

RULE PROPOSALS

INTERESTED PERSONS

Interested persons may submit comments, information or arguments concerning any of the rule proposals in this issue until the date indicated in the proposal. Submissions and any inquiries about submissions should be addressed to the agency officer specified for a particular proposal.

The required minimum period for comment concerning a proposal is 30 days. A proposing agency may extend the 30-day comment period to accommodate public hearings or to elicit greater public response to a proposed new rule or amendment. Most notices of proposal include a 60-day comment period, in order to qualify the notice for an exception to the rulemaking calendar requirements of N.J.S.A. 52:14B-3. An extended comment deadline will be noted in the heading of a proposal or appear in a subsequent notice in the Register.

At the close of the period for comments, the proposing agency may thereafter adopt a proposal, without change, or with changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-6.3. The adoption becomes effective upon publication in the Register of a notice of adoption, unless otherwise indicated in the adoption notice. Promulgation in the New Jersey Register establishes a new or amended rule as an official part of the New Jersey Administrative Code.

COMMUNITY AFFAIRS

(a)

THE COMMISSIONER Standards of Conduct

Proposed Redoction: N.J.A.C. 5:1

Authorized By: Charles A. Richman, Acting Commissioner,
Department of Community Affairs.

Authority: N.J.S.A. 52:27D-3.

Calendar Reference: See Summary below for explanation of
exception to calendar requirement.

Proposal Number: PRN 2009-333.

Submit written comments by January 1, 2010 to:

Michael L. Tickin, Esq.
Chief, Legislative Analysis
Department of Community Affairs
PO Box 802
Trenton, NJ 08625
Fax No. (609) 633-6729

The agency proposal follows.

Summary

Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 5:1, which sets forth rules concerning standards of conduct for officers and employees of the Department of Community Affairs, is scheduled to expire on December 25, 2010. These rules include subchapters concerning fair employment practices, conflict of interest and ethical standards, and political activities.

The Department of Community Affairs has reviewed these rules and finds that they continue to be necessary for the purpose for which they were promulgated and is therefore proposing that they be readopted without change.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is exempted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules included in this chapter have the socially beneficial effect of providing notice both to persons employed by the Department and to the general public of standards of conduct with which officers and employees of the Department are required to comply. The fact that the standards are made clear facilitates the taking of necessary action in the event of any violation.

Economic Impact

The purpose of these rules is to facilitate compliance with laws concerning fair employment practices, ethical standards and political activity. The rules themselves therefore have no particular economic impact.

Federal Standards Statement

No Federal standards analysis is required because these rules are not being proposed for readoption under the authority of, or in order to implement, comply with or participate in any program established under, Federal law or a State law that incorporates or refers to Federal law, standards or requirements. However, the rules do note that persons who are principally employed in connection with activities financed in whole or in part by Federal funds are subject to the Hatch Act, 5 U.S.C. §118K, in addition to requirements imposed by State law.

Jobs Impact

The Department does not anticipate the creation or loss of any jobs as a result of the rules proposed for readoption.

Agriculture Industry Impact

The Department does not anticipate any impact upon the agriculture industry as a result of the rules proposed for readoption.

Regulatory Flexibility Statement

These rules primarily affect persons employed by, or seeking to be employed by, the Department of Community Affairs. They do not have any effect upon "small businesses," as defined in the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

Smart Growth Impact

The Department does not anticipate any impact upon smart growth or the implementation of the State Development and Redevelopment Plan as a result of the rules proposed for readoption.

Housing Affordability Impact

The rules proposed for readoption concern persons employed by, or seeking to be employed by, the Department of Community Affairs. The rules would be most unlikely to have any impact upon housing production costs or to affect affordability.

Smart Growth Development Impact

The rules proposed for readoption concern persons employed by, or seeking to be employed by, the Department of Community Affairs. The rules would be most unlikely to have any impact upon housing production within Planning Areas 1 and 2 or within designated centers under the State Development and Redevelopment Plan.

Full text of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 5:1.