EXECUTIVE ORDER No. 2

WHEREAS, In our representative form of government, it is essential that the conduct of public officials shall hold the respect and confidence of the people; and

WHEREAS, Those in government hold positions of public trust that require adherence to the highest standards of honesty, integrity and impartiality; and

WHEREAS, The New Jersey Conflicts of Interest Law prohibits a State officer or employee from having any interest or engaging in any activity that is in substantial conflict with the proper discharge of his duties in the public interest or from undertaking any employment or service which might reasonably be expected to impair his objectivity or independence of judgment; and

WHEREAS, The New Jersey Conflicts of Interest Law prohibits a State officer or employee from acting in his official capacity in any matter wherein he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment; and

WHEREAS, It is the duty of government officials to earn the trust and confidence of the people by avoiding even the appearance of impropriety; and

WHEREAS, The disclosure of personal interests of public officials will serve to restore the public's faith and confidence in its government representatives and will guard against conduct violative of the public trust;

Now, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, do hereby ORDER and DIRECT that:

1. Every public officer as defined in section 7 hereof shall file a sworn and duly notarized statement which is current as of five days prior to the date of filing. Each statement shall include the following information:
   a. The name and position of the public officer;
   b. Any occupation, trade, business or profession engaged in by the public officer or by his or her spouse that is subject to licensing or regulation by a State agency;
c. A list of all assets having a value of more than $1,000, both tangible and intangible, in which a direct or indirect interest is held by the public officer or by his or her spouse, valued as of the statement date; provided, however, that when the value cannot be determined as of that date, a separate valuation date shall be specified for the particular asset. Where stocks and bonds are involved, there should be included the name of the company or government agency issuing them; except that whenever such interest exists through ownership in a mutual fund or holding company, the stocks held by such mutual fund or holding company need not be listed; whenever such interest exists through a beneficial interest in a trust, the stocks and bonds held in such trust shall be listed only if the public officer has knowledge of what stocks and bonds are so held. Where more than 10 percent of the stock of a corporation is held, the percentage of ownership shall be stated. The list shall include any direct or indirect interest, whether vested or contingent, in any contract made or executed by a government instrumentality. In the case of real estate interests, there shall be given the location, including municipality and block and lot number, size, general nature and acquisition date of any real property in New Jersey in which any direct, indirect, vested or contingent interest is held, together with the names of all individuals or entities who share a direct or indirect interest therein and the name of any government instrumentality that is a tenant on such property or that has before it an application, complaint or proceeding directly affecting such property. Assets shall be listed according to the following value categories:

(i) Greater than $1,000, but not more than $10,000;
(ii) Greater than $10,000, but not more than $50,000;
(iii) Greater than $50,000, but not more than $100,000;
(iv) Greater than $100,000, but not more than $250,000;
(v) Greater than $250,000;

d. A list of all liabilities of the public officer and of his or her spouse, valued by category in the same manner as assets, except liabilities which are less than $10,000.00 and owed to a relative as defined in section 7 hereof, or less than $2,000 and owed to any other person. For each liability so listed, the name of the creditor to whom such liability is owed shall be stated;

e. A list of all sources of income of the public officer and of his or her spouse for the 12 months immediately preceding the statement date, except for the 12 months immediately preceding the date
on which the public officer assumes the office to which he or she has been appointed, including all compensated employment of whatever nature, all directorships and other fiduciary positions for which compensation has or will be claimed, all capital gains, including a description of the individual sources of such gains, all contractual arrangements producing or expected to produce income, and all honoraria, lecture fees and other miscellaneous sources of income; except that the amounts of such income received or to be received need not be supplied unless specifically requested by the Governor, the Attorney General or the Executive Commission on Ethical Standards. Not required to be reported as a source of income are:

(1) Cash gifts in an aggregate amount of less than $100 received during the preceding 12 months from a person;

(2) Noncash gifts with an aggregate fair market value of less than $200 received during the preceding 12 months from a person; and

(3) Gifts with an aggregate cash or fair market of less than $3,000 received during the preceding 12 months from a relative;

f. A list of any offices, trusteeships, directorships or positions of any nature, whether compensated or uncompensated, held by the public officer and by his or her spouse, with any firm, corporation, association, partnership or business that either does business with or is licensed, regulated or inspected by a State agency.

2. Each statement shall contain a certification by the public officer that he has read the statement, that to the best of his knowledge and belief it is true, correct and complete and that he has not and will not transfer any asset, interest or property for the purpose of concealing it from disclosure, while retaining an equitable interest therein.

3. a. Within 60 days from the effective date of this Order, each public officer who has not already done so shall file the signed and notarized statement required herein with the Office of the Governor, the Executive Commission on Ethical Standards (two copies), and with the Attorney General. In furtherance of its duties under the “New Jersey Conflicts of Interest Law,” P. L. 1971, c. 182 (C. 52:13D–12 et seq.), and pursuant to this Executive Order, the Executive Commission on Ethical Standards shall review each statement to determine its conformity with the provisions of this Order and other applicable provisions of the law. Upon approving such statement, the commission shall file a copy of it with the Secre-
tary of State for public inspection and copying in accordance with
the procedures set forth in P. L. 1963, c. 73 (C. 47:1A-1 et seq.);
b. Each prospective public officer before assuming the office to
which he or she has been appointed shall satisfy the filing require-
ments of this Order, unless the Attorney General grants to such
officer an extension from the filing deadline. Such an extension shall
not be granted more than twice and shall not be of more than 30
days each;
c. Updated statements shall be filed one year after the sub-
mission of the original statement and every year thereafter so long
as the person who submitted such statement is a public officer of
this State, as defined in section 7 of this Order.

4. The Secretary of State shall keep the approved statements on
file for so long as the person submitting such statement is a public
officer of this State, and for five years thereafter.

5. The Executive Commission on Ethical Standards shall have
the primary responsibility for assuring the proper administration
and implementation of this Order and shall have the power to per-
form the acts necessary and convenient to this end, including, but
not limited to, preparing and distributing forms to be utilized by
public officers in complying with this Order.

6. A public officer's willful failure to comply with this Order shall
constitute cause for his or her removal from office by those having
the power of removal.

7. For the purposes of this Order:

a. "Public officer" shall mean any person holding any of the
following offices in the Executive Branch of State government,
together with any offices added to such list by subsequent guber-
natorial Executive Order:

(1) The head of a principal department;
(2) The assistant or deputy heads of a principal department, to
include all assistant and deputy commissioners of such department;
(3) The head and assistant heads of a division of a principal
department;

b. "Government instrumentality" shall mean the Legislative,
Judicial and Executive Branches of State government, including
any office, department, division, bureau, board, commission, council,
authority or agency therein and any county, municipality, district,
public authority, public agency or other political subdivision or
public body in the State;
c. “State agency” shall mean any of the principal departments in the Executive Branch of State government, any division, board, bureau, office, commission or other instrumentality within or created by such department, and any independent State authority, commission, instrumentality or agency;

d. “Relative” shall mean a son, daughter, grandson, granddaughter, father, mother, grandfather, grandmother, great-grandfather, great-grandmother, brother, sister, nephew, niece, uncle, or aunt. Relatives by adoption, half-blood, marriage or remarriage shall be treated as relatives of the whole kinship.

8. Executive Order No. 15 of Governor Brendan Byrne and any subsequent Executive Orders issued in conjunction therewith are rescinded, and any regulations adopted and promulgated thereunder shall be null and void.

9. This Order shall be given effect retroactively to the 19th day of January, 1982.

Issued February 11, 1982.

EXECUTIVE ORDER No. 3

WHEREAS, According to the most recent weather reports, in hand as of 1:45 p.m. today, April 6, 1982, severe weather conditions, including snow and high winds have made State roadways hazardous to travel in certain counties in the northern part of the State, more particularly, the Counties of Bergen, Essex, Hudson, Hunterdon, Middlesex, Morris, Passaic, Somerset, Sussex, Union and Warren; and

WHEREAS, Also according to the most recent weather reports, travel conditions in such counties are expected to worsen throughout the day and early evening; and

WHEREAS, The storm poses a serious threat and danger to the health, safety and resources of the residents of such counties, who are compelled to travel and is too large in scope to be handled in its entirety by normal municipal operating services; and

WHEREAS, Pursuant to N. J. S. 18A:14–2, Statewide school board elections are required to be conducted on Tuesday, April 6, 1982; and