

The powers and duties of the Board shall be as follows:

1. To recommend from time to time such orders, rules, regulations and changes, as it deems necessary and proper to supplement, administer, and implement or amend the provisions of this Code of Ethics, which recommendations, when approved by the Governor, shall become part of this Code of Ethics. A copy of any such orders, rules, and regulations, when adopted by the Governor, shall be filed with the Secretary of State as an amendment to this executive order.

2. To render advisory opinions to officers and employees of the State, or any agency thereof, with respect to any matter or transaction in which such officer or employee is involved concerning the applicability of this Code of Ethics. The Board shall publish such advisory opinions with such deletions as may be necessary to prevent disclosure of the officer or employee who may request such an opinion.

3. To investigate any alleged violation of said Code by an officer or employee where either the appointing authority for said officer or employee, or the officer or employee involved in the alleged violation shall request the Board to make such investigation. A written report of the results of the Board's investigation shall be submitted to the Governor, the office of the Secretary of Personnel, the appointing authority and the employee involved.

4. To investigate alleged violations of the Code of Ethics upon the written request of the Governor, the Secretary of Personnel, or the Attorney General, and to submit a written report to the requesting official.

5. To order that a hearing be held prior to rendering an opinion or report in any particular matter whenever the Board deems it appropriate for a hearing to be held or whenever a State officer or employee who may be substantially affected by the opinion or report in the matter requests a hearing. Such hearings may be held by the Board itself or by a hearing officer designated by the Chairman of the Board, whichever the Chairman deems appropriate in any particular instance. The Chairman may designate as a hearing officer any member of the Board, the Executive Secretary of the Board, or, with the approval of the Secretary of Personnel, any employee in the Department of Personnel. Whenever a hearing is conducted by a hearing officer instead of by the Board itself, the hearing officer must submit a written report of the hearing to the Board. The Board is authorized to promulgate further rules or regulations not inconsistent with this Code governing requests for hearings, conduct of hearings, reports of hearings, and any other matters in connection with such hearings.

6. Any opinion or report of the Board rendered pursuant to paragraphs 2, 3 or 4 of this Article, may be utilized as the basis for any administrative action appropriate under the circumstances in accordance with administrative procedures provided for by law.

7. Under no circumstances shall the Board of Ethics be empowered to take direct administrative action itself but rather its function shall be solely advisory and investigatory as provided for herein.

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