

52:27E-46

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:27E-46

Laws of 1977 Chapter 254 (Div. of Public Interest
Advocacy & Off. of Inmate
Advocacy--Make permanent)

Bill No. S1722

Sponsor(s) Merlino

Date Introduced November 8, 1976

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate State Gov't, Federal & Interstate Relations
And Veteran Affairs

Amended during passage Yes No

Date of passage: Assembly April 18, 1977

Senate February 1, 1977

Date of approval October 5, 1977

Following statements are attached if available:

Sponsor statement Yes ~~NA~~

Committee Statement: Assembly ~~Yes~~ No

Senate Yes ~~NA~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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254 77
10-5-77
SENATE, No. 1722

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 8, 1976

By Senator MERLINO

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

AN ACT to amend the "Department of the Public Advocate Act
of 1974," approved May 13, 1974 (P. L. 1974, c. 27).

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

1 1. Section 47 of P. L. 1974, c. 27 (C. 52:27E-46) is amended to
2 read as follows:

3 47. The Public Advocate shall present a detailed report of the
4 operation of Article IV and sections 11, 12 and 13 of this act to the
5 Governor and to each member of the Legislature on December 1
6 of each year.

7 **[Article IV and sections 11, 12 and 13 of this act shall terminate**
8 **and be of no further force and effect on December 1, 1978 unless**
9 **extended by act of the Legislature.]**

1 2. This act shall take effect immediately.

STATEMENT

When the Legislature established the Department of the Public Advocate in 1974 as one of New Jersey's outstanding innovations, it had some uncertainty about two particular new ideas: public interest advocacy and inmate advocacy. Concerned that such offices might pursue visions of society in opposition to the popular will (and at public expense) these two agencies were established on a trial basis, and will expire in mid-1978 without further action by the Legislature.

It is apparent that in this trial period the Division of Public Interest Advocacy has worked to fulfill the Legislature's best expectations, not its worst. The Office of Inmate Advocacy has been a small scale enterprise that has intervened on behalf of inmates' legitimate interests. Both have now proved themselves, and this bill continues them on a permanent basis.

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

REFERENCE USE ONLY

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

STATEMENT TO
SENATE, No. 1722

—♦—
STATE OF NEW JERSEY
—♦—

DATED: DECEMBER 13, 1976

Pursuant to Article IV and sections 11, 12 and 13 of the "Department of Public Advocate Act of 1974," approved May 13, 1974 (P. L. 1974, c. 27) the statutory base for the Division of Public Interest Advocacy and the Office of Inmate Advocacy would be terminated on December 1, 1978 unless extended by an act of the Legislature. This would end the existence of these agencies.

The purpose of this bill is to remove this "self-destruct" provision from the law founding the Department of the Public Advocate on the grounds that both agencies have now proved themselves and deserve to be continued on a permanent basis.