

PUBLIC NOTICE

COMMUNITY AFFAIRS

DIVISION OF LOCAL GOVERNMENT SERVICES

Notice of Receipt of Petition for Rulemaking

Local Government Ethics Law

N.J.A.C. 5:35

Petitioner: Mr. John Paff, Chairman, Open Government Advocacy Project, New Jersey Libertarian Party.

Take notice that on May 12, 2016, the Local Finance Board received a petition for rulemaking from the above petitioner requesting that the Board promulgate a rule defining which types of local government employees, contractors, and appointees are managerial executive employees of a local government agency and thus among the categories of persons that fall under the Local Government Ethics Law's definition of "local government officer" pursuant to N.J.S.A. 40A:9-22.3(g).

Persons classified as "local government officers" pursuant to the Local Government Ethics Law are required to file an annual financial disclosure statement. P.L. 2015, c. 95 amended the prior definition of "local government officer" in N.J.S.A. 40A:9-22.3(g), to replace the phrase "who is a managerial executive or confidential employee of a local government agency, as defined in section 3 of the 'New Jersey Employer-Employee Relations Act,' P.L. 1941, c.100 (C.34:13A-3) ..." with the phrase "who is a managerial executive of a local government agency as defined in rules and

regulations adopted by the Director of the Division of Local Government Services in the Department of Community Affairs pursuant to the 'Administrative Procedure Act,' P.L. 1968, c.410 (C.52:14B-1 et seq.) ...”

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Board shall subsequently mail to the Petitioner, and file with the Office of Administrative Law, a notice of action on the petition.