

New Jersey Legislature

LEGISLATOR'S
HANDBOOK



2018-2019 EDITION • OFFICE OF LEGISLATIVE SERVICES



To the Honorable Members of the 218th Legislature:

This 2018-2019 edition of the Legislator's Handbook provides a wealth of practical, procedural, and technical information to assist you and your staff. The nonpartisan Office of Legislative Services exists to provide professional staff support to you in the role of legislator. We hope you will avail yourselves of the many research, legal, fiscal, public information, technology, and administrative services we provide.

*Sincerely,
The New Jersey Legislature
Office of Legislative Services*

A handwritten signature in black ink, reading "Peri A. Horowitz". The signature is written in a cursive style with a large, stylized initial "P".

*Peri A. Horowitz
Executive Director*



PREFACE

This handbook is designed to serve as an introduction to the Legislature and the legislative process for the members of the New Jersey Senate and General Assembly. It provides a summary of the powers, privileges and prerogatives of members of the Legislature; an overview of legislative quarters; a description of the major laws, rules, traditions and customs governing the organization and operation of the Legislature; and identification of the assistance available to legislators in the performance of their duties.

While legislators are encouraged to use this handbook as a ready reference, it must be emphasized that this material is not a substitute for the official provisions regarding any duties, rights, responsibilities or requirements pertaining to legislators or the legislative process as contained in the Constitution, the statutory law, the Legislative Code of Ethics, and the rules of the Senate or General Assembly. The Office of Legislative Services stands ready to expand upon the material contained in this handbook and to refer legislators to the appropriate provisions of the official sources.

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1

LEGISLATIVE ORGANIZATION

HISTORY OF THE NEW JERSEY LEGISLATURE

Since its first meeting more than 200 years ago, the New Jersey Legislature has been an institution characterized by periodic change. Three constitutions have defined its authority, structure and method of representing the citizens of the State. National movements for political reform have challenged and shaped some of functions and procedures. For several decades after the War for Independence, the Legislature was the dominant partner in State government. But after World War II, the governorship emerged as the more powerful branch. In recent years, the Legislature has again changed, acquiring greater authority and independence, and developing in a manner consistent with its history.

Early National Period

The first session of the Legislature convened on August 27, 1776, amid crisis and revolution. British troops were about to invade the State, and the internal conflict between colonists loyal to Britain and colonists who sought independence was equally grave. A year earlier, representatives from New Jersey's then 13 counties had formed a Provincial Congress to supersede the royal Governor. In June 1776, the Provincial Congress had authorized the preparation of a constitution, and within a few weeks it was written, adopted by the Provincial Congress and accepted by the Continental Congress. It established an annually elected two-House Legislature composed of a General Assembly with three representatives from each county and a Legislative Council with one member per county. All State officials, including the Governor, were appointed by the two Houses in a joint meeting.

After independence was won, legislative politics were defined by the intense rivalry between the Federalist (later Whig) Party, which was powerful in South Jersey, and Essex, Hudson and Middlesex counties; and the Democratic Party, which was strongest in the northwest counties, the shore region and Bergen County. Electoral contests between the parties were customarily close so that a few thousand votes for one group or the other determined the political complexion of the entire State government.

Constitution of 1844

A new constitution in 1844 brought some important changes to the government's structure. The Governor was to be elected directly by the people for a single three-year term and was given the power to veto bills passed by the Legislature. The General Assembly was expanded to 60 members who were to be elected annually and apportioned to the counties on the basis of population. The Senate, formerly the Legislative Council, was to be composed of one member elected for a three-year term from each of the 19 counties.

Regardless of these changes, party allegiance hardened during the Civil War and continued firm for several decades afterwards. Democrats usually won a majority in both Houses so that Republicans, formerly the Whigs, enjoyed only intermittent control between 1860 and 1890. Then in 1893, the Republicans ended the Democratic domination and improved their own legislative position by obtaining a court ruling which held that members of the General Assembly must be elected from an entire county rather than from election districts of unequal population. Still, real political power continued to be held not by any of the branches of government or the State committee of either political party, but rather by a few influential party leaders and the chairs of the county political organizations. Governors had only modest authority because they were unable to succeed themselves and had little patronage to dispense. The Legislature met infrequently, was plagued by weak leadership and had high turnover among its members.

Age of Reform

Significant reform began in the 1910s as a national movement toward political change began to affect New Jersey. Under Governor Woodrow Wilson (1911-1913), several major electoral and administrative reforms were enacted, including the use of the secret ballot, which helped purify the electoral process. Although the State House continued to be dominated by powerful county committee chairs during the next several decades, the

trend toward reform continued. Shifts in population, the popularity of ticket-splitting, and the weakening of party allegiances combined to erode the power of the county chairs.

The process was accelerated in 1947 by the adoption of a new constitution. It gave the Governor additional veto powers and permission to serve two terms, and consolidated hundreds of independent agencies into 20 principal executive departments which the Governor controlled. The terms of senators were extended to four years and those of General Assembly representatives to two. Another spur came in 1964 when the U.S. Supreme Court established the principle of “one man, one vote” for legislative apportionment. In an effort to create election districts of equal population, a State Constitutional Convention in 1966 expanded the Senate from 21 to 40 members and the General Assembly from 60 to 80, but retained county boundaries as the basis of the districts. In 1972, the State Supreme Court rejected these districts and ordered that senators must be elected from single-member districts and that county lines must be crossed to achieve equality among districts. The power of the county chairs was thus further diminished, and the State was reapportioned into the present configuration of 40 districts with one senator and two members of the General Assembly elected from each.

Initially, these changes further increased gubernatorial power. Aided by the authority granted by the new constitution, the Governor was able to move into the vacuum left by the county chairs and become the State’s most important political figure. Activist governors set policy, and formulated and pushed for a specific legislative agenda, while the Legislature, for the most part, reacted to the governors’ programs rather than formulate its own policy.

Contemporary Developments

Within the last few decades the balance between these two branches of government has again shifted. Although the Governor remains at the center of State policy, the Legislature has become more independent and has gained increased stature as a co-equal branch of government. This resulted from two institutional changes in legislative operations. First, beginning in the mid-1970s, the performance and influence of legislative committees have improved dramatically — to the extent that they now hold regularly scheduled public meetings, solicit expert testimony, and amend many of the bills considered. Many committees have developed expertise in a particular area that translates into leadership for the entire Legislature. The development of the committee system was assisted by the nonpartisan staff of the Office of Legislative Services (OLS) which, by law, helps the

Legislature and its committees to research issues, draft bills and analyze the Governor's proposals. The second strengthening of legislative authority resulted from changes in the tenure of leadership. The tradition of annually rotating the offices of President of the Senate and Speaker of the General Assembly among veteran members of the majority party has given way to longer terms, thus providing those positions with greater influence and authority. This change has been accompanied by an expanded role for partisan staff in both Houses. Each of the four partisan staffs helps in devising policy perspectives, coordinating leadership activities with those of committees and individual legislators, and handling media and public relations.

The Senate and General Assembly are composed of people from all walks of life. Primary occupations include family businesses, law, education and medicine. In recent years, there also has been an increase in the number of women and minorities elected to serve.

Since it first convened over 200 years ago, the Legislature has become more professional and more powerful. Recent changes in its structure, together with larger, long-term political changes in the State, have fostered the Legislature's evolution toward equal status as an independent branch of State government and its ability to effectively serve the diverse needs of the people of New Jersey.

COMPOSITION OF THE HOUSES

The State Constitution provides that the Senate shall be composed of 40 senators and the General Assembly shall have 80 members. There are 40 legislative districts in the State. One senator and two members of the General Assembly are elected from each district.

REAPPORTIONMENT

Every ten years, after the Federal decennial census, New Jersey's Senate and General Assembly districts are redrawn by an Apportionment Commission to maintain an equal population in each district. Created under N.J. Constitution, Art. IV, Sec. III, the Commission consists of 10 members, five each appointed by the chairs of the State committees of the two major political parties. Its mandate is to produce an apportionment plan by February 1 of the year following the Federal decennial census or within one month of receipt of the census figures, whichever is later. If the Commission fails to meet its deadline or declares that it will be unable to do so, the Chief Justice of the New Jersey Supreme Court appoints an eleventh member. The Commission then has one month to produce a plan. Present districts range in size from a population of 213,959 to 225,387,

with an average of 219,797; and from an area of 6.34 sq. miles to 809.49 sq. miles, with an average of 194.15 sq. miles.

Legislative and Congressional district maps are available from the OLS Office of Public Information, Legislative Information and Bill Room.

QUALIFICATIONS FOR OFFICE

The State Constitution sets the following qualifications for election to the Legislature:

A senator must be at least 30 years old, a citizen of the United States, and a resident of New Jersey for four years prior to election. A member of the General Assembly must be at least 21 years old, a United States citizen, and a resident of the State for two years prior to election.

In each case, the legislator must also have resided in his or her legislative district for one year prior to the election. This requirement was ruled unconstitutional in *Robertson v. Bartels*, 890 F. Supp. 2d 519 (D.N.J. 2012) insofar as it affected the ability of a legislator to run for office in a district that has been newly reapportioned.

TERMS OF OFFICE

Legislative elections are held in November of each odd-numbered year, and members assume office at noon on the second Tuesday of the following January.

Members of the General Assembly serve two-year terms. Members of the Senate serve four-year terms, except that the first senatorial term at the beginning of each decade is only two years long. This “2-4-4” senatorial cycle allows for elections from new districts as soon as possible after each reapportionment following the decennial census.

Elections for the Senate during the next 10 years are scheduled for 2021, 2023 and 2027. (The 2021 Senate elections will be for a two-year term.) General Assembly elections will take place in 2019, 2021, 2023, 2025 and 2027.

OATH OF OFFICE

Legislators must take the following oath of allegiance, prescribed by the Constitution, before taking office:

“I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will faithfully discharge the duties of Senator (or member of the General Assembly) according to the best of my ability.”

In addition, members must take an oath of office as follows:

“I do solemnly swear (or affirm) that I will faithfully, impartially and justly perform all the duties of the office of ——— according to the best of my ability. So help me God.”

The oaths have been combined and are administered at the first session of each newly elected House, and when necessary to seat a new member selected to fill a vacancy on an interim basis or elected to fill a vacancy on a permanent basis.

CONFLICTS OF INTEREST

Standards of conduct for legislators and all State officers and employees in the Executive and Legislative branches are delineated in the “New Jersey Conflicts of Interest Law” (N.J.S.A. 52:13D-12 et seq.). In addition, legislators and legislative officers and employees are subject to the provisions and procedural requirements of the Legislative Code of Ethics, which is adopted anew by the Legislature for each two-year session.

Legislators and legislative staff are strongly advised to familiarize themselves with the provisions of both the Conflicts of Interest Law and the Code of Ethics.

The Conflicts of Interest Law has specific application to the following general areas of conduct by legislators:

- participation in the consideration of legislation in which they have a “personal interest”
- acceptance of gifts, services, employment, etc.
- representation by legislators or their firms in negotiations with the State or before State agencies
- entering into contracts with the State
- disclosure or use of information not available to the public
- representation on behalf of, or employment with, casino applicants or licensees or online gaming companies

Lawyer-legislators and lawyer-legislative aides should also familiarize themselves with *In the Matter of Advisory Committee on Professional Ethics Opinion 621*, 128 N.J. 577 (1992), with regard to their ethical standards as lawyers and public officials.

The Legislative Code of Ethics implements the standards of the Conflicts of Interest Law; imposes additional standards of behavior with respect to involvement in casino activity by legislators, their firms or immediate families; and also requires legislators to file an annual disclosure statement with respect to sources of family income and other information. Financial disclosure statements covering the previous calendar year must be filed with the Joint Legislative Committee on Ethical Standards by May

15. Legislators are also required to file a statement within 30 days of any termination or assumption of public employment by them or their spouse.

The Joint Legislative Committee on Ethical Standards, an 8-member bipartisan committee composed solely of public members, is responsible for administering the Conflicts of Interest Law and the Code of Ethics for members of the Legislature, and officers and employees in the legislative branch of government. The Joint Committee investigates, either on its own initiative or in response to a complaint, possible violations of the Law or Code. The Joint Committee is empowered to fine or suspend from office an officer or employee of the Legislature for violating the Law or Code, and it may fine a legislator and recommend disciplinary action to the legislator's House.

The Joint Committee may also render formal advisory opinions to legislators and legislative officers and employees as to whether certain proposed actions would violate the Conflicts of Interest Law or Code of Ethics. The Legislative Counsel is counsel to the Joint Committee. Legislators and staff should direct inquiries for the Joint Committee to the Legislative Counsel in the Office of Legislative Services (609-847-3901).

The Executive Director of the Office of Legislative Services appoints an Ethics Counsel who is available to render confidential advisory opinions to legislators and legislative officers and employees as to whether certain proposed actions would violate the Conflicts Law or Code of Ethics. The Ethics Counsel can also assist with obtaining formal opinions from the Joint Legislative Committee on Ethical Standards on novel ethics issues.

Ethics Counsel

Marci Levin Hochman
Room 210, State House Annex
(609) 847-3901

Legislators are statutorily required to consult annually with the Ethics Counsel. An informative online ethics tutorial is accessible from the Legislature's Web site (www.njleg.state.nj.us/ethics/ethics.asp). All legislators and staff are required by law to take the tutorial no later than April 1 of every even numbered year. In addition, ethics training is required annually for members and legislative staff. An ethics training module is accessible through the Legislature's Intranet site.

HOLDING OF MULTIPLE OFFICES

The State Constitution and statutory law prohibit a legislator from holding any of the following offices while serving as a member of the Legislature: membership in Congress; any Federal or State position of

profit; membership in the Electoral College; county clerk; register of deeds and mortgages; surrogate; sheriff; or any other elective public office in the state to which the member is newly elected after February 1, 2008. A legislator automatically forfeits his or her seat upon acceptance of any of these positions.

It is lawful, however, for a legislator to hold most other appointive offices, positions or employment in county or municipal government, unless a conflict exists with his or her legislative responsibilities or there is a specific prohibition.

In addition, the Constitution prohibits a legislator from being elected or appointed, during the term in which he or she is serving, to any State office of profit which was created by law; or whose salary was increased by law during that legislative term. This restriction does not apply to a legislator's election to the governorship, lieutenant governorship, the Senate or the General Assembly.

FORFEITURE OF OFFICE

The State Constitution and various laws establish conditions under which a legislative seat is forfeited or declared vacant.

As explained previously, a legislator may not hold certain federal or State offices while serving in the Legislature. A seat is forfeited if a legislator is convicted of a crime of the third degree or greater, or an offense "involving dishonesty" or "involving or touching" upon the office, unless a court orders a stay of forfeiture for good cause shown (N.J.S.A. 2C:51-2). A member's pension may be forfeited for similar reasons under N.J.S.A. 43:1-3.1. A legislator's election can be voided if the legislator falsifies or fails to supply any oath or statement required by the election laws (N.J.S.A. 19:3-7), or violates the campaign expenditure rules.

A legislative seat may be declared vacant if the member is absent from 10 consecutive sessions unless "expressly excused," or moves out of the district that he or she represents. The office is also deemed vacant if a member-elect neglects or refuses to assume the office within 10 days after the opening of the annual session without sending a satisfactory excuse.

The Constitution provides that each House is the sole judge of the qualifications of its members and that a House may expel a member by a two-thirds vote of its authorized membership.

FILLING VACANCIES

Under law (N.J.S.A. 19:27-11.1), elections to fill legislative vacancies will be held only during general elections when the next election occurs

no less than 51 days after the occurrence of the vacancy. However, when the general election immediately precedes the expiration of a term, no election to fill the vacancy is held.

For the interim period pending the election of a successor to fill the vacancy, or for the entire remainder of the term where the vacancy is not to be filled by election, the vacancy will be filled within 35 days of its occurrence at a selection meeting held by the political party of the person vacating the office. The meeting is held among those members of the party's county committee or committees representing the election districts which comprise the legislative district where the vacancy occurred.

LEGISLATIVE SESSIONS

The New Jersey Legislature is generally free from any constitutional mandate as to the length or timing of legislative sessions. As a result, each House determines its own meeting schedule. This contrasts with the situation in many other states, in which legislatures meet at either specified times or for a set number of days. Due to the relative ease with which legislators from all sections of New Jersey can commute to Trenton, legislative sessions need not be scheduled in blocks of days as in states of large geographic size where members remain in the state capital overnight.

The Constitution provides that each Legislature is constituted for a term of two years, divided into two annual sessions. Because the Constitution also specifies that all business from the first year may be continued in the second year, the distinction between the two annual sessions is more ceremonial than practical. The nomenclature derives from the time when the Legislature held discrete annual sessions prior to a constitutional change that went into effect in 1970.

The two-year legislative term begins at noon on the second Tuesday in January of each even-numbered year. The first annual session ends at noon on the second Tuesday in January one year later, at which time the second annual session begins. The second year runs until the new two-year Legislature commences in the following January. Although the Legislature may choose to officially end a session by voting a final adjournment (*sine die*) at any time prior to the second Tuesday in January, it has not done so in recent memory. In effect, each House always stands ready to meet at the call of its presiding officer.

Legislative sessions are generally held on Mondays and Thursdays. In addition, other days may be devoted to various committee meetings or public hearings. The presiding officer establishes the schedule for sessions. While the schedule may be set some time in advance, it is always subject to change, and sessions can be canceled or added with only a few days notice.

Members are notified in writing of the schedule and bills to be considered at each session, and public notice is given in the *Legislative Calendar*.

The Constitution provides that neither House may adjourn for more than three days without the consent of the other House. Since 2000, Joint Rule 41 provides a standing consent by each House to adjournments by the other House for more than three days, which may be revoked by a resolution of either House. It should be noted that the official adjournment of a session usually occurs a considerable time after all voting on bills is finished, when members are no longer present. The Secretary of the Senate and the Clerk of the General Assembly continue to record and process legislative documents after the end of the day's voting during a period unofficially known as "routine business." Only when these formal administrative actions are concluded is a session officially brought to a close.

JOINT SESSIONS

The Senate and General Assembly meet in joint session a few times during the year for such purposes as receiving the Governor's annual "State of the State" and budget messages, and other addresses by the Governor or distinguished visitors, and to hold special commemorative ceremonies. Joint sessions usually are held in the Chamber of the General Assembly, because it is the larger of the two.

The N.J. Constitution, Art. VII, Sec. I, par. 6, provides that the two Houses meet in joint session to appoint the State Auditor. The State Auditor serves for a term of five years and until a successor shall be appointed and qualified. The Office of the State Auditor is within the Office of Legislative Services under the provisions of the Legislative Services Law.

SPECIAL SESSIONS

The traditional concept of a special legislative session has fallen out of use in light of the modern practice of the Legislature meeting from time to time throughout the legislative year. Although the term is still unofficially employed to refer to a meeting that is called to consider a particular issue during a period when the Legislature may be in an extended recess, there is no procedural distinction between this "special session" and any other regularly scheduled meeting. Similarly, N.J. Constitution, Art. V, Sec. I, par. 12, allows the Governor to convene the Legislature, or the Senate alone, when in his or her opinion the public interest so requires, regardless of whether or not the Legislature has adjourned *sine die*. Such convening may also be unofficially referred to as a special session.

The special session as described in the Constitution refers to a session called after the Legislature has voted its final adjournment for the legislative year. This is called a *sine die* adjournment, and it constitutes the absolute end to all legislative business until the Legislature reconvenes on the following second Tuesday in January. In recent years, the Legislature has not adjourned early, but instead has remained in session until the end of the legislative year.

The N.J. Constitution provides that special sessions of the Legislature shall be called by the Governor upon petition of a majority of all the members of each House, and may be called by the Governor whenever, in his or her opinion, the public interest shall require. N.J. Constitution, Art. V, Sec. I, par. 12, allows the Governor to convene the Legislature, or the Senate alone, when in his or her opinion the public interest so requires, regardless of whether or not the Legislature has adjourned *sine die*.

The N.J. Constitution, Art. V, Sec. I, par. 14, requires the Legislature to hold a special session on the next to last day of the two-year Legislature (the Monday before the second Tuesday in January of each even-numbered year) for the purpose of acting upon any bills enacted within the last 45 days of the session and vetoed, or conditionally vetoed, by the Governor.

LEGISLATIVE OFFICERS

At the organization in each even-numbered year, the two Houses and the respective parties elect officers and party leaders. The Senate elects a President and a President Pro Tempore, and the General Assembly elects a Speaker and a Speaker Pro Tempore. The Senate also elects a Secretary and the General Assembly elects a Clerk, who are not legislators, and who serve as the chief administrative officers of the respective Houses.

The duties of the President of the Senate and the Speaker of the General Assembly are enumerated in the rules of the two Houses. They include presiding at all sessions; appointing the chairs and members of all committees and commissions whose membership is not otherwise prescribed by law or rule; referring all bills and resolutions to reference committees or ordering them advanced without committee reference; listing the schedule of bills and order of events for each legislative day; certifying the passage of bills and resolutions; maintaining order and decorum in the Chamber; and supervising the administration of day-to-day business of their House.

The Majority and Minority Leaders, and their Assistant Leaders and Whips, are party leaders with no expressed powers in the law or rules of the Houses. Their powers are derived from the members of their parties. They speak on behalf of their parties, and their remarks are generally

accepted as expressing party policy. The leaders call and preside at party conferences, and supervise the work of the respective partisan staffs.

COMMITTEES AND COMMISSIONS

Each House establishes standing reference, administrative and joint committees. The presiding officer of each House appoints the chair, vice chair and committee members, and the Office of Legislative Services and partisan offices assign professional staff to serve as committee aides.

The number of committees, and members assigned to each, is established in the rules adopted for each legislative session. By custom, the division of membership of each committee among the two parties reflects the partisan composition of the House.

The work of each standing reference committee generally falls within specific subject areas. The function of a standing reference committee is to consider bills and resolutions referred to it by the presiding officer and to report them to the House; to conduct investigations and studies of departments and agencies of the State and its political subdivisions; and to study whether an agency's implementation of a law is in accordance with the Legislature's intent.

A standing reference committee meets at the call of the chair, usually on a day and at the time set aside for that purpose by the presiding officer. Committees may also meet during recesses of the Legislature. The rules of both Houses require that official committee action be taken in meetings open to the general public, upon five-days public notice, though a committee may convene in closed or executive session for the purpose of discussion or taking testimony. Standing reference committees have assigned meeting rooms in the State House Annex.

A committee also may hold a public hearing on any bills or resolutions referred to it, or on other matters that fall within its jurisdiction. The purpose of a public hearing is to provide an opportunity for those who have an interest in the subject matter to supply information and express their opinions. A record of testimony may be taken at the request of the chair. In the General Assembly, a measure on which a public hearing has been held and recorded may not be considered for third reading or final passage until a record of the public hearing is available to the members of the House.

Ad hoc study committees and commissions are established by law or resolution to investigate special issues and make recommendations for legislative or administrative action. Many are provided with staff assistance by the Office of Legislative Services at the request of one of the presiding officers. On occasion, a special appropriation is made for the employment of other staff.

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LEGISLATIVE FACILITIES



AN OVERVIEW OF THE STATE HOUSE

Our State House is one of the oldest in the United States. The original 1792 structure was a simple building of white rubblestone with a central cupola. Over the years it has been continually modified, evolving as a building rich with architectural history and detail.

The front (or northern) part of the building is the Executive State House. In addition to the Governor's Office, the Lieutenant Governor, the Department of State, the Department of Treasury and Office of Counsel to the Governor are located here. The central portion of the building is the Legislative State House. In this section are the Chambers, conference rooms, and offices for legislative leadership and staff. At the rear of the building, the South Addition houses the offices of partisan staffs.

Construction of the South Addition and the restoration of the Legislative State House were performed as part of a multiphase renovation project aimed to address the structural, mechanical and practical deficiencies of the State House and its environs. The project's second phase involved renovating and restoring the State House Annex, performing life safety repairs to the Executive State House, and constructing the multi-level parking garage.

A major, two-year restoration of the State House Dome and Rotunda was completed in July 1999. The project focused on making structural repairs to the dome, reapplying the gilding, and refurbishing the Rotunda.

In 2017, the Executive State House closed for renovation. This project is slated for completion in 2021.

THE STATE HOUSE ANNEX

The Annex is the primary residence of the Office of Legislative Services. It houses all of the OLS units except for the Office of the State Auditor, which has offices at 125 South Warren Street. The Office of Public Information, which includes the Legislative Information and Bill Room, is located in the basement. On the first floor is the Legislative Budget and Finance Office. The OLS Executive Director, Legislative Counsel, Administrative Unit, Human Resources Office and Data Management Unit are located on the second floor. The Director of the Central Management Unit is located on the third floor. Central Management staff sections have offices on the second, third and fourth floors.

Legislative committee rooms are located throughout the building.

LEGISLATIVE QUARTERS

The legislative portion of the State House consists of a central corridor with wings radiating off each side. The eastern side of the corridor and the attached wing are dedicated to the General Assembly. Conference rooms for both the Majority and Minority Parties are located in the basement. Offices for the Majority and Minority Leaders are located on the first floor. The Speaker of the General Assembly and Clerk of the General Assembly have offices on the second floor.

On the western side are the Senate counterparts. Leadership offices are located in the basement and on the first and second floors in suites behind the Chamber. Party caucuses are held in two meeting rooms – Room 202, across from the Chamber gallery, and Room 319 at the south end of the third floor. The Secretary of the Senate and staff have offices on the first floor. Room 103, located across from the Chamber on the first floor, is used for small meetings and press conferences.

The public galleries for both Chambers are on the second floor.

There is a coat room and lounge for all legislators in the basement of the General Assembly wing.

Arrangement of the Chambers

The Senate and the General Assembly Chambers are arranged in similar fashion. The rostrum for the presiding officer is situated at front center. Desks for the Secretary (Senate) or Clerk (General Assembly) and various assistants are located in front of the rostrum.

By tradition, the members' seats to the right of the center, facing the rostrum, are assigned to the Majority Party. Those on the left are occupied

by the members of the Minority Party (and additional members of the Majority Party). Specific seating assignments are made by the presiding officer. Members within parties are usually grouped by county and legislative district. The Majority and Minority Leaders occupy aisle seats. Voting switches, a page call button and microphone are located at each desk. Vote tally boards are mounted towards the front of the Chamber on both sides of the rostrum.

In the Senate, press seats are reserved at the rear of the Chamber. In the General Assembly, reserved press seating is on the Chamber floor against the west wall.

Access to the Chambers

Access rights to the floor are determined by the presiding officer and strictly controlled, especially during a session. Members are encouraged to wear their legislative pins, issued through leadership, to distinguish themselves as members for access to the floor and security recognition throughout the complex. Identification badges are issued to all legislative staff, and sergeants-at-arms supervise the entrance. Floor privileges may be afforded to other persons – including the press corps – with the approval of the presiding officer, who also retains the right to limit access in the interest of space considerations or decorum. Lobbyists are not permitted on the floor during a session in either House.

Guests and Visiting Groups

A legislator may invite a guest to attend a session or may wish to take note of the presence of a civic, social, professional or school group. Guests may be admitted to the floor by permission of the presiding officer. Otherwise, seating is available in the visitors' gallery.

Guests and groups are usually welcomed either by informal greetings or by a ceremonial resolution. A legislator should give advance notice to the Secretary of the Senate or Clerk of the General Assembly, so that the presiding officer can recognize the legislator at the appropriate time. If a ceremonial resolution is desired, a request for its preparation must be submitted to the Ceremonial Resolution Unit within the OLS Office of Public Information.

With permission of the presiding officer, a guest may be given the opportunity to speak on the floor. The rules of both Houses provide that a guest may not speak for or against any matter before the House, nor express any political opinion or engage in personalities.

FACILITIES MANAGEMENT

The State Capitol Joint Management Commission (JMC) is charged with the custody, care and management of the Capitol Complex, which includes the State House, State House Annex, ancillary structures, public grounds and parking facilities. The JMC is a bipartisan commission consisting of four members appointed to represent the Executive Branch and four representing the Legislative Branch. Traditionally, the four partisan staff executive directors serve as commissioners.

Staff within the Department of Treasury and the Office of Legislative Services provide administrative assistance to the Commission. OLS also coordinates curatorial matters, furnishings, and administers the Artwork-on-Loan Program and Public Use Program, which allows for events and displays within the Capitol Complex.

The JMC employs all Security Unit personnel assigned to the Capitol Complex, including State Police officers and civilian security guards, and authorizes security regulations. Capitol Complex personnel are required to wear electronic identification badges which allow access to the parking garage and buildings. All visitors must show identification in order to enter, and are subject to metal detection and package screening upon entry.

Daily maintenance concerns are the responsibility of the Office of Building Management and Operations. The office is located in Room LB-03 in the basement of the Legislative State House and the phone number is (609) 777-4411. As part of the Division of Property Management and Construction, Building Management works with the JMC to remedy large-scale building concerns such as repairs, renovations and improvements.

PUBLIC TOURS

The State House Tour Program is administered through the OLS Office of Public Information. Staff guides and volunteer docents highlight the building's history, architecture and artistic detail, while explaining the lawmaking process. Free one-hour tours are given weekdays, 10 a.m. to 3 p.m., and on the first and third Saturdays of the month, noon to 3 p.m. The length and content of tours can be altered upon request. Companion civic education programs and Annex tours are also available by arrangement. Tours can be arranged by calling (609) 847-3150.

V.I.P. tours and meetings with constituent groups are arranged upon request from a legislator or legislative staff. District office staff can see when local groups are scheduled to visit by accessing the Tour Office Tracking System (TOTS). Legislators also receive automatic notice when school groups from their district schedule a tour. In conjunction with the Eagleton Institute of Politics at Rutgers University, the Tour Office

administers the State House Express program which provides small grants to qualifying groups to offset transportation costs to the State House.

Regular group tours should be booked at least one month in advance. Spring school tours should be booked nine months in advance. Walk-in visitors are accommodated as space permits.

VISITORS WITH SPECIAL NEEDS

Consistent with the Americans with Disabilities Act, every effort has been made to accommodate legislators, legislative staff and visiting constituents with special needs. These efforts include wheelchair-accessible elevators and restrooms in the State House and South Addition. Because the public galleries of the Senate and General Assembly Chambers are not wheelchair accessible, visitors using wheelchairs may be granted access to the Chambers through the first floor main entrances.

Parking spaces for visitors with special needs are located in the Capitol Complex parking garage, as well as on the south side of West State Street between the State House and Thomas Edison State University. The South Addition entrance is equipped with a door bell for use in calling for assistance to enter the building. The State House Annex has a wheelchair accessible ramp and an automatic door at its West State Street entrance. The Welcome Center entrance is at grade level and has power-assist doors.

Accommodations for people with hearing impairments include access to legislative information using NJ Relay, and the availability of assistive listening devices for legislative sessions and committee meetings. Real time reporter or sign language interpretation requires five-days notice.

Large-print copies of legislative documents and several publications are available. Other items can be enlarged or copied to audio media by request.

A publication with detailed information on accommodations for persons with disabilities is available from the Legislative Information and Bill Room. Requests for assistance with specific needs should be forwarded to the OLS Administrative Unit (609-847-3353).

Additionally, in consideration of nursing mothers, there is a dedicated Lactation Room on the third floor of the Legislative State House.

SPECIAL EVENTS

Requests to use Capitol Complex facilities for special events are received by several authoritative parties. The presiding officers are responsible for access and use of their respective chambers, legislative hallways and caucus rooms. Use of committee rooms is coordinated through the majority partisan offices. Permits for outside events, such as

rallies, are issued by the State Police. Selected interior and exterior spaces may be used for events and displays as authorized by the State Capitol Joint Management Commission's Public Use Program (609-847-3135). The program is administered by the Office of Legislative Services Office of Public Information.

EMERGENCY ASSISTANCE

Offices for the State Police are located on the first and third floors of the State House Annex, in rooms 127 and 346 (main phone: 609-984-4222; emergencies, after hours and on weekends: 609-777-4949). Emergency call assistance boxes are located throughout the garage.

CAFETERIA AND WELCOME CENTER

Cafe NJ is located off the parking garage atrium on level 3, and may be accessed from the pedestrian tunnel between the State House and State House Annex. The site accommodates 150 patrons, and features both hot and cold food selections from a salad bar, grill, sandwich station and take-out area. Staff is allowed to bring in brown-bag lunches when space permits. Hours are Monday through Friday, 7:30 a.m. to 3 p.m., with limited service after 2 p.m. In addition, a concession area with vending machines is located in the basement of the Executive State House.

Directly below Cafe NJ is a Welcome Center equipped with interactive exhibits pertaining to State history, government functions and the lawmaking process; a small radio broadcast studio and standard visitor amenities. The Welcome Center is accessible from level 2 of the parking garage and from an outside entrance near the State House South Addition. The Welcome Center is open Monday through Friday, 9:00 a.m. to 4:30 p.m.

PARKING

Parking is available for legislators and staff in a reserved area of the Capitol Complex parking garage. The garage is accessed by using an assigned electronic key card.

Visitor parking is available in designated areas of the Capitol Complex parking garage and several commercial lots within walking distance from the State House and Annex. Metered parking is located along West State Street.

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LEGISLATIVE PROPOSALS AND TRIBUTES



BILLS

A bill is a proposed law. It is the vehicle for taking formal action such as establishing a new State program, making an appropriation, authorizing or prohibiting an activity, changing the language in an existing statute, or repealing a section of law.

BILL STATEMENTS

The rules of each House require that a bill or resolution be accompanied upon introduction by a brief written statement describing its provisions or purpose. The content of this statement is entirely at the discretion of the sponsor of the measure, and for that reason it is also referred to as a “sponsor’s statement.” The statement may contain an expression of advocacy for the measure. The General Assembly restricts the length of a bill statement to 450 words; the Senate has no restriction.

The bill statement appears on the printed copy of the bill or resolution, directly after the text of the measure. If the measure is amended, however, the statement is omitted on the reprint of the amended version because the changes may have rendered the original statement inappropriate as a guide to the provisions of the revised bill or resolution.

COMMITTEE STATEMENTS

The rules of each House require that a committee file a statement describing the provisions and purposes of each bill or resolution reported by the committee, and including any amendments adopted by the

committee with any supporting or background information the committee desires. All members who vote against the release of a measure may submit a minority statement to accompany the committee statement.

A committee statement must also contain a summary of the provisions of any law to be repealed, and a statement of the motion by which the bill or resolution is reported.

Committee statements, which are deemed to have the approval of a majority of a committee, are delivered by the committee aide to the Secretary of the Senate or the Clerk of the General Assembly, and are printed and made available for public distribution by the Legislative Information and Bill Room.

Committee statements are convenient sources of information for legislators, the press and the public. In addition, the courts use committee statements on occasion as an aid in discerning legislative intent and interpreting the meaning of a statute. Committee statements for bills that have become law are often printed for informational purposes in *West's New Jersey Session Law Service* and in the *New Jersey Statutes Annotated*, which are commercial publications of West Publishing.

However, committee statements must be read with some caution as a guide to the content of a law. Since a bill may be amended on the floor after its release from a committee, or subsequently amended in a committee or on the floor of the other House, a committee statement may not convey a complete or accurate description of the bill as enacted into law.

CONSTITUTIONAL AMENDMENTS

Amendments to the State Constitution

Amendments to the New Jersey Constitution are proposed by the Legislature and placed before the voters as public questions on the general election ballot. There is no gubernatorial role in the process.

Constitutional amendments are proposed in the Legislature in the form of concurrent resolutions (see page 22). An amendment is submitted to the electorate if it is approved by a three-fifths vote of the total membership of each House or if it receives a majority vote in each House in two successive years.

The Constitution provides that if an amendment is rejected by the voters, the proposal (or a substantially similar one) may not be resubmitted to the public for at least three years.

The Constitution prescribes specific procedural requirements for legislative consideration of constitutional amendments. When a proposed amendment is reported out of a committee in one House, copies of the amendment are placed on the desks of all members of both Houses, and a public hearing is then held, as ordered, by the House of origin. After

copies of the amendments are placed on the desks, at least 20 days must elapse before the House may vote on the proposal. The proposal must proceed through three readings in both Houses, but a public hearing in the second House is not required.

Upon approval by the Legislature, the amendment is placed on the ballot at the next general election in November. The Secretary of State is required to place notices of the proposal in newspapers at least three months prior to the election. This latter stipulation places a practical limit on the last date in each year by which the Legislature can approve an amendment for the November ballot, since the public notice must be given by early August.

Amendments to the United States Constitution

The United States Constitution specifies that amendments to the Federal Constitution are to be ratified by the state legislatures. A proposal to ratify a federal amendment is introduced in the New Jersey Legislature in the form of a concurrent resolution. Favorable action requires the vote of a majority of the absolute membership of each House. There is no gubernatorial role in ratification of a proposed amendment to the Federal Constitution.

FISCAL NOTES

A fiscal note is a statement of the anticipated fiscal impact of a bill on State or local government. Fiscal notes are prepared under the jurisdiction of the Legislative Budget and Finance Office (LBFO) in the Office of Legislative Services, and are printed and distributed through the Legislative Information and Bill Room. Fiscal notes are also available through the New Jersey Legislature's web site.

Under the fiscal note law (N.J.S.A. 52:13B-6), the LBFO notifies the sponsor of a bill and the chair of the committee that the bill may increase or decrease expenditures or revenues of the State or local governments. The sponsor, the chair or the presiding officer may request the preparation of a fiscal note whether or not the LBFO has indicated that the bill has fiscal implications.

Some of the information contained in a fiscal note is provided by the State agency or agencies directly affected by the bill's provisions. The fiscal note is reviewed by the LBFO and is printed with LBFO concurrence or with additional comments and information. In those cases where no response is received from a State agency, the LBFO prepares a legislative fiscal estimate containing the same information that would be included in a fiscal note.

The sponsor of the bill has the right to object to the findings contained in the fiscal note, in which case the LBFO is required to review the note in light of the objections and make changes that the LBFO deems reasonable. If the sponsor still raises an objection, the note is printed with the statement: “The sponsor does not concur with the information presented herein.”

JOINT RESOLUTIONS

A joint resolution is a formal action adopted by both Houses and approved by the Governor. The State Constitution establishes the same procedural requirements for passage of a joint resolution as for enactment of a law. Therefore, a joint resolution is considered to have the effect of a law.

A joint resolution is often used instead of a bill when the purpose is of a temporary nature; or for the establishment of a study commission, the expression of an opinion, or the issuance of a ceremonial tribute in which both the Legislative and Executive branches are participants.

It has been established that funds may be appropriated only in a bill and not in a joint resolution. If, for example, a study commission is established by a joint resolution, any funding of the commission’s work must be done through enactment of a bill.

CONCURRENT RESOLUTIONS

A concurrent resolution is a resolution adopted by both Houses, expressing the policy or opinions of the Legislature. The concurrent resolution is not described in the State Constitution. Its purpose and procedural requirements have evolved through custom, and its adoption requires no gubernatorial involvement.

A concurrent resolution is often used to petition (“memorialize”) the United States Congress to take certain actions, to issue ceremonial proclamations, to establish study commissions composed entirely of legislators or appointees of the presiding officers, or to adopt joint rules of procedure for both Houses. No funds may be appropriated in a concurrent resolution. The effectiveness of a concurrent resolution expires at the end of the two-year legislative term in which it is adopted.

A concurrent resolution is also the form used for proposing amendments to the State Constitution and for ratifying amendments to the Federal Constitution.

ONE-HOUSE RESOLUTIONS

A Senate or General Assembly resolution is the format by which one House expresses its policy or opinions, regulates its internal organization or procedures, or establishes a study committee under the sole jurisdiction of the House.

BILL REPRINT SERIES

Bills and resolutions are reprinted during the legislative process to incorporate changes adopted by either House. Bills that are reprinted are numbered consecutively as “First Reprint,” “Second Reprint,” etc.

A measure is reprinted each time it is amended. For example, if Senate Bill No. 145 passes the Senate with amendments, it will be reprinted as Senate Bill No. 145 [First Reprint]. If the General Assembly passes this measure with additional amendments, the bill will be reprinted as Senate Bill No. 145 [Second Reprint], and so on.

Within the text of a bill, committee and floor amendments are designated with superscript numbers, which run consecutively as 1, 2, 3, etc., corresponding to the reprint number. A legend at the bottom of the first page indicates the date of each amendment, whether it is a floor or committee amendment (in the case of a committee amendment, the legend will also indicate which committee is amending the bill or resolution), and the House in which the amendment was adopted. A complete list of bill history abbreviations begins on page 79.

New language in amendatory sections is underlined, and language to be omitted is enclosed in brackets. Also, a citation to the version of law used in preparing the draft is noted at the end of each amendatory section of a bill.

CEREMONIAL RESOLUTIONS

A ceremonial resolution is the form by which either or both Houses honor an individual or organization upon a significant occasion or a notable achievement, or pay tribute to the memory of a decedent. Ceremonial resolutions are not numbered or printed in the manner as other types of resolutions. The rules of form and procedure pertaining to ceremonial resolutions have been determined by custom and tradition, and the approval of legislative leadership, as the documents bear the signature(s) of the presiding officer(s).

A request for the preparation of a ceremonial resolution, together with accompanying background material, should be made to the Ceremonial Resolution Unit (609-847-3140) within the OLS Office of Public

Information. The staff drafts, prints and delivers final copies to the Senate partisan offices and the Office of the Clerk of the General Assembly, which complete the resolution for presentation and arrange for delivery to the sponsor. The sponsor is then responsible for transmitting the final ceremonial resolution to the honoree. The OLS Office of Public Information provides presentation holders upon request.

COMMENDATIONS

Commendations are similar to ceremonial resolutions, except that the text is more general, making them useful for paying tribute to an individual within a larger group, such as a graduating class or civic organization. Commendations bear the signature(s) of the sponsor(s) and can be issued from members of either or both Houses. Members' district offices are equipped with a computer program and sample text which enable staff to produce commendations on site, as needed. The OLS Data Management Unit provides program training and operational support. The Ceremonial Resolution Unit can assist by creating text and supplying commendation paper and presentation holders, and by arranging for large quantities of commendations to be printed.

CITATIONS AND MEMORIALS

A legislator may mark a notable achievement by an individual or organization, or offer a memorial tribute, through the issuance of a citation, which is issued directly by the legislator through his or her district office. District office staff inserts text noting the nature of the occasion and personalizes each certificate. Citations can be produced as Senate or General Assembly versions with one or two sponsors, or as joint versions with either two or three sponsors. The Office of Public Information supplies preprinted masthead stock. Presentation holders are also available.

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LEGISLATIVE PROCEDURES

LEGISLATIVE POWERS AND FUNCTIONS

Legislative powers include all powers of government not vested in the United States government or in another branch of the New Jersey government, and not prohibited by the Constitutions of the United States or New Jersey. The basis of the powers, functions, methods, practices and procedures of the Legislature is found in the State Constitution, the Laws of New Jersey, the rules of the Senate and General Assembly, and the customs and traditions of the two Houses.

Among the Legislature's principal functions are:

- proposing and adopting measures for enactment into law
- conducting studies and investigations necessary in the lawmaking process, and in oversight of the execution of acts of the Legislature by the Executive Branch and political subdivisions of the State
- appropriating monies for the operation and support of State government
- proposing amendments to the State Constitution to be submitted to the public for a vote
- through the Senate, exercising the constitutional right and responsibility of advice and consent on various gubernatorial nominations
- through each House, judging the elections, returns and qualifications of its members, determining the rules of its proceedings, and punishing its members for disorderly behavior
- through its Joint Legislative Committee on Ethical Standards, administering and enforcing the Conflicts of Interest Law and the Legislative Code of Ethics with respect to members, officers and employees of the Legislature
- in joint meeting, appointing the State Auditor
- through the State Auditor, conducting post-audits of all transactions

and accounts kept by or for all departments, offices and agencies of the State government

- through the General Assembly, instituting impeachment proceedings, and through the Senate, trying all impeachments
- acting on proposed amendments to the Constitution of the United States submitted to State Legislatures for ratification.

LEGISLATIVE REGULATORY OVERSIGHT

In 1992, the citizens of the State gave the Legislature, through a constitutional amendment (N.J. Constitution, Art. V, Sec. IV, par. 6) the ability to oversee rules and regulations promulgated by executive agencies. This amendment gave the Legislature the ability to invalidate rules and regulations if they are found by the Legislature to be inconsistent with its intent in creating the law.

The constitutional provision contains a schedule for the Legislature to follow in exercising the legislative veto power:

1. **Legislative Review:** The Legislature reviews a rule or regulation to determine if it is consistent with legislative intent.
2. **Concurrent Resolution of Legislative Findings:** If not consistent, the Legislature adopts a concurrent resolution stating its findings and transmits it to the Governor and the executive agency.
3. **Time for Executive Action:** The Legislature waits 30 days for the executive agency to withdraw or amend the rule or regulation.
4. **Public Hearing:** If the executive agency does not withdraw or amend the rule or regulation, either House of the Legislature holds a public hearing on the invalidation or prohibition of the rule or regulation. A transcript of the public hearing must be placed on the desks of the members of each House.
5. **Concurrent Resolution to Invalidate:** The Legislature adopts a concurrent resolution to invalidate or prohibit the rule or regulation no sooner than 20 calendar days after the public hearing transcript is placed on the desks.

This constitutional amendment only allows the invalidation of rules and regulations promulgated as a result of a statute. It does not authorize rules and regulations from being invalidated that were adopted as a result of Executive Orders, court orders or Federal regulations. Invalidation of rules and regulations is possible only when they are inconsistent with the Legislature's intent as expressed in the language of the statute.

ADVICE AND CONSENT

It is the duty of the Senate to exercise its power of advice and consent in regard to the Governor's nominations of judges and certain executive officials. The Senate reviews the individual's qualifications and either approves or rejects the nomination. The custom of "senatorial courtesy" allows a senator to block the nomination of a person residing in a county represented by that senator. Nominees are confirmed by an absolute majority of 21 votes.

STATUTES AND LAWS

Although the terms "statute" and "law" are often used interchangeably, there is a distinction between the two. A statute is a law created by an act of the Legislature. The term "law," in its broadest sense, refers to the full spectrum of official rules and codes which govern our actions. It includes the statutory law as enacted by the Legislature, as well as the laws of the Constitution, the case law as established in court decisions, and the administrative law as promulgated by Executive Branch agencies.

RULES OF THE HOUSE

Each House independently establishes rules of internal organization, operation and procedure, and, in concurrent action with the other House, institutes uniform joint rules governing matters of mutual interest. The Senate and General Assembly use *Mason's Manual of Legislative Procedure* as their standard authority when not in conflict with their own rules.

It is customary for each House to initially adopt the rules of the preceding year on a temporary basis until a permanent set of rules is approved.

QUORUM

A majority of the authorized membership of a House constitutes a quorum and is required for the House to conduct business. A quorum call is taken at the beginning of each session. Each House's rules include policies on attendance. For a description of the number of votes necessary for various legislative actions, see Votes on Motions on page 36.

HOW A BILL BECOMES LAW

Legislative Action

A bill is proposed for introduction when three copies, signed by the

sponsor(s) on the cover (called a “fronter”), are delivered to the Secretary of the Senate or the Clerk of the General Assembly when the House is in session. A different procedure exists for pre-filed bills (see Pre-filing of Bills and Resolutions on page 38).

The Secretary or Clerk assigns a number to the bill based on the order of its receipt. At the discretion of the presiding officer, the bill is either formally introduced (given first reading); or is listed as a bill “proposed for introduction” until the next session of the House, when it is then formally introduced.

The bill is formally introduced when the Secretary of the Senate or the Clerk of the General Assembly, in open session, announces the bill’s number and sponsor(s), and reads its title (first reading). The President or Speaker refers the proposal to a committee or sends it directly to second reading without committee reference.

Upon referral to a committee, the bill is scheduled for consideration at the discretion of the committee chair, who sets the agenda for each committee meeting. Under the rules of both Houses, committee agendas must be given public notice in the *Legislative Calendar* at least five days prior to the meeting.

Upon consideration of the bill, the committee may decide to take no action on the bill or to report the bill to the House. In reporting a bill, the committee will specify that the bill was considered favorably or unfavorably, or without recommendation. The bill may be reported with no changes, with amendments or by a committee substitute bill. If the bill is reported, it is accompanied by a committee report that provides a written statement of the committee action and the signatures of the members voting to report the bill. The bill is also accompanied by a committee statement, which summarizes the bill’s purpose as well as the nature of any committee amendments, and provides any other explanatory or background comments that the committee wishes to register. The committee report and statement are delivered by the committee aide to the Secretary of the Senate or the Clerk of the General Assembly. If the committee does not report a bill, or if a motion to report a bill fails, the bill remains eligible for committee consideration at another time.

The bill is given second reading when its number and title are read aloud by the Secretary of the Senate or the Clerk of the General Assembly during a session of the House. Second reading is given to a bill when it is advanced without committee reference or when it has been reported by a committee. A bill is eligible for amendment on the floor of the House when it is on second reading.

When scheduled by the President or Speaker, the bill is given third reading and is then considered by the House. The N.J. Constitution, Art.

IV, Sec. IV, par. 6, provides that a bill may not receive a second and third reading on the same day, except by emergency vote of three-fourths of the members (30 votes in the Senate, 60 in the General Assembly). After a bill has been given third reading, no amendments may be made to it, unless the bill is returned to second reading by vote of the House.

When a bill is considered on third reading, the bill is moved by the sponsor and, after any debate, a final vote is taken. A bill passes when approved by a majority of the authorized members (21 votes in the Senate, 41 in the General Assembly). If, prior to the recording of a final vote, the bill is removed from floor consideration at the request of the sponsor (“held”), then no vote is taken and the bill remains eligible for consideration at another time. A bill on third reading may also be returned to a committee for further review by vote of the House.

The President or Speaker signs a jurat certifying that the bill has passed, and the Secretary or Clerk delivers it to the other House.

The bill receives first reading, committee consideration, second reading, third reading and final passage in the second House. If the second House amends the bill, it is returned to the first House for a vote on the changes only. A bill receives final legislative approval when it passes both Houses in identical form.

After a bill passes both Houses in identical form, the Constitution requires that it be delivered to the Governor before the close of the following day by the House of final action.

Governor’s Action

(pursuant to N.J. Constitution, Art. V, Sec. I, par. 14)

A bill becomes law when signed by the Governor, or after 45 days if the Governor takes no action. If the House of origin is not in session on the 45th day, the Governor has until the first session day thereafter to act.

Different rules apply to bills passed during the last 45 days of a two-year legislative session. A bill passed between the 45th and the 10th day before the expiration of the session becomes law unless the Governor vetoes it before noon of the day prior to the expiration of the two-year Legislature – i.e., the second Monday in January of an even-numbered year. The Legislature convenes on that day to consider any such vetoes.

A bill passed between the 10th and last day of the session will become law only upon the Governor’s signature. The Governor has until seven days after the expiration of the two-year session to sign such a bill. If the Governor does not approve it, the bill is “pocket vetoed.” This is the only situation in which a bill can be vetoed without being returned to the Legislature for reconsideration.

In the “absolute veto,” the Governor returns a bill to the House of origin with noted objections. A bill vetoed in this manner cannot become law unless the Legislature, on or after the third day following its return, overrides the veto by a vote of at least two-thirds of the members in each House (27 votes in the Senate and 54 in the General Assembly).

In the “conditional veto,” the Governor, in setting forth objections to the bill, proposes amendments that would make the bill acceptable. As with the “absolute veto,” the Legislature may override the Governor with a vote of at least two-thirds of the members of each House. If the Legislature reenacts the bill with the recommended amendments by a majority vote, the bill is presented again to the Governor. It becomes law if the Governor signs the amended bill within ten days.

The “line-item veto” applies only to bills containing an appropriation. The Governor may approve the bill but reduce or eliminate the amount of money appropriated for a specific item. The Governor must submit a statement of the reduced or eliminated items to the Legislature, which may restore the funds by overriding the Governor’s action by a vote of at least two-thirds of the members of each House.

ROLE OF THE PRIME SPONSOR

The legislator whose name appears first among the sponsors of a bill or resolution is the prime sponsor. The prime sponsor has certain rights in regard to the proposal, including the right to select co-sponsors and to reintroduce the measure in the next two-year Legislature. The rules in both Houses permit a second prime sponsor, upon approval of the first, who may exercise the same rights as the first. The General Assembly Rules allow third and additional prime sponsors with the consent of the Speaker and existing prime sponsors. In the event of a disagreement among prime sponsors, the rights of the first prime sponsor prevail.

An important function of the prime sponsor is to manage the measure’s progress through the House of origin. Once passed by the House of origin, the measure’s progress in the second House is managed by a member of that House, by prearrangement with the prime sponsor.

After a bill or resolution has been referred to a standing committee, the prime sponsor’s first step toward its enactment is to request that the committee consider it. By custom, a committee notifies the sponsor when it plans to consider a bill or resolution at a committee meeting. The prime sponsor may attend the committee meeting, even if the prime sponsor and the committee are of opposite Houses, to speak on behalf of the measure and to answer any questions raised by the committee members.

If, despite requests, a committee does not report a bill or resolution,

the sponsor may use mechanisms provided by the rules of both Houses for removing it from the committee. A motion to relieve a committee of a bill is considered a drastic step, however, and is rarely successful.

A bill is scheduled for third reading and final passage by the presiding officer of the House, usually after consultation with the prime sponsor and often after discussion in party conferences. Formal debate usually takes place when a bill is on third reading. The sponsor opens the debate by summarizing the content and purpose of the bill, moving that the bill pass, and answering any questions raised by other members. After debate is concluded, the presiding officer calls for a recorded vote.

A prime sponsor may remove a bill from legislative consideration while in its House of origin by making a floor motion to withdraw the bill from the files prior to its being moved on third reading. Upon approval of the motion, the bill is no longer pending before the House.

CO-SPONSORSHIP

There is no limit to the number of legislators in the same House who, with the agreement of the prime sponsor, may co-sponsor a bill or resolution. Legislators can become co-sponsors at the time of introduction by endorsing the measure beneath the signature of the prime sponsor, or after introduction upon the motion or written notice of the prime sponsor.

The names of the prime sponsor and co-sponsors appear on printed copies of the measure. These names are recorded in the *Journal of the Senate* and *Minutes of Assembly*. After introduction, the most current version of bills and resolutions may be found on the Legislative Information System.

A legislator may withdraw his or her co-sponsorship of a bill.

RELIEVING A COMMITTEE OF A BILL

The rules of both Houses provide a procedure for relieving a committee of a bill.

In the General Assembly, the House must be given 24-hours notice that a motion or resolution to relieve a committee of a bill will be made (only by the prime sponsor or, in case of Senate bills, a member acting on behalf of the prime sponsor), and the committee has met at least three times since the referral of the bill. Debate is limited to whether or not the committee has given the measure fair and reasonable consideration. The prime sponsor or his or her representative is entitled to speak first. The committee chair or a designee is entitled to speak next. To prevail, the motion or resolution must receive an affirmative vote of the majority of the members of the General Assembly. No more than two motions or

resolutions to relieve a committee of a particular bill are permitted during an annual session.

In the Senate, a motion by the prime sponsor or first co-prime sponsor (or a senator acting on behalf of same in the case of Assembly bills) to relieve a committee of a bill is entertained only if 60 days have elapsed since the bill's referral to the committee and notice has been given to the House at least 24 hours before the motion is made. An absolute majority vote is required for the motion to prevail.

IDENTICAL BILLS

The policy of both Houses discourages the introduction of a bill that is identical to one already introduced in the same House. Members are encouraged instead to join as a co-sponsor on the measure that has already been submitted.

The Office of Legislative Services will inform a legislator if an identical bill has been previously introduced. But there is no law or rule of either House which prohibits a legislator from introducing an identical bill, except during the pre-filing period.

If co-sponsorship is not practical, or if a legislator wishes to offer a bill that is similar to one that is already filed, the legislator may offer a new bill with at least a minor variation from the one already introduced in order to avoid the introduction of an identical measure.

The policy against identical bills does not apply to the introduction of the same bill in both Houses.

SUBSTITUTION OF BILLS

If a bill passes one House, and an identical version of the bill is pending in the second House, the rules allow for a merger of the two bills in the second House. This merger is officially called a *substitution* in the rules and permits a speedier final passage of the measure. It also allows the sponsors of both versions to be listed as sponsors of the final bill, regardless of whether the Senate or the General Assembly version gains final passage.

The merger of a Senate and a General Assembly bill can be accomplished only after one of the bills passes its House of origin, and its counterpart in the second House has received second reading (i.e., has been reported out of committee or advanced without reference). Further, the measures must be identical, other than minor technical differences. If one of the bills has been amended, the other bill must also be amended in the identical manner prior to the merger.

The two bills are merged upon a motion on the floor by the sponsor

in the second House. For example, if a Senate bill is received in the General Assembly and is identical to a General Assembly bill already on second reading, the sponsor of the General Assembly bill may move to substitute the Senate version for the General Assembly measure. The Senate bill will then assume the status of the General Assembly bill on second reading.

ROLL CALL VOTES

Most floor votes are conducted as roll call votes (also known as *recorded* or *machine votes*). The vote of each member is recorded, and a count is made of the total number of “yeas” and “nays.”

The State Constitution requires a recorded vote for the following situations:

- final passage of a bill or joint resolution
- override of a gubernatorial veto
- passage of a proposed amendment to the State Constitution
- advancement of a bill from second to third reading on the same day (emergency resolution).

The Constitution also provides that a recorded vote must be taken on any other motion at the request of one-fifth of those present. In practice, the presiding officer will usually order a roll call if so requested by the sponsor of the motion or the Majority or Minority Leader. The presiding officer may also order a roll call vote at his or her discretion.

Roll call votes are recorded by means of an electronic voting machine. Members vote by pressing switches at their desks: green (yes), red (no). Members of the General Assembly have the additional option of using an amber (abstain) button, however, senators do not. Votes register on large monitors which display an alphabetical list of the members. The monitors provide a tally of the vote and identify the number of the bill or resolution and the type of action under consideration (i.e., final passage, emergency resolution, or other motion).

The electronic system produces an official printed record of the vote, copies of which are available to members immediately after the vote from the Secretary or Clerk. The printed tally is used in the preparation of the *Journal of the Senate* or *Minutes of Assembly*. Vote tallies are also available from the LIBR (see Legislative Information and Bill Room) in the Office of Legislative Services, as well as on the Legislature’s Web site.

If a senator is absent or abstains, no vote is recorded for that senator. The General Assembly rules provide that the Speaker may record a member as abstaining if he or she is present and does not cast a vote when required by the Speaker to vote.

In both Houses, a legislator must be in the Chamber at the time of a vote in order to vote. It is a criminal offense for anyone to cast a vote on behalf of an absent legislator.

The presiding officer controls the operation of the voting machine and determines when the machine shall be open for a vote and closed for a final tally. When there is no further debate on an issue, the presiding officer instructs the Secretary or Clerk to “open the machine” and asks the members to “record their votes.” The machine will remain open for voting until the presiding officer announces, “All recorded, all properly recorded, I direct the Secretary (Clerk) to close the machine and take a tally.”

Votes are not recorded as final until the machine is closed and the voting switches are locked in place. While the machine is open, legislators are free to change their votes by simply pressing the switches at their desks.

As a courtesy to the sponsor of a motion, the presiding officer may keep the machine open to permit additional time for voting if an insufficient number of votes has been cast to either conclusively approve or defeat the question. By custom, the sponsor may request a “roll call” while the machine is open. For such roll calls, the Secretary or Clerk calls out the names of those members who have not yet recorded a vote on the display monitors. When their names are called, members are under no obligation to vote or otherwise respond.

If the tally on the monitors shows that a bill or resolution has not received enough votes to pass, the presiding officer will often extend another courtesy to the sponsor and ask the sponsor whether he or she wishes to “hold the bill” rather than have the vote recorded. When a bill is held, the voting machine is turned off and no printed record of the vote is made; it is as if no vote had ever taken place. The bill then remains eligible for consideration again at another time (that day or any future session).

After the voting machine is closed, but before the vote is announced, any member who has not voted, or who has been recorded in error, may rise to be recognized by the presiding officer in order to add or change his or her vote. Upon recognition, the legislator will ask, “How am I recorded?” The Secretary or Clerk will indicate whether the member is recorded as not voting, or as voting in the affirmative or negative. The legislator will then respond, “Please record me in the affirmative/negative.”

RECONSIDERATION OF BILLS

The rules of each House provide that any member who voted with the prevailing side upon any affirmative or negative vote may move to reconsider the action taken. By virtue of this parliamentary procedure, the sponsor of a bill that has failed to pass may keep the bill in position for another vote by

switching his or her affirmative vote to the negative and asking that the bill be reconsidered. The specific steps in the process are as follows:

1. Upon announcement of the vote by which a bill was lost, the sponsor gains recognition by the presiding officer and asks, "How am I recorded?" The Secretary or Clerk responds, "In the affirmative."
2. The sponsor then says, "Please change my vote to the negative." The Secretary or Clerk will then announce the revised vote, and the presiding officer will declare the bill lost, as follows: "Bill No. 100, having received 38 votes in the affirmative and 42 in the negative, is declared lost."
3. The sponsor then moves "that the vote by which Bill No. 100 was lost be reconsidered."
4. The Majority Leader then moves "that the motion to reconsider be laid on the table." A voice vote on this motion is then taken.
5. Later that day or on another day, the sponsor will ask for "the record on Bill No. 100." The Secretary or Clerk will respond, "Bill No.100 was lost on (date) and a motion to reconsider was laid on the table."
6. The sponsor then moves "that the motion to reconsider be lifted from the table." A roll call vote on the motion is taken, and an affirmative vote by a majority of the total membership is required to adopt the motion.
7. If the motion is successful, the bill is then ready to be moved again for another vote for final passage.

VOICE VOTES

The presiding officer may announce either a recorded vote or a voice vote on any motion for which a roll call is neither required nor requested. In voice votes, the presiding officer first asks those in favor and then those opposed to the motion to so signify by saying "yea" or "nay." The presiding officer then declares the motion won or lost based on the response. If he or she is uncertain as to the outcome, or if there is a call for a roll call vote by those who question the decision, then the presiding officer will open the voting machine for a recorded tally.

Situations that may be decided by voice vote include:

- passage of simple resolutions
- passage of concurrent resolutions (except those proposing constitutional amendments)
- motions to refer bills back to second reading for purposes of amendment
- motions to refer bills back to committee

- motions to amend bills
- motions concerning the internal operations of the House.

VOTE ON MOTIONS

The State Constitution and the rules of the two Houses set forth specific voting requirements for legislative actions. The number of votes necessary to take these actions is not affected by vacancies or absences. The number of votes required for various types of actions is indicated in the following tables.

Constitutional Provisions				
Action	Requirement	Number of Votes		
		Senate	Assembly	
Pass a bill	Majority of total membership	21	41	
Pass a joint resolution	Majority of total membership	21	41	
Concur in amendments by other House	Majority of total membership	21	41	
Place a constitutional amendment before the voters	3/5 of total membership OR majority of total membership in two successive years	24	48	
		21	41	
Advance a bill or joint resolution from 2nd reading to 3rd reading on same day	3/4 of total membership	30	60	
Override a veto	2/3 of total membership	27	54	
Concur in Governor's recommended amendments	Majority of total membership	21	41	
Pass a special or local law regulating internal affairs of county or municipality	2/3 of total membership	27	54	
Expel a member	2/3 of total membership	27	54	

Rule Provisions			
Action	Requirement	Number of Votes	
		Senate	Assembly
Pass a concurrent resolution (other than a constitutional amendment)	Majority of total membership	21	41
Pass a formal one-House resolution	Majority of total membership	21	41
Pass an informal resolution	Simple majority	Majority of those voting	
Pass a motion	Varies with type of motion (absolute majority, majority of those voting or majority of those present)		

HOUSE UNDER CALL

When an important issue is under consideration, a motion is sometimes made, usually by the Majority Leader, to place the House “under call.” The purpose of the motion is to ensure the continued presence of the members until consideration of the issue is over. If the motion is approved by the House, members are required to remain in the Chamber until the House votes to remove the call. A motion to adjourn is not in order while the House is under call.

When the motion to place the House under call is made, all members who are present are required to participate in the vote on the motion. A member who fails to record a vote is recorded by the presiding officer as voting in favor of the motion.

While the House is under call, a member who fails to vote on any motion or business before the House may be recorded in the negative by direction of the presiding officer.

LIMITS ON DEBATE

In general, neither House imposes limits on the overall length of time devoted to debate on an issue. No member is denied the opportunity to express his or her views prior to a vote, but the rules in each House specify that each member may speak only three times on a bill or resolution. The Senate rules place a limit of 15 minutes for the first statement, 10 for the second and 5 for the third. The corresponding times in the General

Assembly are 15, 15 and 5. These limits are not always strictly enforced, and they may be waived by the House.

A motion for the previous question, however, may be made during a debate. Its effect is to stop debate on a bill or question before the House and bring it to a vote. The motion is decided without debate. In the Senate, it is not in order unless at least one member of the Majority Party and one member of the Minority Party, if they desire, have spoken on the question. In the General Assembly, the motion is to terminate debate and is not in order until debate on the question has continued for two hours and the Majority and Minority Party have been permitted one hour each to speak on the question. Then the motion is admitted only with 60 affirmative votes.

PERSONAL PRIVILEGE

The rules of each House provide members with the opportunity to express their feelings regarding the “safety, dignity and integrity” of the proceedings or the “rights, reputation and conduct of members” by gaining recognition from the presiding officer on a “point of personal privilege.” The rules provide that “Questions of privilege shall have precedence over all other questions, except a motion to adjourn, but shall not be raised during debate on a question unrelated to that on which the member desires to speak on privilege.”

PRE-FILING OF BILLS AND RESOLUTIONS

Before a new Legislature is convened, members and members-elect may pre-file both new bills and resolutions, and bills and resolutions that were introduced in the previous legislative session, for introduction in the new session. The joint rules of the Senate and General Assembly set the pre-filing period from November 15 to the first Tuesday in January.

Returning members have the right to pre-file their own bills from the previous session for reintroduction in the upcoming session. Members and members-elect who wish to pre-file a bill whose previous sponsor is another returning member must obtain the permission of the previous sponsor before they are authorized to pre-file the measure.

Pre-filed bills and resolutions are numbered, and entered into the database for the new legislative term. Formal introduction and committee referral occur after the new session is convened, either at organization day (the second Tuesday in January) or the first or second meeting of the House thereafter.

The purpose of pre-filing is to have bills and resolutions available for

legislative action as soon as possible in the new session and to prevent a processing backlog from occurring.

Generally, the Houses agree on limits to the number of bills a member may pre-file.

SPECIAL AND LOCAL LAWS

Most of the laws enacted are general in their applicability. Private, special or local acts may be adopted in conformity with the public notice requirements of the N.J. Constitution, Art. IV, Sec. VII, par. 8, and certain statutory provisions, N.J.S.A. 1:6-1 et seq. The N.J. Constitution, Art. IV, Sec. VII, par. 9, also specifies certain types of private, special and local acts that may not be passed.

The governing body of a municipality or county is permitted by the N.J. Constitution, Art. IV, Sec. VII, par. 10, to petition the Legislature to pass special or local laws regulating the internal affairs of the municipality or county. If passed by a two-thirds vote of the Legislature, and if then adopted by ordinance of the governing body of the municipality or county, or by referendum therein, the act will take effect.

THE BUDGET AND APPROPRIATIONS PROCESS

The State operates on a fiscal year that begins on July 1 and ends the following June 30.

The Governor delivers the annual budget message to the Legislature for the ensuing fiscal year on or before the fourth Tuesday in February. The proposed budget is then reviewed by the Senate Budget and Appropriations and the General Assembly Budget Committees. Committee review of the Governor's budget proposals is conducted through staff research and a series of hearings during which members of the Executive Branch and the public provide testimony. The committees generally conduct these hearings separately. Legislative budget hearings generally take place during the months of March, April and May.

The committees produce a budget in the form of an annual appropriations bill. As with any other law, the appropriations bill must be passed by both Houses and approved by the Governor (or enacted by overriding a veto). The budget must be signed by July 1. At the time of signing the appropriations act, the Governor certifies an estimate of anticipated revenues available to support spending, and may also reduce or delete individual appropriation items or language provisions contained in the bill through the use of a line-item veto. However, the Governor cannot increase the appropriation for any item or add budget language not

already in the bill. Language in the appropriations act directs how and under what conditions appropriations are to be made, and also defines the Legislature's role with regard to the oversight of expenditures.

5

LEGISLATIVE STAFF AND SERVICES

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services is the Legislature's nonpartisan agency providing legal, fiscal, research, bill drafting and administrative services; committee staffing; computer database management; and public information programs and publications. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House appointed by the respective presiding officers. The commission appoints the OLS Executive Director, Legislative Counsel, Legislative Budget and Finance Officer, and Public Information Director; and establishes general operating policies.

The Office of the State Auditor, a constitutional officer who conducts audits of State agencies, is placed within the Office of Legislative Services.

By law, all communications between legislators and OLS personnel are confidential. The agency will not disclose to a third party the nature of an assignment or the name of the legislator requesting the information or research unless so authorized by the legislator. Similarly, bill drafts and other research products are released only at the legislator's direction. A summary of the agency's organization and duties follows.

Office of the Executive Director

Executive Director: Peri A. Horowitz
Room 210, State House Annex
(609) 847-3901

The Executive Director is the chief executive officer of OLS and serves as secretary to the Legislative Services Commission. The Executive Director supervises the day-to-day operations of OLS, including employing and

placing all OLS personnel (other than the officers appointed directly by the Commission) and coordinating OLS budgetary matters.

Legislative Counsel

Legislative Counsel: Jason Krajewski
Room 212, State House Annex
(609) 847-3901

The Legislative Counsel is the chief legal officer of the Legislature and counsel to the Legislative Services Commission, counsel to the Office of Legislative Services, and counsel to the Joint Legislative Committee on Ethical Standards. The Legislative Counsel's duties include providing assistance, information, and advice relating to the legal effect of the statutes and of proposals made for statutory enactment as well as questions of parliamentary law and legislative procedure. The Legislative Counsel is also responsible for assigning appropriate compilation numbers to newly-enacted laws, editing an annual cumulative table of contents to the laws, and initiating administrative corrections in the text of laws.

Legislative Budget and Finance Office

Legislative Budget and Finance Officer: Frank W. Haines III
Room 143, State House Annex
(609) 847-3105

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature and the Legislative Services Commission. The Legislative Budget and Finance Officer collects and presents fiscal information and budget analysis for the Legislature, examines requests for appropriations, and ascertains the correctness of claims made against the State.

The Legislative Budget and Finance Officer advises the Appropriations Committees during the State budget process, staffs the Joint Budget Oversight Committee, and reports on such matters as the committees or Legislature may direct. The Legislative Budget and Finance Officer has certain statutory responsibilities for the review of State fiscal transactions.

The Legislative Budget and Finance Officer also administers the fiscal note process, in which an estimate of the fiscal impact of proposed legislation is prepared by either an Executive Branch agency, the Judiciary or the OLS.

Office of Public Information

Director: Lori O'Mara-Van Driesen
Room B50, State House Annex
(609) 847-3130

The Director of Public Information supervises legislative public information services and programs which include: a telephone hotline, legislative calendar, bill status tracking, bill room, session day staff, ceremonial resolutions, hearing reporters, publications, exhibits, videos, a newspaper clipping service, an in-house reference library and the legislative commissions database. The Director of Public Information also serves as the OLS Records Custodian for requests submitted through the Open Public Records Act (OPRA), and is the receiving agent of annual reports and executive documents for the members of the Legislature.

In addition, the office administers the State House Tour Program, the Legislature's Internet site and the Capitol Complex Public Use Program.

Office of the State Auditor

State Auditor: Stephen M. Eells
125 South Warren Street
(609) 847-3470

The State Auditor is a constitutional officer of the Legislature. Through independent audits of records kept by or for any State agency, the auditor gives the Legislature assurance that funds appropriated are properly spent, assets of the State are safeguarded, management is complying with applicable laws and regulations, and the State's financial statements are fairly presented. The auditor also performs related duties as required by law or requested by the Legislature.

Central Management Unit

Director: Marvin W. Jiggetts
Room 350, State House Annex
(609) 847-3880

The OLS Central Management Unit directs the OLS Central Staff in a variety of legal, fiscal, research and administrative services to individual legislators, legislative officers, legislative committees and commissions, and partisan staff. The Central Staff is organized into 10 subject-area sections headed by a section chief. Each section includes legal, fiscal and research staff.

Besides overseeing the assignment and performance of the sections, the Central Management Unit trains Central Staff and handles special legislative projects. The OLS Central Staff performs bill drafting services for legislators, and reviews all bills prior to introduction for compliance with proper form. Other typical services include preparing research reports, briefing materials, fiscal analyses and regulatory analyses.

The Bill Processing Unit (BPU) is within the Central Management

Unit. After the formal introduction of legislation, the BPU is responsible for preparing bills for print production.

The OLS Central Staff provides staff to all standing reference committees of the Legislature and, upon request, to study commissions created by the Legislature. The Central Staff assists the Legislative Budget and Finance Officer in providing services to the Appropriations Committees.

Administrative Unit

Director: David Inverso
Room 250, State House Annex
(609) 847-3350

The OLS Administrative Unit provides general administrative services, including payroll, purchasing, general fiscal operations, facilities management and photocopying services to the Office of Legislative Services and, upon request, to the Legislature, its committees and commissions. In addition, the unit administers the legislative District Office Program on behalf of the Executive Director, under the direction of the President of the Senate and Speaker of the General Assembly.

Human Resources Office

Director: Christin Knox
Room 246, State House Annex
(609) 847-3390

The OLS Human Resources Office provides such services as recruiting, employee and benefits counseling, performance evaluation administration, timekeeping and records maintenance, and policy and salary program administration to OLS staff and certain legislative commissions.

Data Management Unit

Director: James P. Farrell
Room 240, State House Annex
(609) 847-3300

The OLS Data Management Unit oversees the planning, operation, maintenance and security, and voice communication services of the legislative computer and information system. The unit provides training, application development, and telecommunications assistance to legislative district offices, OLS, and partisan and legislative administrative staffs.

REQUESTS FOR BILL DRAFTS, RESEARCH AND FISCAL ANALYSIS

Requests for a bill draft, research or fiscal analysis should be directed to the OLS Central Management Unit (609-847-3880). Requests may also be made through any staff member of OLS, who will direct the request to the Central Management Unit.

The request will be recorded and assigned to the proper subject area section, where the section chief will assign it to a professional staff member. All assignments are performed on a confidential basis. The Central staff professional may contact the legislator by telephone or in writing to discuss the request and the appropriate form of the final product the legislator is seeking. Requests often take the form of research memoranda, bill drafts, letters to constituents, analysis of information obtained from an executive agency or interest group, analysis of executive regulations, legislative histories of bills or issues, or statistical reports.

OLS operates on a first come, first served basis in drafting bills. The office has no statutory direction or sanction to prevent any bill from being drafted or introduced, but at the request of legislative leadership, OLS informs legislators if they are requesting duplicate bills.

Legislators who wish to check on the status of one of their requests can contact the Central Management Unit or the Central staff member assigned to the request. Each legislative district office has access to a status list of the legislators' requests on the computer system.

COMMITTEE AIDES

The Office of Legislative Services, through the Central Management Unit, provides full-time professional staff to assist each standing reference and select committee on a nonpartisan basis. Similarly, the partisan offices assign staff to each committee. OLS committee aides are assigned from Central staff sections on the basis of their knowledge of the committees' subject area. The Central staff sections serve the committees in administrative, legal, fiscal and research capacities.

A committee aide serves as an administrative correspondent for the committee and as a point of contact for legislators, State agencies, interest groups and citizens interested in the committee's business. The OLS aide maintains the committee records and files, and records requests of sponsors for bill consideration.

At the direction of the chair, the OLS aide prepares and transmits the agenda for a committee meeting. The aide prepares background information on the bills scheduled for consideration by the committee. The aide

may prepare technical amendments in advance for the committee's consideration, and will prepare amendments as requested by any member of the committee on a confidential basis.

LEGISLATIVE COMPUTER AND INFORMATION SYSTEM

Computer information services for the New Jersey Legislature are provided by the Legislative Information System. The system is an industry standard network that provides Intranet and Internet services to all legislators in the district offices and legislative staff in Trenton. The system is the sole official provider of computer services to the 120 elected members of the Legislature. The Data Management Unit oversees the planning, operation, maintenance and security of the legislative computer and information system.

As a staff support tool, the computer system provides access to timely legislative information necessary to the flow of the legislative process, and access to material critical to the research and drafting of legislation. New Jersey legislation and statutes are drafted and stored on the system, and are available to all staff and members for research and bill drafting purposes. The system also provides access to Internet-based information for both legislators and the staff which supports them in their research and lawmaking capacities.

As a public service and pursuant to N.J.S.A. 52:11-78, the office makes available to the public, via the Internet (www.njleg.state.nj.us), the text of all bills proposed by the present and past Legislatures, and the full text of the *Laws of the State of New Jersey* and the State Constitution. Additional information includes live and archived legislative proceedings, biographical overviews of the members, leadership and committee assignments, and State House visitor information. The *Legislative Calendar* and *Legislative Digest*, which report on legislative activity, are also available.

LEGISLATIVE INFORMATION AND BILL ROOM

The Director of Public Information in the Office of Legislative Services supervises the Legislative Information and Bill Room (LIBR), which provides information about the Legislature to legislators, legislative staff, governmental agencies, the news media and the public. Common queries pertain to legislative action, legislative meeting schedules, contact information and explanations of legislative procedures. The office also refers inquiries to State, local and federal agencies where appropriate.

The LIBR staff maintains the bill status tracking system, and provides a variety of reports compiled from system information. The office also keeps voting records of committee and floor action, and distributes copies

of Executive Orders, veto messages, committee membership and leadership listings, as well as all OLS publications.

During voting sessions, the LIBR staff track and input all legislative activity directly from the floor of each chamber. LIBR staff operate the Electronic Voting System in the Senate as well. The office staffs the General Assembly Bill Room on legislative days and provides assistance to the Clerk of the General Assembly in the chamber during voting sessions.

The LIBR prints and distributes copies of bills, resolutions, committee statements, fiscal notes and recently enacted chapter laws. The Legislative Information and Bill Room also provides legislators with copies of State audit reports filed with the Legislature; public hearing transcripts; copies of the *Journal of the Senate*, *Minutes of Assembly* and *Laws of New Jersey*; and maps of New Jersey's legislative and congressional districts. Members of the general public may obtain these items by telephone, in person, through the mail or via the Internet. These documents are available to the public free of charge, with the notable exception of the bound volumes.

The LIBR is located in Room B1 of the State House Annex. The phone number is (609) 847-3905, or toll free in NJ at (800) 792-8630. Hearing impaired citizens can utilize NJ Relay by dialing 711. Staff responds to e-mail inquiries sent to leginfo@njleg.org.

LEGISLATIVE CALENDAR AND LEGISLATIVE DIGEST

The Legislative Information and Bill Room prepares a calendar of legislative events, which is available free of charge. Copies may be obtained from the LIBR either in person or by mail on a subscription basis. Included in the *Legislative Calendar* are announcements of the date, time and location for Senate and General Assembly sessions; meetings of standing reference committees and legislative commissions; and public hearings. Session information also includes agendas and board lists.

The LIBR also produces the *Legislative Digest* the day after each session of either House. The *Legislative Digest* provides up-to-date information on legislative activity including bill status, such as bills introduced, bills passed, bills amended by committee, and bills signed into law since the last session. Single copies are available free through the LIBR.

Both the *Legislative Calendar* and the *Legislative Digest* are also available on the Legislature's Web site. The *Calendar* is updated and reposted on the Web site as information changes.

PUBLICATIONS AND OUTREACH MATERIALS

The OLS Office of Public Information produces numerous publications geared toward legislators and their staffs, State House visitors and

the public-at-large. Legislators receive hard copies of new items or editions as soon as they are available. Most publications are also available electronically through the Legislature's Intranet and Internet sites. Additional supplies can be obtained by contacting the Office of the Director of Public Information. The list of items currently available from the office includes:

- Chamber seating charts
- *Glossary of Legislative Terms*
- *How a Bill Becomes a Law in New Jersey: A Student's Guide to the Legislative Process*
- *Honoring a Constituent: A Guide to Preparing Ceremonial Resolutions, Commendations and Citations*
- *Information for Visitors with Special Needs* (available in large-print)
- *Legislator Picture Book*
- Locator maps of the Legislative State House and Annex
- *Making Your Voice Heard: Understanding the Public's Role in the Legislative Committee Process*
- *New Jersey Legislature Pastimes and Trivia*
- *New Jersey Legislature Roster of Members* (available in large-print)
- *New Jersey State House Activity Book* (available in Spanish)
- *New Jersey State House Educational Tours and Programs*
- *OLS Guide to Services*
- *OLS Staff Directory* (published biannually)
- *The Legislative Process in New Jersey* (available in large-print and Spanish)
- *The State House Today* (available in large-print)
- *Visit New Jersey's Capitol Complex* (available in large-print)
- *Visit the New Jersey State House* (available in large-print)

OLS LIBRARY

Located in Room 101-103 of the State House Annex, the Office of Legislative Services Library provides research, library and information services to the New Jersey State Legislature, its officers, committees, commissions, individual members and their staff.

The OLS Library maintains an extensive collection of legal, legislative and government documents; general research, newspaper, periodical and reference resources. The collection includes statutes, bills, executive documents, court decisions and administrative regulations from the 50 states and Federal government. The Library also maintains a historical collection of archival documents and artifacts related to the history of the New Jersey State Legislature. Staff can obtain virtually any information, report, journal and newspaper article for legislative research needs. Queries can be made in person, by phone (609-847-3160), or e-mail to

Library staff.

Professional library staff can access several online databases, statistical resources and journal indexes for legislative staff. They can access millions of full-text articles and reports from hundreds of online databases. Legislators and staff are welcome to search the online databases in the Library or to contact staff with requests. Search results will be e-mailed.

On a daily basis, the Library digitally clips articles of interest to the New Jersey Legislature from more than 25 online news sources. The news clips are available online through the OLS Intranet to district offices, OLS and partisan staffs. Articles are permanently accessible through an online database and indexed by subject, date, and newspaper. Clipping service archives begin in 1984.

A database of statutorily required reports to the Legislature, and records receipt and compliance data is also available.

PARTISAN STAFF

Each party in each House is served by a full-time staff that operates under the direction of the party leadership. These partisan staffs provide research, policy, public relations and administrative services for their respective party leaders, committee chairs and individual legislators. Each of the four partisan staffs is headed by an Executive Director. All partisan staff offices are located in the South Addition of the State House.

Senate Majority Office Executive Director: Kevin Drennan,
State House South Addition, level A, (609) 847-3700

Senate Republican Office Executive Director: Christine Shipley,
State House South Addition, level B, (609) 847-3600

Assembly Majority Office Executive Director: Anthony J. Cimino,
State House South Addition, level B, (609) 847-3500

Assembly Republican Office Executive Director: Mark H. Duffy,
State House South Addition, level A, (609) 847-3400

LEGISLATIVE ADMINISTRATIVE OFFICERS

The Secretary of the Senate and Clerk of the General Assembly are the administrative officers of their respective Houses. Their duties include reading all bills and resolutions on first, second and third readings; all communications addressed to their respective Houses; recording the votes on all bills and resolutions; and supervising the work of certain employees of their Houses.

Secretary of the Senate: Jennifer A. McQuaid, (609) 847-3915
Clerk of the General Assembly: Dana M. Burley, (609) 847-3115

SESSION DAY STAFF

Session day staff consists of personnel who perform functions related to the conduct of a session, such as keeping the official record of proceedings, processing bills and official messages, and maintaining the security and decorum of the Houses. The session day staff operates under the jurisdiction of the Secretary of the Senate or the Clerk of the General Assembly, and may include the sergeants-at-arms, calendar clerks, journal clerks, bill clerks, supervisors of bills, and other assistants.

DISTRICT OFFICE STAFF AND LEGISLATIVE AIDES

An allowance is provided to each legislator for the hiring of staff to operate a district office and assist the legislator in constituent and policy work. The amount of funds and the procedures governing the hiring of staff and the conditions of employment are dependent on annual appropriations and rules established by the presiding officers. Legislators are prohibited from employing relatives in their district offices. Payroll and other personnel management functions are handled by the legislative administrative officers in the two Houses.

LOBBYING BY LEGISLATIVE STAFF

The Legislative Activities Disclosure Act of 1971 (N.J.S.A. 52:13C-29) forbids salaried employees of the Legislature to engage in lobbying. In the words of the Act, they may not “seek, receive or agree to receive, directly or indirectly, compensation, in money or any thing of value, for influencing or purporting to influence legislation.” Violation of this prohibition is a crime of the fourth degree.

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OTHER PARTICIPANTS, MATERIALS AND AIDS



THE EXECUTIVE BRANCH

The Governor is the chief executive officer of the State. The Governor's Office – which includes the Lieutenant Governor, the Chief of Staff and other senior officials – advises the Governor on legislative policy and acts as a liaison between the executive departments, the Governor and the Legislature.

Governor's Office

225 West State Street
P.O. Box 001, Trenton, NJ 08625-0001
(609) 292-6000

As the principal advisor to the Governor on legal and policy matters, the Counsel to the Governor consults with the Legislature on the Governor's legislative proposals, provides information about the Administration's position on bills and resolutions, reviews judicial appointments, and provides information on the policies of executive departments.

The Office of the Chief of Staff, together with the Governor's Counsel, is responsible for the promotion of the Governor's legislative proposals.

The New Jersey Constitution was amended in 2005 to create the office of Lieutenant Governor. Elected with the Governor, the Lieutenant Governor serves as Governor in the event of death, resignation or removal of the elected Governor until a new Governor is elected. The Lieutenant Governor also serves as Governor if the Governor is out of the state or is unable to discharge the duties of the office. In the event of simultaneous vacancies in both the offices of Governor and Lieutenant Governor resulting

from any cause, the President of the Senate becomes Governor until a new Governor or Lieutenant Governor is elected and qualifies. In the event that there is a vacancy in the office of Senate President, or the Senate President declines to become Governor, then the Speaker of the General Assembly becomes Governor until a new Governor or Lieutenant Governor is elected and qualifies.

Currently, the Executive Branch consists of fifteen principal departments, listed below:

Department of Agriculture

John Fitch Plaza
P.O. Box 330, Trenton, NJ 08625-0330
(609) 292-3976
www.nj.gov/agriculture

**Office of the Attorney General
Department of Law and Public Safety**

Hughes Justice Complex
25 Market Street
P.O. Box 080, Trenton, NJ 08625-0080
(609) 292-4925
www.nj.gov/oag

Department of Banking and Insurance

20 West State Street
P.O. Box 325, Trenton, NJ 08625-0325
(609) 292-7272
www.state.nj.gov.us/dobi

Department of Children and Families

50 East State Street
P.O. Box 729, Trenton, NJ 08625-0729
(609) 888-7900
www.state.nj.gov/DCF

Department of Community Affairs

101 South Broad Street
P.O. Box 800, Trenton, NJ 08625-0800
(609) 292-6420
www.nj.gov/dca

Department of Corrections

Whittlesey Road
P.O. Box 863, Trenton, NJ 08625-0863
(609) 292-4036
www.nj.gov/corrections

Department of Education

100 River View Plaza
P.O. Box 500, Trenton, NJ 08625-0500
(609) 292-4469
www.state.nj.gov/education

Department of Environmental Protection

401 East State Street
7th Floor, East Wing
P.O. Box 402, Trenton, NJ 08625-0402
(609) 292-2885
www.nj.gov/dep

Department of Health

John Fitch Plaza
369 South Warren Street
P.O. Box 360, Trenton, NJ 08625-0360
(609) 292-7837
www.nj.gov/health

Department of Human Services

Capital Place One
222 South Warren Street
P.O. Box 700, Trenton, NJ 08625-0700
(609) 292-3717
www.nj.gov/humanservices

Department of Labor and Workforce Development

John Fitch Plaza
P.O. Box 110, Trenton, NJ 08625-0110
(609) 659-9045
www.lwd.dol.state.nj.us/labor

Department of Military and Veterans Affairs

101 Eggerts Crossing Road
P.O. Box 340, Trenton, NJ 08625-0340
(609) 530-4600
www.nj.gov/military

Department of State

225 West State Street
P.O. Box 300, Trenton, NJ 08625-0300
(609) 777-0884
www.nj.gov/state

Department of Transportation

1035 Parkway Avenue
P.O. Box 600, Trenton, NJ 08625-0600
(609) 530-3536
www.nj.gov/transportation

Department of the Treasury

225 West State Street
P.O. Box 002, Trenton, NJ 08625-0002
(609) 292-6748
www.nj.gov/treasury

LEGISLATIVE LIAISONS

Most executive departments employ a staff member as a liaison between the department and the Legislature. The role of a legislative liaison is to report to the head of the department any activities of the Legislature that affect the department, and to provide the Legislature with technical expertise and information about the department.

THE JUDICIAL BRANCH

The Judicial Branch of New Jersey's government is responsible for the operation of the State's court system and the regulation of attorneys. The Judicial Branch is organized into 15 vicinages encompassing the 21 counties in the State of New Jersey; and the Administrative Office of the Courts (AOC), which provides administrative services to the courts. Court operations include the Supreme Court; Appellate, Criminal, Civil and Family Divisions of the Superior Court; Tax Courts; Probation Services; and Court Reporting Services. The Judicial Branch also provides oversight, supervision and technical support to over 500 locally funded municipal courts throughout the State.

The Chief Justice of the New Jersey Supreme Court serves as the administrative head of the court system. The Chief Justice directs court policy and appoints special committees to investigate problems and issues concerning the administration of the judicial system. The Administrative Office of the Courts serves as the administrative arm of the Chief Justice.

ADMINISTRATIVE RULES

State agencies issue rules and regulations to implement legislative enactments in accordance with the provisions of the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.) and the procedural requirements established by the Office of Administrative Law, the executive agency that oversees the rule-making process. The Legislature may invalidate administrative rules by concurrent resolution, pursuant to the N.J. Constitution, Art. V, Sec. IV, par. 6.

An agency must publish a proposed rule at least 30 days in advance of its adoption in order to give the public an opportunity to offer comments on the rule. The proposal must be accompanied by an explanation of the rule and a statement of its expected social and economic impact.

Notices of proposed and adopted rules are officially published in the *New Jersey Register*, which is issued twice a month by the Office of Administrative Law. Adopted rules are codified and published in the *New Jersey Administrative Code*, a multi-volume series in a loose-leaf format that presents the entire set of rules in effect for each agency.

LOBBYISTS AND GOVERNMENTAL AFFAIRS AGENTS

Governmental affairs agents, on behalf of lobbyists, communicate with the Legislature and the Governor to promote the enactment or defeat of legislation, and provide information on issues in which they have an interest.

Governmental affairs agents who are paid professionals or who regularly act on behalf of their employers to influence the course of legislation are subject to regulation under the Legislative and Governmental Process Activities Disclosure Act (N.J.S.A. 52:13C-18 et seq. as amended and supplemented).

Governmental affairs agents must register with the Election Law Enforcement Commission, disclosing those for whom they act and the legislation in which they are interested. Any agreement by which the amount of their compensation depends upon the success of their efforts is illegal. They are required to make quarterly reports of their activities in attempting to influence legislation, and these reports are public documents. Those who earn \$500 or more in a calendar quarter are required

to preserve their financial records and make them available to the Commission in any investigations into violations of the Act.

If they raise or spend more than \$2,500 a year to influence legislation, governmental affairs agents must report to the Election Law Enforcement Commission the sources of money received and the objects of expenditures. Pursuant to N.J.S.A. 52:13D-24.1, legislators and legislative staff may not accept things of value from lobbyists or governmental affairs agents that total more than \$250 per year from a single source unless authorized by N.J.S.A. 52:13D-24. If, on behalf of an individual legislator or a member of legislative staff, an expenditure of more than \$25 is made in one day or expenditures totaling more than \$200 are made in one year, the legislator or staff must be identified by name in the report. Similarly, if the total expenditures for a specific occasion exceed \$100, the date, nature, amount and recipient of the expenditure must be identified. All such reports also are required to be sent to the legislator or staff and include a description of the expenditure, the amount, the date provided, and to whom it was paid.

The Election Law Enforcement Commission enforces the Act. When it receives evidence of violations of the Act, the Commission is authorized to initiate administrative proceedings and to impose civil penalties not exceeding \$1,000 upon violators. Criminal violators are referred to the Attorney General.

The Act also requires that governmental affairs agents wear identification badges when present in the State House, State House Annex, or other legislative committee locations for the purpose of influencing legislation.

Not all persons who lobby are subject to regulation under the Act. State or local government officials acting in their official capacities, certain unpaid representatives of nonprofit organizations, and persons whose activity in influencing legislation is infrequent are exempt from the registration, reporting and name-tag requirements.

Under the Act, anyone who knowingly issues any false communication relating to legislation to the Legislature or the Governor is guilty of a crime of the fourth degree, which is punishable by imprisonment for up to 18 months, a fine of up to \$7,500, or both.

The following persons are also guilty of a crime of the fourth degree: any salaried legislative employee who acts as a governmental affairs agent; any governmental affairs agent who fails to register or to file required reports; any person who knowingly hires an unregistered governmental affairs agent; any governmental affairs agent who represents an interest adverse to that of his or her employer without obtaining the employer's consent; and any governmental affairs agent who attempts to secure introduction of a legislative proposal in order to be hired to oppose it.

Civil penalties also apply for certain statutory violations in this area.

STATE HOUSE PRESS

Press coverage of legislative activity varies, sometimes drawing additional media attention. Staff within the partisan offices typically assist their members in managing press relations. The following list includes only those entities which routinely report on legislative activity.

Asbury Park Press	(732) 922-6000
Bloomberg News	(800) 955-4003
Burlington County Times	(609) 871-8000
Courier-News	(908) 243-6600
Courier Post Online.com	(856) 663-6000
Daily Record	(973) 428-6200
Express Times	(610) 258-7171
Herald News	(973) 383-1500
Home News Tribune	(732) 246-5500
New Jersey 101.5.com	(609) 359-5300
NJBiz	(732) 246-7677
NJSpotlight	(609) 943-4049
South Jersey Times	(856) 845-3300
The Jersey Journal	(201) 653-1000
The New York Times	(212) 556-1234
The Philadelphia Inquirer	(609) 989-8990
The Press of Atlantic City	(609) 396-9472
The Record	(973) 569-7166
The Star-Ledger	(609) 836-4906
The Times (Trenton)	(609) 989-5454
The Trentonian	(609) 989-7800
The Wall Street Journal	(800) 568-7625
WBGO.org	

The phone number for NJTV is (800) 882-6622. Other potential television broadcasters include New York and Philadelphia affiliates for ABC, CBS, Fox, and NBC; News 12 New Jersey, (732) 346-3270; and UPN 9 New York (WWOR), (201) 330-2128.

In addition to the aforementioned, radio stations 1010 WINS (212) 830-3741; WABC 770 (212) 613-3800; WCBS (212) 314-9200; the local public radio affiliate WNJN FM, (215) 351-1200; and others may cover legislative activity.

JOURNAL OF THE SENATE AND MINUTES OF ASSEMBLY

The *Journal of the Senate* and *Minutes of Assembly* make up the official and

permanent record of the Legislature's actions. The rules of each House require that certain actions be recorded in the *Journal* and *Minutes*, such as the votes of the members on floor amendments and on the final passage of bills, joint resolutions and concurrent resolutions; the adoption or rejection of resolutions requiring no concurrence or joinder by the other House; the vote on overriding a Governor's veto of a bill; and the Governor's objections to any bill returned to either House for consideration.

Floor debate is not transcribed in the *Journal of the Senate* or *Minutes of Assembly*, and in this regard, New Jersey has no counterpart to the *Congressional Record*.

FITZGERALD'S LEGISLATIVE MANUAL

Each member of the Legislature receives the *Manual of the Legislature of New Jersey*, commonly referred to as *Fitzgerald's Legislative Manual*. The manual, authorized by statute (N.J.S.A. 52:12-1 et seq.), is a private publication issued annually. Additional copies may be obtained through the partisan offices.

The *Legislative Manual* contains a wealth of information about the State of New Jersey and its government, including a brief history of New Jersey; the text of the Federal and State Constitutions; biographies of the Governor, Lieutenant Governor, members of the Senate and General Assembly, and cabinet officials; descriptions of State departments and agencies; lists of members and former members of the Legislature, former governors, and members of the Judiciary; and State census figures and election returns by counties, municipalities and wards.

STATE CONTACT INFORMATION

In addition to the Legislature, New Jersey's Executive and Judicial Branches also maintain Web sites, accessible at www.state.nj.us and www.judiciary.state.nj.us, respectively. Among other information, the Executive site includes addresses and telephone numbers for all departments and agencies, some with complete staff listings. Similarly, the Judiciary site features numerous judiciary directories.

STATE LIBRARY

185 West State Street
Trenton, New Jersey 08625
www.njstatelib.org

(An underground tunnel connects the State House to the Annex, and the parking garage connects the Annex to the State Library.)

Telephone Numbers:

Information	(609) 278-2640
General Reference	ext. 103
Renewals/Circulation	ext. 104
Law Library	ext. 102
Genealogy	ext. 161
U.S. Documents	ext. 166

Hours: Mon.–Fri., 8:30 a.m. to 5 p.m.

Legislators and their staffs may borrow material from the State Library. Requests may be made in person, by mail, or by telephone.

The State Library provides legislative reference information and information on subjects of general interest. It is the official depository for New Jersey documents and a partial depository for Federal and other states' documents.

STATE ARCHIVES

225 West State Street
Trenton, New Jersey 08625
www.nj.gov/state/archives

Telephone Number: (609) 292-6260

Hours: Mon.–Fri., 8:30 a.m. to 4:30 p.m.

The State Archives serves as the official repository of all colonial and State government records of enduring historical value, including records of legislative, judicial and executive activities dating back to the late 17th century.

PROFESSIONAL ORGANIZATIONS

Members of the New Jersey Legislature and their staff may avail themselves of the programs and services of the National Conference of State Legislatures (NCSL) and the Council of State Governments (CSG). Both organizations are nonpartisan and offer policy research and administrative support resources, host meetings and conferences, and provide training and networking opportunities. NCSL and CSG advocate on behalf of states' interests at the federal level. Involvement in either organization can be based on specific policy interests and/or geographic regions. More information is available at their Web sites: www.ncsl.org and www.csg.org.

ORGANIZATION OF THE LAWS OF NEW JERSEY

In New Jersey, the statutes are classified in two ways: chronologically and topically. Every act is identified by its sequential order of enactment, and most are also cross-indexed by subject matter. (Laws of a temporary or private nature are not given a topical index number.) This dual system permits one to review each law as enacted in its entirety and also to compare sections of different statutes that deal with the same topic.

Chronological Arrangement

The acts of each legislative year are numbered in their consecutive order of enactment. Each act is called a Chapter Law (c.) of the year of adoption. For example, 179 bills became law in the 2000 legislative session; the first is cited as Chapter 1 of the laws of 2000 and the last as Chapter 179 of the laws of 2000.

The year of a Chapter Law refers to the legislative year in which it gains final approval. This should not be confused with the calendar year in which it is introduced as a bill or signed into law. These dates may differ because:

1. The legislative year varies somewhat from the calendar year and
2. bills carry over from the first to the second year of each two-year legislative term.

The Chapter Laws are so named because each law is regarded as a chapter in the annual book of laws that is published following each yearly session. This collection of Chapter Laws is officially known as the Pamphlet Laws (P.L.), a term derived from the older practice of publication of each act in pamphlet form prior to the issuance of the bound volume(s) of the entire year's legislation. The official references to the first and last acts of 2000 as they appear in the Pamphlet Laws are: P.L. 2000, c.1 and P.L. 2000, c.179. (Note that in federal legislation, the abbreviation P.L. stands for Public Law.)

The Pamphlet Laws are bound and published in the annual volume of session laws titled *Laws of New Jersey*. Sometimes it is necessary to issue more than one volume in order to print all of the laws enacted during a session.

The Pamphlet Laws are more than just a convenient source for locating the acts of each legislative year. They represent the official source for the text of a Chapter Law. Other reference publications also provide the text of New Jersey's statutes, but they are unofficial versions of the law.

There is often a substantial time lag between the enactment of a law and its printing as a Pamphlet Law. For this reason, the Office of Legislative Services also issues an advance copy of each law as it appears in its final bill form. Each copy, called an Advance Law, is simply a reproduction of the version of the bill that was enacted, complete with all the symbols that are applied to the bill during the legislative process. These

symbols, such as brackets to indicate deletions, underlining to designate new language or committee or floor amendments, and superscript numerals to show changes in the bill since its introduction, are later eliminated when the text is reset for printing as a Pamphlet Law.

Topical Arrangement

The laws are classified by subject matter in accordance with the Revised Statutes (R.S.). The Revised Statutes were adopted on December 20, 1937, and provided a codification, revision and rearrangement of all New Jersey Law. Prior to this date, the piecemeal enactment of the statutes was done without regard to any unified or integrated code of reference. As can be imagined, this created much confusion and uncertainty as to the status of the law on any particular topic.

The five volumes of the Revised Statutes were enacted en masse as one act, Chapter 188 of the laws of 1937. They constituted the entire body of State law of a general and permanent nature as of the day of enactment. Any previous law not included in the Revised Statutes or saved from repeal was no longer in effect as of December 20, 1937.

While most of the material presented in the Revised Statutes was revised and codified, some was not. Hence, a distinction is made between laws that were revised and those that were compiled. This differing treatment did not affect the validity of the statutes in either category.

Laws that were revised were rewritten and enacted anew as part of the Revised Statutes. The Pamphlet Law from which a law was derived – that is, the original source of a law – was repealed. The Revised Statutes became the official source for the text of the revised laws.

For certain technical or practical reasons, some previous laws that were to be continued in effect could not readily be incorporated into the revised format. These laws were merely reprinted in their original form and compiled in the Revised Statutes as acts saved from repeal. The official source for the text and citation of these compiled laws remained the Pamphlet Laws in which they were originally enacted. Their citation in the Revised Statutes was for reference purposes only.

The Revised Statutes established the modern framework for the topical indexing of the statutes. The new arrangement placed the entire body of law into 58 general subject categories, known as Titles, plus an Appendix of temporary and emergency laws that were not well-suited for inclusion under any specific topic.

The Titles of the Revised Statutes are organized alphabetically by subject and numbered consecutively from 1 through 58. The Appendix is cited as Appendix A. Each of these Titles is further divided into numbered

Chapters, which in turn are subdivided into numbered sections. This system provides each section of law with a unique composite reference number. The citation R.S. 15:1-19, for example, refers to the 19th section of Chapter 1 of Title 15 of the Revised Statutes. (The chapters within titles should not be confused with references to the Chapter Laws.)

It was the recommendation of the commission which drafted the Revised Statutes that “the integrity of the revision be preserved by fitting all subsequent legislation into it.” This wish has been honored over the years as the numerical index has been expanded to accommodate new Titles, Chapters and sections. In so doing, however, a distinction has been maintained, with rare exceptions, between those units of the index that were established as part of the Revised Statutes, and those Titles, Chapters and sections that have been added since the original enactment of the Revised Statutes.

New laws which constitute an expansion of the original index are not cited as part of the Revised Statutes. Instead, they are listed as either part of the New Jersey Statutes (N.J.S.); or as uncodified parts of the Chapter Laws, which are compiled in the topical index by a Compilation number (C.). In essence, these three forms of abbreviation denote the vehicle by which a section of law was enacted. The particular abbreviation, however, does not affect the numerical placement of a section in the topical index. For example, R.S. 54:43-5 is followed by C. 54:43-6, and N.J.S. 18A:66-58 is followed by C. 18A:66-58.1.

The New Jersey Statutes constitute the new and revised Titles that have been enacted since the adoption of the Revised Statutes. The purpose of a new Title is either:

1. to add a new subject category to State law, such as the Income Tax or the Uniform Commercial Code; or
2. to revise and replace an existing Title of the Revised Statutes, such as the Titles dealing with Education or the Criminal Code.

Except for Title 59, all other Titles of the New Jersey Statutes are designated by number and letter, as in Titles 2C, 12A and 17B. The official text for a section of the New Jersey Statutes will be found in the Chapter Law in which it was enacted.

In the case of both the Revised Statutes and the New Jersey Statutes, the index numbers assigned to each section are contained within the legislation and officially enacted into law. In the case of a law that does not amend a section of the Revised Statutes or New Jersey Statutes, but rather sets forth new material, the index number is assigned by the Legislative Counsel in the Office of Legislative Services after the law is enacted. Thus these numbers are considered as “Compiled” numbers, and carry the prefix C.

Cumulative Table of Contents

As previously described, New Jersey's laws are published in official form in the Revised Statutes of 1937 and in the subsequent annual editions of the Chapter Laws. The Revised Statutes provide topical displays of all laws in existence since 1937; the Chapter Laws are arranged chronologically. There is no official publication that integrates the Revised Statutes and the Chapter Laws into a current topical format.

The topical arrangement of the laws is maintained only in outline form through the assignment of index numbers to each section of law. These numbers, bearing the prefix of either R.S., N.J.S. or C., are listed in numerical sequence in the *Cumulative Table of Contents*. This table, revised periodically as each new law is enacted, serves as a guide to the location of the text of every section of law, and is available through the Legislative Information System.

Two entries from the *Cumulative Table* illustrate how the index works:

R.S. 4:13-2 amended 1966, c.286, s.2

C. 4:13-2.1 1966, c.286, s.3; amended 1971, c.324, s.1

The first entry carries an R.S. designation. This indicates that it was enacted as part of the Revised Statutes in 1937. The original text is located in Title 4 of the books of the Revised Statutes. This section of law was later amended in 1966. To obtain the wording of the section as it now exists, one would turn to the Pamphlet Law volume for 1966 and locate section 2 of Chapter 286. It is important to note that this section of law still bears the R.S. designation, even though it has been amended.

The second entry is a section of law that was added by Chapter 286 of 1966. Because it was substantively related to the material in R.S. 4:13-2, the Legislative Counsel, who assigns compilation numbers, gave this section the Compilation number C. 4:13-2.1. This section of law was later amended, and the current text of the law is found under Chapter 324 of the laws of 1971.

It is critically important to work with the most current version of the text of a section of law. In drafting amendments to existing law, it is imperative that the bill incorporate the most recent version of the section being amended. The failure to do so could result in the inadvertent repeal of existing language or the enactment of language that had previously been deleted from the law.

New Jersey Statutes Annotated

The full display of all New Jersey law in proper topical arrangement is found in unofficial form in the *New Jersey Statutes Annotated* (N.J.S.A.). A commercial product of West Publishing, this series of books provides

ready access to New Jersey laws and also contains annotations to court decisions, Attorney General opinions, legislative committee statements, cross references to other sections of law, and other reference material. All sections of law are identified with the prefix N.J.S.A. instead of a mix of R.S., N.J.S. or C. This convenient format makes N.J.S.A. a valuable reference source for lawyers, judges, legislators and the public.

The volumes are updated annually with the publication of supplemental “pocket parts,” which contain the text of any revisions in the law enacted during the past legislative year. In addition, West Publishing periodically issues annotated copies of the chapter laws in the *West’s New Jersey Session Law Service*.

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BENEFITS AND PRACTICAL INFORMATION

SALARY

The annual salary of a member of the Senate or General Assembly is \$49,000. The President of the Senate and the Speaker of the General Assembly each receive an additional annual payment equal to one-third of the regular salary. This extra compensation is specified in the State Constitution in recognition of the additional duties undertaken by the presiding officers.

The Constitution does not set the actual salary. The amount is established by law and may be changed from time to time, provided that a change may not take effect during the term of the Legislature that enacted it.

Senators receive their salaries either in monthly or semi-annual installments. Assembly members are paid either bi-weekly or monthly. Deductions are taken for Federal and State taxes, Social Security and miscellaneous items.

EXPENSE ALLOWANCE

In general, legislators do not receive expense allowances, nor are they reimbursed for costs incurred in the conduct of official business—such as travel or meals while attending legislative sessions or committee meetings. The State Constitution prohibits the payment to legislators of any “allowance or emolument” other than the annual salary.

Certain payments to or on behalf of legislators for office and staff expenses, travel to conferences, and health and retirement benefits have been ruled permissible in court decisions and Attorney General opinions. Some legislators may also be eligible for Federal tax deductions for business expenses incurred when attending legislative sessions or committee meetings.

TRAVEL EXPENSES

A legislator may on occasion be selected by the presiding officer to attend a national or regional convention, conference or seminar. Expenses for travel, food, accommodations and registration fees may be provided, by reimbursement to the legislator or by direct payment to the vendor.

TIME OFF FOR SESSIONS

A legislator who is employed by a county, municipality or agency thereof is entitled to time off from his or her duties as such employee, without loss of pay, when he or she attends sessions of the Legislature and hearings or meetings of legislative committees or commissions (N.J.S.A. 40A:9-7.2). A similar provision applies to legislators employed by public educational institutions (N.J.S.A. 18A:6-8.1).

TAX DEDUCTIONS FOR LEGISLATIVE BUSINESS

There are two types of Federal tax deductions for unreimbursed expenses for which legislators may be eligible. Expenses for legislative “business purposes,” such as travel fares, telephone calls and local transportation expenses, may be claimed if they can be documented.

In addition, the tax law provides a specific per diem tax deduction for certain State legislators for living expenses incurred away from home on legislative business. This deduction, which is contained in section 162(h) of the Internal Revenue Code, is available only to legislators whose residence (tax home) in their districts is more than 50 miles from the State Capitol building. Under this provision, a per diem amount may be deducted for each legislative day without itemization. A legislative day is defined as a day on which the Legislature is in session or a day on which the legislator is recorded as present at a committee meeting, plus, in certain cases, intervening days.

The per diem deduction is subject to change, as the per diem is set at the larger of either (a) the Federal per diem allowance for Federal employees on business in the State Capital, or (b) the State per diem for State employees when traveling on business, up to 110 percent of the Federal per diem.

For authoritative sources of federal tax information, reliance should be placed on the text of Federal law, and the regulations and rulings and interpretations of the IRS. In addition, the Office of Legislative Services maintains current information on the per diem amount and other related federal tax data.

BENEFITS

Legislators may qualify for certain State employee benefit programs, including health insurance and a pension, depending upon when they first entered into legislative service. Staff within the Office of the Secretary of the Senate and Clerk of the General Assembly provide assistance with these programs to their respective members.

LEGISLATIVE IMMUNITY

The Constitution provides legislators with certain limited immunities. Members are free from arrest while attending a session or when traveling to and from a session (except in cases of treason or high misdemeanor, now classified as a crime of the third degree or greater). Legislators also are immune from questioning as to any statement or remarks offered during any session or committee meeting. Pursuant to N.J.S.A. 47:1A-1.1, public access to constituent records and records prepared for use by a legislator in the course of official duties is not authorized under the Open Public Records Act (OPRA).

The Attorney General has ruled that a legislator's immunity does not extend to the issuance of a summons for a traffic violation while going to or returning from a legislative session.

DISTRICT OFFICES AND SUPPLIES

The State pays for the rental of a district office for each legislator and provides certain furnishings, equipment and office supplies. The amount of funds available for this purpose is dependent upon an annual appropriation. The Joint Rules Governing Legislative District Offices are approved by the President of the Senate and the Speaker of the General Assembly. The Joint Rules set forth the procedures for the establishment of district offices, prescribe the permissible uses of the offices, and specify the nature of the furnishings, equipment and supplies. The program is administered by the Office of Legislative Services' Administrative Unit which can be reached by calling (609) 847-3355.

Upon selection of a suitable office by a legislator, the Office of Legislative Services negotiates a lease with the owner of the property. The State makes rent payments directly to the owner. No remuneration is made to legislators, nor may legislators establish a district office for State rental in any property in which they hold a proprietary interest.

The joint rules specify that the district offices are to be used for the conduct of legislative business and that the "conduct of campaign or par-

tisan political party activity in or from district offices. . . is prohibited.”

Legislative delegations from the same district are encouraged to establish a combined district office. Such an arrangement may provide legislators with increased office capacity, productivity and efficiency at a reduced cost to the State.

The amount of funds available for district office services and the specific nature of the elements in the program will vary from time to time. In the past, payment has been provided for, among other items, rent, utilities, custodial service and telephone service. Furnishings have included standard office furniture, computer equipment, telephone equipment, and a multifunctional device that serves as a copier, printer and fax machine. All furniture and equipment remain State property. No item supplied by the State is eligible for purchase by a legislator, nor may any item owned by a legislator be purchased by the State under this program.

Legislators also receive a supply of stamps, stationery and business cards through the Secretary of the Senate or Clerk of the General Assembly.

LICENSE PLATES

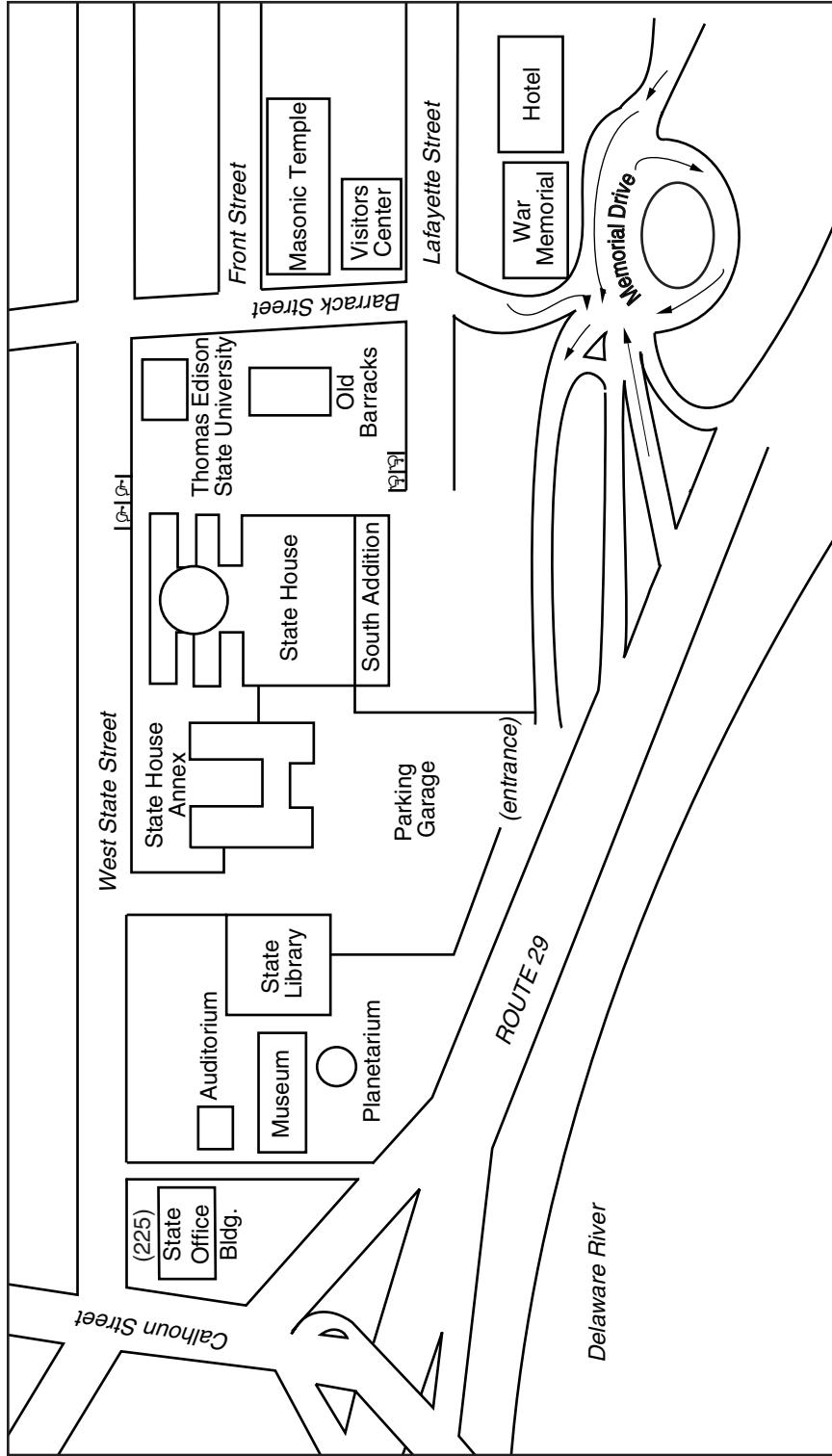
A member of the Legislature is entitled to purchase special legislative license plates and State seals to affix to the plates. To obtain a set of license plates, which costs \$30, contact:

The Motor Vehicle Commission Special Plates Unit
225 East State Street
P. O. Box 015, Trenton, NJ 08666-0015
Telephone: (609) 292-6500 ext. 5061
(This number is reserved for members of the Legislature.)

Seals may be obtained by contacting:
Distribution & Support Services
Attention: Heather Farina / GSA
P.O. Box 234
Trenton, NJ 08625-0234
Telephone: (609) 530-5770

Senators may also request courtesy license plates for their constituents from the Special Plates Unit of the Motor Vehicle Commission. A member of the General Assembly must request these plates through his or her senator. Courtesy plates consist of three letters and numbers one through twenty.

CAPITOL COMPLEX



BILL HISTORY ABBREVIATIONS

Abbreviation	Action/Description
1RA	1st Reading Assembly
1RAG	1st Reading Concurrence w/Governor's Recommendations
1RS	1st Reading Senate
1RSG	1st Reading Concurrence w/Governor's Recommendations
2RA	2nd Reading in the Assembly
2RAC	2nd Reading in the Assembly on Concurrence
2RAG	2nd Reading in the Assembly on Concurrence w/Governor's Recommendations
2RS	2nd Reading in the Senate
2RSC	2nd Reading in the Senate on Concurrence
2RSG	2nd Reading in the Senate on Concurrence w/Governor's Recommendations
A	Assembly
AA	Assembly Floor Amendments
AA 2RA	Assembly Floor Amendments, 2nd Reading
ACA	Assembly Committee Amendments
ACS	Assembly Committee Substitute
APP	Approved
APP W/LIV	Approved With Line Item Veto
AS	Assembly Floor Substitute
AS 2RA	Assembly Floor Substitute, 2nd Reading
ASM COPY ON DESK	Constitutional Amendments Placed on Desk in Assembly
AV	Absolute Veto
AV R/A	Absolute Veto, Received in the Assembly
AV R/S	Absolute Veto, Received in the Senate
AVOR	Absolute Veto Override
AVOR PA	Absolute Veto Override - Passed Assembly

AVOR PS	Absolute Veto Override - Passed Senate
AWR	Assembly Without Committee Reference
AWR 2RA	Assembly without Committee Reference, 2nd Reading
COMB/W	Combined with
COMM MEETING	For Preliminary Committee Action - to be Reported
CONCUR AA	Concur by Assembly Floor Amendments
CONCUR SA	Concur by Senate Floor Amendments
CV	Conditional Veto
CV NA	Conditional Veto, Passed Both Houses, No Action Taken by Governor
CV R/A	Conditional Veto, Received in the Assembly
CV R/A 1RAG	Conditional Veto Received in the Assembly, 1st Reading Governor's Recommendations
CV R/A 2RAG	Conditional Veto, Received in the Assembly 2nd Reading Concurrence w/Governor's Recommendations
CV R/S	Conditional Veto, Received in the Senate
CV R/S 1RSG	Conditional Veto, Received in the Senate, 1st Reading Governor's Recommendations
CV R/S 2RSG	Conditional Veto, Received in the Senate, 2nd Reading Concurrence w/Governor's Recommendations
CVOR	Conditional Veto Override
CVOR PA	Conditional Veto Override, Passed Assembly
CVOR PS	Conditional Override Passed Senate
ER	Emergency Resolution
FILE	Preliminary to be Filed with Secretary of State
FSS	Filed with Secretary of State
INT 1RA	Introduced 1st Reading in the Assembly
INT 1RA AWR 2RA	Introduced 1st Reading in the Assembly without Committee Reference, 2nd Reading
INT 1RA REF ZZZ	Introduced 1st Reading in the Assembly, Referred to
INT 1RS	Introduced 1st Reading in the Senate
INT 1RS REF ZZZ	Introduced 1st Reading in the Senate, Referred to
INT 1RS SWR 2RS	Introduced 1st Reading in the Senate without Committee Reference, 2nd Reading
LIV	Line Item Veto
LO/A	Laid Over in the Assembly
LO/S	Laid Over in the Senate
LSTA	Lost in the Assembly
LSTS	Lost in the Senate
MOTION	Motion to
NOTE	Used for Expiration Date of a Law, or Special Message
PA	Passed by the Assembly
PA PBH	Passed Assembly (Passed Both Houses)
PBH	Passed Both Houses
PH ON DESK ASM	Public Hearing Placed on Desk Assembly

PH ON DESK SEN	Public Hearing Placed on Desk Senate
PHBC REVIEWED	Reviewed by the Pension and Health Benefits Commission
PS	Passed by the Senate
PS PBH	Passed Senate (Passed Both Houses)
PUBLIC HEARING	Public Hearing Held
PV	Pocket Veto - Bills not Acted on by Governor-end of Session
R/A	Received in the Assembly
R/A 1RA	Received in the Assembly Given 1st Reading
R/A 2RAC	Received in the Assembly, 2nd Reading on Concurrence
R/A 2RAG	Received in the Assembly on Concurrence with Governor's Recommendations
R/A AWR 2RA	Received in the Assembly without Committee Reference, 2nd Reading
R/A REF ZZZ	Received in the Assembly, Referred to
R/S	Received in the Senate
R/S 1RSG	Received in Senate, 1st Reading on Concurrence w/Governor's Recommendations
R/S 2RSC	Received in the Senate, 2nd Reading on Concurrence
R/S 2RSG	Received in the Senate, 2nd Reading on Concurrence w/Governor's Recommendations
R/S REF ZZZ	Received in the Senate, Referred to
R/S SWR 1RS	Received in the Senate without Committee Reference, 1st Reading
R/S SWR 2RS	Received in the Senate without Committee Reference, 2nd Reading
RCALL/A	Recalled from the Assembly
RCALL/S	Recalled from the Senate
RCM ZZZ	Recommitted to
RCON/V	Reconsidered Vote
REF ZZZ	Referred to
REL 2RA	Released from Committee - Given 2nd Reading
RELV ACOMM	Relieved from Assembly Committee
RELV SCOMM	Relieved from Senate Committee
REP	Reported out of Committee
REP 2RA	Reported out of Assembly Committee, 2nd Reading
REP 2RS	Reported from Senate Committee, 2nd Reading
REP REF ZZZ	Reported and Referred to
REP/ACA	Reported out of Assembly Committee with Amendments
REP/ACA 2RA	Reported out of Assembly Committee with Amendments, 2nd Reading
REP/ACA REF ZZZ	Reported out of Assembly Committee with Amendments, and Referred to
REP/ACA-ACA REF	Reported out of Assembly Committee with 2 sets of amendments and Referred to
REP/ACA-ACA/2RA	Reported out of Assembly Committee with 2 sets of amendments, 2nd Reading
REP/ACS	Reported from Assembly Committee as a Committee Substitute
REP/ACS 2RA	Reported from Assembly Committee as a Committee Substitute, 2nd Reading

REP/ACS REF ZZZ	Reported from Assembly Committee as a Committee Substitute and Referred to
REP/SCA	Reported from Senate Committee with Amendments
REP/SCA 2RS	Reported from Senate Committee with Amendments, 2nd Reading
REP/SCA-SCA/2RS	Reported out of Senate Committee with 2 sets of Amendments, 2nd Reading
REP/SCS	Reported from Senate Committee as a Committee Substitute
REP/SCS 2RS	Reported from Senate Committee as a Committee Substitute, 2nd Reading
RSND/AA	Assembly Amendment Rescinded
RSND/ACT OF	Rescind Action of
RSND/SA	Senate Amendment Rescinded
RSND/V	Rescind Vote
S	Senate
SA	Senate Floor Amendments
SA 2RS	Senate Floor Amendments, 2nd Reading
SEN COPY ON DESK	Constitutional Amendments Placed on Desk in Senate
SCA	Senate Committee Amendments
SCS	Senate Committee Substitute
SS	Senate Floor Substitute
SS 2RS	Senate Floor Substitute, 2nd Reading
SUB BY	Substituted by
SUB FOR	Substituted for
SUTC REVIEWED	Reviewed by the Sales Tax Review Commission
SWR	Senate without Committee Reference
SWR 2RS	Senate without Committee Reference, 2nd Reading
TRANS ZZZ	Transferred to
W	Withdrawn from the Files (Consideration)
WOA	Approved without Governor's Signature (Without Approval-Filed)*

* See P.L. 2007, c.94

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**Note - This index is intended to be a reference to the main section(s) containing the listed subject areas. It may not list every occurrence of these subjects.*

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