

52:11-54

**LEGISLATIVE HISTORY CHECKLIST**  
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OLS--electronic form)

**NJSA:** 52:11-54

**LAWS OF:** 1995 **CHAPTER:** 319

**BILL NO:** S1068 *Companion bill A2372*

**SPONSOR(S):** Bubba and others

**DATE INTRODUCED:** May 16, 1994

**COMMITTEE:** **ASSEMBLY** State Government; Appropriations  
**SENATE:** State Government

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

**DATE OF PASSAGE:** **ASSEMBLY:** December 11, 1995  
**SENATE:** January 19, 1995

**DATE OF APPROVAL:** January 5, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes 1-26-95 & 11-27-95  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:**

See attached:

"Notes on the Legislative History of Laws of 1995, chapter 319"

KBP:pp

**Legislative History Checklist**  
(Compiled by the Office of Legislative Services Library)

**Synopsis:** Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form.\*\*\*

**Bill No.:** S1068

**P.L.** 1995, c. 319

*Identical to:* A2372 (2R)  
*Substituted for:* A2372 (2R)  
*Combined with:*  
*Last Session Bill No.:*

*See Above Bill(s) for Additional History*

**NJSA:** 52:11-78

**Sponsor(s):** Bubba+2

**Date Introduced:** 05/16/94

**Committee Reference:**

**Statement:**

**Public Hearing:**

*Assembly:*

State Government  
Appropriations

Yes  
Yes

No  
No

*Senate:*

State Government

Yes

No

**Sponsor Statement:** Yes

**Fiscal Note:** No

**Dates of Passage:**

*Assembly:*

12/11/95 (79-0)

*Senate:*

01/19/95 (37-0)  
12/18/95 (36-0)

**Amended During Passage:** Yes

**Governor's Action:**

**Veto:** No

**Date of Veto:**

**Date of Approval:** 01/05/96

**Message on Signing:** Yes

**Additional Information:**

P.L.1995, CHAPTER 319, *approved January 5, 1996*  
1994 Senate No. 1068 (*Fourth Reprint*)

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> <sup>4</sup>and<sup>4</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.) <sup>4</sup>[<sup>1</sup>, and making an appropriation<sup>1</sup>]<sup>4</sup>.

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

7 1. a. The Office of Legislative Services shall make available  
8 to the public <sup>3</sup>and maintain<sup>3</sup> in electronic form the following  
9 information:

10 (1) the most current available compilation of the official text  
11 of the statutes of New Jersey;

12 (2) the text of all bills introduced during the <sup>3</sup>current<sup>3</sup>  
13 two-year session of the Legislature, including amended versions,  
14 as well as sponsor statements, committee statements, <sup>3</sup>and<sup>3</sup>  
15 fiscal notes <sup>3</sup>[, and veto messages]<sup>3</sup>;

16 (3) <sup>3</sup>[bill-indexing data on]<sup>3</sup> all bills <sup>3</sup>currently<sup>3</sup> pending in the  
17 Legislature, <sup>3</sup>[including indexing] listed<sup>3</sup> by subject and sponsor  
18 <sup>3</sup>[and, where appropriate, by citation of the section of law to be  
19 amended by a bill]<sup>3</sup>;

20 (4) bill-tracking data on all bills pending in the Legislature,  
21 including the history of actions <sup>3</sup>[and],<sup>3</sup> current status <sup>3</sup>and,  
22 where appropriate, by citation of the section of law to be  
23 amended by a bill<sup>3</sup>;

24 (5) a current calendar of legislative events, including the  
25 schedule of legislative committee meetings, and a list of bills  
26 scheduled for legislative action;

27 (6) a current directory of the members of the Legislature,  
28 including complete committee membership information;

29 (7) the text of all chapter laws beginning with laws <sup>3</sup>[enacted  
30 during 1994] passed by the Legislature after 12:00 noon, January  
31 9, 1996<sup>3</sup>; and

32 (8) such other information as the Legislative Services  
33 Commission shall direct.

34 b. The information specified in subsection a. <sup>3</sup>of this section<sup>3</sup>  
35 shall be made available to the public through the largest  
36 nonproprietary cooperative public computer network.

37 c. <sup>3</sup>[No fee or usage charge shall be imposed by the] The<sup>3</sup>  
38 Office of Legislative Services <sup>4</sup>[<sup>3</sup>may] shall not<sup>4</sup> impose a  
39 <sup>4</sup>[reasonable]<sup>4</sup> fee or usage charge <sup>4</sup>[based on the cost of  
40 providing the information specified in subsection a. of this  
41 section through the network described in subsection b. of this  
42 section<sup>3</sup>]<sup>4</sup> as a condition of accessing the information specified in

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSG committee amendments adopted September 26, 1994.

<sup>2</sup> Assembly ASG committee amendments adopted January 26, 1995.

<sup>3</sup> Assembly AAP committee amendments adopted November 30, 1995.

<sup>4</sup> Assembly floor amendments adopted December 11, 1995.

1 subsection a. of this section through the network described in  
2 subsection b. of this section <sup>4</sup>[<sup>3</sup>; however, no fees or usage  
3 charges shall be imposed on any other board, body, agency,  
4 department, commission or official of the State government, any  
5 board, body, commission or authority established by law, or any  
6 publicly-supported library in this State<sup>3</sup>]<sup>4</sup>.

7 d. The Office of Legislative Services may offer a fee-based  
8 electronic legislative information service which may include, in  
9 addition to the information specified in subsection a. <sup>3</sup>of this  
10 section<sup>3</sup>, the following information and capabilities:

11 (1) the ability for users to automatically maintain updated  
12 private databases and receive notification of scheduled action on  
13 specific bills or subject matter;

14 (2) the ability for users to retrieve information by various  
15 means of searching full text; and

16 (3) archives of bill texts and related information from prior  
17 sessions of the Legislature.

18 e. Nothing contained in this section shall be construed as  
19 prohibiting a private individual or entity from using the  
20 information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> to  
21 provide, either commercially or on a voluntary basis, services  
22 similar to those provided by the Office of Legislative Services  
23 pursuant to subsection d. <sup>3</sup>of this section.<sup>3</sup>

24 <sup>3</sup>f. The Office of Legislative Services shall consult with the  
25 appropriate office within the executive branch of the State  
26 government responsible for computer security and guidelines in  
27 order to provide the information specified in subsection a. of this  
28 section on the largest nonproprietary cooperative public  
29 computer network, and both offices shall take all appropriate  
30 security measures, subject to the approval of the Legislative  
31 Services Commission or the designee thereof, to protect the  
32 computer systems that provide access to and store the  
33 information specified in subsection a. of this section.

34 g. No fee shall be charged to the Office of Legislative  
35 Services by the appropriate office within the executive branch of  
36 the State government responsible for computer security and  
37 guidelines for services rendered related to this act.<sup>3</sup>

38 <sup>3</sup>[<sup>12</sup>. There is appropriated from the General Fund a sum of  
39 2[\$80,000] \$160,000<sup>2</sup> to the Office of Legislative Services to  
40 effectuate the purposes of this act.<sup>1</sup>]<sup>3</sup>

41 <sup>1</sup>[<sup>2.</sup>] <sup>3</sup>[<sup>3.1</sup>] <sup>2.</sup><sup>3</sup> This act shall take effect <sup>3</sup>[on the second  
42 Tuesday in January 1996] immediately but section 1 shall remain  
43 inoperative until July 1, 1996<sup>3</sup>.

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48 Requires Office of Legislative Services to make information on  
49 laws, legislation and legislative activity available to the public in  
50 electronic form.

SENATE, No. 1068  
STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Senator BUBBA

1 AN ACT providing for public access to legislative information in  
2 electronic form, and supplementing P.L.1979, c.8 (C.52:11-54  
3 et seq.)  
4

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

7 1. a. The Office of Legislative Services shall make available to  
8 the public in electronic form the following information:

9 (1) the most current available compilation of the official  
10 text of the statutes of New Jersey;

11 (2) the text of all bills introduced during the two-year  
12 session of the Legislature, including amended versions, as well as  
13 sponsor statements, committee statements, fiscal notes, and veto  
14 messages;

15 (3) bill-indexing data on all bills pending in the  
16 Legislature, including indexing by subject and sponsor and, where  
17 appropriate, by citation of the section of law to be amended by a  
18 bill;

19 (4) bill-tracking data on all bills pending in the  
20 Legislature, including the history of actions and current status;

21 (5) a current calendar of legislative events, including the  
22 schedule of legislative committee meetings, and a list of bills  
23 scheduled for legislative action;

24 (6) a current directory of the members of the  
25 Legislature, including complete committee membership  
26 information;

27 (7) the text of all chapter laws beginning with laws  
28 enacted during 1994; and

29 (8) such other information as the Legislative Services  
30 Commission shall direct.

31 b. The information specified in subsection a. shall be made  
32 available to the public through the largest nonproprietary  
33 cooperative public computer network.

34 c. No fee or usage charge shall be imposed by the Office of  
35 Legislative Services as a condition of accessing the information  
36 specified in subsection a. of this section through the network  
37 described in subsection b. of this section.

38 d. The Office of Legislative Services may offer a fee-based  
39 electronic legislative information service which may include, in  
40 addition to the information specified in subsection a., the  
41 following information and capabilities:

42 (1) the ability for users to automatically maintain  
43 updated private databases and receive notification of scheduled  
44 action on specific bills or subject matter;

1 (2) the ability for users to retrieve information by various  
2 means of searching full text; and

3 (3) archives of bill texts and related information from  
4 prior sessions of the Legislature.

5 e. Nothing contained in this section shall be construed as  
6 prohibiting a private individual or entity from using the  
7 information specified in subsection a. to provide, either  
8 commercially or on a voluntary basis, services similar to those  
9 provided by the Office of Legislative Services pursuant to  
10 subsection d.

11 2. This act shall take effect on the second Tuesday in January  
12 1996.

#### 13 14 15 STATEMENT

16  
17 This bill would require the Office of Legislative Services (OLS)  
18 to make available to the public, in electronic form, the following  
19 information: the texts of statutes (in both a compiled format and  
20 by chapter law beginning with laws enacted during 1994); the  
21 texts of pending bills along with sponsor statements, committee  
22 statements, fiscal notes and veto messages; bill indexing and  
23 tracking information; a calendar of legislative events; a directory  
24 of members of the Legislature, including a listing of committee  
25 memberships; and such other information as the Legislative  
26 Services Commission shall direct. Information would be provided  
27 through the largest nonproprietary cooperative public computer  
28 network (Internet). No fee or usage charge would be imposed by  
29 OLS for the privilege of accessing this information. The bill  
30 would also permit OLS to offer, via Internet, a fee-based  
31 legislative information service which, in addition to providing the  
32 foregoing information, would enable users to: automatically  
33 update private databases; receive notification of scheduled action  
34 on specific bills or subject matter; retrieve information by  
35 various means of searching full text; and access archives of bill  
36 texts and related information from prior sessions of the  
37 Legislature.

38 At present, four states (California, Hawaii, Minnesota and  
39 Utah) offer "full-text" legislative information through Internet  
40 without usage fees. OLS currently offers an electronic  
41 information system which is available to users for a monthly fee.  
42 The bill would make this information available to a broader range  
43 of users with no fee imposed by OLS. By enhancing public access  
44 to the texts of statutes the bill would increase compliance with  
45 existing law. In addition, facilitating access by members of the  
46 public to information on pending legislation would increase  
47 awareness of, and participation in, the legislative process.

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52 Requires Office of Legislative Services to make information on  
53 laws, legislation and legislative activity available to the public in  
54 electronic form.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1068**

with committee amendments

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 26, 1994

The Senate State Government Committee reports favorably and with committee amendments Senate Bill No. 1068

This bill would require the Office of Legislative Services (OLS) to make available to the public, in electronic form, the following information:

- 1) the texts of statutes (in both a compiled format and by chapter law beginning with laws enacted during 1994);
- 2) the texts of pending bills along with sponsor statements, committee statements, fiscal notes and veto messages;
- 3) bill indexing and tracking information;
- 4) a calendar of legislative events;
- 5) a directory of members of the Legislature, including a listing of committee memberships; and
- 6) such other information as the Legislative Services Commission shall direct.

Information would be provided through the largest nonproprietary cooperative public computer network (currently, the Internet). No fee or usage charge would be imposed by OLS for the privilege of accessing this information.

The bill would also permit OLS to offer, via the Internet, a fee-based legislative information service which, in addition to providing the foregoing information, would enable users to: automatically update private databases; receive notification of scheduled action on specific bills or subject matter; retrieve information by various means of searching full text; and access archives of bill texts and related information from prior sessions of the Legislature.

OLS currently offers an electronic information system which is available to users for a monthly fee (LINK). The bill would make this information available to a broader range of users with no fee imposed by OLS.

At present, four states (California, Hawaii, Minnesota and Utah) offer "full-text" legislative information through Internet without usage fees. By enhancing public access to the texts of statutes the bill would increase compliance with existing law. In addition, facilitating access by members of the public to information on pending legislation would increase awareness of, and participation in, the legislative process.

The bill appropriates \$80,000 from the General Fund to the Office of Legislative Services to effectuate the purposes of the bill.

FISCAL IMPACT

According to the Director of the Data Management Unit (DMU) of OLS, during FY1993 the office earned approximately \$147,000 from online and monthly access charges for its LINK database. At

present, annual recurring costs for OLS to administer, maintain and operate the system are \$20,000 (DMU), \$15,720 (Administrative Unit) and \$8,100 (Counsel's Unit), leaving a net profit of \$104,000. DMU estimates that it would cost approximately \$80,000 in computer hardware to comply with the bill and the cost for membership in the Internet for an organization like the Legislature is approximately \$1,500 per month. Thus, if the bill were to become law, the Legislature could lose approximately \$140,000 in direct revenue and incur \$43,000 in maintenance and personal costs and \$18,000 in annual membership fees.

#### COMMITTEE AMENDMENTS

The committee amended the bill to appropriate \$80,000 from the General Fund to the Office of Legislative Services to effectuate the bill's purposes.



SENATE SSG COMMITTEE

AMENDMENTS

to

SENATE, No. 1068

(Sponsored by Senator BUBBA)

ADOPTED

September 28, 1994

REPLACE TITLE TO READ:

AN ACT providing for public access to legislative information in electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8 (C.52:11-54 et seq.)<sup>1</sup>, and making an appropriation<sup>1</sup>.

INSERT NEW SECTION 2 TO READ:

<sup>1</sup>2. There is appropriated from the General Fund a sum of \$80,000 to the Office of Legislative Services to effectuate the purposes of this act.<sup>1</sup>

RENUMBER SECTION 2 AS SECTION 3

REPLACE SYNOPSIS TO READ:

Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form; appropriates \$80,000.

[FIRST REPRINT]

SENATE, No. 1068

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Senator BUBBA

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.)<sup>1</sup>, and making an appropriation<sup>1</sup>.  
4

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

7 1. a. The Office of Legislative Services shall make available to  
8 the public in electronic form the following information:

9 (1) the most current available compilation of the official text  
10 of the statutes of New Jersey;

11 (2) the text of all bills introduced during the two-year session  
12 of the Legislature, including amended versions, as well as sponsor  
13 statements, committee statements, fiscal notes, and veto  
14 messages;

15 (3) bill-indexing data on all bills pending in the Legislature,  
16 including indexing by subject and sponsor and, where appropriate,  
17 by citation of the section of law to be amended by a bill;

18 (4) bill-tracking data on all bills pending in the Legislature,  
19 including the history of actions and current status;

20 (5) a current calendar of legislative events, including the  
21 schedule of legislative committee meetings, and a list of bills  
22 scheduled for legislative action;

23 (6) a current directory of the members of the Legislature,  
24 including complete committee membership information;

25 (7) the text of all chapter laws beginning with laws enacted  
26 during 1994; and

27 (8) such other information as the Legislative Services  
28 Commission shall direct.

29 b. The information specified in subsection a. shall be made  
30 available to the public through the largest nonproprietary  
31 cooperative public computer network.

32 c. No fee or usage charge shall be imposed by the Office of  
33 Legislative Services as a condition of accessing the information  
34 specified in subsection a. of this section through the network  
35 described in subsection b. of this section.

36 d. The Office of Legislative Services may offer a fee-based  
37 electronic legislative information service which may include, in  
38 addition to the information specified in subsection a., the  
39 following information and capabilities:

40 (1) the ability for users to automatically maintain updated  
41 private databases and receive notification of scheduled action on  
42 specific bills or subject matter;

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.

Matter enclosed in superscript numerals has been adopted as follows:  
<sup>1</sup> Senate SSG committee amendments adopted September 26, 1994.

1 (2) the ability for users to retrieve information by various  
2 means of searching full text; and

3 (3) archives of bill texts and related information from prior  
4 sessions of the Legislature.

5 e. Nothing contained in this section shall be construed as  
6 prohibiting a private individual or entity from using the  
7 information specified in subsection a. to provide, either  
8 commercially or on a voluntary basis, services similar to those  
9 provided by the Office of Legislative Services pursuant to  
10 subsection d.

11 12. There is appropriated from the General Fund a sum of  
12 \$80,000 to the Office of Legislative Services to effectuate the  
13 purposes of this act.<sup>1</sup>

14 <sup>1</sup>[2.] 3.<sup>1</sup> This act shall take effect on the second Tuesday in  
15 January 1996.

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20 \_\_\_\_\_  
21 Requires Office of Legislative Services to make information on  
22 laws, legislation and legislative activity available to the public in  
electronic form; appropriates \$80,000.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 1068

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 26, 1995

The Assembly State Government Committee reports favorably and with committee amendments Senate, No. 1068 (1R).

This bill would require the Office of Legislative Services (OLS) to make available to the public, in electronic form, the following information: the texts of statutes (in both a compiled format and by chapter law beginning with laws enacted during 1994); the texts of pending bills along with sponsor statements, committee statements, fiscal notes and veto messages; bill indexing; legislative history and current status of bills; a calendar of legislative events; a directory of members of the Legislature, including a listing of committee memberships; and such other information as the Legislative Services Commission shall direct.

Information would be provided through the largest nonproprietary cooperative public computer network (Internet). No fee or usage charge would be imposed by OLS for the privilege of accessing this information.

The bill would also permit OLS to offer, via Internet, a fee-based legislative information service which, in addition to providing the foregoing information, would enable users to: automatically update private databases; receive notification of scheduled action on specific bills or subject matter; retrieve information by various means of searching full text; and access archives of bill texts and related information from prior sessions of the Legislature.

The bill provides for an appropriation to the Office of Legislative Services from the General Fund of \$160,000 to effectuate the purposes of the legislation.

COMMITTEE AMENDMENTS

The committee adopted amendments to this legislation increasing the amount of the appropriation from \$80,000 to \$160,000.

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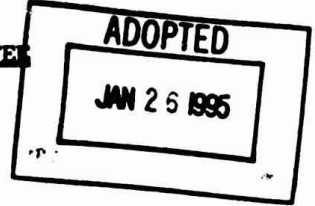
Document ID 1336  
SG 0044  
SR XXXX 0006  
TR XXXX 0006

ASSEMBLY STATE GOVERNMENT COMMITTEE

AMENDMENTS

to

**SENATE, No. 1068 (LR)**  
(Sponsored by Senator BUBBA)



REPLACE SECTION 2 TO READ:

12. There is appropriated from the General Fund a sum of  
2[\$80,000] \$160,000<sup>2</sup> to the Office of Legislative Services to  
effectuate the purposes of this act.<sup>1</sup>

REPLACE SYNOPSIS TO READ:

Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form; appropriates \$160,000.

[SECOND REPRINT]

SENATE, No. 1068

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Senators BUBBA, Kosco and Ciesla

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.)<sup>1</sup>, and making an appropriation<sup>1</sup>.  
4

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

7 1. a. The Office of Legislative Services shall make available to  
8 the public in electronic form the following information:

9 (1) the most current available compilation of the official text  
10 of the statutes of New Jersey;

11 (2) the text of all bills introduced during the two-year session  
12 of the Legislature, including amended versions, as well as sponsor  
13 statements, committee statements, fiscal notes, and veto  
14 messages;

15 (3) bill-indexing data on all bills pending in the Legislature,  
16 including indexing by subject and sponsor and, where appropriate,  
17 by citation of the section of law to be amended by a bill;

18 (4) bill-tracking data on all bills pending in the Legislature,  
19 including the history of actions and current status;

20 (5) a current calendar of legislative events, including the  
21 schedule of legislative committee meetings, and a list of bills  
22 scheduled for legislative action;

23 (6) a current directory of the members of the Legislature,  
24 including complete committee membership information;

25 (7) the text of all chapter laws beginning with laws enacted  
26 during 1994; and

27 (8) such other information as the Legislative Services  
28 Commission shall direct.

29 b. The information specified in subsection a. shall be made  
30 available to the public through the largest nonproprietary  
31 cooperative public computer network.

32 c. No fee or usage charge shall be imposed by the Office of  
33 Legislative Services as a condition of accessing the information  
34 specified in subsection a. of this section through the network  
35 described in subsection b. of this section.

36 d. The Office of Legislative Services may offer a fee-based  
37 electronic legislative information service which may include, in  
38 addition to the information specified in subsection a., the  
39 following information and capabilities:

40 (1) the ability for users to automatically maintain updated  
41 private databases and receive notification of scheduled action on  
42 specific bills or subject matter;

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSG committee amendments adopted September 26, 1994.

<sup>2</sup> Assembly ASG committee amendments adopted January 26, 1995.

1 (2) the ability for users to retrieve information by various  
2 means of searching full text; and

3 (3) archives of bill texts and related information from prior  
4 sessions of the Legislature.

5 e. Nothing contained in this section shall be construed as  
6 prohibiting a private individual or entity from using the  
7 information specified in subsection a. to provide, either  
8 commercially or on a voluntary basis, services similar to those  
9 provided by the Office of Legislative Services pursuant to  
10 subsection d.

11 12. There is appropriated from the General Fund a sum of  
12 2{~~\$80,000~~ \$160,000<sup>2</sup> to the Office of Legislative Services to  
13 effectuate the purposes of this act.<sup>1</sup>

14 <sup>1</sup>[2.] <sup>3.</sup><sup>1</sup> This act shall take effect on the second Tuesday in  
15 January 1996.

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18  
19  
20 Requires Office of Legislative Services to make information on  
21 laws, legislation and legislative activity available to the public in  
22 electronic form; appropriates \$160,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[SECOND REPRINT]

**SENATE, No. 1068**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 27, 1995

The Assembly Appropriations Committee reports favorably Senate Bill No. 1068 [2R], with committee amendments.

Senate Bill No. 1068 [2R], as amended, requires the Office of Legislative Services (OLS) to maintain and make available certain legislative information: the text of bills introduced in the current session, a list of current bills by subject and sponsor, and the text of all chapter laws enacted by the 1996 Legislature and thereafter. The bill allows the OLS to impose a reasonable fee or usage charge based on the cost of providing the information. However, the OLS is prohibited from charging a State agency, board, department, commission, or authority established by law, or any publicly-supported library in this State. The OLS is to consult with the Office of Telecommunications and Information Systems (OTIS) to provide the information on the Internet. OLS and OTIS are required to take appropriate security measures to protect the computer systems.

This bill, as amended and reported by this committee, is identical to A2372 [1R] with amendments as reported by this committee.

FISCAL IMPACT:

As amended by this committee, the bill does not make an appropriation for the implementation of the information services. Data sufficient to estimate the fees required to cover the cost of providing the information are not currently available.

COMMITTEE AMENDMENTS:

These amendments specify the information that OLS will make available through the service, clarifying that information will be available for the then-current session of the Legislature. The information will begin with bills and enactments of the Legislature that begins its session in 1996. The service will be implemented beginning July 1, 1996.

The amendments delete the appropriation for the information service implementation, and instead allow the imposition of a reasonable fee or usage charge based on the cost of providing the appropriate information. However, no board, body, agency, department, commission or official of the State, no board, body, commission or authority established by law, and no publicly-supported library of this State may be charged.

The amendments require OLS to consult with OTIS to provide the information service on the Internet and require OLS and OTIS to take appropriate security measures, subject to the approval of the Legislative Services Commission. OTIS is prohibited from charging OLS a fee for such services rendered.

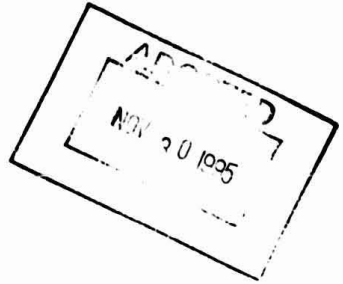


ASSEMBLY AAP COMMITTEE

Amendments

to

SENATE, No. 1068 (2R)  
(Sponsored by Senator Bubba)



REPLACE SECTION 1 TO READ:

1. a. The Office of Legislative Services shall make available to the public <sup>3</sup>and maintain<sup>3</sup> in electronic form the following information:

(1) the most current available compilation of the official text of the statutes of New Jersey;

(2) the text of all bills introduced during the <sup>3</sup>current<sup>3</sup> two-year session of the Legislature, including amended versions, as well as sponsor statements, committee statements, <sup>3</sup>and<sup>3</sup> fiscal notes <sup>3</sup>[, and veto messages]<sup>3</sup>;

(3) <sup>3</sup>[bill-indexing data on]<sup>3</sup> all bills <sup>3</sup>currently<sup>3</sup> pending in the Legislature, <sup>3</sup>[including indexing] listed<sup>3</sup> by subject and sponsor <sup>3</sup>[and, where appropriate, by citation of the section of law to be amended by a bill]<sup>3</sup>;

(4) bill-tracking data on all bills pending in the Legislature, including the history of actions <sup>3</sup>[and] <sup>3</sup>current status <sup>3</sup>and, where appropriate, by citation of the section of law to be amended by a bill<sup>3</sup>;

(5) a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action;

(6) a current directory of the members of the Legislature, including complete committee membership information;

(7) the text of all chapter laws beginning with laws <sup>3</sup>[enacted during 1994] passed by the Legislature after 12:00 noon, January 9, 1996<sup>3</sup>; and

(8) such other information as the Legislative Services Commission shall direct.

b. The information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> shall be made available to the public through the largest nonproprietary cooperative public computer network.

c. <sup>3</sup>[No fee or usage charge shall be imposed by the] The<sup>3</sup> Office of Legislative Services <sup>3</sup>may impose a reasonable fee or usage charge based on the cost of providing the information specified in subsection a. of this section through the network described in subsection b. of this section<sup>3</sup> as a condition of accessing the information specified in subsection a. of this section through the network specified in subsection b. of this section <sup>3</sup>; however, no fees or usage charges shall be imposed on any other board, body, agency, department, commission or official of the State government, any board, body, commission or authority established by law, or any publicly-supported library in this State<sup>3</sup>.

d. The Office of Legislative Services may offer a fee-based electronic legislative information service which may include, in addition to the information specified in subsection a. <sup>3</sup>of this section<sup>3</sup>, the following information and capabilities:

(1) the ability for users to automatically maintain updated private databases and receive notification of scheduled action on specific bills or subject matter;

(2) the ability for users to retrieve information by various means of searching full text; and

(3) archives of bill texts and related information from prior sessions of the Legislature.

e. Nothing contained in this section shall be construed as prohibiting a private individual or entity from using the information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> to provide, either commercially or on a voluntary basis, services similar to those provided by the Office of Legislative Services pursuant to subsection d. <sup>3</sup>of this section.<sup>3</sup>

<sup>3</sup>f. The Office of Legislative Services shall consult with the appropriate office within the executive branch of the State government responsible for computer security and guidelines in order to provide the information specified in subsection a. of this section on the largest nonproprietary cooperative public computer network, and both offices shall take all appropriate security measures, subject to the approval of the Legislative Services Commission or the designee thereof, to protect the computer systems that provide access to and store the information specified in subsection a. of this section.

g. No fee shall be charged to the Office of Legislative Services by the appropriate office within the executive branch of the State government responsible for computer security and guidelines for services rendered related to this act.<sup>3</sup>

OMIT SECTION 2 IN ITS ENTIRETY

REPLACE SECTION 3 TO READ:

<sup>1</sup>[2.] <sup>3</sup>[3.1] 2.<sup>3</sup> This act shall take effect <sup>3</sup>[on the second Tuesday in January 1996] immediately but section 1 shall remain inoperative until July 1, 1996<sup>3</sup>.

REPLACE SYNOPSIS TO READ:

Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form.

[THIRD REPRINT]  
SENATE, No. 1068  
STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Senators BUBBA, Kosco and Ciesla

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.)<sup>1</sup>, and making an appropriation<sup>1</sup>.  
4

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

7 1. a. The Office of Legislative Services shall make available  
8 to the public <sup>3</sup>and maintain<sup>3</sup> in electronic form the following  
9 information:

10 (1) the most current available compilation of the official text  
11 of the statutes of New Jersey;

12 (2) the text of all bills introduced during the <sup>3</sup>current<sup>3</sup>  
13 two-year session of the Legislature, including amended versions,  
14 as well as sponsor statements, committee statements, <sup>3</sup>and<sup>3</sup>  
15 fiscal notes <sup>3</sup>[, and veto messages]<sup>3</sup>;

16 (3) <sup>3</sup>[bill-indexing data on]<sup>3</sup> all bills <sup>3</sup>currently<sup>3</sup> pending in the  
17 Legislature, <sup>3</sup>[including indexing] listed<sup>3</sup> by subject and sponsor  
18 <sup>3</sup>[and, where appropriate, by citation of the section of law to be  
19 amended by a bill]<sup>3</sup>;

20 (4) bill-tracking data on all bills pending in the Legislature,  
21 including the history of actions <sup>3</sup>[and],<sup>3</sup> current status <sup>3</sup>and,  
22 where appropriate, by citation of the section of law to be  
23 amended by a bill<sup>3</sup>;

24 (5) a current calendar of legislative events, including the  
25 schedule of legislative committee meetings, and a list of bills  
26 scheduled for legislative action;

27 (6) a current directory of the members of the Legislature,  
28 including complete committee membership information;

29 (7) the text of all chapter laws beginning with laws <sup>3</sup>[enacted  
30 during 1994] passed by the Legislature after 12:00 noon, January  
31 9, 1996<sup>3</sup>; and

32 (8) such other information as the Legislative Services  
33 Commission shall direct.

34 b. The information specified in subsection a. <sup>3</sup>of this section<sup>3</sup>  
35 shall be made available to the public through the largest  
36 nonproprietary cooperative public computer network.

37 c. <sup>3</sup>[No fee or usage charge shall be imposed by the] The<sup>3</sup>  
38 Office of Legislative Services <sup>3</sup>may impose a reasonable fee or  
39 usage charge based on the cost of providing the information  
40 specified in subsection a. of this section through the network  
41 described in subsection b. of this section<sup>3</sup> as a condition of  
42 accessing the information specified in subsection a. of this

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSG committee amendments adopted September 26, 1994.

<sup>2</sup> Assembly ASG committee amendments adopted January 26, 1995.

<sup>3</sup> Assembly AAP committee amendments adopted November 30, 1995.

1 section through the network described in subsection b. of this  
2 section <sup>3</sup>; however, no fees or usage charges shall be imposed on  
3 any other board, body, agency, department, commission or  
4 official of the State government, any board, body, commission or  
5 authority established by law, or any publicly-supported library in  
6 this State<sup>3</sup>.

7 d. The Office of Legislative Services may offer a fee-based  
8 electronic legislative information service which may include, in  
9 addition to the information specified in subsection a. <sup>3</sup>of this  
10 section<sup>3</sup>, the following information and capabilities:

11 (1) the ability for users to automatically maintain updated  
12 private databases and receive notification of scheduled action on  
13 specific bills or subject matter;

14 (2) the ability for users to retrieve information by various  
15 means of searching full text; and

16 (3) archives of bill texts and related information from prior  
17 sessions of the Legislature.

18 e. Nothing contained in this section shall be construed as  
19 prohibiting a private individual or entity from using the  
20 information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> to  
21 provide, either commercially or on a voluntary basis, services  
22 similar to those provided by the Office of Legislative Services  
23 pursuant to subsection d. <sup>3</sup>of this section.<sup>3</sup>

24 <sup>3</sup>f. The Office of Legislative Services shall consult with the  
25 appropriate office within the executive branch of the State  
26 government responsible for computer security and guidelines in  
27 order to provide the information specified in subsection a. of this  
28 section on the largest nonproprietary cooperative public  
29 computer network, and both offices shall take all appropriate  
30 security measures, subject to the approval of the Legislative  
31 Services Commission or the designee thereof, to protect the  
32 computer systems that provide access to and store the  
33 information specified in subsection a. of this section.

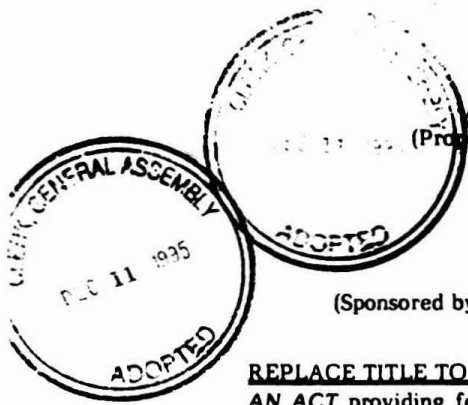
34 g. No fee shall be charged to the Office of Legislative  
35 Services by the appropriate office within the executive branch of  
36 the State government responsible for computer security and  
37 guidelines for services rendered related to this act.<sup>3</sup>

38 <sup>3</sup>[<sup>12</sup>. There is appropriated from the General Fund a sum of  
39 <sup>2</sup>[\$80,000] <sup>2</sup>\$160,000<sup>2</sup> to the Office of Legislative Services to  
40 effectuate the purposes of this act.<sup>1</sup>]<sup>3</sup>

41 <sup>1</sup>[<sup>2.</sup>] <sup>3</sup>[<sup>3.</sup>]<sup>1</sup> <sup>2.</sup><sup>3</sup> This act shall take effect <sup>3</sup>[on the second  
42 Tuesday in January 1996] immediately but section 1 shall remain  
43 inoperative until July 1, 1996<sup>3</sup>.

44  
45  
46  
47  
48 Requires Office of Legislative Services to make information on  
49 laws, legislation and legislative activity available to the public in  
50 electronic form.

95 DEC 11 PM 1:08



ASSEMBLY Amendments  
(Proposed by Assemblywoman Gill)

to

Senate, No. 1068 (3R)

(Sponsored by Senators BUBBA, Kosco and Ciesla)

- \_\_\_\_\_ Speaker
- \_\_\_\_\_ Clerk (3)
- \_\_\_\_\_ Majority Leader
- \_\_\_\_\_ Minority Leader
- \_\_\_\_\_ Sponsor of Act
- \_\_\_\_\_ Sponsor of Bill

**REPLACE TITLE TO READ:**

AN ACT providing for public access to legislative information in electronic form, <sup>1</sup>[and]<sup>1</sup> <sup>4</sup>and<sup>4</sup> supplementing P.L.1979, c.8 (C.52:11-54 et seq.) <sup>4</sup>[<sup>1</sup>, and making an appropriation<sup>1</sup>]<sup>4</sup>.

**REPLACE SECTION 1 TO READ:**

1. a. The Office of Legislative Services shall make available to the public <sup>3</sup>and maintain<sup>3</sup> in electronic form the following information:

(1) the most current available compilation of the official text of the statutes of New Jersey;

(2) the text of all bills introduced during the <sup>3</sup>current<sup>3</sup> two-year session of the Legislature, including amended versions, as well as sponsor statements, committee statements, <sup>3</sup>and<sup>3</sup> fiscal notes <sup>3</sup>[, and veto messages]<sup>3</sup>;

(3) <sup>3</sup>[bill-indexing data on]<sup>3</sup> all bills <sup>3</sup>currently<sup>3</sup> pending in the Legislature, <sup>3</sup>[including indexing] listed<sup>3</sup> by subject and sponsor <sup>3</sup>[and, where appropriate, by citation of the section of law to be amended by a bill]<sup>3</sup>;

(4) bill-tracking data on all bills pending in the Legislature, including the history of actions <sup>3</sup>[and],<sup>3</sup> current status <sup>3</sup>and, where appropriate, by citation of the section of law to be amended by a bill<sup>3</sup>;

(5) a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action;

(6) a current directory of the members of the Legislature, including complete committee membership information;

(7) the text of all chapter laws beginning with laws <sup>3</sup>[enacted during 1994] passed by the Legislature after 12:00 noon, January 9, 1996<sup>3</sup>; and

(8) such other information as the Legislative Services Commission shall direct.

b. The information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> shall be made available to the public through the largest nonproprietary cooperative public computer network.

c. <sup>3</sup>[No fee or usage charge shall be imposed by the] The<sup>3</sup> Office of Legislative Services <sup>4</sup>[<sup>3</sup>may] shall not<sup>4</sup> impose a <sup>4</sup>[reasonable]<sup>4</sup> fee or usage charge <sup>4</sup>[based on the cost of providing the information specified in subsection a. of this section through the network described in subsection b. of this section]<sup>3</sup><sup>4</sup> as a condition of accessing the information specified in

subsection a. of this section through the network described in subsection b. of this section <sup>4</sup>[<sup>3</sup>; however, no fees or usage charges shall be imposed on any other board, body, agency, department, commission or official of the State government, any board, body, commission or authority established by law, or any publicly-supported library in this State]<sup>4</sup>.

d. The Office of Legislative Services may offer a fee-based electronic legislative information service which may include, in addition to the information specified in subsection a. <sup>3</sup>of this section<sup>3</sup>, the following information and capabilities:

(1) the ability for users to automatically maintain updated private databases and receive notification of scheduled action on specific bills or subject matter;

(2) the ability for users to retrieve information by various means of searching full text; and

(3) archives of bill texts and related information from prior sessions of the Legislature.

e. Nothing contained in this section shall be construed as prohibiting a private individual or entity from using the information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> to provide, either commercially or on a voluntary basis, services similar to those provided by the Office of Legislative Services pursuant to subsection d. <sup>3</sup>of this section.<sup>3</sup>

<sup>3</sup>f. The Office of Legislative Services shall consult with the appropriate office within the executive branch of the State government responsible for computer security and guidelines in order to provide the information specified in subsection a. of this section on the largest nonproprietary cooperative public computer network, and both offices shall take all appropriate security measures, subject to the approval of the Legislative Services Commission or the designee thereof, to protect the computer systems that provide access to and store the information specified in subsection a. of this section.

g. No fee shall be charged to the Office of Legislative Services by the appropriate office within the executive branch of the State government responsible for computer security and guidelines for services rendered related to this act.<sup>3</sup>

#### STATEMENT

These amendments prohibit the Office of Legislative Services from imposing a fee or usage charge on the public for providing public records of the Legislature via the Internet in order that the general public have access to legislative information without being charged by the Legislature.

Another amendment, technical in nature, removes the language in the title, indicating that the bill makes an appropriation.

STATE OF NEW JERSEY

INTRODUCED MAY 16, 1994

By Senators BUBBA, Kosco, Ciesla,  
Assemblymen Azzolina, Russo and Felice

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and] <sup>4</sup>and<sup>4</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.) <sup>4</sup>[<sup>1</sup>, and making an appropriation<sup>1</sup>]<sup>4</sup>.

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

7 1. a. The Office of Legislative Services shall make available  
8 to the public <sup>3</sup>and maintain<sup>3</sup> in electronic form the following  
9 information:

10 (1) the most current available compilation of the official text  
11 of the statutes of New Jersey;

12 (2) the text of all bills introduced during the <sup>3</sup>current<sup>3</sup>  
13 two-year session of the Legislature, including amended versions,  
14 as well as sponsor statements, committee statements, <sup>3</sup>and<sup>3</sup>  
15 fiscal notes <sup>3</sup>[, and veto messages]<sup>3</sup>;

16 (3) <sup>3</sup>[bill-indexing data on]<sup>3</sup> all bills <sup>3</sup>currently<sup>3</sup> pending in the  
17 Legislature, <sup>3</sup>[including indexing] listed<sup>3</sup> by subject and sponsor  
18 <sup>3</sup>[and, where appropriate, by citation of the section of law to be  
19 amended by a bill]<sup>3</sup>;

20 (4) bill-tracking data on all bills pending in the Legislature,  
21 including the history of actions <sup>3</sup>[and],<sup>3</sup> current status <sup>3</sup>and,  
22 where appropriate, by citation of the section of law to be  
23 amended by a bill<sup>3</sup>;

24 (5) a current calendar of legislative events, including the  
25 schedule of legislative committee meetings, and a list of bills  
26 scheduled for legislative action;

27 (6) a current directory of the members of the Legislature,  
28 including complete committee membership information;

29 (7) the text of all chapter laws beginning with laws <sup>3</sup>[enacted  
30 during 1994] passed by the Legislature after 12:00 noon, January  
31 9, 1996<sup>3</sup>; and

32 (8) such other information as the Legislative Services  
33 Commission shall direct.

34 b. The information specified in subsection a. <sup>3</sup>of this section<sup>3</sup>  
35 shall be made available to the public through the largest  
36 nonproprietary cooperative public computer network.

37 c. <sup>3</sup>[No fee or usage charge shall be imposed by the] The<sup>3</sup>  
38 Office of Legislative Services <sup>4</sup>[<sup>3</sup>may] shall not<sup>4</sup> impose a  
39 <sup>4</sup>[reasonable]<sup>4</sup> fee or usage charge <sup>4</sup>[based on the cost of  
40 providing the information specified in subsection a. of this  
41 section through the network described in subsection b. of this  
42 section]<sup>3</sup><sup>4</sup> as a condition of accessing the information specified in

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSG committee amendments adopted September 26, 1994.

<sup>2</sup> Assembly ASG committee amendments adopted January 26, 1995.

<sup>3</sup> Assembly AAP committee amendments adopted November 30, 1995.

<sup>4</sup> Assembly floor amendments adopted December 11, 1995.

1 subsection a. of this section through the network described in  
2 subsection b. of this section <sup>4</sup>[<sup>3</sup>; however, no fees or usage  
3 charges shall be imposed on any other board, body, agency,  
4 department, commission or official of the State government, any  
5 board, body, commission or authority established by law, or any  
6 publicly-supported library in this State<sup>3</sup>]<sup>4</sup>.

7 d. The Office of Legislative Services may offer a fee-based  
8 electronic legislative information service which may include, in  
9 addition to the information specified in subsection a. <sup>3</sup>of this  
10 section<sup>3</sup>, the following information and capabilities:

11 (1) the ability for users to automatically maintain updated  
12 private databases and receive notification of scheduled action on  
13 specific bills or subject matter;

14 (2) the ability for users to retrieve information by various  
15 means of searching full text; and

16 (3) archives of bill texts and related information from prior  
17 sessions of the Legislature.

18 e. Nothing contained in this section shall be construed as  
19 prohibiting a private individual or entity from using the  
20 information specified in subsection a. <sup>3</sup>of this section<sup>3</sup> to  
21 provide, either commercially or on a voluntary basis, services  
22 similar to those provided by the Office of Legislative Services  
23 pursuant to subsection d. <sup>3</sup>of this section.<sup>3</sup>

24 <sup>3</sup>f. The Office of Legislative Services shall consult with the  
25 appropriate office within the executive branch of the State  
26 government responsible for computer security and guidelines in  
27 order to provide the information specified in subsection a. of this  
28 section on the largest nonproprietary cooperative public  
29 computer network, and both offices shall take all appropriate  
30 security measures, subject to the approval of the Legislative  
31 Services Commission or the designee thereof, to protect the  
32 computer systems that provide access to and store the  
33 information specified in subsection a. of this section.

34 g. No fee shall be charged to the Office of Legislative  
35 Services by the appropriate office within the executive branch of  
36 the State government responsible for computer security and  
37 guidelines for services rendered related to this act.<sup>3</sup>

38 <sup>3</sup>[<sup>1</sup>2. There is appropriated from the General Fund a sum of  
39 <sup>2</sup>[\$80,000] <sup>2</sup>\$160,000<sup>2</sup> to the Office of Legislative Services to  
40 effectuate the purposes of this act.<sup>1</sup>]<sup>3</sup>

41 <sup>1</sup>[2.] <sup>3</sup>[<sup>3.1</sup>] <sup>2.3</sup> This act shall take effect <sup>3</sup>[on the second  
42 Tuesday in January 1996] immediately but section 1 shall remain  
43 inoperative until July 1, 1996<sup>3</sup>.

44  
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48 Requires Office of Legislative Services to make information on  
49 laws, legislation and legislative activity available to the public in  
50 electronic form.



ASSEMBLY, No. 2372

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1994

By Assemblymen AZZOLINA and RUSSO

1 AN ACT providing for public access to legislative information in  
2 electronic form, and supplementing P.L.1979, c.8 (C.52:11-54  
3 et seq.).  
4

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

7 1. a. The Office of Legislative Services shall make available to  
8 the public in electronic form the following information:

9 (1) the most current available compilation of the official  
10 text of the statutes of New Jersey;

11 (2) the text of all bills introduced during the two-year  
12 session of the Legislature, including amended versions, as well as  
13 sponsor statements, committee statements, fiscal notes, and veto  
14 messages;

15 (3) bill-indexing data on all bills pending in the  
16 Legislature, including indexing by subject and sponsor and, where  
17 appropriate, by citation of the section of law to be amended by a  
18 bill;

19 (4) bill-tracking data on all bills pending in the  
20 Legislature, including the history of actions and current status;

21 (5) a current calendar of legislative events, including the  
22 schedule of legislative committee meetings, and a list of bills  
23 scheduled for legislative action;

24 (6) a current directory of the members of the  
25 Legislature, including complete committee membership  
26 information;

27 (7) the text of all chapter laws beginning with laws  
28 enacted during 1994; and

29 (8) such other information as the Legislative Services  
30 Commission shall direct.

31 b. The information specified in subsection a. shall be made  
32 available to the public through the largest nonproprietary  
33 cooperative public computer network.

34 c. No fee or usage charge shall be imposed by the Office of  
35 Legislative Services as a condition of accessing the information  
36 specified in subsection a. of this section through the network  
37 described in subsection b. of this section.

38 d. The Office of Legislative Services may offer a fee-based  
39 electronic legislative information service which may include, in  
40 addition to the information specified in subsection a., the  
41 following information and capabilities:

42 (1) the ability for users to automatically maintain  
43 updated private databases and receive notification of scheduled  
44 action on specific bills or subject matter;

45 (2) the ability for users to retrieve information by various

1 means of searching full text; and

2 (3) archives of bill texts and related information from  
3 prior sessions of the Legislature.

4 e. Nothing contained in this section shall be construed as  
5 prohibiting a private individual or entity from using the  
6 information specified in subsection a. to provide, either  
7 commercially or on a voluntary basis, services similar to those  
8 provided by the Office of Legislative Services pursuant to  
9 subsection d.

10 2. This act shall take effect on the second Tuesday in January  
11 1996.

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#### STATEMENT

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16 This bill would require the Office of Legislative Services (OLS)  
17 to make available to the public, in electronic form, the following  
18 information: the texts of statutes (in both a compiled format and  
19 by chapter law beginning with laws enacted during 1994); the  
20 texts of pending bills along with sponsor statements, committee  
21 statements, fiscal notes and veto messages; bill indexing and  
22 tracking information; a calendar of legislative events; a directory  
23 of members of the Legislature, including a listing of committee  
24 memberships; and such other information as the Legislative  
25 Services Commission shall direct. Information would be provided  
26 through the largest nonproprietary cooperative public computer  
27 network (Internet). No fee or usage charge would be imposed by  
28 OLS for the privilege of accessing this information. The bill  
29 would also permit OLS to offer, via Internet, a fee-based  
30 legislative information service which, in addition to providing the  
31 foregoing information, would enable users to: automatically  
32 update private databases; receive notification of scheduled action  
33 on specific bills or subject matter; retrieve information by  
34 various means of searching full text; and access archives of bill  
35 texts and related information from prior sessions of the  
36 Legislature.

37 At present, four states (California, Hawaii, Minnesota and  
38 Utah) offer "full-text" legislative information through Internet  
39 without usage fees. OLS currently offers an electronic  
40 information system which is available to users for a monthly fee.  
41 The bill would make this information available to a broader range  
42 of users with no fee imposed by OLS. By enhancing public access  
43 to the texts of statutes the bill would increase compliance with  
44 existing law. In addition, facilitating access by members of the  
45 public to information on pending legislation would increase  
46 awareness of, and participation in, the legislative process.

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51 Requires Office of Legislative Services to make information on  
52 laws, legislation and legislative activity available to the public in  
53 electronic form.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2372**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JANUARY 26, 1995

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 2372.

This bill would require the Office of Legislative Services (OLS) to make available to the public, in electronic form, the following information: the texts of statutes (in both a compiled format and by chapter law beginning with laws enacted during 1994); the texts of pending bills along with sponsor statements, committee statements, fiscal notes and veto messages; bill indexing; legislative history and current status of bills; a calendar of legislative events; a directory of members of the Legislature, including a listing of committee memberships; and such other information as the Legislative Services Commission shall direct.

Information would be provided through the largest nonproprietary cooperative public computer network (Internet). No fee or usage charge would be imposed by OLS for the privilege of accessing this information.

The bill would also permit OLS to offer, via Internet, a fee-based legislative information service which, in addition to providing the foregoing information, would enable users to: automatically update private databases; receive notification of scheduled action on specific bills or subject matter; retrieve information by various means of searching full text; and access archives of bill texts and related information from prior sessions of the Legislature.

The bill provides for an appropriation to the Office of Legislative Services from the General Fund of \$160,000 to effectuate the purposes of the legislation.

COMMITTEE AMENDMENTS

The committee adopted amendments to this bill to provide for the appropriation to OLS of \$160,000.

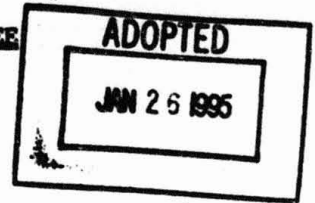
ASSEMBLY STATE GOVERNMENT COMMITTEE

AMENDMENTS

to

ASSEMBLY, No. 2372

(Sponsored by Assemblymen AZZOLINA and RUSSO)



REPLACE TITLE TO READ:

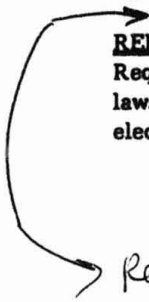
AN ACT providing for public access to legislative information in electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8 (C.52:11-54 et seq.) <sup>1</sup>, and making an appropriation<sup>1</sup>.

INSERT NEW SECTION 2 TO READ:

<sup>1</sup>2. There is appropriated from the General Fund a sum of \$160,000 to the Office of Legislative Services to effectuate the purposes of this act.<sup>1</sup>

REPLACE SYNOPSIS TO READ:

Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form; appropriates \$160,000.



Remember Section 2 as Section 3

[FIRST REPRINT]  
ASSEMBLY, No. 2372

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1994

By Assemblymen AZZOLINA and RUSSO

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.) <sup>1</sup>, and making an appropriation<sup>1</sup>.  
4

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

7 1. a. The Office of Legislative Services shall make available to  
8 the public in electronic form the following information:

9 (1) the most current available compilation of the official  
10 text of the statutes of New Jersey;

11 (2) the text of all bills introduced during the two-year  
12 session of the Legislature, including amended versions, as well as  
13 sponsor statements, committee statements, fiscal notes, and veto  
14 messages;

15 (3) bill-indexing data on all bills pending in the  
16 Legislature, including indexing by subject and sponsor and, where  
17 appropriate, by citation of the section of law to be amended by a  
18 bill;

19 (4) bill-tracking data on all bills pending in the  
20 Legislature, including the history of actions and current status;

21 (5) a current calendar of legislative events, including the  
22 schedule of legislative committee meetings, and a list of bills  
23 scheduled for legislative action;

24 (6) a current directory of the members of the  
25 Legislature, including complete committee membership  
26 information;

27 (7) the text of all chapter laws beginning with laws  
28 enacted during 1994; and

29 (8) such other information as the Legislative Services  
30 Commission shall direct.

31 b. The information specified in subsection a. shall be made  
32 available to the public through the largest nonproprietary  
33 cooperative public computer network.

34 c. No fee or usage charge shall be imposed by the Office of  
35 Legislative Services as a condition of accessing the information  
36 specified in subsection a. of this section through the network  
37 described in subsection b. of this section.

38 d. The Office of Legislative Services may offer a fee-based  
39 electronic legislative information service which may include, in  
40 addition to the information specified in subsection a., the  
41 following information and capabilities:

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ASG committee amendments adopted January 26, 1995.

1 (1) the ability for users to automatically maintain  
2 updated private databases and receive notification of scheduled  
3 action on specific bills or subject matter;

4 (2) the ability for users to retrieve information by various  
5 means of searching full text; and

6 (3) archives of bill texts and related information from  
7 prior sessions of the Legislature.

8 e. Nothing contained in this section shall be construed as  
9 prohibiting a private individual or entity from using the  
10 information specified in subsection a. to provide, either  
11 commercially or on a voluntary basis, services similar to those  
12 provided by the Office of Legislative Services pursuant to  
13 subsection d.

14 <sup>1</sup>2. There is appropriated from the General Fund a sum of  
15 \$160,000 to the Office of Legislative Services to effectuate the  
16 purposes of this act.<sup>1</sup>

17 <sup>1</sup>[2.] <sup>3.</sup><sup>1</sup> This act shall take effect on the second Tuesday in  
18 January 1996.

19

20

21

22

23 \_\_\_\_\_  
24 Requires Office of Legislative Services to make information on  
25 laws, legislation and legislative activity available to the public in  
electronic form; appropriates \$160,000.

FISCAL NOTE TO  
[FIRST REPRINT]  
ASSEMBLY, No. 2372  
STATE OF NEW JERSEY

DATED: October 12, 1995

Assembly Bill No. 2372 (1R) of 1994 would require the Office of Legislative Services (OLS) to make available to the public, in electronic form, the following information: the texts of statutes (in both compiled format and by chapter law beginning with laws enacted during 1994); the texts of pending bills along with sponsor statements, committee statements, fiscal notes and veto messages; bill indexing; legislative history and current status of bills; a calendar of legislative events; a directory of members of the Legislature, including a listing of committee memberships; and such other information as the Legislative Services Commission shall direct.

The information is to be provided through the largest nonproprietary cooperative public computer network (Internet). The information is to be made available without charging a fee or usage charge for the privilege of accessing the information.

The bill would also permit OLS to offer, via Internet, a fee-based legislative information service which, in addition to providing the foregoing information, would enable users to: automatically update private databases; receive notification of scheduled action on specific bills or subject matter; retrieve information by various means of searching full text; and access archives of bill texts and related information from prior sessions of the Legislature.

In addition, the bill appropriates \$160,000 to OLS to effectuate the purposes of this legislation.

The OLS currently offers an electronic information system (LINK) which is available to users for a monthly fee. According to the Director of the Data Management Unit of OLS, the office earned approximately \$140,700 from online and monthly access charges for its LINK database during FY 1995. At present, the annual recurring costs to OLS to administer, maintain and operate the system are \$44,000 leaving a net profit of approximately \$96,700.

The Data Management Unit estimates the total fixed cost to OLS to place legislative information on the Internet at \$70,375. In addition, there will be annual operating costs to administer, maintain and operate the system of approximately \$56,800. These estimates do not include the cost of Provider Setup, which can vary depending on the provider selected.

According to the Data Management Unit and the Department of Treasury, Office of Telecommunications and Information Systems (OTIS), the fixed costs to OLS are the same (\$70,375) if OLS uses the OTIS domain provider setup or creates its own provider setup. However, there will be a small reduction of approximately \$10,800 in the recurring costs if OLS uses the OTIS domain. This reduced cost assumes that OTIS will not charge OLS an annual line charge.

After the initial start-up fixed costs, the annual recurring cost of this legislation would be between \$56,800 (using an OLS domain) and \$46,000 (using the OTIS domain). In addition, the OLS could lose approximately \$140,700 in revenue annually.

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



ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

**ASSEMBLY, No. 2372**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: NOVEMBER 27, 1995

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2372 (1R), with committee amendments.

Assembly Bill No. 2372 (1R), as amended, requires the Office of Legislative Services (OLS) to maintain and make available certain legislative information: the text of bills introduced in the current session, a list of current bills by subject and sponsor, and the text of all chapter laws enacted by the 1996 Legislature and thereafter. The bill allows the OLS to impose a reasonable fee or usage charge based on the cost of providing the information. However, the OLS is prohibited from charging a State agency, board, department, commission, or authority established by law, or any publicly-supported library in this State. The OLS is to consult with the Office of Telecommunications and Information Systems (OTIS) to provide the information on the Internet. OLS and OTIS are required to take appropriate security measures to protect the computer systems.

This bill, as amended and reported by this committee, is identical to S-1068 (2R) with amendments as reported by this committee.

**FISCAL IMPACT:**

As amended by this committee, the bill does not make an appropriation for the implementation of the information services. Data sufficient to estimate the fees required to cover the cost of providing the information are not currently available.

**COMMITTEE AMENDMENTS:**

These amendments specify the information that OLS will make available through the service, clarifying that information will be available for the then-current session of the Legislature. The information will begin with bills and enactments of the Legislature that begins its session in 1996. The service will be implemented beginning July 1, 1996.

The amendments delete the appropriation for the information service implementation, and instead allow the imposition of a reasonable fee or usage charge based on the cost of providing the appropriate information. However, no board, body, agency, department, commission or official of the State, no board, body, commission or authority established by law, and no publicly-supported library of this State may be charged.

The amendments require OLS to consult with OTIS to provide the information service on the Internet and require OLS and OTIS to take appropriate security measures, subject to the approval of the Legislative Services Commission. OTIS is prohibited from charging OLS a fee for such services rendered.

ASSEMBLY AAP COMMITTEE

Amendments

to

ASSEMBLY, No. 2372 IR

(Sponsored by Assemblymen Azzolina and Russo)



REPLACE SECTION 1 TO READ:

1. a. The Office of Legislative Services shall make available to the public <sup>2</sup>and maintain<sup>2</sup> in electronic form the following information:

(1) the most current available compilation of the official text of the statutes of New Jersey;

(2) the text of all bills introduced during the <sup>2</sup>current<sup>2</sup> two-year session of the Legislature, including amended versions, as well as sponsor statements, committee statements, <sup>2</sup>and<sup>2</sup> fiscal notes <sup>2</sup>[, and veto messages]<sup>2</sup>;

(3) <sup>2</sup>[bill-indexing data on]<sup>2</sup> all bills <sup>2</sup>currently<sup>2</sup> pending in the Legislature, <sup>2</sup>[including indexing] listed<sup>2</sup> by subject and sponsor <sup>2</sup>[and, where appropriate, by citation of the section of law to be amended by a bill]<sup>2</sup>;

(4) bill-tracking data on all bills pending in the Legislature, including the history of actions <sup>2</sup>[and] <sup>2</sup>current status <sup>2</sup>and, where appropriate, by citation of the section of law to be amended by a bill<sup>2</sup>;

(5) a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action;

(6) a current directory of the members of the Legislature, including complete committee membership information;

(7) the text of all chapter laws beginning with laws <sup>2</sup>[enacted during 1994] passed by the Legislature after 12:00 noon, January 9, 1996<sup>2</sup>; and

(8) such other information as the Legislative Services Commission shall direct.

b. The information specified in subsection a. <sup>2</sup>of this section<sup>2</sup> shall be made available to the public through the largest nonproprietary cooperative public computer network.

c. <sup>2</sup>[No fee or usage charge shall be imposed by the] The<sup>2</sup> Office of Legislative Services <sup>2</sup>may impose a reasonable fee or usage charge based on the cost of providing the information specified in subsection a. of this section through the network described in subsection b. of this section<sup>2</sup> as a condition of accessing the information specified in subsection a. of this section through the network described in subsection b. of this section<sup>2</sup>; however, no fees or usage charges shall be imposed on any other board, body, agency, department, commission or official of the State government, any board, body, commission or authority established by law, or any publicly-supported library in this State<sup>2</sup>.

d. The Office of Legislative Services may offer a fee-based electronic legislative information service which may include, in addition to the information specified in subsection a. <sup>2</sup>of this section<sup>2</sup>, the following information and capabilities:

(1) the ability for users to automatically maintain updated private databases and receive notification of scheduled action on specific bills or subject matter;

(2) the ability for users to retrieve information by various means of searching full text; and

(3) archives of bill texts and related information from prior sessions of the Legislature.

e. Nothing contained in this section shall be construed as prohibiting a private individual or entity from using the information specified in subsection a. <sup>2</sup>of this section<sup>2</sup> to provide, either commercially or on a voluntary basis, services similar to those provided by the Office of Legislative Services pursuant to subsection d. <sup>2</sup>of this section.<sup>2</sup>

<sup>2</sup>f. The Office of Legislative Services shall consult with the appropriate office within the executive branch of the State government responsible for computer security and guidelines in order to provide the information specified in subsection a. of this section on the largest nonproprietary cooperative public computer network, and both offices shall take all appropriate security measures, subject to the approval of the Legislative Services Commission or the designee thereof, to protect the computer systems that provide access to and store the information specified in subsection a. of this section.

<sup>2</sup>g. No fee shall be charged to the Office of Legislative Services by the appropriate office within the executive branch of the State government responsible for computer security and guidelines for services rendered related to this act.<sup>2</sup>

OMIT SECTION 2 IN ITS ENTIRETY

REPLACE SECTION 3 TO READ:

<sup>1</sup>[2.] <sup>2</sup>[<sup>3.1</sup>] <sup>2.2</sup> This act shall take effect <sup>2</sup>[on the second Tuesday in January 1996] immediately but section 1 shall remain inoperative until July 1, 1996<sup>2</sup>.

REPLACE SYNOPSIS TO READ:

Requires Office of Legislative Services to make information on laws, legislation and legislative activity available to the public in electronic form.

[SECOND REPRINT]  
ASSEMBLY, No. 2372

STATE OF NEW JERSEY

INTRODUCED DECEMBER 5, 1994

By Assemblymen AZZOLINA, RUSSO and Felice

1 AN ACT providing for public access to legislative information in  
2 electronic form, <sup>1</sup>[and]<sup>1</sup> supplementing P.L.1979, c.8  
3 (C.52:11-54 et seq.) <sup>1</sup>, and making an appropriation<sup>1</sup>.

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

7 1. a. The Office of Legislative Services shall make available  
8 to the public <sup>2</sup>and maintain<sup>2</sup> in electronic form the following  
9 information:

10 (1) the most current available compilation of the official text  
11 of the statutes of New Jersey;

12 (2) the text of all bills introduced during the <sup>2</sup>current<sup>2</sup>  
13 two-year session of the Legislature, including amended versions,  
14 as well as sponsor statements, committee statements, <sup>2</sup>and<sup>2</sup>  
15 fiscal notes <sup>2</sup>[, and veto messages]<sup>2</sup>;

16 (3) <sup>2</sup>[bill-indexing data on]<sup>2</sup> all bills <sup>2</sup>currently<sup>2</sup> pending in the  
17 Legislature, <sup>2</sup>[including indexing] listed<sup>2</sup> by subject and sponsor  
18 <sup>2</sup>[and, where appropriate, by citation of the section of law to be  
19 amended by a bill]<sup>2</sup>;

20 (4) bill-tracking data on all bills pending in the Legislature,  
21 including the history of actions <sup>2</sup>[and] <sup>2</sup>current status <sup>2</sup>and,  
22 where appropriate, by citation of the section of law to be  
23 amended by a bill<sup>2</sup>;

24 (5) a current calendar of legislative events, including the  
25 schedule of legislative committee meetings, and a list of bills  
26 scheduled for legislative action;

27 (6) a current directory of the members of the Legislature,  
28 including complete committee membership information;

29 (7) the text of all chapter laws beginning with laws <sup>2</sup>[enacted  
30 during 1994] passed by the Legislature after 12:00 noon, January  
31 9, 1996<sup>2</sup>; and

32 (8) such other information as the Legislative Services  
33 Commission shall direct.

34 b. The information specified in subsection a. <sup>2</sup>of this section<sup>2</sup>  
35 shall be made available to the public through the largest  
36 nonproprietary cooperative public computer network.

37 c. <sup>2</sup>[No fee or usage charge shall be imposed by the] The<sup>2</sup>  
38 Office of Legislative Services <sup>2</sup>may impose a reasonable fee or  
39 usage charge based on the cost of providing the information  
40 specified in subsection a. of this section through the network  
41 described in subsection b. of this section<sup>2</sup> as a condition of  
42 accessing the information specified in subsection a. of this

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.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ASG committee amendments adopted January 26, 1995.

<sup>2</sup> Assembly AAP committee amendments adopted November 30, 1995.

1 section through the network described in subsection b. of this  
2 section <sup>2</sup>; however, no fees or usage charges shall be imposed on  
3 any other board, body, agency, department, commission or  
4 official of the State government, any board, body, commission or  
5 authority established by law, or any publicly-supported library in  
6 this State<sup>2</sup>.

7 d. The Office of Legislative Services may offer a fee-based  
8 electronic legislative information service which may include, in  
9 addition to the information specified in subsection a. <sup>2</sup>of this  
10 section<sup>2</sup>, the following information and capabilities:

11 (1) the ability for users to automatically maintain updated  
12 private databases and receive notification of scheduled action on  
13 specific bills or subject matter;

14 (2) the ability for users to retrieve information by various  
15 means of searching full text; and

16 (3) archives of bill texts and related information from prior  
17 sessions of the Legislature.

18 e. Nothing contained in this section shall be construed as  
19 prohibiting a private individual or entity from using the  
20 information specified in subsection a. <sup>2</sup>of this section<sup>2</sup> to  
21 provide, either commercially or on a voluntary basis, services  
22 similar to those provided by the Office of Legislative Services  
23 pursuant to subsection d. <sup>2</sup>of this section.<sup>2</sup>

24 <sup>2</sup>f. The Office of Legislative Services shall consult with the  
25 appropriate office within the executive branch of the State  
26 government responsible for computer security and guidelines in  
27 order to provide the information specified in subsection a. of this  
28 section on the largest nonproprietary cooperative public  
29 computer network, and both offices shall take all appropriate  
30 security measures, subject to the approval of the Legislative  
31 Services Commission or the designee thereof, to protect the  
32 computer systems that provide access to and store the  
33 information specified in subsection a. of this section.

34 g. No fee shall be charged to the Office of Legislative  
35 Services by the appropriate office within the executive branch of  
36 the State government responsible for computer security and  
37 guidelines for services rendered related to this act.<sup>2</sup>

38 <sup>2</sup>[2. There is appropriated from the General Fund a sum of  
39 \$160,000 to the Office of Legislative Services to effectuate the  
40 purposes of this act.]<sup>1</sup><sup>2</sup>

41 <sup>1</sup>[2.] <sup>2</sup>[3.] <sup>2</sup>2.<sup>2</sup> This act shall take effect <sup>2</sup>[on the second  
42 Tuesday in January 1996] immediately but section 1 shall remain  
43 inoperative until July 1, 1996<sup>2</sup>.

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47  
48 Requires Office of Legislative Services to make information on  
49 laws, legislation and legislative activity available to the public in  
50 electronic form.

51008

## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**CONTACT:** Jayne Rebovich  
(609) 777-2600

**TRENTON, NJ 08625**

**RELEASE:** Jan. 10, 1996

Gov. Christie Whitman signed a number of additional pieces of legislation yesterday.

She signed legislation to assist commercial broadcasters in the state, many of which are small businesses, by exempting certain radio and television broadcast production equipment from the sales and use tax.

"Small businesses are an integral part of the state's economy and we should, whenever possible, make it easier for them to do business," said Gov. Whitman. "This law will give commercial broadcasters a similar tax exemption to the one already provided to their counterparts in the print media and will help them purchase state-of-the-art equipment they will need to stay competitive."

**S-1048/A-2117**, sponsored by Senator Peter Inverso (R-Mercer/Middlesex) and Assemblywoman Joann Smith (R-Middlesex/Monmouth) and Assemblyman Joseph Azzolina (R-Middlesex/Monmouth). This bill provides an exemption under the sales and use tax for sales of machinery or equipment used by an FCC licensed commercial broadcaster for use or consumption directly and primarily in producing or transmitting radio and television broadcasts. The exemption includes equipment such as video cameras, recording equipment and microphones.

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**S-279/A-1163**, sponsored by Senators John Adler (D-Camden) and Jack Sinagra (R-Middlesex) and Assemblymen David Russo (R-Bergen/Passaic) and Jeff Warsh (R-Middlesex). This bill increases the penalty for anyone who sells or gives tobacco to a minor from a flat fine of \$250 to \$250 for the first offense, \$500 for the second offense and \$1,000 for the third and subsequent offenses.

The Division of Taxation, which licenses the sellers of tobacco products, is authorized by the bill to suspend a retailer's tobacco license for the first offense and revoke the license for the second and subsequent offenses following a municipal hearing.

A seller is provided with a defense under the bill if he or she can establish that the purchaser of the tobacco product produced false identification of age; the purchaser's appearance was such that an ordinary person would believe that he or she was of legal age, and the seller acted in good faith in reliance on the purchaser's false identification, appearance and reasonable belief that he or she was of legal age.

The bill also clarifies the requirement that a retailer who is licensed to sell cigarettes post a sign stating the penalties for selling tobacco products to a minor, increases the size of the sign and requires similar signs to be posted on vending machines.

According to the new law, a person who purchases tobacco for a minor is guilty of a petty disorderly persons offense which is punishable by up to 30 days in jail, a \$500 fine or both. The present penalty is \$50 or community service or both.

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As a result of another bill signed by Gov. Whitman today, texts of statutes and pending bills, a calendar of legislative events, a directory of members of the Legislature, including committee memberships, bill-tracking data and text of all chapter laws will be available via the Internet.

The bill, **S-1068/A-2372**, requires the Office of Legislative Services to make basic legislative information available in electronic form. That information, which also includes sponsor statements, committee statements and fiscal notes of all pending bills, will be provided free of charge to the public via the Internet.

Sponsored by Sen. Joseph Bubba (R-Essex/Passaic), Assemblymen Joseph Azzolina (R-Monmouth/Middlesex) and David Russo (R-Passaic). The legislation makes New Jersey the fifth state to offer "full-text" legislative information through Internet without usage fees. Other states are California, Hawaii, Minnesota and Utah.

The bill also permit OLS to offer on the Internet a fee-based legislative information service which, in addition to providing the foregoing information, would enable users to: automatically update private databases, receive notification of scheduled action on specific bills or subject matter, retrieve information by various means of searching full text, and access archives of bill texts and related information from prior sessions of the Legislature.

OLS currently offers an electronic information system, called LINK, for a monthly fee. The legislation the Governor signed today makes the information available to a broader range of users.

Gov. Whitman also signed the following bills:

## Notes on the Legislative History of Laws of 1995 Chapter 319

*By Paul Axel-Lute  
Rutgers Law Library, Newark*

On January 5, 1996, Senate bill 1068, which had been introduced at the suggestion of NJLLA, became Chapter 319 of the Laws of 1995 (to be codified at N.J.S.A. 52:11-78). In essence, the law requires that, starting July 1, 1996, the full texts of the current state statutes and the current legislative bills be made available on the Internet without usage fees. (The full text of the law was printed in 9 NJLLA *In Brief* 13 (Feb./Mar. 1996)).

For this accomplishment we have many people to thank. Among them are: Jim Warren, a prime mover of the California law (Cal. Gov't Code sec. 10248) which inspired us to this effort; Senator Joseph L. Bubba, who introduced the bill; Assemblymen Joseph Azzolina and David Russo, who introduced the companion bill A.2372; Michael Swayze, who most extensively publicized the bill to the citizens of the net; Patricia Tumulty, Executive Director of the New Jersey Library Association, who strongly supported the bill; and Assemblywoman Nia Gill, who offered the eleventh-hour floor amendment to preserve the free-access provision. The bill was also supported by the American Association of Law Libraries, the New Jersey Law Journal, Hands Across New Jersey, and Common Cause of New Jersey.

In retrospect, it seems to me that we would have had a better law if we had met with NJLA and other interested groups before suggesting a bill text for introduction. Section 1, subsection d. of our original draft, allowed the Office of Legislative Services to charge fees for certain added-value features, namely: "(1) the ability for users to automatically maintain updated private databases and receive notification of scheduled action on specific bills or subject matter; (2) the ability for users to retrieve information by various means of searching full text; and (3) archives of bill texts and related information from prior sessions of the Legislature."

The bill was introduced May 16, 1994, essentially as we had drafted it. When NJLA's Government Relations Committee reviewed the bill, they objected to the charging of fees for items (2) and (3), and also wanted to exempt publically supported libraries from fees entirely.

During the summer, NJLA and NJLLA agreed to support deletion of subsections d. and e. from the bill. This position was communicated by letter to Senator Bubba, who was not only the bill sponsor but also Chair of the State Government Committee to which the bill had been referred.

On September 26, Pat Tumulty, Michael Swayze, and

I attended the Committee's hearing. I had prepared testimony in support of the bill, including a recommendation to delete subsections d. and e. The hearing was on a number of bills and it was two or three hours before they got to S.1068.

At this point, Chairman Bubba acknowledged our presence (we had turned in slips indicating our attendance and our intention to speak in favor of the bill), and said in essence that the Committee was going to vote in favor of the bill and that we could speak if we wanted to but it would be better if we didn't. So we didn't speak. Without discussion, the Committee approved the bill, with the addition of an appropriation of \$80,000, but otherwise unchanged.

From that point on, we made no further effort to get subsections d. and e. deleted, since it seemed such effort would be both futile and counterproductive, and it was more important to get the bill itself passed.

The companion bill A.2372, as introduced December 5, 1994, was identical to the original S.1068, lacking any appropriation. The Senate passed S.1068 on January 19, 1995. The Assembly State Government Committee approved both bills on January 26, with an amendment making the appropriation \$160,000. The bills were then referred to the Assembly Appropriations Committee. On October 12, 1995, a fiscal note was issued, estimating start-up costs of \$70,375, annual recurring cost between \$46,000 and \$56,800, and a possible revenue loss of \$140,700.

Just before Thanksgiving weekend, we learned that the Assembly Appropriations Committee would be hearing the bill on Monday, November 27, and that they were considering amendments, including one to allow OLS to impose "a reasonable fee or usage charge" on Internet access. State agencies and publicly supported libraries would be exempt from the fees. The amendments as drafted also cut the appropriation back down to \$80,000.

On November 27, Pat Tumulty, Mike Swayze, and I were at the Appropriations Committee meeting, and had turned in our slips saying we wanted to testify for the bill but against the usage fee amendment. Again, it was a long meeting, dealing with many bills. When our bill came up, the Committee Chair, Assemblyman Walter Kavanaugh, first heard testimony from one John Paff, who spoke in favor of the bill; it turned out later that he was unaware of the usage fee amendment until after the meeting.

Chairman Kavanaugh then said he would allow one

*(Continued on page 12)*



## Legislative Notes on S. 1068

(Continued from page 11)

of the three of us to speak, and we hurriedly decided it would be Mike Swayze. After Mike's testimony, Chairman Kavanaugh said something to the effect that the amendments in question had already been made by some other committee, and that this Committee was only making the further change of zeroing out the appropriation.

Two other members of the Committee made some remarks—one to the effect that since the printed bills are available from free upon request, the Internet access was "icing on the cake". The Committee then passed the bill (under both numbers), with the usage fee amendment and with no appropriation.

NJLA and NJLLA could no longer support the bill with the usage fee provision. Fortunately, our efforts to restore free access were successful. Assemblywoman Gill introduced her floor amendment after being contacted by a librarian constituent.

On December 11, S.1068 was amended on the Assembly floor to provide for access without fees, and then passed. On December 18, the Senate concurred in the Assembly amendments, clearing the bill for the Governor's signature. The votes in both houses were unanimous.

The floor amendment did not restore the appropriation. Among the other amendments made by the Appropriations Committee was a delay in implementation until July 1, 1996. Presumably this will allow for funding through the regular budget process.

My impression from this experience is that the public committee hearings are primarily for show, at least with respect to relatively minor bills. It is probably worthwhile to show up at such hearings to register your support or opposition, even if you don't actually get to speak, but you should not expect to accomplish any change to a bill at the hearing stage. Best to get it right at the beginning, by consulting all interested organizations and agencies before submitting a draft for introduction.

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