(3) that any person submit to examination under oath by the Attorney General in connection with said circumstances, and produce any and all records, books and other documents which may be specified by order of the court; or,

(4) that the Attorney General may impound any record, book or other documents specified by order of the court."

"b. Such application by the Attorney General shall set forth all the facts and circumstances upon which his belief in the necessity of an investigation is based. The court may proceed on such application in a summary manner; and if the court determines that from the evidence submitted it appears that a person required to file any statement under this act has failed to file such statement, or has filed a statement false, inaccurate or incomplete in any material respect, or has otherwise violated any of the provisions of this act, or that it is in the public interest that an investigation be held to determine whether such violation has occurred, the court shall issue such order pursuant to subsection a. of this section as it may deem necessary and proper."

"c. The Attorney General shall hold as confidential all statements, books, records, testimony and other information or sources of information coming into his possession or knowledge as a result of an investigation pursuant to this section; and he shall not disclose or divulge any such materials or information to anyone except the court under whose order such material or information comes into his knowledge or possession, unless the court shall order its disclosure to a grand jury of this State or other appropriate authorities for the purposes of enforcing the provisions of this act or any other law."

"d. If any person shall refuse to testify or produce any book, paper or other document in any proceeding under this section as ordered by the court on the grounds that the testimony or evidence, documentary

or otherwise, which is required of him may tend to incriminate him, convict him of a crime, or subject him to a penalty or forfeiture, and shall, notwithstanding, be directed to testify or to produce such book, paper or document, he shall comply with such direction. A person who is entitled by law to assert such privilege, and does so assert, and thereafter complies with such direction, shall not thereafter be prosecuted or subjected to any penalty or forfeiture in any criminal proceeding which arises out of and relates to the subject matter of the proceeding. No person so testifying shall be exempt from prosecution or punishment for perjury on false swearing committed by him in giving such testimony.'".

Amend page 7, section 19, line 1, omit "19", insert "20".

Amend page 8, section 20, line 1, omit "20", insert "21".

Amend page 8, section 21, line 1, omit "21", insert "22".

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Amend page 6, section 10, line 24, after line 24, add a new subsection, as follows:

"f. acts of a person in communicating with the Legislature or the Governor or his staff if such communication is undertaken by him as a personal expression and not incident to his employment, even if it is upon a matter relevant to the interests of a person by whom or which he is employed, and if he receives no additional compensation or reward, in money or otherwise, for or as a result of such communication."

Amend page 7, section 18, line 12, after line 12, insert a new section, as follows:

"19. a. When it shall appear to the Attorney General that a person required to file any statement under this act has failed to file such

required statement, or has filed a statement false, inaccurate or incomplete in any material matter, or has otherwise violated the provisions of this act; or when the Attorney General believes it to be in the public interest that an investigation should be made to ascertain whether a person has in fact violated any of the provisions of this act, he may apply to the Superior Court for an order or orders directing

(1) that any such person or persons to make available to his inspection, or to the inspection of any of his authorized deputies or agents, such records as are required to be kept by that person pursuant to section 7 of this act; or

(2) that any such person file a statement or report in writing under oath concerning the facts and circumstances upon which the Attorney General's belief in the necessity of an investigation is based; or,

(3) that any person submit to examination under oath by the Attorney General in connection with said circumstances, and produce any and all records, books and other documents which may be specified by order of the court; or,

(4) that the Attorney General may impound any record, book or other documents specified by order of the court.''.

“b. Such application by the Attorney General shall set forth all the facts and circumstances upon which his belief in the necessity of an investigation is based. The court may proceed on such application in a summary manner; and if the court determines that from the evidence submitted it appears that a person required to file any statement under this act has failed to file such statement, or has filed a statement false, inaccurate or incomplete in any material respect, or has otherwise violated any of the provisions of this act, or that it is in the public interest that an investigation be held to determine whether such violation has occurred, the court shall issue such order pursuant to subsection a. of this section as it may deem necessary and proper.’’.

“c. The Attorney General shall hold as confidential all statements, books, records, testimony and other information or sources of information coming into his possession or knowledge as a result of an investigation pursuant to this section; and he shall not disclose or divulge any such materials or information to anyone except the court under whose order such material or information comes into his knowledge or possession, unless the court shall order its disclosure to a grand jury of this State or other appropriate authorities for the purposes of enforcing the provisions of this act or any other law.’’.

“d. If any person shall refuse to testify or produce any book, paper or other document in any proceeding under this section as ordered by the court on the grounds that the testimony or evidence, documentary

or otherwise, which is required of him may tend to incriminate him, convict him of a crime, or subject him to a penalty or forfeiture, and shall, notwithstanding, be directed to testify or to produce such book, paper or document, he shall comply with such direction. A person who is entitled by law to assert such privilege, and does so assert, and thereafter complies with such direction, shall not thereafter be prosecuted or subjected to any penalty or forfeiture in any criminal proceeding which arises out of and relates to the subject matter of the proceeding. No person so testifying shall be exempt from prosecution or punishment for perjury on false swearing committed by him in giving such testimony.”.

Amend page 7, section 19, line 1, omit “19”, insert “20”.

Amend page 8, section 20, line 1, omit “20”, insert “21”.

Amend page 8, section 21, line 1, omit “21”, insert “22”.

A 2294

Governor William T. Cahill today signed Administration bills which provides the State's first meaningful Conflicts-of-interest law and a Legislative Activity Disclosure Act.

In signing the measures Cahill said that the new laws are an important step in protecting the public's right to know what interests groups are being represented by lobbyists and in restoring the public's confidence in Legislators as well as State officials and employees.

Under Senate Bill 825, sponsored by Senator Joseph J. Maraziti (R., Morris), a comprehensive set of guidelines are established to govern the activities of Legislators and State officials in the area of private enterprise. In addition the Conflicts-of-interest law establishes a framework for the Legislature and State agencies to adopt a code of ethics.

Cahill noted that while the new conflicts law is not a panacea for all problems the principles of the bill and what it accomplishes are unimpeachable.

Among the prime features of the conflicts bill are those which prohibit the involvement of State officials or Legislators in the following areas:

- Representation of others in the sale or purchase of property with the State;
- Entering into contracts with the State unless there is a public bid or a waiver of bid is permitted;
- Representing the State in transactions with themselves or their firms;
- Appearing before State agencies with the exception of the courts, Workmen's Compensation, the Division of Tax Appeals, Inheritance Tax, filing of documents with the Secretary of State, the State Board of Mediations, the Division of Civil Rights, the Public Employment Relations Commission and matters involving counties, municipalities and school districts;
- They cannot accept gifts or favors to influence the performance of their public duties, they cannot receive payment from sources other than the State for matters related to their official duties. However, reasonable fees for speeches, published works or reimbursement for expenses are permitted;

(more)

- They cannot use confidential information for personal gain;
- Legislators are prohibited from voting on or participating in legislation in which they have a personal interest unless they make a full disclosure;
- Former State officers and employees are prohibited from appearing in matters in which they participated personally while employed by the State. They are also prohibited for a two year period from participating in any matters before their former agency.

Penalties are provided for violation of the law or code of ethics established under the new statute. In addition, former State employees who violate the law or those who influence others to violate the Act will be liable as disorderly persons.

Under Assembly Bill 2294, sponsored by Assemblyman William E. Schluter (R., Mercer), regulations controlling lobbying activities are strengthened.

The new law requires lobbyists to file reports with the Attorney General, indicating who they represent, the general nature of their service, the approximate length of time that clients were represented, and the extent to which their fees are dependent upon the success of the lobbyist's efforts. The bill replaces the Legislative Disclosure Act of 1964 and the functions under the law are transferred from the Secretary of State to the Attorney General. The new law also broadens the definition of lobbying and includes contact with the Governor or his staff to influence legislation, except as may be specifically exempted.

All lobbyists who receive more than \$100.00 in any three-month period must register. Detailed reports are required of a lobbyist who receives \$500.00 in any three-month period.

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