

52:18A-89.4 to 52:18A-89.7

12/28/87

LEGISLATIVE HISTORY CHECKLIST

**NJSA:** 52:18A-89.4 to 52:18A-89.7 (Div. of Investment-- companies doing business in Northern Ireland-- assure nondiscrimination)

**LAWS OF:** 1987

**CHAPTER:** 177

**Bill No:** S1986

**Sponsor(s):** McNamara and others

**Date Introduced:** March 24, 1986

**Committee:** **Assembly:** State Government

**Senate:** State Government, Federal and Interstate Relations and Veterans' Affairs

**Amended during passage:** Yes Amendments during passage denoted by asterisks.

**Date of Passage:** **Assembly:** May 21, 1987

**Senate:** May 15, 1986

**Date of Approval:** July 9, 1987

**Following statements are attached if available:**

**Sponsor statement:** Yes

**Committee statement:** **Assembly** Yes

**Senate** Yes

**Fiscal Note:** No

**Veto Message:** No

**Message on Signing:** Yes

**Following were printed:**

**Reports:** No

**Hearings:** Yes

974.90 New Jersey. Legislature. Assembly.

P418 State Government Committee.

1987 Public hearing on A.2189 and S.1986, held 3-4-87. Trenton, 1987.

See newspaper clipping file "New Jersey - Pensions - 1986 and 1987" in New Jersey Reference Department.

[OFFICIAL COPY REPRINT]

## SENATE, No. 1986

## STATE OF NEW JERSEY

INTRODUCED MARCH 24, 1986

By Senators McNAMARA, FELDMAN, McMANIMON, BASSANO, EWING, O'CONNOR, DUMONT, LIPMAN, GAGLIANO, GORMLEY, CARDINALE, LYNCH, DORSEY, CONNORS, FORAN, BUBBA, HURLEY, GARIBALDI, HIRKALA, JACKMAN, ORECHIO, CODEY, VAN WAGNER, PALLONE, COSTA, RAND, CAUFIELD, COWAN, DiFRANCESCO, STOCKMAN, RUSSO; DALTON and WEISS

Referred to Committee on State Government and Federal and Interstate Relations and Veterans Affairs

AN ACT directing the Director of the Division of Investment in the Department of the Treasury to investigate certain corporate activity in Northern Ireland.

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

1 1. The Legislature finds and declares that:

2 a. The State of New Jersey is cognizant of the unacceptable  
3 high unemployment levels in Northern Ireland and the attendant  
4 ills which arise from such a situation; and

5 b. The State wishes to support investment in Northern Ireland  
6 if certain minimal equal opportunity criteria are met.

1 2. Notwithstanding any law, rule or regulation to the contrary,  
2 the Director of the Division of Investment in the Department of  
3 the Treasury is authorized and directed to investigate \***[**by means  
4 of a survey**]**\* the extent to which United States corporations or  
5 their subsidiaries doing business in Northern Ireland, in which  
6 the assets of any State pension or annuity fund are invested,  
7 adhere to principles of nondiscrimination in employment and  
8 freedom of workplace opportunity. In making this determination,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Senate committee amendments adopted May 5, 1986.**

9 the director shall consider, without limitation, the following stand-  
10 ards for corporate activity:

11 a. Increasing the representation of individuals from underrep-  
12 resented religious groups in the workforce, including managerial,  
13 supervisory, administrative, clerical and technical jobs;

14 b. Adequate security for the protection of minority employees  
15 both at the workplace and while traveling to and from work;

16 c. The banning of provocative religious or political emblems  
17 from the workplace;

18 d. All job openings should be publicly advertised and special  
19 recruitment efforts should be made to attract applicants from  
20 underrepresented religious groups;

21 e. Layoff, recall and termination procedures should not in  
22 practice favor particular religious groupings;

23 f. The abolition of job reservations, apprenticeship restrictions  
24 and differential employment criteria, which discriminate on the  
25 basis of religion or ethnic origin;

26 g. The development of training programs that will prepare  
27 substantial numbers of current minority employees for skilled  
28 jobs, including the expansion of existing programs and the crea-  
29 tion of new programs to train, upgrade and improve the skills  
30 of minority employees;

31 h. The establishment of procedures to assess, identify and ac-  
32 tively recruit minority employees with potential for further ad-  
33 vancement;

34 i. The appointment of a senior management staff member to  
35 oversee the company's affirmative action efforts and the setting  
36 up of timetables to carry out affirmative action principles.

37 *\*The director may use information disseminated by, or surveys*  
38 *or reports of, international, national, independent, state or city*  
40 *agencies if, in the opinion of the State Investment Council, the in-*  
41 *formation, surety or report satisfies the requirements of this sec-*  
42 *tion.\**

1 3. The director shall report the results of the investigation to  
2 *\*the Governor and\** the Legislature not later than *\*[the first busi-*  
3 *ness day in]\** January *\*15\** of each year. The report shall include  
4 but not be limited to the names and addresses of all United States  
5 corporations operating in Northern Ireland in which the assets of  
6 any pension or annuity fund are invested, and the findings of the  
7 director relative to those corporations' adherence to the standards  
8 for corporate activity set forth in section 2 of this act. The director  
9 shall also report his recommendations, if any, based upon the find-  
10 ings of the investigation. The report shall be available for public

11 inspection in the office of the Clerk of the General Assembly and of  
12 the Secretary of the Senate and in the office of the director.

1 4. The director shall, where necessary, appropriate, and con-  
2 sistent with prudent standards for fiduciary practice, initiate  
3 and support shareholder petitions or initiatives requiring ad-  
4 herence by the corporation to the standards set forth in section 2  
5 of this act.

1 5. This act shall take effect \***[immediately]**\* *\*on the 90th day*  
2 *after the date of enactment\**.

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FEDERAL, INTERSTATE, INTERNATIONAL AFFAIRS  
Directs the Director of the Division of Investment to investigate  
adherence by corporations in which pension funds are invested  
to the MacBride principles.

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STATEMENT

This bill directs the Director of the Division of Investment in the Department of the Treasury to investigate by means of a survey the extent to which United States corporations doing business in Northern Ireland in which pension or annuity funds are invested adhere to the MacBride principles of nondiscrimination in employment and freedom of workplace opportunity.

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FEDERAL, INTERSTATE, INTERNATIONAL AFFAIRS

Directs the Director of the Division of Investment to investigate adherence by corporations in which pension funds are invested to the MacBride principles.

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ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1986**

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**STATE OF NEW JERSEY**

DATED: MARCH 5, 1987

The Assembly State Government Committee reports favorably Senate Bill No. 1986 OCR.

This bill authorizes and directs the Director of the Division of Investment in the Department of the Treasury to investigate the extent to which United States corporations, or their subsidiaries, which do business in Northern Ireland and in which the assets of any State pension or annuity fund are invested adhere to certain principles of nondiscrimination in employment and freedom of workplace opportunity. These principles, commonly referred to as the MacBride principles, embody standards of corporate activity with respect to the recruitment, hiring, assignment, training and promotion of minority employees and the maintenance of workplace conditions.

The director is required to report annually the result of his investigation, including findings relative to the adherence of the corporations investigated to the nondiscrimination standards, no later than January 15th of each year. Where necessary, appropriate and consistent with prudent standards for fiduciary practice, he shall also initiate and support shareholder petitions or initiatives requiring adherence by the corporation to the standards set forth in the bill.

SENATE STATE GOVERNMENT AND FEDERAL AND  
INTERSTATE RELATIONS AND VETERANS AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 1986**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: APRIL 28, 1986

The Senate State Government Committee reports favorably and with committee amendments Senate Bill No. 1986.

This bill authorizes and directs the Director of the Division of Investment in the Department of the Treasury to investigate the extent to which United States corporations, or their subsidiaries, engaging in business in Northern Ireland and in which the assets of any State pension or annuity fund are invested, adhere to principles of non-discrimination in employment and freedom of workplace opportunity. The bill details proposed standards for corporate activity, commonly referred to as the MacBride principles.

The director is required to annually report the results of the investigation and any recommendations to the Governor and the Legislature no later than January 15th of each year. He also shall, where necessary, appropriate and consistent with prudent standards for fiduciary practice, initiate and support shareholder petitions or initiatives requiring adherence by the corporation to standards set forth in the bill.

The committee amended the bill to provide that instead of conducting his own survey, the director may use information, surveys or reports of international, national, independent, state or city agencies in satisfying the requirements of this bill. It also provided for results of the investigation to be reported to the Governor as well as the Legislature by January 15, instead of the first business day in January, of each year. Finally, the committee amended the bill to take effect 90 days from the date of enactment.



# OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

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**TRENTON, N.J. 08625**

**Release:** FRI., JULY 10, 1987

Governor Thomas H. Kean today signed legislation known as the "Irish Investment Bill" which will require the State Division of Investment to investigate whether corporations doing business in Northern Ireland, with whom the State has invested pension and annuity funds, adhere to principles of nondiscrimination in employment.

S-1986/A-2189, sponsored by Senator Henry McNamara, R-Bergen and Assemblyman Walter Kavanaugh, R-Somerset requires the Director of the Division of Investment to consider standards for corporate activity in Northern Ireland commonly known as the MacBride Principles. The principles are designed to protect against anti-Catholic discrimination.

The legislation is effective on the 90th day after enactment.

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