

LFN 2013-14R

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Local Finance Notice

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Distribution

Municipal and Freeholder Clerks
Fire Districts
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This Notice Revises and Supersedes LFN 2013-14

Local Government Ethics Law

2013 Financial Disclosure Statements

Filing Instructions for Local Government Officers

Introduction

Your local government agency has determined that you are a “local government officer” for purposes of the requirement to annually file a financial disclosure statement in accordance with the Local Government Ethics Law. The financial disclosure statement is part of the legislative design for assuring that standards of ethical conduct and financial disclosure requirements for local government officers are clear, consistent, uniform in application, and enforceable on a statewide basis.

The Local Finance Board commends you for accepting the opportunity to serve the public. For most local government officers your public service will be a gratifying personal experience, and you will no doubt be exposed to various types of public policy and fiscal challenges facing your community. However, public office and employment are a public trust. The annual filing requirement serves as an important reminder to local government officers that the citizens of New Jersey hold you to a high standard of ethical conduct.

This Local Finance Notice outlines new filing procedures that are designed to facilitate efficiency and enhance transparency by using available technology to capture and report the financial disclosure statements we collect. This notice was written for local government officers with the goal of being concise yet informative, and contains specific step-by-step instructions for successfully filing the financial disclosure statement using the new online process.

A separate Local Finance Notice has been issued to municipal clerks, county clerks, and other local government designees who have responsibilities under the Local Government Ethics Law pertaining to financial disclosure statements. If you desire a more comprehensive explanation of the financial disclosure statement filing requirements you should read Local Finance Notice No. 2013-13 and other materials that are posted on the Division’s web site.

Online Filing Procedure

LGOs = local government officer(s)
FDS = financial disclosure statement(s)
LGAs = local government agency(ies)
LFB = Local Finance Board
LFN = Local Finance Notice
DLGS = Division of Local Government Services

Beginning with the 2013 filing year, online filing of FDS forms is mandatory for all LGOs. Paper FDS forms will not be accepted by the LFB. The document is a fillable PDF form and will open with most common web browsers.

In order to file your FDS electronically, you will first need to obtain a local government e-mail address designated by your municipal clerk, county clerk, or other local government designee. The local government e-mail address will be provided to LGOs when LFN No. 2013-14R (this notice) is distributed to you.

After you electronically submit your FDS form, a filing receipt will automatically populate your name, local government name, time and date that you filed your FDS, and a unique authentication code (receipt number). Print and sign the receipt notice, make a photocopy for your records, and deliver the filing receipt containing your original signature to the municipal clerk, county clerk, or other local government designee. It is unnecessary to include a paper copy of your entire FDS form when you deliver the filing receipt.

If you have multiple FDS filing obligations because you are designated as an LGO by more than one local government (e.g., you serve as a municipal governing body member and joint insurance fund commissioner), you must complete and electronically submit separate FDS forms, and print, sign, and deliver separate filing receipts to those local governments. Although you cannot save your completed FDS form to a local hard drive you can modify the form after submission and resubmit it for each local government that has designated you as an LGO. Follow the instructions below in order to do this successfully.

Delivering the filing receipt containing your original signature helps protect you from Internet fraud and ensures the integrity of your FDS form. It is an important part of the online filing process. If you fail to deliver the filing receipt, your FDS form will not be considered filed. In such a case, the LGO roster that is submitted to the LFB after the filing deadline will reflect that you have not filed an FDS form in 2013 and you may be subject to penalties and disciplinary action.

Step-By-Step Instructions

- STEP 1: Carefully review this Local Finance Notice.
- STEP 2: Read the FDS General Form Instructions, FAQs, and Screen Shots document.
<http://www.nj.gov/dca/divisions/dlgs/resources/fds.html>
- STEP 3: Click the link to the FDS form that is on our web site (located at the above web page address). The FDS form will open in your web browser. The file is nearly 2 MB and may take a minute or longer before it completely opens.
- STEP 4: After the FDS finishes loading in your web browser, save a copy of the blank form on your computer and note the location where you saved it.
- STEP 5: Close your web browser and open the FDS directly from its saved location on your computer.
- STEP 6: Complete your form with the required information.
- STEP 7: Read and complete the Certification.

- STEP 8: Type your name where indicated.
- STEP 9: Type the local government e-mail address that was provided to you.
- STEP 10: Select the “Accept” button.
- STEP 11: You can print a paper copy of your FDS at this point but you are not required to do so.
- STEP 12: Click the “Submit” button.
- STEP 13: A “Thank You” page will appear. This means that you have successfully submitted your FDS form electronically, but the filing process is not finished yet. Continue to the next step.
- STEP 14: In order to return to your FDS form, close or minimize the “Thank You” page using the tabs at the top right corner of the form. Do **not** use your web browser’s back button. You may clear the data from the FDS form if you do so. After closing or minimizing the “Thank You” page you should see your completed FDS form on the screen or it may be in the tray at the bottom of your screen (if so, reopen the form).
- Note: In the event that the completed FDS form is not on your screen or in your tray after you close or minimize the “Thank You” page you will be unable to print the filing receipt until the FDS is uploaded to our web site. This is not a major problem. Simply check the web site in approximately one week, find your FDS in the reports that will be posted, open your FDS, print and sign the filing receipt, and deliver the FDS in accordance with Step 16.*
- STEP 15: Scroll down to the filing receipt page (last page of FDS form); print and sign the filing receipt page.
- STEP 16: Deliver the filing receipt page containing your original signature to the municipal clerk, county clerk, or other local government designee.
- Note: Do not deliver or send paper copies of your FDS or filing receipt to the LFB.*
- STEP 17: Maintain a photocopy of the filing receipt for your records (recommended);
- STEP 18: If you are a local government officer for more than one local government, scroll to the top of your completed FDS form, select a different local government from the menu, and repeat steps 6-17.
- Note: If you close the FDS form before submitting the form all of your data will be lost and you will have to re-enter the data. The form cannot be saved with data.*
- STEP 19: Verify after one week that your FDS is available online at the DLGS web site. If your statement is not on the DLGS web site or you find a statement purporting to be your FDS but it was not filed by you, contact DLGS immediately.

Filing Deadline

Ordinarily, financial disclosure statements must be filed on or before April 30th each year. In light of the new online filing process, the LFB will provide LGOs additional time to complete and electronically file their statements. Therefore, FDS forms filed on or before May 31, 2013, will be considered timely filed for purposes of 2013 compliance. The additional time also will provide DLGS staff the opportunity to resolve any technical problems that may arise. Thank you for your patience.

Compliance

Upon receipt of a signed written complaint against an LGO alleging non-filing of an FDS or insufficient disclosure on a filed FDS, LFB staff will initiate an investigation. In such cases the LGO will be given an opportunity to file the FDS and to provide an explanation. The LFB will then review the explanation and determine whether the LGO has established good cause for the lack of a timely and complete filing. In cases where the LGO does not establish good cause the LFB will assess against the LGO an appropriate fine that is not less than \$100 nor more than \$500 pursuant to N.J.S.A. 40A:9-22.10.

Ignorance of the requirement to file the FDS is not considered “good cause.” It is expected that LGOs will take time to understand their responsibilities under the Local Government Ethics Law and will consider the annual filing requirement an important duty to be fulfilled as part of their public service.

We know that the new process discussed herein will require the use of enhanced technology, and we appreciate your help in making this less expensive, more effective disclosure process a reality. It is our hope that in the end, taxpayer resources will be saved, our jobs will become a bit easier, and the public will be better served with enhanced transparency.

Our contact information:

For general FDS information:

LFB staff: 609.292.0479 LFB e-mail: lfb@dca.state.nj.us

For computer related technical questions or to report technical problems:

Mark Brodowski: 609.633.2504

Approved: Thomas H. Neff, Director