

34:1A-81 to 34:1A-84

LEGISLATIVE HISTORY CHECKLIST

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(Undocumented aliens)

NJSA: 34:1A-81 to 34:1A-84

LAWS OF: 1997 CHAPTER: 87

BILL NO: S208

SPONSOR(S): Connors

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Labor; Appropriations

SENATE: State Government

AMENDED DURING PASSAGE: Yes Amendments during passage denoted
First reprint enacted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: March 24, 1997

SENATE: February 5, 1997

DATE OF APPROVAL: May 8, 1997

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes 2-22-96 & 6-13-96

SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED: No

REPORTS: No

HEARINGS: No

KBP:pp

RECEIVED
MAY 13 1997
STATE ARCHIVES

P.L. 1997, CHAPTER 87, *approved May 8, 1997*
Senate, No. 208 (*First Reprint*)

1 AN ACT concerning undocumented aliens and supplementing Title 34
2 of the Revised Statutes.

3

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

6

7 1. There is established within the Department of Labor a Council
8 on Undocumented Aliens which shall consist of 14 public members and
9 the commissioner, ex officio, or his designee, as chair, not more than
10 eight of whom shall be of the same political affiliation. Of the 14
11 public members, two shall be appointed by the President of the Senate
12 and two shall be appointed by the Speaker of the General Assembly,
13 two shall be representatives of nonprofit agencies providing services
14 to immigrants, two shall be representatives of organized labor, two
15 shall be representatives of employers, two shall be representatives of
16 regulated professions¹, two shall be representatives of minority group
17 organizations.¹ and two shall be representatives of urban cities. With
18 the exception of those public members appointed by the President of
19 the Senate and ¹the¹ Speaker of the General Assembly, each public
20 member of the council shall be appointed by the Governor, with the
21 advice and consent of the Senate, and shall serve until the council
22 ceases to exist as provided in section 4 of this act.

23 Any vacancies in the membership of the council occurring prior to
24 the dissolution of the council shall be filled by the Governor, with the
25 advice and consent of the Senate, for the unexpired term only. Any
26 member of the council may be removed from office by the Governor,
27 for cause, upon notice and opportunity to be heard.

28 The members of the council shall serve without compensation but
29 shall be reimbursed for necessary expenses incurred in the performance
30 of their duties.

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:

¹ Assembly ALA committee amendments adopted February 22, 1996.

1 (2) A determination of the source countries from which
2 undocumented aliens have come and paths of entry into and exit from
3 the State, including a finding as to whether there is a one way stream
4 or a back and forth flow from the source countries;

5 (3) Factors which are considered attractors for undocumented
6 aliens;

7 (4) Factors which maintain the presence of undocumented aliens
8 once in this State; and

9 (5) A determination of the impact of the presence of undocumented
10 aliens on the employment opportunities of persons legally resident in
11 this State.

12 b. Providing advice and recommendations to the department and
13 the Legislature for remedial action or legislation, or both, as
14 appropriate, with respect to the impact of undocumented aliens on
15 employment opportunities for those legally resident within this State.

16 c. Reviewing any relevant matters submitted to it by other persons
17 or entities.

18

19 3. The Council may:

20 a. Hold public meetings or hearings within the State on any matter
21 or matters related to the provisions of this act.

22 b. Call to its assistance and avail itself of the services of such
23 employees of any State, county or municipal department, board,
24 commission, or agency as may be required and made available for its
25 purposes.

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27 4. Three years from the date the council first meets, the council
28 shall submit to the commissioner and the Legislature a report
29 summarizing its activities, findings and recommendations. Upon the
30 transmittal of this report, the council shall cease to exist, unless
31 otherwise determined by enactment of subsequent legislation.

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33 5. This act shall take effect immediately.

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STATEMENT

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38 This bill establishes a Council on Undocumented Aliens in the
39 Department of Labor. The council would be responsible for: making
40 a study of various aspects of the undocumented alien population in the
41 State, including, but not limited to, the impact of this population on
42 the employment opportunities of persons legally resident in this State;
43 and recommending remedial action or legislation to the department or
44 Legislature, or both, as appropriate, with respect to the findings of the
45 council.

46 The council is to be made up of 14 public members and the

1 Commissioner of Labor, ex officio, or the commissioner's designee, as
2 chair. Public members are to be representative of various segments of
3 the State. Ten members are to be appointed by the Governor with the
4 advice and consent of the Senate. Two members are to be appointed
5 by the President of the Senate, and two members are to be appointed
6 by the Speaker of the General Assembly.

7 The council is required to submit a report to the commissioner and
8 the Legislature three years from the date of its first meeting. At the
9 end of such time, it will cease to exist unless otherwise determined by
10 enactment of subsequent legislation.

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15 Establishes Council on Undocumented Aliens in Department of Labor.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

SENATE, No. 208

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1996

The Assembly Labor Committee reports favorably Senate Bill No. 208 with committee amendments.

As amended by the committee, this bill establishes a Council on Undocumented Aliens in the Department of Labor. The council is responsible for: making a study of various aspects of the undocumented alien population in the State, including, but not limited to, the impact of this population on the employment opportunities of persons legally resident in this State; and recommending remedial action or legislation to the department or Legislature, or both, as appropriate, with respect to the findings of the council.

The bill provides that the council is made up of 14 public members and the Commissioner of Labor, ex officio, or his designee, as chair. Public members are to be representative of various segments of the State. Of the public members, two are to be appointed by the President of the Senate, two by the Speaker of the Assembly and 10 by the Governor with the advice and consent of the Senate.

The committee amendments provide that two of the public members of the council be representatives of minority group organizations.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 208

STATE OF NEW JERSEY

DATED: JUNE 13, 1996

The Assembly Appropriations Committee reports favorably Senate Bill No. 208 (1R).

Senate Bill No. 208 (1R) establishes a Council on Undocumented Aliens in the Department of Labor. The council is responsible for making a study of various aspects of the undocumented alien population in the State, including, but not limited to, the impact of this population on the employment opportunities of persons legally resident in this State; and recommending remedial action or legislation to the department or Legislature, or both, as appropriate, with respect to the findings of the council. The council is made up of 14 public members and the Commissioner of Labor, ex officio, or his designee, as chair. Public members are to be representative of various segments of the State. Of the public members, two are to be appointed by the President of the Senate, two by the Speaker of the Assembly and 10 by the Governor with the advice and consent of the Senate. The council is to submit a report to the Labor Commissioner and the Legislature within three years from its first meeting.

This bill is identical to Assembly Bill No.1003 (1R), as reported by this committee.

FISCAL IMPACT:

On the fiscal note to a similar bill last session (S-303 (2R)), the Department of Labor stated that it would be difficult, if not impossible to survey and estimate this population. The department did estimate a cost of approximately \$34,000 to \$37,000 for staff to the Council. The Office of Legislative Service did not concur with the estimate.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 208

STATE OF NEW JERSEY

DATED: JANUARY 22, 1996

The Senate State Government Committee reports favorably Senate Bill No. 208.

This bill establishes a Council on Undocumented Aliens in the Department of Labor. The council would be responsible for: making a study of various aspects of the undocumented alien population in the State, including, but not limited to, the impact of this population on the employment opportunities of persons legally resident in this State; and recommending remedial action or legislation to the department or Legislature, or both, as appropriate, with respect to the findings of the council.

The council is to be made up of 14 public members and the Commissioner of Labor, ex officio, or the commissioner's designee, as chair. Public members are to be representative of various segments of the State. Ten members are to be appointed by the Governor with the advice and consent of the Senate. Two members are to be appointed by the President of the Senate, and two members are to be appointed by the Speaker of the General Assembly.

The council is required to submit a report to the commissioner and the Legislature three years from the date of its first meeting. At the end of such time, it will cease to exist unless otherwise determined by enactment of subsequent legislation.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, this bill includes the changes required by technical review, which has been performed.

LEGISLATIVE FISCAL ESTIMATE TO

[First Reprint]
SENATE, No. 208

STATE OF NEW JERSEY

DATED: AUGUST 2, 1996

Senate Bill No.208 (1R) of 1996 establishes a Council on Undocumented Aliens in the Department of Labor. The council would be responsible for: making a study of various aspects of the undocumented alien population in the State, including, but not limited to, the impact of this population on the employment opportunities of persons legally residing in this State; and recommending remedial action or legislation to the department or Legislature, or both, as appropriate, with respect to the findings of the council. The council is to be made up of 14 public members and the Commissioner of Labor, ex officio, or the commissioner's designee, as chair.

The council is required to submit a report to the commissioner and the Legislature three years from the date of its first meeting. At the end of such time, it will cease to exist unless otherwise determined by enactment of subsequent legislation.

The Office of Legislative Services (OLS) notes that in response to a similar bill considered during the last session (Senate Bill No. 303 of 1995), the Department of Labor stated that given the difficulty experienced by U.S. Census Bureau and the Immigration and Naturalization Service in surveying and estimating the undocumented alien population, it would be difficult, if not impossible, for the council to undertake a study of this population. Moreover, the department stated that even if the council were to be given resources, the absence of a population base from which samples could be drawn would prohibit the council from reaching conclusions regarding such factors as the growth or decline of this population. Nevertheless, the department concluded that should the bill be enacted, one half of an administrative analyst position would be required to assist the council in fulfilling its responsibilities under the bill. The department estimated the cost of this half-time position to be approximately \$34,000 to \$37,000 per year during the first three years following enactment of the bill.

The Office of Legislative Services (OLS) does not concur with the department's cost estimate, since the bill's legislative intent is for the council to avail itself of existing, not additional, State resources. Moreover, the OLS is skeptical that the work of the council over a three year period would consume the attention of one half-time employee, given the department's position regarding the feasibility of the task.

S208 [1R]

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.