

Conflict of Interest Policy

Statutory References

PAL § 1232-p (Code of ethics), which is included in the Authority's annual report, governs conflicts of interest of Authority members. In addition, PAL § 1232-c provides that:

[n]otwithstanding any inconsistent provision of any general, special or local law, ordinance, resolution or charter, no officer, member or employee of the state, any municipality or any public benefit corporation shall forfeit his or her office or employment by reason of his or her acceptance of appointment as a member or officer of the [A]uthority, nor shall service as such member or officer be deemed incompatible or in conflict with such office, membership or employment, provided, that such officer serves in an unpaid capacity.

Procedures

Duty to Disclose:

Members shall disclose any conflict of interest as set forth in PAL § 1232-p in writing to the Governance Committee. Such written disclosure shall be made part of the official record of the proceedings of the Authority.

Determining Whether a Conflict of Interest Exists:

The Governance Committee shall advise the member who identifies a conflict of interest how to proceed. The Governance Committee should seek guidance from counsel or State agencies, such as the State Authorities Budget Office, the State Inspector General or the Joint Commission on Public Ethics when dealing with cases where it is unsure of what to do.

Recusal and Abstention:

No member may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting, when such action would be in violation of PAL § 1232-p. Members shall recuse themselves from deliberations, votes, or internal discussion on matters when such action would be in violation of PAL § 1232-p, and may not attempt to influence other board members in the deliberation and voting on the matter.

Records of Conflicts of Interest:

The minutes of the Authority's meetings during which a conflict of interest is disclosed or discussed shall reflect the name of the member, the general nature of the conflict and a description of how the conflict was addressed.

Reporting of Violations:

Members may report any violations of this policy to the Governance Committee.

Penalties:

Any member who fails to comply with this policy may be penalized in the manner provided for by law.

Annual Review

The governing body of the Authority shall review this policy annually.