

SENATE, No. 219

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senator ADLER

1 AN ACT creating a Department of Commerce and Regulated Industries
2 in the Executive Branch of State Government, defining its powers
3 and responsibilities, and abolishing the Department of Banking, the
4 Department of Insurance and the Department of Commerce and
5 Economic Development.

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7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

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10 1. This act shall be known and may be cited as the "Department of
11 Commerce and Regulated Industries Act."

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13 2. There is established in the Executive Branch of the State
14 Government a principal department which shall be known as the
15 Department of Commerce and Regulated Industries.

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17 3. As used in this act:

18 "department" means the Department of Commerce and Regulated
19 Industries; and

20 "commissioner" means the Commissioner of Commerce and
21 Regulated Industries.

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23 4. The head of the department shall be the Commissioner of
24 Commerce and Regulated Industries.

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26 5. The commissioner shall be appointed by the Governor, with the
27 advice and consent of the Senate, and shall serve at the pleasure of the
28 Governor during the Governor's term of office and until the
29 appointment and qualification of a successor. The commissioner shall
30 receive such salary as shall be provided by law. Any vacancy
31 occurring in the position of commissioner shall be filled in the same
32 manner as the original appointment.

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34 6. The Department of Banking in the Executive Branch of State
35 Government, established by P.L.1970, c.11 (C.17:1B-1 et seq.), is

1 abolished. All functions, powers and duties of the Department of
2 Banking are continued and transferred to the Department of
3 Commerce and Regulated Industries established by this act.

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5 7. The office of Commissioner of the Department of Banking is
6 abolished. All the functions, powers and duties now vested in the
7 Commissioner of Banking, pursuant to P.L.1970, c.11 (C.17:1B-1 et
8 seq.), are transferred to and assumed by the commissioner.

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10 8. Whenever in any law, rule, regulation, judicial or administrative
11 proceeding or otherwise, reference is made to the Department of
12 Banking, the same shall mean and refer to the department. In addition,
13 whenever in any law, rule, regulation, judicial or administrative
14 proceeding or otherwise, reference is made to the Commissioner of the
15 Department of Banking, the same shall mean and refer to the
16 commissioner.

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18 9. There is established in the department the Division of Banking.
19 The division shall be under the immediate supervision of an assistant
20 commissioner, who shall be known as the Assistant Commissioner of
21 the Division of Banking. The Assistant Commissioner shall be
22 appointed by the commissioner to serve at the pleasure of the
23 commissioner during the commissioner's term of office. The assistant
24 commissioner so appointed shall receive such salary as shall be
25 provided by law.

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27 10. The Assistant Commissioner of the Division of Banking may
28 organize the work of the division in such offices, bureaus and other
29 organizational units as he may determine, subject to the approval of
30 the commissioner, to be necessary for efficient and effective operation
31 in the performance of his duties.

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33 11. The Department of Insurance in the Executive Branch of State
34 Government, established by P.L.1970, c.12 (C.17:1C-1 et seq.), is
35 abolished. All the functions, powers, and duties of the Department of
36 Insurance are continued and transferred to the Department of
37 Commerce and Regulated Industries established by this act.

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39 12. The offices of Commissioner of Insurance and Deputy
40 Commissioner of Insurance are abolished. All the functions, powers
41 and duties now vested in the Commissioner of Insurance and Deputy
42 Commissioner of Insurance pursuant to P.L.1970, c.12 (C.17:1C-1 et
43 seq.) are transferred to and assumed by the commissioner.

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45 13. Whenever in any law, rule, regulation, judicial or administrative
46 proceeding or otherwise, reference is made to the Department of

1 Insurance, the same shall mean and refer to the department. In
2 addition, whenever in any law, rule, regulation, judicial or
3 administrative proceeding or otherwise, reference is made to the
4 Commissioner of the Department of Insurance, the same shall mean
5 and refer to the commissioner.

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7 14. There is established in the department the Division of
8 Insurance. The division shall be under the immediate supervision of
9 an assistant commissioner, who shall be known as the Assistant
10 Commissioner of the Division of Insurance. The assistant
11 commissioner shall be appointed by the commissioner to serve at the
12 pleasure of the commissioner during the commissioner's term of office.
13 The assistant commissioner so appointed shall receive such salary as
14 shall be provided by law.

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16 15. The Assistant Commissioner of the Division of Insurance may
17 organize the work of the division in such offices, bureaus and other
18 organizational units as he may determine, subject to the approval of
19 the commissioner, to be necessary for efficient and effective operation
20 in the performance of his duties.

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22 16. The Department of Commerce and Economic Development in
23 the Executive Branch of State Government, established by P.L.1981,
24 c.122 (C.52:27H-1 et seq.), is abolished. All the functions, powers,
25 and duties of the Department of Commerce and Economic
26 Development are continued and transferred to the Department of
27 Commerce and Regulated Industries established by this act.

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29 17. The offices of Commissioner and Deputy Commissioner of the
30 Department of Commerce and Economic Development are abolished.
31 All the functions, powers and duties now vested in those officials are
32 transferred to and assumed by the commissioner.

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34 18. Whenever in any law, rule, regulation, judicial or administrative
35 proceeding or otherwise, reference is made to the Department of
36 Commerce and Economic Development, the same shall mean and refer
37 to the department. In addition, whenever in any law, rule, regulation,
38 judicial or administrative proceeding or otherwise, reference is made
39 to the Commissioner of the Department of Commerce and Economic
40 Development, the same shall mean and refer to the commissioner.

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42 19. There is established in the department the Division of
43 Commerce and Economic Development. The various offices and
44 divisions of the former Department of Commerce and Economic
45 Development are transferred to, and constituted as, offices in the
46 division. The division shall be under the immediate supervision of an

1 assistant commissioner, who shall be known as the Assistant
2 Commissioner of the Division of Commerce and Economic
3 Development. The assistant commissioner shall be appointed by the
4 commissioner to serve at the pleasure of the commissioner during the
5 commissioner's term of office. The assistant commissioner so
6 appointed shall receive such salary as shall be provided by law.

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8 20. The Assistant Commissioner of the Division of Commerce and
9 Economic Development may organize the work of the division in such
10 offices, bureaus and other organizational units as he may determine,
11 subject to the approval of the commissioner, to be necessary for
12 efficient and effective operation in the performance of his duties.

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14 21. The transfers directed by this act shall be effected pursuant to
15 the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et
16 seq.).

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18 22. This act shall take effect 60 days after enactment, but any
19 action necessary to effectuate its provisions may be taken prior to the
20 expiration of that 60-day period.

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23 STATEMENT

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25 This bill creates a Department of Commerce and Regulated
26 Industries as a principal department in the Executive Branch of State
27 Government. The Department of Banking, the Department of
28 Insurance and the Department of Commerce and Economic
29 Development are abolished and the functions, powers and duties of
30 these departments are transferred to the new department.

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34
35 Creates Department of Commerce and Regulated Industries; abolishes
36 the Department of Banking, the Department of Insurance and the
37 Department of Commerce and Economic Development and transfers
38 duties to the new department.