

52:11-54 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:11-54 et al. ("Legislative Services Law of 1978")

LAWS OF 1979 CHAPTER 8

Bill No. A1644

Sponsor(s) Burstein and others

Date Introduced September 18, 1978

Committee: Assembly -----

Senate -----

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

Date of Passage: Assembly October 5, 1978 Re-enacted January 25, 1979

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Following statements are attached if available:

Sponsor statement	Yes	XX
Committee Statement:	Assembly	XX No
	Senate	XX No
Fiscal Note	XX	No
Veto message	Yes	XX
Message on signing	XX	No
Following were printed:		
Reports	XX	No
Hearings	XX	No

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ASSEMBLY, No. 1644

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 18, 1978

By Assemblymen BURSTEIN, LITTELL, JACKMAN, DOYLE
and SCHUCK

(Without Reference)

AN ACT concerning the organization and reorganization of the State Government, establishing in the Legislative Branch of the State Government a Legislative Services Commission and an Office of Legislative Services, prescribing their structure, powers and duties, prescribing statutory qualifications for the State Auditor, a constitutional officer, making such office full-time, and amending, revising and repealing portions of the statutory law.

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

1 1. Short title. This act shall be known and may be cited as the
2 "Legislative Services Law of 1978."

1 2. Legislative Services Commission, Office of Legislative Ser-
2 vices. There is established in the Legislative Branch of the State
3 Government, to aid and assist the Legislature in performing its
4 functions, an agency of the Legislature, to be known as the "Office
5 of Legislative Services" to be governed by a commission to be
6 known as the Legislative Services Commission, hereinafter referred
7 to as "the commission," to consist of eight members of the Senate
8 to be appointed by the President thereof and eight members of the
9 General Assembly to be appointed by the Speaker thereof for terms
10 coextensive with their respective terms as members of the House
11 from which they shall be appointed. All members shall serve until
12 the appointment and qualification of their respective successors.
13 Vacancies in the membership of the commission shall be filled for
14 the unexpired terms in the same manner as the original appoint-
15 ments were made. No more than four of each group of eight mem-
16 bers shall be appointed from members of the same political party.
17 The commission and the agency shall be deemed to be a continuous
18 body and no action taken by the commission or the office shall be

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

19 abrogated by reason of the termination of the terms of the members
20 of the commission.

21 Source: P. L. 1954, c. 254, ss. 2, 3, 4, 5 (C. 52:11-7 to 52:11-10).

1 3. Organization and meetings of the commission. a. The com-
2 mission shall meet for the purpose of organization in the month
3 of January of each even numbered year and shall elect a chairman
4 and vice chairman from among its members who shall hold office
5 for the duration of that 2-year Legislature and after the expiration
6 of the second legislative year until their successors shall be elected
7 and qualify. The members of the commission shall receive no
8 compensation for their services but shall be reimbursed for ex-
9 penses incurred in the performance of their duties.

10 b. Nine members of the commission shall constitute a quorum
11 and no matter requiring action by the full commission shall be
12 taken except by the affirmative vote of not less than nine members.
13 The commission may create from among its membership and pre-
14 scribe the jurisdiction of an executive committee and such other
15 standing and special committees, which shall be composed of mem-
16 bers equally divided between the two Houses and the two major
17 political parties, and delegate to such committees, its chairman
18 and vice chairman, executive director and division directors speci-
19 fied authority to act for the commission.

20 c. In addition to its organization meetings, the commission shall
21 meet at least once in each calendar quarter and at other times at
22 the call of its chairman. Upon the written request of at least nine
23 members the secretary shall notice a special meeting of the com-
24 mission.

25 Source: P. L. 1954, c. 254, s. 6 (C. 52:11-11).

1 4. Duties of the commission. a. It is the duty and responsibility
2 of the commission:

3 (1) To carry on the work of continuous revision of the general
4 and permanent statute law of the State, by causing to be conducted
5 a continuous examination thereof and of the judicial decisions
6 construing the same, and by causing to be prepared and to be sub-
7 mitted to the Legislature for its action thereon from time to time
8 legislative bills designed to revise such portions of the general and
9 permanent statute law as in the judgment of the commission may
10 be necessary to remedy defects therein, to accomplish improvement
11 thereof and to maintain the same in revised, consolidated and
12 simplified form under the general plan and classification of the
13 Revised Statutes;

14 (2) To provide accurate budgetary, fiscal and program perform-
15 ance, evaluation and analysis, legal assistance, information and

16 advice and inforamatory and research service to the standing ref-
17 erence, joint and special legislative committees and commissions
18 and to the officers and members of the Legislature;

19 (3) To study the methods, practices and procedures employed
20 by the Legislature and from time to time make such recommenda-
21 tions for their improvement and modernization as the commission
22 shall deem desirable.

23 b. The commission is hereby designated as the permanent law
24 revision agency of the State and all proposed revision laws and
25 proposals of like character which are developed as a result of any
26 legislative commission or committee shall be submitted to the com-
27 mission for examination and study and report, including its rec-
28 ommendations, to the Legislature, before being introduced in the
29 Legislature.

30 c. The officers and employees of the Office of Legislative Services
31 shall, except as otherwise fixed by law, receive such compensation
32 as shall from time to time be fixed by the commission in accordance
33 with a compensation plan to be established by it and as shall be
34 within the limits of available appropriations therefor.

35 Source: P. L. 1954, c. 254, ss. 7, 17 (C. 52:11-7.12, 52:11-22), P. L.
36 1964, c. 20, s. 6 (C. 52:11-7.1, R. S. 52:24-2).

1 5. Organization of the Office of Legislative Services. The Office
2 of Legislative Services to be governed by the commission shall
3 consist of an Executive Director, a Division of State Auditing of
4 which the State Auditor shall be the director, a Division of Legal
5 Services of which a Legislative Counsel shall be the director, a
6 Division of Budget and Program Review of which a Legislative
7 Budget Officer shall be the director, a Division of Legislative
8 Information and Research of which a Research Director shall be
9 the director, an administrative unit to serve the several divisions,
10 and such officers, employees and consultants as may, from time
11 to time within the availability of funds, be appointed or employed
12 by direction of the commission.

13 Source: P. L. 1954, c. 254, s. 3 (C. 52:11-8), P. L. 1971, c. 211, ss. 5-8
14 (C. 52:11-47 to 52:11-50).

1 6. Executive Director. The commission shall appoint an Execu-
2 tive Director to serve as the secretary of the commission and as
3 the chief executive officer of the commission and the Office of
4 Legislative Services who shall be qualified by training and ex-
5 perience in legislative and governmental processes. He shall serve
6 at the pleasure of the commission and shall devote his entire time
7 to the duties of his office. He shall organize and direct an admin-

8 istrative unit to serve the several divisions of the office, including
 9 but not limited to, the areas of personnel, budget, purchasing, print-
 10 ing, property, space, facilities and accounting services. The Execu-
 11 tive Director shall be responsible for the coordination and general
 12 supervision of the work of the several divisions of the office. Sub-
 13 ject to commission approval the Executive Director may transfer
 14 personnel from one division to another, or may provide for the
 15 assignment of personnel from one division to another to aid in the
 16 performance of any project or responsibility of a particular divi-
 17 sion of the office. The Executive Director shall be the appointing
 18 authority and request officer for the office.

19 Source: P. L. 1954, c. 254, s. 8 (C. 52:11-13); P. L. 1954, c. 267, s. 1
 20 (C. 52:11-32); P. L. 1971, c. 211, s. 4 (C. 52:11-46).

1 7. Legislative Counsel. The commission shall appoint a Legis-
 2 lative Counsel who shall be an attorney-at-law of New Jersey
 3 experienced in the work of drafting legislation, revision of statutes
 4 and parliamentary law and procedure. He shall serve at the
 5 pleasure of the commission and shall devote his entire time to the
 6 duties of his office. He shall be the Director of the Division of
 7 Legal Services. He shall organize the division with such bureaus
 8 and subordinate units and employ such associate and assistant
 9 counsel and assistants to counsel, a revisor of statutes, assistant
 10 revisors and such other employees as the commission shall deem
 11 necessary and required for the work of the division. Wherever in
 12 any other law a duty is imposed upon or reference is made to,
 13 the Chief Counsel of the Law Revision and Legislative Services
 14 Commission, such duty is transferred to and shall be exercised by,
 15 and reference thereto shall be to, the Legislative Counsel in the
 16 Office of Legislative Services.

17 Source: P. L. 1954, c. 254, s. 8, 12 (C. 52:11-13, 52:11-17), P. L.
 18 1964, c. 20, s. 7 (C. 52:11-13.1)

1 8. Division of Legal Services. It shall be the duty of the Legis-
 2 lative Counsel and the Division of Legal Services:

3 a. To draft, aid in drafting and redrafting bills, resolutions and
 4 amendments thereof, and reviewing the same when drafted in other
 5 divisions or elsewhere, proposed for introduction in the Legislature
 6 and other legislative documents for and upon the request of any
 7 legislative commission or of any member, committee or joint com-
 8 mittee of the Legislature;

9 b. To examine and edit legislative bills, proposed for introduc-
 10 tion or introduced from time to time in the Senate and General
 11 Assembly so as to assure, whenever possible, their compliance with

12 the form and general classification of the Revised Statutes, when
13 so requested or directed by the Legislature or any committee
14 thereof;

15 c. To furnish assistance and information to the Legislature or
16 any member or committee thereof or to the departments, officers,
17 institutions and agencies of the State and to the public in matters
18 concerning the statutes, when so requested;

19 d. To conduct a continuous examination of the general and
20 permanent statutory law of this State and the judicial decisions
21 construing the same, for the purpose of discovering defects in the
22 law, and to prepare and submit to the commission, from time to
23 time, legislative bills designed to

24 (1) Remedy such defects,

25 (2) Reconcile conflicting and overlapping provisions found in
26 the law,

27 (3) Clarify confusing and excise redundant expressions there-
28 from, and

29 (4) Carry on continuous revision of the general and permanent
30 statute law of the State, in such manner as to maintain the general
31 and permanent statute law of the State in revised, consolidated and
32 simplified form under the general plan and classification of the
33 Revised Statutes and the New Jersey Statutes;

34 e. To receive and consider suggestions and recommendations
35 from the American Law Institute, the National Conference of
36 Commissioners on Uniform State Laws, and other learned bodies
37 and from judges, public officials, bar associations and members of
38 the bar and from the public generally, for the improvement and
39 modification of the general and permanent statute law of the State,
40 and to bring the law of this State, civil and criminal, and the
41 administration thereof, into harmony with modern conceptions and
42 conditions, and to submit the same to the commission, with its
43 recommendations for such action thereon as the commission may
44 determine to take.

45 f. To inform the commission of the need for or usefulness of
46 advisory panels to assist the commission and the division in its
47 duties and to cooperate with all advisory panels appointed under
48 the provisions of this act.

49 g. To furnish to the presiding officer of each House of the Legis-
50 lature or to the committees, joint committees and members of the
51 Legislature, legal assistance, information and advice when and in
52 relation to such matters as the commission shall from time to time
53 determine, relating to

54 (1) The subject matter and legal effect of the statutes and of
55 proposals made for statutory enactment, and

55A (2) Questions of parliamentary law and legislative procedure.

56 h. Upon the written request of either or both Houses of the
57 Legislature, the presiding officer of either House, a legislative
58 committee or commission, to furnish written opinions on legal
59 matters.

60 i. On behalf of the commission to assign appropriate compilation
61 numbers to newly-enacted laws, edit an annual cumulative table of
62 contents to the laws, and initiate administrative corrections in the
63 text of the laws as authorized and directed by R. S. 1:3-1 and
64 R. S. 1:3-2.

65 Source: P. L. 1954, c. 254, ss. 10, 11, 13 (C. 52:11-15, 52:11-16,
66 52:11-18), P. L. 1964, c. 20, s. 8 (C. 52:11-13.2)

1 9. State Auditor. The Office of the State Auditor, as created by
2 the Constitution, is assigned to the Office of Legislative Services
3 and the State Auditor is designated the Director of the Division of
4 State Auditing. The State Auditor shall continue to be appointed,
5 subject to the statutory qualifications prescribed by R. S. 52:24-2,
6 and shall hold office and perform his constitutional duties, as
7 heretofore. The State Auditor, as Director of the Division of State
8 Auditing, in addition to his constitutional duties, shall organize the
9 division with such bureaus and subordinate units as required and
10 shall be responsible for administering and directing the further
11 statutory duties imposed by this act subject to the policy direction
12 and control of the Legislative Services Commission.

13 Source: R. S. 52:11-50, R. S. 52:24-2, R. S. 52:24-3.

1 10. Division of State Auditing. In addition to the duties imposed
2 upon the State Auditor by the Constitution and R. S. 52:24-4 the
3 State Auditor and the Division of State Auditing, when requested
4 or directed by the Legislature or the Legislative Services Commis-
5 sion, shall make, or cause to be made by contract with independent
6 firms or consultants, studies and reports with respect to the
7 economy, internal management control, and compliance with law
8 and regulations of the operation of State or State-supported
9 agencies and shall perform such other duties and functions as the
10 commission shall, from time to time, direct or assign to the division.

11 Audit reports shall provide full disclosure of the results of
12 financial operations, adequate financial information needed in the
13 management of State operations and effective control over income,
14 expenditures, funds, property and other assets and whether the
15 financial transactions have been consummated in accordance with

16 laws, regulations or other legal requirements, and adequate internal
17 financial control over operations is exercised.

18 Source: New and P. L. 1971, c. 211, s. 1 (C. 52:11-43)

1 11. Contracts for consultants' services. The provisions of any
2 other law to the contrary notwithstanding, every contract or agree-
3 ment for consultants' services to be paid from ***[State]*** funds
4 **appropriated or otherwise made available to the office of Legisla-*
5 *tive Services**, shall be made or awarded only by specific approval
6 of the commission.

7 Source: New.

1 12. Research Director. The commission shall appoint a Research
2 Director who shall by training and experience be well versed in
3 political science, methods of research and legislative and govern-
4 mental processes. He shall serve at the pleasure of the commission
5 and shall devote his entire time to the duties of his office. He shall
6 be the Director of the Division of Information and Research. He
7 shall organize the division with such bureaus and subordinate units
8 and appoint an Assistant Director, supervisors, research associates
9 and assistants and other employees necessary for the work of the
10 division.

11 The Research Director shall be responsible for providing non-
12 partisan informatory and research staff services to the officers and
13 members of the Legislature and to all standing reference joint and
14 special committees and commissions of the Legislature, except as
15 otherwise provided by this act or by determination of the com-
16 mission or the Legislature.

17 Source: P. L. 1954, c. 254, s. 14 (C. 52:11-19)

1 13. Division of Legislative Information and Research. It shall be
2 the duty of the Research Director and the Division of Legislative
3 Information and Research to:

4 a. Provide nonpartisan staff for the standing reference com-
5 mittees of the two Houses of the Legislature, other than such
6 committees which may be, by law, rule or resolution of either
7 House, or direction of the commission, staffed independently or by
8 other divisions of the Office of Legislative Services.

9 b. Provide nonpartisan staff for other legislative committees and
10 commissions as requested by the Legislature and directed by the
11 commission.

12 c. Provide, as requested, information and research services and
13 other related services and to prepare drafts of bills and resolutions
14 for the Legislature, its officers, committees, commissions and
15 individual members.

16 d. Provide, as requested by the Legislature or directed by the
17 commission, assistance to the Legislature, its officers, committees
18 and commissions in the performance of their legislative oversight
19 functions.

20 e. Operate a nonpartisan public information service on legis-
21 lative affairs and a Bill Room for use by the Legislature, its staffs,
22 other State and public offices and, when practicable, for the general
23 public.

24 f. Collect and disseminate to the Legislature, its officers, com-
25 mittees, commissions and individual members information con-
26 cerning Federal laws and regulations and pending Federal
27 legislation and regulations which may have an impact on or of
28 interest to the Legislature.

29 g. Provide, when requested by the Legislature and directed by
30 the commission, for the scheduling, recording and transcription of
31 the proceedings of legislative committee and commission meetings
32 and hearings.

33 h. Provide such other services as the commission may direct.

34 Source: P. L. 1954, c. 254, s. 15 (C. 52:11-20)

1 14. Legislative Budget Officer. The commission shall appoint a
2 Legislative Budget Officer who by training and experience shall
3 be well versed in the fields of budget preparation and analysis,
4 revenue projection, appropriation requirements, program analysis,
5 fiscal management and control. The Legislative Budget Officer
6 shall be the Director of the Division of Budget and Program Re-
7 view and shall devote his entire time to the duties of his office. He
8 shall organize the division with such bureaus and subordinate units
9 and appoint such professional and other employees as the com-
10 mission shall deem necessary and required for the work of the
11 division. Whenever in any other law reference is made to, the
12 Legislative Budget and Finance Director or the Executive Director
13 of the Office of Fiscal Affairs, such reference thereto shall be to,
14 the Legislative Budget Officer in the Office of Legislative Services.
15 Source: P. L. 1954, c. 267, ss. 1, 9 (C. 52:11-32, 52:11-40).

1 15. Division of Budget and Program Review. It shall be the
2 duty of the Division of Budget and Program Review to:

3 a. Collect and assemble factual information relating to the fiscal
4 affairs of the State for the use of the Joint Appropriations Com-
5 mittee of the Legislature in formulating its annual proposals as
6 to the amounts to be appropriated for the support of the State
7 Government and for other purposes; examine all requests for ap-
8 propriations made by the divisions and other subdivisions of the

9 principal departments in the Executive Branch of the State Gov-
 10 ernment, to the heads of such department and by the department
 11 heads, to the Director of the Division of Budget and Accounting
 12 and attend such hearings, held thereon, as it may be necessary for
 13 the Legislative Budget Officer or his staff to attend to obtain
 14 complete information as to the subject matter thereof;

15 b. Examine other requests for appropriations and receive and
 16 investigate the truth, fairness and correctness of all claims against
 17 the State for payment of which appropriations are to be requested;

18 c. Report to the Legislature through the Joint Appropriations
 19 Committee, or in such other manner as shall be directed by the
 20 Legislature, upon the foregoing and as to any other matters which
 21 may be of assistance to said committee or the Legislature in form-
 22 ing an independent judgment in the determination of any fiscal
 23 matters before it and attend upon the Joint Appropriations Com-
 24 mittee during its sittings and hearings and perform such services
 25 for it as it shall direct;

26 d. Provide the Legislature with expenditure information and
 27 performance analysis of programs and transactions.

28 Source: P. L. 1954, c. 267, s. 2 (C. 52:11-33).

1 16. Officers and employees of the office; status. a. The commis-
 2 sion is authorized to designate those offices and positions in Office
 3 of Legislative Services which for the purposes of the Unemploy-
 4 ment Compensation law are major nontenured policy making or
 5 advisory positions.

6 b. Officers and employees of the office shall be chosen subject to
 7 the approval of the commission without reference to political
 8 affiliation, solely on grounds of fitness to perform the duties of
 9 their office or employment and their employment and civil service
 10 status shall be governed by subsection d. of R. S. 11:4-4, except that:

11 (1) Any person holding office, position or employment in any
 12 department, board, commission or agency in the Executive Branch
 13 of the State Government, which is in the classified service of the
 14 civil service, who shall be appointed to any office, position or em-
 15 ployment under the Legislative Services Commission shall, after
 16 the adoption of a resolution by the Legislative Services Commis-
 17 sion to that effect, hold the office, position or employment to which
 18 he is so appointed with the same civil service rights, privileges
 19 and protections as he had and enjoyed in said office, position or
 20 employment in the Executive Branch of the State Government,
 21 notwithstanding that the office, position or employment to which
 22 he is so appointed shall itself be in the unclassified service of the
 23 civil service; and

24 (2) Employees performing stenographic or clerical duties may
25 be appointed from the classified service of the civil service of the
26 State in any case in which in the judgment of the commission more
27 competent persons can be so employed and when so appointed
28 such employees shall have civil service status as members of the
29 classified service of the civil service, but no law or rule regulating
30 assignment to duties, hours of work or payment for overtime shall
31 be binding upon the agency as to persons employed by it whether
32 or not they are employed from the classified service of the civil
33 service.

34 Source: P. L. 1954, c. 254, s. 17 (C. 52:11-22); P. L. 1971, c. 211,
35 s. 6 (C. 52:11-48).

1 17. Request for assistance, information or advice, confi-
2 dential. All requests for legal assistance, information or
3 advice and all information received by the Office of Legis-
4 lative Services in connection with any request for fiscal, budgetary
5 or research service or for the drafting or redrafting of bills, reso-
6 lutions or amendments thereof for introduction in the Legislature
7 shall be regarded as confidential and no information in respect
8 thereto shall be given to the public or to any person other than the
9 person or persons making such request or any officer or person
10 duly authorized to have such information, unless and until the
11 person making such request consents thereto or the subject matter
12 thereof shall have been made public in some manner.

13 Source: P. L. 1954, c. 254, s. 18 (C. 52:11-23)

1 18. Forbids lobbying. No officer or employee of the office, other
2 than a member of the commission, shall urge or oppose the adoption
3 of any legislation or give any legal opinion to any private individual
4 or corporation or to any public officer, department, instrumentality
5 or agency of the State Government except as provided in this act
6 and except such officers, members, committees and joint committees
7 of the Legislature as the commission shall, from time to time, direct.

8 Source: P. L. 1954, c. 254, s. 19 (C. 52:11-24)

1 19. Reports. The commission shall report to the Legislature once
2 each year and at such other times as it may deem advisable and
3 may accompany its report with proposed bills or changes in the
4 Rules of the Senate and General Assembly designed to carry out
5 any of its recommendations.

6 Source: P. L. 1954, c. 254, s. 20 (C. 52:11-25)

1 20. Personnel transferred; rules continued. All of the officers and
2 employees of the Legislative Services Agency and the Office of
3 Fiscal Affairs together with all their functions, powers and duties

4 are transferred to the Office of Legislative Services and the officers
5 and employees shall be assigned to positions therein without dimi-
6 nution in compensation or seniority rights or impairment of tenure,
7 civil service or retirement system rights.

8 All rules, regulations and operating procedures of the Legis-
9 lative Services Agency and the Office of Fiscal Affairs in effect
10 on the effective date of this act are continued in effect until
11 amended or repealed pursuant to this act.

1 21. Property transferred. All property and equipment, books,
2 files and documents of, or in the custody of the Legislative Services
3 Agency or the Office of Fiscal Affairs are transferred to the Office
4 of Legislative Services.

1 22. Appropriations transferred. All appropriations, grants and
2 other moneys available and to become available to the Legislative
3 Services Agency and the Office of Fiscal Affairs are transferred to
4 the Office of Legislative Services.

1 23. Powers and duties of Legislative Budget Officer under Appro-
2 priations Act. Except as otherwise in this act provided all powers
3 and duties imposed upon the Executive Director, Office of Fiscal
4 Affairs, by any other law are transferred to and shall be exercised
5 by the Legislative Budget Officer in the Office of Legislative Ser-
6 vices and all other references in any such act to the Executive
7 Director, Office of Fiscal Affairs, shall mean and refer to the
8 Legislative Budget Officer.

1 24. P. L. 1962, c. 27, s. 3 (C. 52:13B-3) is amended to read as
2 follows:

3 3. Approval and certification; mailing of copy to introducer of
4 bill.

5 Whenever any fiscal note to any bill is furnished to the Legis-
6 lative Budget [and Finance Director] *Officer* by the Division of
7 Budget and Accounting or a copy of any bill which, if enacted,
8 would increase revenues is delivered to him with a written request
9 that a fiscal note for the bill be prepared, the [director] *Legislative*
10 *Budget Officer* shall examine into the accuracy of any fiscal note
11 so furnished to him or which may be appended or annexed to any
12 such bill and if he finds any fiscal note so appended or annexed to
13 be accurate he shall approve and certify the same to the *Judiciary*
14 *Committee* [on Revision and Amendment of the Laws] of the
15 House if said bill is under examination as to form by said com-
16 mittee and otherwise to the committee to which the bill has been
17 referred or if it has not been referred to a committee, then to the
18 *Secretary or Clerk* of the House but if no fiscal note is so appended

19 or annexed or if the [director] *Legislative Budget Officer* finds any
 20 fiscal note so furnished or so appended or annexed to any such bill
 21 to be inaccurate, he shall prepare an accurate fiscal note for the
 22 bill and except in any case in which he shall approve a fiscal note
 23 appended or annexed to the bill he shall promptly mail[, by certi-
 24 fied mail] a copy of each fiscal note prepared or approved by him
 25 to the introducer whose name first appears upon the bill with a
 26 notice that such introducer may object to such fiscal note within
 27 5 days after receipt thereof.

1 25. P. L. 1962, c. 27, s. 4 (C. 52:13B-4) is amended to read as
 2 follows:

3 4. Procedure when introducer of bill objects to fiscal note. If such
 4 introducer shall object to any of the provisions of any such fiscal
 5 note, he shall within 5 days after receipt of the copy thereof advise
 6 the Legislative Budget [and Finance Director] *Officer* of his objec-
 7 tions thereto and the [director] *Legislative Budget Officer* shall
 8 promptly review the note and make such changes therein, if any, as
 9 he may deem desirable and if the bill is under examination [by]
 10 on behalf of the *Judiciary Committee [on Revision and Amendment*
 11 *of the Laws]* of the House *prior to introduction*, he shall forward
 12 the original and three copies of said note certified by him to the
 13 [Law Revision and] *Legal Services Division of the Office of Legis-*
 14 *lative Services* acting for the *Judiciary Committee [on Revision*
 15 *and Amendment of Laws]* of the House for transmission with the
 16 bill upon its introduction.

1 26. P. L. 1962, c. 27, s. 5 (C. 52:13B-5) is amended to read as
 2 follows:

3 5. Copies of bill transmitted.

4 If, however, the bill is not under examination by the *Judiciary*
 5 *Committee [on Revision and Amendment of the Laws]* of the
 6 House but has been introduced he shall transmit [one copy thereof
 7 to the Law Revision and Legislative Services acting for the Com-
 8 mittee on Revision and Amendment of the Laws of the House and
 9 the original and] three copies to the chairman of the committee to
 10 which the bill has been referred, or if it has not been referred, then
 11 to the *Secretary of the Senate or Clerk of the General Assembly*.

1 27. R. S. 52:24-2 is amended to read as follows:

2 52:24-2. Appointment, qualifications, term and compensation of
 3 State Auditor. The State Auditor shall be appointed by the Senate
 4 and General Assembly in joint meetings for a term of 5 years and
 5 until his successor shall be appointed and qualify. *Any person*
 6 *nominated for appointment to the Office of State Auditor shall be*

7 qualified by training and substantial experience in the field of
 8 corporate or public fiscal and management operations and affairs.
 9 The name and credentials of each applicant or prospective nominee
 10 shall be submitted to the Chairman of the Legislative Services
 11 Commission who shall cause the same to be received, considered and
 12 reviewed by the members of the commission in accordance with
 13 procedures established by it. The names of applicants and prospec-
 14 tive nominees found to be qualified shall be reported to the Presi-
 15 dent of the Senate and the Speaker of the General Assembly for
 16 appropriate communication to the members of the Senate and
 17 General Assembly at or before the convening of a joint meeting
 18 for the appointment of a State Auditor.

19 The State Auditor shall devote his entire time to the duties of his
 20 office and shall receive annual compensation as shall, from time to
 21 time, be fixed by law, which shall be paid out of the State Treasury
 22 as other officers are paid.

1 28. R. S. 52:24-3 is amended to read as follows:

2 52:24-3. State Auditor Director of Division of State Auditing;
 3 assistants and employees. The State Auditor shall be the Director
 4 of the Division of State Auditing in the Office of Legislative Ser-
 5 vices and subject to the approval, or as authorized by the Legis-
 6 lative Services Commission and with the approval of the Executive
 7 Director of the [Office of Fiscal Affairs] Office of Legislative Ser-
 8 vices as to the existence of the positions and availability of funds
 9 therefor, shall appoint such necessary [assistants and clerical
 10 help] professional and other employees as shall be required to
 11 administer and perform the constitutional and statutory duties of
 12 his office.

1 29. 52:24-4. Auditing accounts and reports of "accounting
 2 agencies"; assistance. It shall be the duty of the State Auditor to
 3 conduct post-audits of all transactions and accounts kept by or
 4 for all departments, offices and agencies of the State Government,
 5 to report to the Legislature or to any committee thereof and to the
 6 Governor, and to the Executive Director of the [Office of Fiscal
 7 Affairs] Office of Legislative Services, as provided by this chapter
 8 and as shall be required by law, and to perform such other similar
 9 or related duties as shall, from time to time, be required of him
 10 by law.

11 The State Auditor shall personally or by any of his duly autho-
 12 rized assistants, or by contract with independent public accountant
 13 firms, examine and post-audit all the accounts, reports and state-
 14 ments and make independent verifications of all assets, liabilities,
 15 revenues and expenditures of the State, its departments, institu-

16 tions, boards, commissions, officers, and any and all other State
 17 agencies, now in existence or hereafter created, hereinafter in this
 18 [article] chapter called "accounting agencies." The officers and
 19 employees of each accounting agency shall assist the State Auditor,
 20 when and as required by him, for the purpose of carrying out the
 21 provisions of this [article] chapter.

1 30. Repealers.

2 The following acts are repealed:

3 P. L. 1939, c. 91 (C. 1:9-2 to 1:9-8)

4 P. L. 1944, c. 105 (C. 1:9-9 to 1:9-15)

5 P. L. 1948, c. 315 (C. 1:9-16 to 1:9-19)

6 P. L. 1954, c. 254 (C. 52:11-6 to 52:11-31)

7 P. L. 1964, c. 20, ss. 7, 8, 10-12 (C. 52:11-13.1, 52:11-13.2,
 8 52:11-20.1 to 52:11-20.3)

9 P. L. 1954, c. 267 (C. 52:11-32 to 52:11-41)

10 P. L. 1971, c. 211 (C. 52:11-43 to 52:11-53)

11 The repeal of the foregoing acts shall not revive any act repealed
 12 by any thereof.

1 31. The members of the Law Revision and Legislative Services
 2 Commission and its chairman and vice chairman in office on the
 3 effective date of this act shall constitute the first members and
 4 officers of the commission and shall so serve for the terms for
 5 which they were appointed to, or elected by, the former commission.

1 32. Effective date. This act shall take effect January 1, 1979 but
 2 the Law Revision and Legislative Services Commission is autho-
 3 rized to take all necessary anticipatory action in advance thereof.

19 employees of each accounting agency shall assist the State Auditor,
 20 when and as required by him, for the purpose of carrying out the
 21 provisions of this [article] chapter.

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2 The following acts are repealed:

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 2 the Law Revision and Legislative Services Commission is autho-
 3 rized to take all necessary anticipatory action in advance thereof.

STATEMENT

This bill, formulated at the direction of the Law Revision and Legislative Services Commission, would reorganize the non-partisan staff services of the Legislature. Major features of the bill include:

1. Shorten the name of the Commission to the Legislative Services Commission. The Commission would continue to have 16 members, equally divided politically and between the two Houses. The present members, chairman and vice chairman of the Law Revision and Legislative Services Commission would constitute the first members and officers of the Commission to serve for the terms for which they were appointed or elected.

2. Merge the Legislative Services Agency and the Office of Fiscal Affairs into an office of Legislative Services with an Executive Director, 4 major divisions, State Auditing, Legal Services, Information and Research, and Budget and Program Review, with an administrative unit to serve the entire Office.

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3. Amend R. S. 52:24-2 to provide statutory qualifications for the State Auditor, to be appointed by the Legislature in joint session for a 5 year term as provided by the Constitution.

4. Provide that upon the appointment of a new State Auditor he would be the full-time Director of the Division of State Auditing and providing that division with the duty of making studies with respect to the economy and internal management control of State and State-supported agencies in addition to its constitutional responsibility for post-audits.

5. Merge the divisions of Law Revision and of Bill Drafting and Legal Services into a Division of Legal Services.

6. Create a Division of Budget and Program Review to serve in the State budgetary and appropriations process, perform program analyses, other than those related to economy and internal management control of State agencies, and to provide fiscal staff to serve with the research teams staffing the standing committees.

7. Add to the statutory duties of the Division of Information and Research the duty to staff the LISN line and the State House Bill Room and to serve as the Legislature's Liaison with respect to Federal legislation and regulations having impact on State legislation.

8. Transfer all Legislative Services Agency and Office of Fiscal Affairs personnel to an Office of Legislative Services.

9. Charge the Executive Director of the Office of Legislative Services with responsibility for coordinating the work of its four divisions to provide the Legislature with effective and responsive research, legal, budgetary, fiscal, audit and oversight services while providing each division director with effective authority over the internal organization and management of his particular division.

10. The bill repeals all existing statutory authority in the affected area and amends various other laws to conform to the revised organization.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

ASSEMBLY BILL NO. 1644

January 11, 1979

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1644, with my objections, for reconsideration.

This bill amends the Legislative Services Law to reorganize its divisions and to merge the Legislative Services Agency and the Office of Fiscal Affairs. Its purpose is to enhance the efficiency and the responsiveness of the two agencies.

While I agree with the purpose of the bill, one section of the bill could be construed to affect matters other than those pertaining to the Legislature. Specifically, Section 11 might be construed to require all branches of State government, not only the Legislature, to obtain approval of the Legislative Services Commission before awarding a contract for consultants' services.

I am, therefore, returning Assembly Bill No. 1644 with the following suggestions:

Page 7, Section 11, Line 4: Omit "State"

Page 7, Section 11, Line 4: Following the word "funds" omit "," and insert "appropriated or otherwise made available to the office of Legislative Services,"

Respectfully,

/s/ Brendan Byrne

GOVERNOR

[seal]

Attest:

/s/ Robert E. Mulcahy III

Chief of Staff, Secretary