

SENATE, No. 144

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator LYNCH

1 AN ACT concerning the Pension and Health Benefits Review
2 Commission and amending P.L.1991, c.382.

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

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7 1. Section 2 of P.L.1991, c.382 (C.52:9HH-2) is amended to read
8 as follows:

9 2. a. It shall be the duty of the commission to review any bill, joint
10 resolution or concurrent resolution introduced in either House of the
11 Legislature which establishes or modifies pension benefits or health
12 benefits for public employees in this State or which changes the
13 financing of any State-administered retirement system or makes any
14 other changes in such a retirement system that would have cost
15 implications for the State or any other public employer. Such a review
16 shall include, but not be limited to, an analysis of the bill's or
17 resolution's fiscal impact on the retirement system and on the public
18 employer, any comments upon or recommendations concerning the
19 legislation, and any alternatives to the legislation which the
20 commission may wish to suggest.

21 b. Not later than the [20th] 10th day after the date of introduction
22 of any bill or resolution in either House of the Legislature, the
23 Legislative Budget and Finance Officer shall review it in order to
24 determine whether the bill or resolution [constitutes pension or health
25 benefits legislation] establishes or modifies pension benefits or health
26 benefits for public employees in this State or changes the financing of
27 any State-administered retirement system or makes any other changes
28 in such a retirement system that would have cost implications for the
29 State or any other public employer. If, on the basis of that review, the
30 Legislative Budget and Finance Officer determines that the bill or
31 resolution constitutes such legislation, that officer shall promptly give
32 written notice of that determination to the commission, the presiding

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

Matter underlined thus is new matter.

1 officer of the House in which the bill or resolution was introduced and
2 the chairman of the standing reference committee of that House to
3 which the bill or resolution may have been referred. Not later than the
4 45th day after the date of [introduction of any bill or resolution in
5 either House of the Legislature which] the written notice to the
6 commission from the Legislative Budget and Finance Officer [has
7 determined constitutes pension or health benefits legislation], the
8 commission shall complete its review and provide its comments and
9 recommendations in writing to the presiding officer of the House in
10 which the bill or resolution was introduced [and], to the chairman of
11 the standing reference committee of that House to which the bill or
12 resolution may have been referred, and to the Executive Director of
13 the Office of Legislative Services. The comments and
14 recommendations shall include: (1) a description of the legislation; (2)
15 how the legislation differs from current law; (3) an estimate of the
16 number of employees or retirees affected; and (4) the potential costs
17 or savings associated with the legislation. The Office of Legislative
18 Services shall make the comments and recommendations available to
19 the public through the most readily available electronic medium. If the
20 commission requests an extension prior to [the] that 45th day [after
21 the date of introduction of a bill or resolution], the presiding officer of
22 the House in which the bill or resolution was introduced may grant an
23 extension for the commission to complete its review of the bill or
24 resolution. The House or committee shall not consider or vote upon
25 the bill or resolution until either the commission completes its review
26 and provides its comments and recommendations in writing to the
27 presiding officer and the chairman, or the 45th day after the date of
28 [introduction of the bill or resolution] the written notice to the
29 commission from the Legislative Budget and Finance Officer, or the
30 designated day in the case of an extension. If [the presiding officer]
31 three-fourths of the members of the House in which the bill or
32 resolution was introduced [determines] by resolution determine that
33 the bill or resolution is an urgent matter, [he] the presiding officer
34 shall so notify in writing the commission and the chairman of the
35 standing reference committee to which the bill or resolution may have
36 been referred, and the House or committee may consider and vote
37 upon the bill or resolution as soon as practicable.

38 c. Not later than the fifth day after the date of amendment or
39 substitution by a standing reference committee in either House of the
40 Legislature of any bill or resolution which had not been previously
41 determined to establish or modify pension benefits or health benefits
42 for public employees in this State or change the financing of any
43 State-administered retirement system or make any other changes in
44 such a retirement system that would have cost implications for the
45 State or any other public employer, the Legislative Budget and Finance
46 Officer shall review the bill or resolution as amended or the substitute

1 in order to determine whether it constitutes such legislation. If, on the
2 basis of that review, the Legislative Budget and Finance Officer
3 determines that the bill or resolution or the substitute constitutes such
4 legislation, that officer shall promptly give written notice of that
5 determination to the commission and the presiding officer of the
6 House in which the bill or resolution or the substitute is on second
7 reading. Not later than the 20th day after the date of the written
8 notice to the commission from the Legislative Budget and Finance
9 Officer, the commission shall complete its review and provide its
10 comments and recommendations in writing to the presiding officer of
11 the House. The House shall not consider or vote upon the bill or
12 resolution or the substitute until either the commission completes its
13 review and provides its comments and recommendations in writing to
14 the presiding officer or the 20th day after the date of the written notice
15 to the commission from the Legislative Budget and Finance Officer,
16 whichever comes first. If three-fourths of the members of the House
17 by resolution determine that the bill or resolution or the substitute is
18 an urgent matter, the presiding officer shall so notify in writing the
19 commission, and the House may consider and vote upon the bill or
20 resolution or the substitute as soon as practicable.

21 (cf: P.L.1991, c.382, s.2)

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23 2. This act shall take effect immediately.

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STATEMENT

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28 This bill revises the jurisdiction and practices of the Pension and
29 Health Benefits Review Commission. It provides that:

30 (1) the commission shall review any bill or resolution which changes
31 the financing of any State-administered retirement system or makes
32 any other changes in such a retirement system that would have cost
33 implications for the State or other public employer;

34 (2) the Legislative Budget and Finance Officer shall review
35 legislation within 10 rather than 20 days of introduction;

36 (3) the commission shall complete its review within 45 days after
37 the written notice to the commission from the Legislative Budget and
38 Finance Officer that a bill or resolution constitutes pension or health
39 benefits legislation rather than 45 days after the date of introduction
40 of any bill or resolution;

41 (4) instead of the presiding officer, three-fourths of the members of
42 the House in which a bill or resolution was introduced shall determine
43 whether a bill or resolution is an urgent matter;

44 (5) the commission's comments and recommendations shall include:
45 a description of the legislation; how the legislation differs from current
46 law; an estimate of the number of employees or retirees affected; and

1 the potential costs or savings associated with the legislation; and
2 (6) the Office of Legislative Services shall make the commission's
3 comments and recommendations available to the public through the
4 most readily available electronic medium.

5 The bill also provides that the Legislative Budget and Finance
6 Officer shall review bills or resolutions which had not been previously
7 determined to constitute pension and health benefits legislation but
8 which have been amended or substituted by a standing reference
9 committee and may constitute such legislation as amended or
10 substituted. If that is the case, the House shall not consider or vote
11 upon the bill or resolution or the substitute until either the commission
12 completes its review and provides its comments and recommendations
13 in writing to the presiding officer or the 20th day after the date of the
14 written notice to the commission from the Legislative Budget and
15 Finance Officer, whichever comes first.

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20 Revises the jurisdiction and practices of the Pension and Health
21 Benefits Review Commission.