



Regional Council Code of Conduct

Section 1. Code of Ethics

Members of each Regional Economic Development Council (“Council”) should exercise their duties and responsibilities as members in the public interest of the inhabitants of the State, regardless of their affiliation with, or relationship to, any business, agency or program, or interest group. The principles which should guide the conduct of members include, but are not limited to the following:

- (a) A member should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust as a member.
- (b) No member should permit his or her employment or relationship with any entity that might benefit from the decisions made by the council to impair his or her independence of judgment in the exercise of his or her duties as a member.
- (c) No member should disclose confidential information acquired by him or her in the course of his or her duties as a member or by reason of his or her position as a member or use such information to further his or her personal interests.
- (d) No member should use or attempt to use his or her position as a member to secure unwarranted privileges or exemptions for him or herself or others, except that a member that receives an “incidental benefit,” as that term is defined below, shall not be in violation of this provision as a result.
- (e) No member should engage in any transaction as a representative or agent of the State with any business entity in which he or she has a direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of his or her duties as a member, except that a member that receives an “incidental benefit,” as that term is defined below, shall not be in violation of this provision as a result.
- (f) A member should refrain from making personal investments in enterprises which he or she has reason to believe may be directly involved in decisions to be made by him or her as a Council member or which will otherwise create substantial conflict between his or her duty as a Council member to act in the public interest and his or her private interest, except that a member that receives an “incidental benefit,” as that term is defined below, shall not be in violation of this provision as a result.



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Section 2. Statement of Interest .

Within 30 days of appointment to the Council, each member shall submit to the Chair of the Council a written statement identifying any business entity or enterprise in which he or she, or a member of his or her family, has an ownership interest, whether as an owner, officer, director, fiduciary employee, or consultant. For purpose of this code, “family” shall include spouse, domestic partner, unemancipated children under 21 years of age, and any other relative living in the member’s household.

Section 3. Disclosure and Disqualification from Proceeding on a Matter

- (a) Absolute Disqualification from Proceeding on a Matter. When a member or his or her family has an ownership interest in, or is an officer, director, fiduciary employee, or consultant to a business or enterprise which would receive a special benefit not shared by other similarly situated businesses or enterprises or individuals in the State from a proposed course of action before the Council (an “Impermissible Conflict”), that member shall:
- (i) refrain from discussing such matter with any member at any time before or at any meeting when the matter is to be considered in a manner that could reasonably be interpreted as an attempt to influence the vote of any member;
 - (ii) identify such interest to the Council at any meeting when the matter is considered;
 - (iii) absent himself or herself from any portion of any meeting when such matter is considered; and
 - (iv) not participate in any vote of the Council on that matter. A member who has, or whose family has, an ownership interest in, or is an officer, director, fiduciary employee, or consultant to a business or enterprise which would receive a benefit from a proposed course of action before the Council shall not have an Impermissible Conflict where the benefit in question would be received also by similarly situated businesses or enterprises or individuals in the State (an “Incidental Benefit”). A member shall not be disqualified from any proceedings or consideration regarding a matter before the Council solely because the member or his or her family may receive an Incidental Benefit from a course of action taken by the Council.



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- (b) Disclosure and Possible Disqualification from Proceeding on a Matter. When a member or his or her family, has any of the above noted interests in a business entity or enterprise which might reasonably be affected by another business or enterprise which is the subject of a proposed course of action before the Council, or when a member has an interest or association which might reasonably be construed as tending to embarrass the Council or elicit public suspicion that he or she might be engaged in acts in violation of his trust as a member, he or she shall, at the time of formal consideration of such matter by the Council, disclose such interest or association so that the Chair and, if necessary, the Council can then determine whether his or her participation in the discussion of such matter or the vote of the Council would be proper.
- (c) Procedure. After a motion is made concerning a recommendation or a proposed course of action and prior to discussion or vote, and at the request of the Chair, the members shall disclose all actual or potential conflicts and, when appropriate, explain the conflicts. When a member does not disclose an actual or potential conflict, the Chair may remind such member of such actual or potential conflict. In the case of conflicts constituting Absolute Disqualification, the members with such conflicts shall immediately leave the meeting and remain absent during the period when the matter in question is under consideration. In the case of conflicts constituting possible disqualification, the Chair shall rule upon such conflicts subject to appeal by motion to the Council which may override the Chair's decision but the affirmative vote of a majority of those members present, excluding those members who are the subject of the vote. In making such determination, the Chair and the Council shall consider, among other factors, whether the member appears to have an Impermissible Conflict or instead may receive only an Incidental Benefit as a result of action by the Council.
- (d) Chair Request. Before any discussion or vote on a matter under review, the Chair may, at his or her discretion, request members to disclose any conversation or correspondence they have had with any business entity or enterprises, any Council members, any official of the State of New York regarding the matter in question.

Section 4. Ethics Officer.

The Executive Chamber shall designate an ethics officer for each Council.

Seth Agata is designated ethics officer for the North Country Regional Economic Development Council