

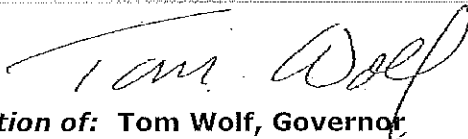
Executive Order

Commonwealth of Pennsylvania

Governor's Office

Subject:
Executive Branch Employee Gift Ban

Number:
2015-01


By Direction of: Tom Wolf, Governor

Date: January 20, 2015

WHEREAS, the citizens of the Commonwealth are entitled to confidence in the integrity of the government, including the process by which decisions and administrative actions are rendered by employees of the Commonwealth; and

WHEREAS, such confidence in the integrity of the government demands that significant contact between Commonwealth Executive Employees and special interests, lobbyists and those who employ lobbyists seeking to influence the decisions and administrative actions of such employees, be regulated and publicly disclosed; and

WHEREAS, the Constitution of Pennsylvania vests supreme executive power in the Governor, which power includes the prerogative to establish practices and proceedings before executive agencies and to regulate actions that may influence, or have the potential to influence, the outcome of decisions and administrative actions of executive branch employees; and

WHEREAS, the Code of Conduct adopted by Executive Order 1980-18, as amended ("Code of Conduct"), restricts and requires disclosure of the receipt by employees, appointees and officials of the Executive Branch of the Commonwealth of gifts, gratuities, favors, entertainment, loans or any other thing of monetary value, including in-kind gifts, from persons doing or seeking to do business with the Commonwealth or with interests that are substantially affected by decisions of Commonwealth officials.

NOW THEREFORE, I, Thomas W. Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reaffirm the Code of Conduct for Commonwealth Employees, and promulgate the following amendments to such Code of Conduct to clarify the applicability of the Code of Conduct generally and to strengthen and expand the provisions regarding prohibitions on the receipt of gifts.

1. Amendment. The Governor's Code of Conduct, Part I, Section 3., Gifts and favors, is hereby amended by replacing the above-referenced section as follows:

3. Gifts and favors.

(a) No employee, appointee or official in the Executive Branch of the Commonwealth may solicit or accept for the personal use of the employee or another, a gift, gratuity, favor, entertainment, hospitality, loan or any other thing of monetary value, including in-kind gifts, from a person who:

- (1) Is seeking to obtain business from or has financial relations with the Commonwealth.
- (2) Conducts operations or activities that are regulated by the Commonwealth.
- (3) Is engaged, either as principal or attorney, in proceedings before the Commonwealth or in court proceedings in which the Commonwealth is an adverse party.
- (4) Has interests that may be substantially affected by the performance or nonperformance of the official duty of the employee.

(b) The only exceptions are limited to the following instances:

- (1) The solicitation or acceptance of something of monetary value from a friend, parent, spouse, child or other close relative under circumstances which make it clear that the gift is motivated by a family relationship or personal friendship rather than the position of the employee. Relevant factors in making such a determination include the history of the relationship (for example, does the friendship pre-date employment by the Commonwealth) and whether the family member or friend pays for the gift.
- (2) The acceptance of loans from banks or other financial institutions on customary terms of finance for proper and usual activities, such as home mortgage loans.
- (3) Participation in widely attended gatherings free of charge is permissible when officials have been invited and are acting in furtherance of their official duties. But no food or drink can be accepted without payment at market value.

2. Effective Date. This Executive Order is effective immediately.