

first appointed shall serve until his successor is duly appointed and qualified. The terms of the members of the Authority first appointed shall be designated by the official or agency appointing them.

5. (E) ON OR BEFORE THE BEGINNING OF ITS FISCAL YEAR, THE AUTHORITY SHALL ELECT ONE OF ITS MEMBERS AS CHAIRMAN, TO SERVE FOR THAT FISCAL YEAR. THE CHAIRMAN SHALL PRESIDE OVER THE MEETINGS OF THE AUTHORITY AND PERFORM SUCH OTHER DUTIES AS MAY BE IMPOSED UPON HIM BY LAW OR AS MAY BE ASSIGNED TO HIM BY THE AUTHORITY. THE MEMBERS OF THE AUTHORITY ALSO SHALL ANNUALLY ELECT ONE OF ITS MEMBERS AS VICE-CHAIRMAN WHO, IN THE ABSENCE OF THE CHAIRMAN OF THE AUTHORITY, SHALL PRESIDE OVER THE MEETINGS OF THE AUTHORITY AND PERFORM SUCH OTHER DUTIES AS MAY BE IMPOSED UPON HIM BY LAW OR AS MAY BE ASSIGNED TO HIM BY THE AUTHORITY.

(i) [Three] A majority of the members of the Authority constitute a quorum for the transaction of business, and the affirmative vote of [at least two] a majority of the members is necessary for any action taken by the Authority. A vacancy in the membership of the Authority does not impair the right of a quorum to exercise all of the rights and to perform all of the duties of the Authority. All sessions, hearings or meetings of the Authority, except executive sessions, shall be open to the public. The Authority shall keep records of its proceedings, showing the vote of each member on each question, or if absent, or failing to vote, indicating such fact. The Authority shall keep a record of all resolutions, transactions, findings, determinations and decisions, and all records of the Authority shall be kept in the office of the Authority and shall be public records.

5. (M) PROHIBITED CONDUCT.

(1) NO MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY OR ITS PERSONNEL SHALL SOLICIT, SUGGEST, REQUEST OR RECOMMEND DIRECTLY OR INDIRECTLY TO ANY PERSON OR COMPANY SUBJECT TO THE REGULATORY JURISDICTION OF THE AUTHORITY THE APPOINTMENT OF ANY PERSON TO ANY OFFICE OR PLACE OF EMPLOYMENT.

(2) NO MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY SHALL ACCEPT FROM ANY PERSON OR COMPANY SUBJECT TO THE REGULATORY JURISDICTION OF THE AUTHORITY, ITS OFFICERS, AGENTS OR EMPLOYEES ANY PRESENT, GIFT, GRATUITY OR ANY SPECIAL CONSIDERATION OF ANY KIND WHATSOEVER.

(3) NO MEMBER, OFFICER OR EMPLOYEE OF THE AUTHORITY SHALL DIVULGE TO ANY PERSON ANY FACT OR INFORMATION LEARNED DURING THE COURSE OF INSPECTION OF THE PLANT, OR THE EXAMINATION OF THE RECORDS, OF ANY PERSON OR COMPANY SUBJECT TO THE REGULATORY JURISDICTION OF THE AUTHORITY, EXCEPT INsofar AS MAY BE DIRECTED BY THE AUTHORITY, BY A COURT OF COMPETENT JURISDICTION, OR AS MAY BE AUTHORIZED BY LAW.