a recommendation to the Governor for absorbing such functions under the jurisdiction of the Commission.

19. There is hereby created within the Commission a New Jersey Institute for Employment and Training Development, hereinafter referred to as the Institute. The Institute shall be headed by a Director who shall be appointed by and under the supervision of the Executive Director of the Commission.

20. The Director of the Institute shall continuously evaluate the need for upgrading the professional and technical competence of employees of State and local employment training agencies. The Director shall develop curricula, seminars, conferences, advanced training courses and similar activities to improve the levels of competence of employment and training staff.

21. The Director of the Institute shall be authorized to enter into contracts with providers of staff development services in accordance with an annual plan and budget approved by the Commission. Such contracts shall be issued in accord with established State procedures.

22. Executive Order No. 22, December 3, 1982, is amended as follows:

Sections 4, 5 and 6 are hereby deleted. Sections 1, 2, 3 and 7 shall remain. Remaining as well is Section 8 which was added by Executive Order No. 81 dated September 5, 1984.

23. This Order shall take effect immediately.

Issued April 19, 1988.

EXECUTIVE ORDER No. 189

WHEREAS, It is essential that all persons supplying goods or services to the State of New Jersey, or performing contracts or otherwise executing public works with the assistance of and subject to the approval of the State, must meet a standard of responsibility which assures the State and its citizens that such persons will both compete and perform honestly in their dealings with the State and avoid conflicts of interest; and

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

WHEREAS, The New Jersey Conflicts of Interest Law prohibits State officers or employees and special State officers or employees from acting in their official capacity in any matter wherein they have a direct or indirect personal financial interest which might reasonably be expected to impair their objectivity or independence of judgment; and

WHEREAS, C. 52:34-19 provides that it shall be a misdemeanor to pay any fee, commission, compensation, gift or gratuity of any kind, directly or indirectly, to any person employed by the Department of the Treasury or to any other person in the employ of the State having any duties or responsibilities in connection with the purchase or acquisition of any property or services by the State or any agency or instrumentality thereof by or on behalf of any seller or supplier of such goods or services or other party to a contract with the State; and

WHEREAS, It is essential that persons providing goods or services to, or performing contracts for, the State be fully informed of the policies of the State concerning their relationships with State officers or employees and special State officers or employees that these policies be uniformly applied by the various agencies of the Executive Branch; and

WHEREAS, It is therefore necessary to supplement Executive Order No. 34 (1976), which provides the grounds and procedures applicable to the debarment, suspension and disqualification of State vendors, to encompass appropriate standards prohibiting conflicts of interest on the part of present and prospective State vendors;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. As used in this Order, “vendor” means any person, firm, corporation, or other entity which provides or offers or proposes to provide goods or services to or perform any contract for any State agency.

2. The executive head of each department or agency in the Executive Branch with the lawful authority to engage in State contract-
ing shall, in accordance with the provisions of the “Administrative Procedure Act,” C. 52:14B-1 et seq., promulgate regulations supplementing those heretofore established pursuant to Executive Order No. 34 (1976) governing the causes, conditions and procedures applicable to determinations of debarment, suspension and disqualification by the department or agency to include the minimum standards hereinafter set forth. In addition to any other filing required by law to be made, each executive head shall file with the Attorney General and Treasurer a copy of such rules and regulations as may be promulgated.

3. The rules and regulations referred to in paragraph 2 shall include the following prohibitions on vendor activities, the violation of which shall render said vendor liable to debarment in the public interest, pursuant to the procedures established by Executive Order No. 34 (1976), by any Executive department or agency:

a. No vendor shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by C. 52:13D-13b. and e., in the Department of the Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by C. 52:13D-13i., of any such officer or employee, or any partnership, firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of C. 52:13D-13g.

b. The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any State vendor shall be reported in writing forthwith by the vendor to the Attorney General and the Executive Commission on Ethical Standards.

c. No vendor may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such vendor to, any State officer or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed
or associated or in which he has an interest within the meaning
of C. 52:13D-13g. Any relationships subject to this provision
shall be reported in writing forthwith to the Executive Com-
mmission on Ethical Standards, which may grant a waiver of
this restriction upon application of the State officer or em-
ployee or special State officer or employee upon a finding that
the present or proposed relationship does not present the
potential, actuality or appearance of a conflict of interest.

d. No vendor shall influence, or attempt to influence or cause to
be influenced, any State officer or employee or special State
officer or employee in his official capacity in any manner which
might tend to impair the objectivity or independence of judg-
ment of said officer or employee.

e. No vendor shall cause or influence, or attempt to cause or
influence, any State officer or employee or special State officer
or employee to use, or attempt to use, his official position to
secure unwarranted privileges or advantages for the vendor or
any other person.

f. The provisions cited above in paragraphs 3a. through 3e. shall
not be construed to prohibit a State officer or employee or
special State officer or employee from receiving gifts from or
contracting with vendors under the same terms and conditions
as are offered or made available to members of the general
public subject to any guidelines the Executive Commission on
Ethical Standards may promulgate under paragraph 3c.

4. The rules and regulations referred to in paragraph 2, supra,
shall require that the prohibitions set forth in paragraph 3, supra,
shall be included in all requests for proposals issued by any State
department or agency and in all contracts executed on behalf of a
State department or agency, other than those of an interstate agency
to which New Jersey is a party and contracts entered into on behalf
of the interstate agency.

5. Nothing required by this Order shall be construed to limit the
authority of any State department or agency to refrain from contract-
ing within the discretion allowed by law, or to limit C. 52:34-19 or
any other applicable statute or regulation.

6. This Order shall take effect on the 90th day following its
execution.