



State of New Jersey
STATE ETHICS COMMISSION

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June 13, 2018

Lynne Alexander
Ethics Liaison Officer
Department of Health
Division of Mental Health & Addiction Services
P.O. Box 362
Trenton, NJ 08625-0340

Re: Waiver to the Provisions of *N.J.S.A. 52:13D-17.2(b)*

Dear Ms. Alexander:

At its June 12, 2018 meeting, the State Ethics Commission considered your request on behalf of Lanavale MacDonald, Registered Nurse, Ancora Psychiatric Hospital, Department of Health, whose mother, Fola MacDonald, is currently employed by Bally's Casino as an accountant. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, Section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

....

The Commission agrees that there is no conflict between Ms. MacDonald's position at Department of Health and her mother's employment with Bally's Casino. Ms. MacDonald's position and her mother's

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employment do not overlap, and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between her position and her son's casino employment.

Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Lanavale MacDonald and her mother, Fola MacDonald.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission

Mark T. Holmes

Acting Executive Director

MTH/sc

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