



New Jersey Pinelands Commission PRESS RELEASE

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Pinelands Commission responds to ruling by the State Ethics Commission regarding application of State's Conflict of Interest Law

NEW LISBON, N.J. – During their meeting today, members of the Pinelands Commission were briefed on a ruling by the State Ethics Commission that provides guidance regarding the application of the State's Conflict of Interest Law and the Pinelands Protection Program.

"We appreciate the Ethics Commission's advice and will follow the letter and spirit of that advice," said John C. Stokes, Executive Director of the Pinelands Commission. "Commission precedent has consistently held that recusals are necessary when a person has a financial interest in a matter being considered, and our past decisions have adhered to these principles. In fact, when a question arose regarding Pinelands Development Credits and density, we decided to table these important policy decisions for 18 months while waiting for the advice from the State Ethics Commission.

"Contrary to some reports, the Commission has not made any decisions regarding potential amendments to the Pinelands Development Credits program and its regulations. As the Commission moves ahead, we will do so in accord with the advice that we have received from the State Ethics Commission."

In October 2007, the Pinelands Commission asked the State Ethics Commission for advice regarding the circumstances in which a Pinelands Commission member must recuse himself or herself from participating in discussions and votes regarding amendments to the Pinelands Comprehensive Management Plan (CMP). The question surfaced during the Commission's consideration of regulations that govern the Pinelands Development Credit program, and possible changes to enhance the program. The Commission sought the advice to address a perceived conflict between the Pinelands Protection Act, which contains its own conflict of interest provisions, and the State's ethics law, in order to ensure that its actions would adhere to state ethics requirements.

In a ruling issued on February 10, the State Ethics Commission determined that the provisions of the Pinelands Protection Act do not conflict with the State's ethics law. Also, regarding recusals pertaining to amendments to the Pinelands Comprehensive Management Plan, Commission members are required to fully comply with the Conflicts Laws and the Uniform Code of Ethics. The ruling sets forth the conditions and/or circumstances in which Commission members must recuse themselves from considering proposed amendments to the Comprehensive Management Plan.

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