

12-1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 1:2-1 et al. (Legislative printing--procedures)

LAWS 1981 CHAPTER 448

Bill No. A3787

Sponsor(s) Karcher

Date Introduced Dec. 17, 1981

Committee: Assembly \_\_\_\_\_

Senate \_\_\_\_\_

Amended during passage Yes No Substituted for S3533 (not attached since identical to A3787)

Date of Passage: Assembly Jan. 4, 1982

Senate Jan. 4, 1982

Date of approval Jan. 9, 1982

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes ~~No~~

Following were printed:

Reports Yes No

Hearings Yes No

CHAPTER 448 LAWS OF N. J. 1981  
APPROVED 1-9-82

ASSEMBLY, No. 3787

STATE OF NEW JERSEY

INTRODUCED DECEMBER 17, 1981

By Assemblyman KARCHER

(Without Reference)

AN ACT concerning the printing and distribution of laws and other legislative printing and revising parts of the statutory law.

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

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

2 1:2-1. All laws of this State shall begin in the following style:  
3 "Be it enacted by the Senate and General Assembly of the State  
4 of New Jersey", after which shall follow the sections numbered  
5 consecutively 1, 2, 3, et cetera, with the Arabic numerals, each  
6 number being followed immediately by the significant words of the  
7 section, without the prefix of the word "that" or the words "and  
8 be it enacted", or any other formal prefix whatsoever. The [com-  
9 mittees and the engrossing clerks of the houses of the] legislature  
10 shall see that all bills are engrossed in conformity to the provisions  
11 of this section and [section] R. S. 1:2-2 [of this title].

1 2. R. S. 1:3-1 is amended to read as follows:

2 1:3-1. The [Secretary of State] *Legislative Services Commis-*  
3 *sion shall direct the Office of Legislative Services that, as soon as*  
4 *practicable after any law shall be enacted, it shall prepare the same*  
5 *for printing and in so doing, [he] it shall make such corrections in*  
6 *the text thereof, as shall be directed by the [Law Revision and]*  
7 *Legislative Services Commission, and shall omit from the text*  
8 *thereof all material inserted therein, which is enclosed in bold-*  
9 *faced brackets, together with the brackets and all footnotes relating*  
10 *thereto, and shall cause material, appearing in the text underlined*  
11 *or printed in italics, to be printed in the same manner as other*  
12 *material is printed. [He] The office shall cause the several acts of*  
13 *each year to be designated as chapters, numbered in Arabic accord-*  
14 *ing to the order of time when they respectively became laws; and*  
15 *shall cause headnotes, descriptive of the contents, to be printed at*

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

16 the beginning of such sections as [he] it shall deem appropriate, and  
 17 shall cause such sections of the several acts of each year[, as shall  
 18 be designated by the Law Revision and Legislative Services Com-  
 19 mission,] to be marked with such compilation numbers as shall  
 20 be [furnished to him by said commission] *appropriate in its judg-*  
 21 *ment*; and [he] it shall, in like manner, cause the joint resolutions  
 22 of the Senate and General Assembly and the concurrent resolutions  
 23 of the Senate and General Assembly agreeing to any proposed  
 24 amendment or amendments of the Constitution or providing for  
 25 the publication and submission to the people of any such proposed  
 26 amendment or amendments to be prepared for printing.

27 The [Law Revision and] *Office of Legislative Services* [Com-  
 28 mission], *through its Legislative Counsel*, is authorized to correct  
 29 in the text, but not in the title, of any law, such errors in references  
 30 to other laws and in punctuation and spelling, and other obvious  
 31 errors in form, which will not affect the substance of the law, as  
 32 shall be [approved] *concurring* in by the Attorney General and  
 33 [when so directed the Secretary of State] shall make such correc-  
 34 tions in preparing the law for printing.

35 *The Office of Legislative Services, through its Legislative*  
 36 *Counsel, is further authorized to correct errors caused when two*  
 37 *or more amendments to the same section of law are enacted, at the*  
 38 *same or different sessions of the Legislature, but such amendments*  
 39 *inadvertently omit provisions of, and fail to refer to, one another.*  
 40 *Only amendments that may be put into simultaneous operation may*  
 41 *be reconciled. Corrections shall be concurring in by the Attorney*  
 42 *General and, thereafter, the office shall prepare the law for*  
 43 *printing.*

44 The [Secretary of State] *Office of Legislative Services* shall  
 45 also cause the proclamations of the Governor made during the  
 46 previous year, which the Governor shall direct to be printed, to be  
 47 copied and prepared for printing.

48 The [Secretary of State] *Office of Legislative Services* shall  
 49 prepare but one index, alphabetically arranged, to all the acts and  
 50 joint resolutions of the year and the proclamations of the previous  
 51 year.

1 3. R. S. 1:3-2 is amended to read as follows:

2 1:3-2. [Upon the filing in his office of each act and joint resolu-  
 3 tion as required by sections 1:2-5, 1:2-6 and 1:2-7 of this Title,  
 4 the Secretary of State] *The Office of Legislative Services* shall  
 5 [forthwith] deliver a true copy of [the same] *each law and joint*  
 6 *resolution filed with the Secretary of State*, prepared in accordance  
 7 with the provisions of [section] *R. S. 1:3-1* [of this Title], to the

8 printer having the contract to print the laws. The [Secretary of  
9 State] *office* shall also furnish to such printer copies of such  
10 proclamations of the Governor to be printed with the laws, and  
11 copy for the index prepared by [him] *it* pursuant to [said section]  
12 *R. S. 1:3-1*, together with such analyses, tables and schedules indi-  
13 cating changes made in the statute law since the enactment of the  
14 Revised Statutes as [shall be furnished to him for that purpose  
15 by the Law Revision and Legislative Services Commission] *it shall*  
16 *determine are appropriate*, which shall be printed and distributed  
17 as part of the pamphlet laws.

1 4. R. S. 1:3-3 is amended to read as follows:

2 1:3-3. The [Secretary of State] *Legislative Services Commis-*  
3 *sion, through the Office of Legislative Services*, shall direct and  
4 superintend the printing of the laws, joint resolutions and  
5 proclamations.

1 5. R. S. 1:3-4 is amended to read as follows:

2 1:3-4. The laws enacted at each session of the Legislature shall  
3 be printed in the same general style as heretofore, subject to such  
4 modifications and modernization as the [Secretary of State]  
5 *Legislative Services Commission, through the Office of Legislative*  
6 *Services*, shall from time to time direct. Preceding the first chapter  
7 of the [public] *pamphlet* laws, there shall be printed the legislative  
8 list of members' names arranged by Senate and General Assembly  
9 districts. Following the last chapter of the [public] *pamphlet* laws,  
10 there shall be printed first, the joint resolutions of the Senate and  
11 General Assembly arranged in numerical order, and such procla-  
12 mations of the Governor made during the previous year as are to  
13 be printed with the laws.

1 6. R. S. 1:3-6 is amended to read as follows:

2 1:3-6. The general control and supervision of the printing of the  
3 laws, resolutions and proclamations shall be in [Division of Pur-  
4 chase and Property in the Department of the Treasury, and shall,  
5 as to such printing be governed by the provisions of chapter 36 of  
6 the Title State Government, Departments and Officers. (§ 52:36-1  
7 *et seq.*)] *the Legislative Services Commission, and the printing*  
8 *shall be subject to the provisions of R. S. 52:36-3 and R. S. 52:36-4.*

1 7. R. S. 1:3-7 is amended to read as follows:

2 1:3-7. The [custodian of the state house] *Office of Legislative*  
3 *Services* shall, under the direction and control of the [state house  
4 commission] *Legislative Services Commission*, cause to be bound  
5 in plain and substantial binding so many of the paper volumes of  
6 the laws as the [state house] commission shall direct. [Upon  
7 receipt of such bound volumes, the custodian of the state house]

8 *The Office* shall distribute them in the [same] manner [as the law  
9 and equity reports are required by law to be distributed. The  
10 remaining number of the paper volumes of the laws delivered by  
11 the printer to the custodian pursuant to the provisions of section  
12 1:3-5 of this title shall be distributed by the custodian as follows:

13 a. Sixty volumes to the secretary of the senate for the use of the  
14 Senate and General Assembly;

15 b. Nine volumes to the secretary of state (to be distributed by  
16 him, one copy each, to the library of Princeton university, the  
17 libraries of the two literary societies in Princeton university, the  
18 library of Rutgers university, the libraries of the two literary  
19 societies in Rutgers university, the library of Burlington college  
20 and the libraries of the two literary societies in Burlington college);

21 c. So many of the volumes to the several counties as shall be  
22 determined by the state house commission, each county to receive  
23 a number of volumes in proportion to the amount of taxes paid  
24 by it to the State. These volumes shall be transmitted at the  
25 expense of the State in bundles to the county treasurer of each  
26 county, who shall distribute them as provided in section 1:3-8 of  
27 this title; and

28 d. The remainder of the paper volumes shall be distributed as  
29 directed by the state house commission] *that the commission*  
30 *prescribes.*

1 8. R. S. 1:4-1 is amended to read as follows:

2 1:4-1. The Senate Journal, the [house of] Assembly Minutes[,]  
3 *and* the minutes of the joint meetings [and the minutes of the execu-  
4 tive sessions] of both Houses of the Legislature shall be printed  
5 in [the same compact style as the minutes of the assembly for the  
6 year one thousand eight hundred and eighty-five, and on equally  
7 good paper] *such style as the Senate and General Assembly shall*  
8 *direct.*

1 9. R. S. 1:4-2 is amended to read as follows:

2 1:4-2. The Secretary of the Senate shall cause to be prepared  
3 for printing copies of the Senate Journal in which shall be included  
4 the minutes of the joint meetings of the legislature, [and such parts  
5 of the executive journal of the Senate] *as directed by the Senate*  
6 [shall order to be printed]; and the clerk of the [house of] *General*  
7 *Assembly* shall cause to be prepared like copies of the house min-  
8 utes. The copies so prepared shall be delivered *by the Office of*  
9 *Legislative Services* to the person having the contract to print the  
10 same [within such time as will permit the printing and delivery  
11 thereof as required by section 1:4-3 of this title].

12 Immediately after each copy of the Senate Journal and Assembly  
 13 Minutes has been made and prepared for printing as required by  
 14 this section, the originals shall be deposited in the office of the  
 15 Secretary of State, there to remain and by him be kept unaltered  
 16 and undefaced.

1 10. R. S. 1:4-4 is amended to read as follows:

2 1:4-4. [Within 15 days after the final adjournment of each  
 3 session of the legislature, the] *The* Secretary of the Senate and the  
 4 Clerk of the [house of] *General* Assembly, respectively, shall pre-  
 5 pare and deliver to the printer an index of the Senate Journal and  
 6 [house of] Assembly Minutes for the entire session. The printer  
 7 shall[, within 15 days after such delivery to him.] print[, in  
 8 brier type, 500 copies of each of such indexes and deliver the  
 9 same in unfolded sheets to the custodian of the State House,  
 10 together with copies of the Journal and Minutes retained by him  
 11 pursuant to section 1:4-3 of this title, for the binding thereof by  
 12 the proper authorities] *as many copies as the Senate and General*  
 13 *Assembly direct.*

1 11. R. S. 1:4-5 is amended to read as follows:

2 1:4-5. Upon receipt of the [printed copies of the] Senate  
 3 Journal and Assembly Minutes, together with the indexes thereto,  
 4 [pursuant to the provisions of section 1:4-4 of this title, the cus-  
 5 todian of the State House, under the direction and control of the  
 6 state house commission,] *the Office of Legislative Services* shall  
 7 cause to be bound in plain and substantial binding so many of  
 8 such copies as the [state house commission] *Senate and General*  
 9 *Assembly* shall determine, which bound copies shall be distributed  
 10 by the [custodian as follows:

- 11 a. To each member of each legislature, one copy.
- 12 b. To the librarian of the congressional library at Washington,  
 13 four copies.
- 14 c. To the Secretary of State nine copies (to be distributed by  
 15 him, one copy each, to the library of Princeton university, the  
 16 libraries of the two literary societies in Princeton university, the  
 17 library of Rutgers university, the libraries of the two literary  
 18 societies in Rutgers university, the library of Burlington college  
 19 and the libraries of the two literary societies in Burlington college).
- 20 d. To the librarians of the theological seminaries at Princeton  
 21 and New Brunswick, each one copy.
- 22 e. To the state librarian, twenty copies.
- 23 f. The remaining number as the state house commission shall  
 24 direct.

25 The unbound copies of the journal and minutes, if any, shall be  
 26 disposed of by the custodian] office as directed by the [state house  
 27 commission] *Senate and General Assembly*.

1 12. R. S. 1:4-6 is amended to read as follows:

2 1:4-6. a. Any person desiring a complete set of the bills[, joint  
 3 resolutions] and [concurrent] resolutions introduced in any year  
 4 in the Legislature, together with the usual index slips, daily memo-  
 5 randa, advance parts of the Journal of the Senate and Minutes of  
 6 the Assembly and advance copies of laws, may file an application  
 7 therefor with the [Secretary of State] *Office of Legislative Serv-*  
 8 *ices*, accompanying the application with payment of an annual  
 9 subscription fee in an amount to be fixed from time to time by the  
 10 [Secretary of State after consultation with the Director of Purchase  
 11 and Property, the President of the Senate and the Speaker of the  
 12 General Assembly] *Legislative Services Commission*. Upon receipt  
 13 of the application and fee, the [Secretary of State] *Office of Legis-*  
 14 *lative Services* shall cause the name and address of the applicant  
 15 to be added to the printer's mailing list of members of the Legis-  
 16 lature, and thereafter during the year such bills[, joint resolutions,  
 17 concurrent] and resolutions, slips, daily memoranda, advance  
 18 parts of the Journal and Minutes and advance copies of laws shall  
 19 be mailed by the printer to such applicant as and when the same  
 20 are mailed to members of the Legislature.

21 b. Any person desiring an advance copy of each law, to be pub-  
 22 lished and distributed prior to the printing of the annual edition  
 23 of the laws as provided in R. S. 1:3-1, may file an application there-  
 24 for with the [Secretary of State] *Office of Legislative Services*  
 25 accompanying the application with payment of an annual sub-  
 26 scription fee to be fixed by the [Secretary of State] *Legislative*  
 27 *Services Commission* in the manner provided in [paragraph]  
 28 *subsection a.* of this section.

1 13. R. S. 1:4-7 is amended to read as follows:

2 1:4-7. The general control and supervision of the printing of  
 3 the Senate Journal, the [house of] Assembly Minutes and the  
 4 current legislative printing shall be in the [state purchasing de-  
 5 partment, and shall, as to such printing, be governed by the provi-  
 6 sions of chapter 36 of the title State Government, Departments and  
 7 Officers (§ 52:36-1 et seq.)] *Legislative Services Commission, and*  
 8 *the printing shall be subject to the provisions of R. S. 52:36-3 and*  
 9 *R. S. 52:36-4.*

1 14. R. S. 52:36-1 is amended to read as follows:

2 52:36-1. All the powers vested in and all the duties imposed on  
 3 the state printing board and the comptroller in and by chapter

4 three hundred and thirty-three of the laws of one thousand eight  
 5 hundred and ninety-five shall be vested in the [state purchasing  
 6-9 department] *Division of Purchase and Property in the Department*  
 10 *of the Treasury, and the [state purchase commissioner] Director*  
 11 *of the Division of Purchase and Property* shall exercise all the  
 12 powers and perform all the duties formerly exercised by or con-  
 13 ferred and charged upon the state printing board and the comp-  
 14 troller by the aforesaid act.

15 The [state purchasing department] *Division of Purchase and*  
 16 *Property* shall have the supervision and control of the printing of [:

17 a. The Senate Journal, the house of Assembly Minutes, the  
 18 minutes of the joint meetings and the minutes of the executive  
 19 sessions of both Houses of the Legislature;

20 b. The current printing of the Legislature;

21 c. The annual volume of the laws; and

22 d.] All such official reports and documents as the state librarian  
 23 may require to be printed pursuant to [section] *R. S. 52:14-20*  
 24 [of this title] *and such other State printing as it shall from time*  
 25 *to time be directed to do.*

1 15. The following sections are repealed:

2 R. S. 1:2-9;

3 R. S. 1:2-10;

4 R. S. 1:3-8 through R. S. 1:3-10;

5 R. S. 1:4-3 and

6 R. S. 52:36-2.

1 16. This act shall take effect January 12, 1982.

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#### STATEMENT

This bill makes sundry revisions to the procedure by which legislative printing is performed.

Section 1 removes an archaic reference to "committees and engrossing clerks" having the responsibility to determine the style of the printing of the laws.

Section 2 provides that the Legislative Services Commission—through the Office of Legislative Services—rather than the Secretary of State, shall have the responsibility for the preparation and printing of laws. It also provides that certain corrections, due to errors when multiple amendments to the same law are enacted but inadvertently omit provisions of one another, may be made by the Office of Legislative Services, through its Legislative Counsel, with the concurrence of the Attorney General.

Section 3 provides that the Office of Legislative Services, rather than the Secretary of State, shall prepare and provide the legis-

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lative printer with laws, joint resolutions and other material for inclusion in the pamphlet laws.

Section 4 provides that the Legislative Services Commission, through the Office of Legislative Services, shall direct and superintend the printing of the laws, joint resolutions and proclamations.

Section 5 provides that the Legislative Services Commission, through the Office of Legislative Services, may make such modifications and modernization in the style of the laws as was previously authorized for the Secretary of State to do.

Section 6 divests the Division of Purchase and Property in the Department of the Treasury of the general control and supervision of legislative printing, and vests that authority in the Legislative Services Commission.

Section 7 removes the custody and authority for distribution of the pamphlet laws from the custodian of the State House and authorizes the Office of Legislative Services to perform those functions. It also removes the statutory requirements for distribution.

Section 8 makes clear that the style of printing the Senate Journal and Assembly Minutes is as directed by the Senate and General Assembly.

Section 9 removes the duty of the Secretary of the Senate and Clerk of the General Assembly to deliver the Senate Journal and Assembly Minutes for printing, and imposes that duty on the Legislative Services Commission, through the Office of Legislative Services.

Section 10 removes the 15-day period after each session by which the Secretary of the Senate and the Clerk of the General Assembly shall deliver an index of the Senate Journal and Assembly Minutes to the legislative printer. It also removes the requirement of the number of copies that are to be printed.

Section 11 provides that the Office of Legislative Services, rather than the custodian of the State House, shall arrange for the binding and distribution of the Senate Journal and Assembly Minutes as directed by the Senate and General Assembly.

Section 12 provides that the Office of Legislative Services perform the duties presently performed by the Secretary of State in preparing and mailing to subscribers copies of bills and resolutions, advance laws and other legislative material.

Section 13 provides that the Legislative Services Commission has general control and supervision of the printing of the Senate Journal, Assembly Minutes and other legislative printing, which control and supervision is presently within the Division of Purchase and Property.

Section 14 amends the public printing law to remove the jurisdiction of the Division of Purchase and Property from legislative printing.

Section 15 repeals R. S. 1:2-9 (requiring the Secretary of the Senate and Clerk of the General Assembly to deliver to the State Librarian copies of bills and resolutions lost or not acted upon at the close of the legislative session); R. S. 1:2-10 (requiring distribution of every bill and resolution to every public library and county historical society); R. S. 1:3-8 (requiring county treasurers and township clerks to distribute unbound pamphlet laws according to a schedule); R. S. 1:3-9 (requiring the custodian of the State House to deliver federal laws according to a schedule); R. S. 1:3-10 (providing for a penalty for the failure of local officials to distribute the laws); R. S. 1:4-3 (requiring the legislative printer to distribute a certain number of copies of the Senate Journal and Assembly Minutes); and R. S. 52:36-2 (providing that the Director of the Division of Purchase and Property shall contract for all legislative printing).

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A-1688, sponsored by Assemblyman H. James Saxton (R-Burlington), amending the Solid Waste Management Act to authorize county health departments to collect fees from sanitary landfill operators within their jurisdiction for enforcement activities. The schedule of fees will be established by the Department of Environmental Protection.

A-2258, sponsored by Assemblyman Richard J. Codey (D-Essex), allowing police officers who have resigned in good standing to be placed on reemployment lists. The legislation insures these officers would be in line for appointments after officers who have been laid-off.

A-3787, sponsored by Assemblyman Alan Karcher (D-Middlesex), transferring many of the responsibilities for legislative printing from the Secretary of State and the Division of Purchase and Property to the Legislative Services Commission. The bill also makes changes in the printing format of bills and eliminates the separate printing of amendments and resolutions.

A-3413, sponsored by Assemblywoman Mildred Garvin (D-Essex), establishing within the Department of the Public Advocate a Division on the Developmentally Disabled. The Division has existed on the basis of a gubernatorial letter of authorization in the past.

A-3505, also sponsored by Assemblyman Codey, amending Section 46 of the Public Laws of 1946 to regulate the disposition of parimutuel pools at all horse race meetings with the exception of the New Jersey Sports and Exposition Authority. The act takes effect immediately and is retroactive to May 1, 1981.

A-238/768, sponsored by Thomas Deverin (D-Middlesex) which provides that a chief or other superior fire officer have sole authority within established fire lines. This authority supersedes that of any municipal police authority.

The Governor had returned this bill with a recommendation that this bill did not affect his or the State's emergency powers. The Legislature concurred with the Governor's recommendation.