

# 52:9M-1

## LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

**LAWS OF:** 2001                   **CHAPTER:** 369  
**NJSA:** 52:9M-1                (State Investigation Commission)  
**BILL NO:** S285/1791           (Substituted for A327)  
**SPONSOR(S):** Vitale and others  
**DATE INTRODUCED:** Pre-filed  
**COMMITTEE:**               **ASSEMBLY:** State Government  
                                  **SENATE:** Judiciary  
**AMENDED DURING PASSAGE:** No  
**DATE OF PASSAGE:**           **ASSEMBLY:** January 7, 2002  
                                  **SENATE:** October 3, 2001  
**DATE OF APPROVAL:** January 8, 2002

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL (SCS for S285/1791 enacted)**  
**S285/1791**

<b>SPONSORS STATEMENT (S285):</b> (Begins on page 2 of original bill)	Yes
<b>SPONSORS STATEMENT (S1791):</b> (Begins on page 2 of original bill)	Yes
<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b> Yes
	<b>SENATE:</b> Yes

<b>FLOOR AMENDMENT STATEMENTS:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No

**A327**

<b>SPONSORS STATEMENT:</b> (Begins on page 2 of original bill)	Yes
	Bill and sponsor's statement identical to S285

<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b> Yes
	<b>SENATE:</b> No

<b>FLOOR AMENDMENT STATEMENTS:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No
<b>FINAL VERSION (1<sup>st</sup> reprint):</b>	Yes

<b>VETO MESSAGE:</b>	No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>	No

### FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

<b>REPORTS:</b>	No
<b>HEARINGS:</b>	No
<b>NEWSPAPER ARTICLES:</b>	No

# SENATE, No. 285

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator ROBERT J. MARTIN**

**District 26 (Essex, Morris and Passaic)**

**Co-Sponsored by:**

**Senator Baer**

**SYNOPSIS**

Establishes the State Commission of Investigation as a permanent agency.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 3/30/2001)**

S285 VITALE, MARTIN

2

1 AN ACT concerning the State Commission of Investigation and  
2 amending P.L.1968, c.266.

3

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

6

7 1. Section 20 of P.L.1968, c. 266 is amended to read as follows:

8 20. This act shall take effect immediately [and remain in effect  
9 until July 1, 2002].

10 (cf: P.L.1996, c.44, s.6)

11

12 2. This act shall take effect immediately.

13

14

15

STATEMENT

16

17 Since its creation in 1968, the State Commission of Investigation  
18 has existed on a fixed term basis. The present authorization for the  
19 SCI is scheduled to expire on July 1, 2002. This bill would delete that  
20 date and establish the SCI as a permanent agency.

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

**Matter underlined thus is new matter.**

# SENATE, No. 1791

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED JUNE 11, 2001

**Sponsored by:**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator NORMAN M. ROBERTSON**

**District 34 (Essex and Passaic)**

**Co-Sponsored by:**

**Senator Allen**

**SYNOPSIS**

Grants permanent status to the SCI; repeals Section 9 of P.L.1996, c.44 (C.52:9M-20).

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 10/4/2001)**

S1791 CAFIERO, ROBERTSON

2

1 AN ACT concerning the State Commission of Investigation, amending  
2 P.L.1968, c.266 and repealing Section 9 of P.L.1996, c.44  
3 (C.52:9M-20).

4

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

7

8 1. Section 5 of P.L.1968, c.266 (C.52:9M-5) is amended to read as  
9 follows:

10 5. Upon request of the Attorney General, the Inspector General, a  
11 county prosecutor or any other law enforcement official, the  
12 commission shall co-operate with, advise and assist them in the  
13 performance of their official powers and duties.

14 (cf: P.L.1968, c.266, s.5)

15

16 2. Section 20 of P.L.1968, c.266 is amended to read as follows:

17 20. This act shall take effect immediately [and remain in effect  
18 until July 1, 2002].

19 (cf: P.L.1996, c.44, s.6)

20

21 3. Section 9 of P.L.1996, c.44 (52:9M-20) is repealed.

22

23 4. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 The current authorization for the State Commission of Investigation  
29 is set to expire July 1, 2002. This bill would delete this sunset  
30 provision and give the SCI permanent status.

31 The bill would also permit the newly created Office of the Inspector  
32 General to request the assistance of the SCI in the performance of its  
33 duties.

34 In addition, the bill would repeal N.J.S.A.52:9M-20 which provides  
35 for the appointment of a special committee to periodically review the  
36 activities of the SCI.

**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 underlined thus is new matter.**

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 285 and 1791**

---

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

---

ADOPTED SEPTEMBER 6, 2001

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator ROBERT J. MARTIN**

**District 26 (Essex, Morris and Passaic)**

**Senator JAMES S. CAFIERO**

**District 1 (Cape May, Atlantic and Cumberland)**

**Senator NORMAN M. ROBERTSON**

**District 34 (Essex and Passaic)**

**Senator BYRON M. BAER**

**District 37 (Bergen)**

**Co-Sponsored by:**

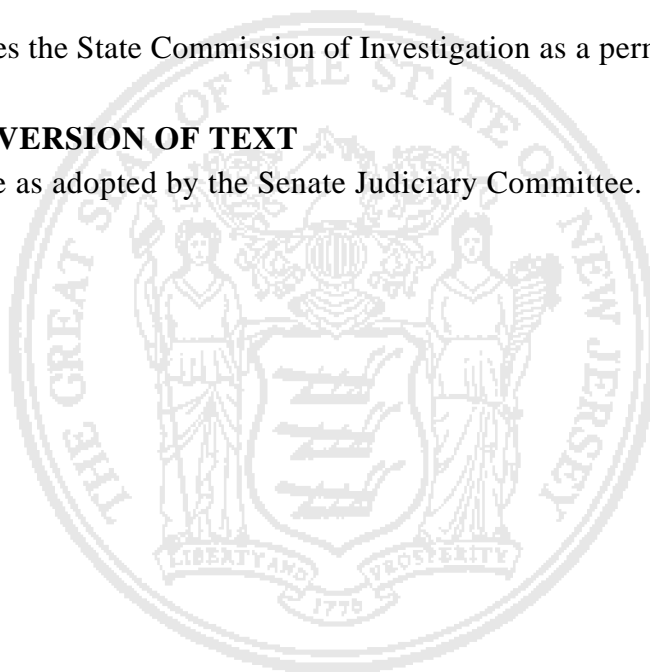
**Senators Turner, Allen, Assemblyman Barnes, Assemblywomen Buono, Friscia, Weinberg, Assemblyman LeFevre, Assemblywoman Greenstein and Assemblyman R.Smith**

**SYNOPSIS**

Establishes the State Commission of Investigation as a permanent agency.

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Senate Judiciary Committee.



**(Sponsorship Updated As Of: 1/8/2002)**

1 AN ACT concerning the State Commission of Investigation and  
2 amending P.L.1968, c.266.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.1968, c.266 (C.52:9M-1) is amended to read  
8 as follows:

9 1. There is hereby created a **[temporary]** permanent State  
10 Commission of Investigation. The commission shall consist of four  
11 members, to be known as commissioners.

12 Two members of the commission shall be appointed by the  
13 Governor. One each shall be appointed by the President of the Senate  
14 and by the Speaker of the General Assembly. Each member shall serve  
15 for a term of three years and until the appointment and qualification of  
16 his successor. No person shall serve, in succession, more than two  
17 three-year terms and any portion of an unexpired term as a member of  
18 the commission. The Governor shall designate one of the members to  
19 serve as chairman of the commission.

20 The members of the commission appointed by the President of the  
21 Senate and the Speaker of the General Assembly and at least one of  
22 the members appointed by the Governor shall be attorneys admitted to  
23 the bar of this State. No member or employee of the commission shall  
24 hold any other public office or public employment. Not more than two  
25 of the members shall belong to the same political party.

26 Each member of the commission shall receive an annual salary of  
27 \$35,000. Each member shall also be entitled to reimbursement for his  
28 expenses actually and necessarily incurred in the performance of his  
29 duties, including expenses of travel outside of the State.

30 Vacancies on the commission shall be filled for the unexpired terms  
31 in the same manner as original appointments. Vacancies on the  
32 commission shall be filled by the appropriate appointing authority  
33 within 90 days. If the appropriate appointing authority does not fill a  
34 vacancy within that time period, the vacancy shall be filled by the Chief  
35 Justice of the Supreme Court within 60 days. A vacancy on the  
36 commission shall not impair the right of the remaining members to  
37 exercise all the powers of the commission.

38 Any determination made by the commission shall be by majority  
39 vote. "Majority vote" means the affirmative vote of at least three  
40 members of the commission if there are no vacancies on the  
41 commission or the affirmative vote of at least two members of the  
42 commission if there is a vacancy.

43 (cf: P.L.1999, c.380, s.4)

**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 underlined thus is new matter.**

- 1        2. Section 20 of P.L.1968, c. 266 is amended to read as follows:
- 2        20. This act shall take effect immediately [and remain in effect
- 3 until July 1, 2002].
- 4 (cf: P.L.1996, c.44, s.6)
- 5
- 6        3. This act shall take effect immediately.



SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 285 and 1791**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 6, 2001

The Senate Judiciary Committee reports favorably Senate Committee Substitute for Senate Bill Nos. 285 and 1791.

Since its creation in 1968, the State Commission of Investigation has existed on a fixed term basis. The present authorization for the SCI is scheduled to expire on July 1, 2002. Senate Committee Substitute for Senate Bill Nos. 285 and 1791 would delete this sunset provision and give the SCI permanent status.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 285 and 1791**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 2001

The Assembly State Government Committee reports favorably Senate, Nos. 285 and 1791 (SCS).

Since its creation in 1968, the State Commission of Investigation has existed on a fixed term basis. The present authorization for the SCI is scheduled to expire on July 1, 2002. The substitute would delete this sunset provision and give the SCI permanent status.

This substitute is the same as Assembly, No. 327(1R) of 2000.

# ASSEMBLY, No. 327

## STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman PETER J. BARNES, JR.**

**District 18 (Middlesex)**

**Assemblywoman BARBARA BUONO**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Assemblywomen Friscia, Weinberg, Assemblyman LeFevre,**

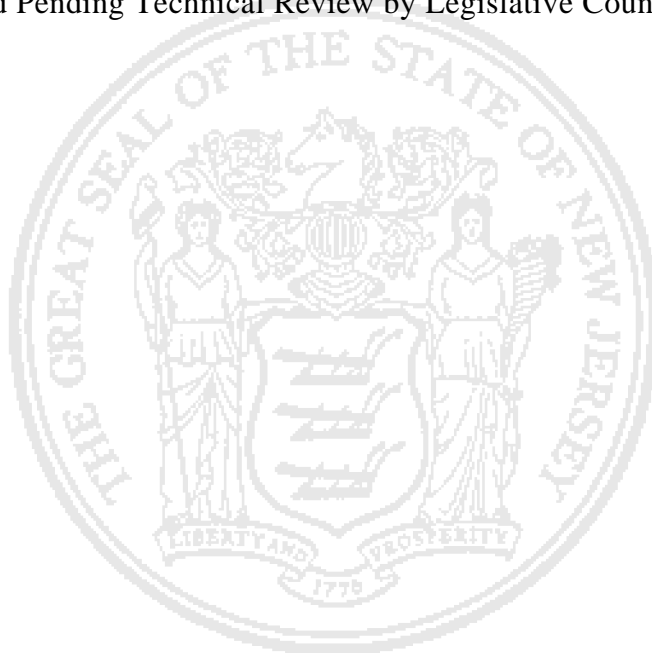
**Assemblywoman Greenstein and Assemblyman R.Smith**

**SYNOPSIS**

Establishes the State Commission of Investigation as a permanent agency.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 12/7/2001)**

A327 BARNES, BUONO

2

1 AN ACT concerning the State Commission of Investigation and  
2 amending P.L.1968, c.266.

3

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

6

7 1. Section 20 of P.L.1968, c. 266 is amended to read as follows:

8 20. This act shall take effect immediately [and remain in effect  
9 until July 1, 1966].

10 (cf: P.L.1994, c.191, s.3)

11

12 2. This act shall take effect immediately.

13

14

15 STATEMENT

16

17 Since its creation in 1968, the State Commission of Investigation  
18 has existed on a fixed term basis. The present authorization for the  
19 SCI is scheduled to expire on July 1, 1996. This bill would delete that  
20 date and establish the SCI as a permanent agency.

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

**Matter underlined thus is new matter.**

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 327**

with committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 2001

The Assembly State Government Committee reports favorably and with committee amendments Assembly Bill No. 327.

Since its creation in 1968, the State Commission of Investigation has existed on a fixed term basis. The present authorization for the SCI is scheduled to expire on July 1, 2002. The bill would delete that date and give the SCI permanent status.

The committee amended section 1 of P.L.1968, c.266 (C.52:9M-1) to note the change in the status of the commission from temporary to permanent.

As amended, this bill is the same as the Senate Committee Substitute for Senate Bill Nos. 285 and 1791.

This bill was prefiled for introduction in the 2000-2001 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

[First Reprint]

**ASSEMBLY, No. 327**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Assemblyman PETER J. BARNES, JR.**

**District 18 (Middlesex)**

**Assemblywoman BARBARA BUONO**

**District 18 (Middlesex)**

**Co-Sponsored by:**

**Assemblywomen Friscia, Weinberg, Assemblyman LeFevre,**

**Assemblywoman Greenstein, Assemblymen R.Smith, Guear, Gusciora,**

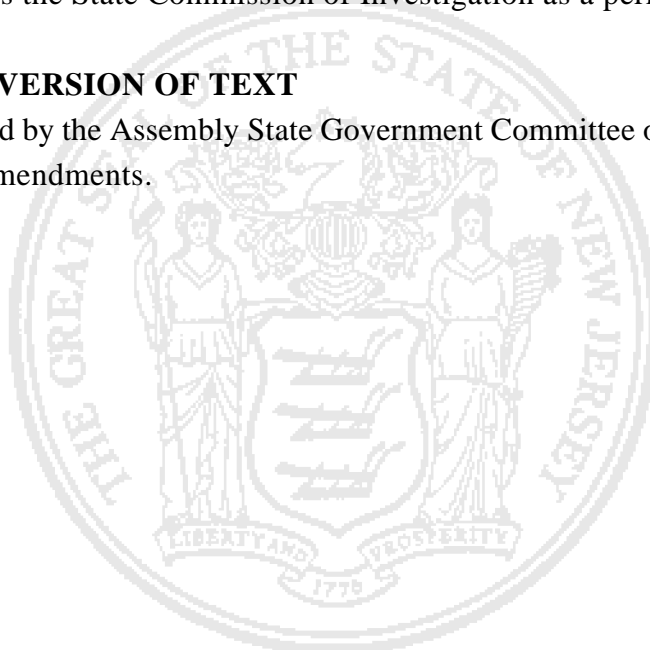
**Assemblywoman Watson Coleman and Assemblyman Wisniewski**

**SYNOPSIS**

Establishes the State Commission of Investigation as a permanent agency.

**CURRENT VERSION OF TEXT**

As reported by the Assembly State Government Committee on December 6, 2001, with amendments.



**(Sponsorship Updated As Of: 1/8/2002)**

1 AN ACT concerning the State Commission of Investigation and  
2 amending P.L.1968, c.266.

3

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

6

7 <sup>1</sup>1. Section 1 of P.L.1968, c.266 (C.52:9M-1) is amended to read  
8 as follows:

9 1. There is hereby created a **[temporary]** permanent State  
10 Commission of Investigation. The commission shall consist of four  
11 members, to be known as commissioners.

12 Two members of the commission shall be appointed by the  
13 Governor. One each shall be appointed by the President of the Senate  
14 and by the Speaker of the General Assembly. Each member shall serve  
15 for a term of three years and until the appointment and qualification of  
16 his successor. No person shall serve, in succession, more than two  
17 three-year terms and any portion of an unexpired term as a member of  
18 the commission. The Governor shall designate one of the members to  
19 serve as chairman of the commission.

20 The members of the commission appointed by the President of the  
21 Senate and the Speaker of the General Assembly and at least one of  
22 the members appointed by the Governor shall be attorneys admitted to  
23 the bar of this State. No member or employee of the commission shall  
24 hold any other public office or public employment. Not more than two  
25 of the members shall belong to the same political party.

26 Each member of the commission shall receive an annual salary of  
27 \$35,000. Each member shall also be entitled to reimbursement for his  
28 expenses actually and necessarily incurred in the performance of his  
29 duties, including expenses of travel outside of the State.

30 Vacancies on the commission shall be filled for the unexpired terms  
31 in the same manner as original appointments. Vacancies on the  
32 commission shall be filled by the appropriate appointing authority  
33 within 90 days. If the appropriate appointing authority does not fill a  
34 vacancy within that time period, the vacancy shall be filled by the Chief  
35 Justice of the Supreme Court within 60 days. A vacancy on the  
36 commission shall not impair the right of the remaining members to  
37 exercise all the powers of the commission.

38 Any determination made by the commission shall be by majority  
39 vote. "Majority vote" means the affirmative vote of at least three  
40 members of the commission if there are no vacancies on the  
41 commission or the affirmative vote of at least two members of the  
42 commission if there is a vacancy.<sup>1</sup>

43 (cf: P.L.1999, c.380, s.4.)

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> **Assembly ASG committee amendments adopted December 6, 2001.**

A327 [1R] BARNES, BUONO

3

1       <sup>1</sup>[1.] 2.<sup>1</sup> Section 20 of P.L.1968, c.266 is amended to read as  
2 follows:

3       20. This act shall take effect immediately [and remain in effect  
4 until July 1, 2002].

5 (cf: P.L.1996, c.44, s.6)

6

7       <sup>1</sup>[2.] 3.<sup>1</sup> This act shall take effect immediately.



P.L. 2001, CHAPTER 369, *approved January 8, 2002*  
Senate Committee Substitute for  
Senate, Nos. 285 and 1791

1 **AN ACT** concerning the State Commission of Investigation and  
2 amending P.L.1968, c.266.

3

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

6

7 1. Section 1 of P.L.1968, c.266 (C.52:9M-1) is amended to read  
8 as follows:

9 1. There is hereby created a [temporary] permanent State  
10 Commission of Investigation. The commission shall consist of four  
11 members, to be known as commissioners.

12 Two members of the commission shall be appointed by the  
13 Governor. One each shall be appointed by the President of the Senate  
14 and by the Speaker of the General Assembly. Each member shall serve  
15 for a term of three years and until the appointment and qualification of  
16 his successor. No person shall serve, in succession, more than two  
17 three-year terms and any portion of an unexpired term as a member of  
18 the commission. The Governor shall designate one of the members to  
19 serve as chairman of the commission.

20 The members of the commission appointed by the President of the  
21 Senate and the Speaker of the General Assembly and at least one of  
22 the members appointed by the Governor shall be attorneys admitted to  
23 the bar of this State. No member or employee of the commission shall  
24 hold any other public office or public employment. Not more than two  
25 of the members shall belong to the same political party.

26 Each member of the commission shall receive an annual salary of  
27 \$35,000. Each member shall also be entitled to reimbursement for his  
28 expenses actually and necessarily incurred in the performance of his  
29 duties, including expenses of travel outside of the State.

30 Vacancies on the commission shall be filled for the unexpired terms  
31 in the same manner as original appointments. Vacancies on the  
32 commission shall be filled by the appropriate appointing authority  
33 within 90 days. If the appropriate appointing authority does not fill a  
34 vacancy within that time period, the vacancy shall be filled by the Chief  
35 Justice of the Supreme Court within 60 days. A vacancy on the  
36 commission shall not impair the right of the remaining members to  
37 exercise all the powers of the commission.

38 Any determination made by the commission shall be by majority  
39 vote. "Majority vote" means the affirmative vote of at least three

**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 underlined thus is new matter.**

1 members of the commission if there are no vacancies on the  
2 commission or the affirmative vote of at least two members of the  
3 commission if there is a vacancy.

4 (cf: P.L.1999, c.380, s.4)

5

6 2. Section 20 of P.L.1968, c. 266 is amended to read as follows:

7 20. This act shall take effect immediately [and remain in effect  
8 until July 1, 2002].

9 (cf: P.L.1996, c.44, s.6)

10

11 3. This act shall take effect immediately.

12

13

14

15

16 Establishes the State Commission of Investigation as a permanent  
17 agency.

## CHAPTER 369

AN ACT concerning the State Commission of Investigation and amending P.L.1968, c.266.

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

1. Section 1 of P.L.1968, c.266 (C.52:9M-1) is amended to read as follows:

C.52:9M-1 State Commission of Investigation.

1. There is hereby created a permanent State Commission of Investigation. The commission shall consist of four members, to be known as commissioners.

Two members of the commission shall be appointed by the Governor. One each shall be appointed by the President of the Senate and by the Speaker of the General Assembly. Each member shall serve for a term of three years and until the appointment and qualification of his successor. No person shall serve, in succession, more than two three-year terms and any portion of an unexpired term as a member of the commission. The Governor shall designate one of the members to serve as chairman of the commission.

The members of the commission appointed by the President of the Senate and the Speaker of the General Assembly and at least one of the members appointed by the Governor shall be attorneys admitted to the bar of this State. No member or employee of the commission shall hold any other public office or public employment. Not more than two of the members shall belong to the same political party.

Each member of the commission shall receive an annual salary of \$35,000. Each member shall also be entitled to reimbursement for his expenses actually and necessarily incurred in the performance of his duties, including expenses of travel outside of the State.

Vacancies on the commission shall be filled for the unexpired terms in the same manner as original appointments. Vacancies on the commission shall be filled by the appropriate appointing authority within 90 days. If the appropriate appointing authority does not fill a vacancy within that time period, the vacancy shall be filled by the Chief Justice of the Supreme Court within 60 days. A vacancy on the commission shall not impair the right of the remaining members to exercise all the powers of the commission.

Any determination made by the commission shall be by majority vote. "Majority vote" means the affirmative vote of at least three members of the commission if there are no vacancies on the commission or the affirmative vote of at least two members of the commission if there is a vacancy.

2. Section 20 of P.L.1968, c. 266 is amended to read as follows:

20. This act shall take effect immediately.

3. This act shall take effect immediately.

Approved January 8, 2002.