

CHAPTER 209

AN ACT concerning the enrollment of members and employees of the Council on Local Mandates in the Public Employees' Retirement System and amending P.L.1996, c.24.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 10 of P.L.1996, c.24 (C.52:13H-10) is amended to read as follows:

C.52:13H-10 Council plan, rules, staffing.

10. The council shall establish, and revise from time to time, a plan for its organization and may incur expenses within the limits of funds available to it. The council may adopt rules governing its procedures. The council shall employ, pursuant to Title 11A of the New Jersey Statutes, such clerical and secretarial staff as it deems necessary. In addition, each member of the council may employ one professional employee who shall directly serve the member for a period not to exceed one year. Upon completion of one year of service a professional employee shall not again be employed in that capacity by any member of the council. Professional employees of the council shall be deemed confidential employees for purposes of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.). Employees and members of the council shall be enrolled in the Public Employees' Retirement System, except that no person who has been granted a pension or retirement allowance for any cause other than vesting or deferred retirement under any pension fund or retirement system established under any law of this State prior to commencing service as an employee or member of the council shall be eligible on the basis of that service for enrollment or membership in the Public Employees' Retirement System. The council may employ legal counsel, on a temporary basis, to represent it in any proceeding to which it is a party. The council may contract for the services of other professional, technical and operational personnel and consultants as may be necessary for the performance of its responsibilities under this act. Nothing contained in this section shall be construed as authorizing the council to employ an executive director, director, or other permanent employee, other than permanent secretarial or clerical personnel.

2. This act shall take effect immediately.

Approved August 18, 1997.