

EXECUTIVE ORDERS

agency head notify his appointing authority, and make a written disclosure of his financial interest to such agency head or appointing authority. A copy of such written disclosure shall be sent to the Board of Ethics. The agency head will thereupon relieve him of his duty and responsibility in the matter, unless the Board of Ethics makes a written determination that under the circumstances the public welfare and interest in the officer's or employee's participation exceeds the public interest in his disqualification and provided that the State officer or employee shall consent to such participation. A full statement of the pertinent facts and of the Board's determination of public welfare and interest under any provisions of this section shall be kept on file by the Board and shall be a public record.

Nothing in this section shall preclude a State officer or employee from participating in (a) a contract with his agency for the rendering or furnishing of public utility services or any other service at a published rate established or authorized by any federal, state, county, or city regulatory agency where payments under the contract do not exceed \$1,000 and where the services supplied are usual and necessary for the performance of the official duties of the State officer or employee, or (b) transactions involving the State with respect to the deposit of State monies in bank depositaries where a fixed formula is utilized to determine the percentage ratio of State monies to be deposited in any given bank and where the officer or employee does not participate in the fixing or amending of the formula.

Article IV.

Board of Ethics

A Board of Ethics is hereby established within the executive branch of the State government. It shall consist of seven members appointed by the Governor from the general public who are not subject to this Code of Ethics. The term of each member shall be four years or until a successor is appointed and takes office. Any member of the Board shall be eligible for reappointment. Of the members first appointed, one member shall be appointed for one year, two members for two years, two members for three years, and two members for four years. One member shall be designated as chairman by the Governor and shall serve as such during his full term of office as a member. Five members of the Board shall constitute a quorum, regardless of vacancies, and the affirmative vote of at least five members shall be necessary for any action. Members of the Board shall serve without compensation but shall be reimbursed for their actual expenses incurred in the performance of their duties. The Board, with the approval of the Governor, may appoint a paid Executive Secretary at such salary as the Governor may determine.

The powers and duties of the Board shall be as follows:

1. To recommend from time to time such orders, rules, regulations and changes, as it deems necessary and proper to supplement, administer, and implement or amend the provisions of this Code of Ethics, which recommendations, when approved by the Governor, shall become part of this Code of Ethics. A copy of any such orders, rules, and regulations, when adopted by the Governor, shall be filed with the Secretary of State as an amendment to this executive order.
2. To render advisory opinions to officers and employees of the State, or any agency thereof, with respect to any matter or transaction in which such officer or employee is involved concerning the applicability of this Code of Ethics. The Board shall publish such advisory opinions with such deletions as may be necessary to prevent disclosure of the officer or employee who may request such an opinion.
3. To investigate any alleged violation of said Code by an officer or employee where both the appointing authority for said officer or employee and the officer or employee involved in the alleged violation shall request the Board to make such investigation. A written report of the results of the Board's investigation shall be