

SENATE, No. 396

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator ADLER

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

5

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

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9 1. This act shall be known and may be cited as the "Department of
10 Banking and Insurance Act."

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12 2. There is established in the Executive Branch of State
13 Government a principal department which shall be known as the
14 Department of Banking and Insurance.

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16 3. As used in this act:

17 "Department" means the Department of Banking and Insurance; and

18 "Commissioner" means the Commissioner of Banking and
19 Insurance.

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21 4. The head of the department shall be the Commissioner of
22 Banking and Insurance. The commissioner shall be appointed by the
23 Governor, with the advice and consent of the Senate, and shall serve
24 at the pleasure of the Governor during the Governor's term of office
25 and until the appointment and qualification of a successor. The
26 commissioner shall receive such salary as shall be provided by law.
27 Any vacancy occurring in the position of commissioner shall be filled
28 in the same manner as the original appointment.

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30 5. The Department of Banking in the Executive Branch of State
31 Government, established by P.L.1970, c.11 (C.17:1B-1 et seq.), is
32 abolished. All functions, powers and duties of the Department of
33 Banking are continued and transferred to the Department of Banking
34 and Insurance established by this act.

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36 6. The office of Commissioner of the Department of Banking is
37 abolished. All the functions, powers and duties now vested in the
38 Commissioner of Banking, pursuant to P.L.1970, c.11 (C.17:1B-1 et

1 seq.), are transferred to and assumed by the commissioner.

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3 7. Whenever in any law, rule, regulation, judicial or administrative
4 proceeding or otherwise, reference is made to the Department of
5 Banking, the same shall mean and refer to the department. In addition,
6 whenever in any law, rule, regulation, judicial or administrative
7 proceeding or otherwise, reference is made to the Commissioner of the
8 Department of Banking, the same shall mean and refer to the
9 commissioner.

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

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20 9. The Assistant Commissioner of the Division of Banking may
21 organize the work of the division in such offices, bureaus and other
22 organizational units as he may determine, subject to the approval of
23 the commissioner, to be necessary for efficient and effective operation
24 in the performance of his duties.

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26 10. The Department of Insurance in the Executive Branch of State
27 Government, established by P.L.1970, c.12 (C.17:1C-1 et seq.), is
28 abolished. All the functions, powers, and duties of the Department of
29 Insurance are continued and transferred to the Department of Banking
30 and Insurance established by this act.

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32 11. The offices of Commissioner of Insurance and of the Deputy
33 Commissioners of Insurance are abolished. All the functions, powers
34 and duties now vested in the Commissioner of Insurance and Deputy
35 Commissioners of Insurance pursuant to P.L.1970, c.12 (C.17:1C-1
36 et seq.) are transferred to and assumed by the commissioner.

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38 12. Whenever in any law, rule, regulation, judicial or administrative
39 proceeding or otherwise, reference is made to the Department of
40 Insurance, the same shall mean and refer to the department. In
41 addition, whenever in any law, rule, regulation, judicial or
42 administrative proceeding or otherwise, reference is made to the
43 Commissioner of the Department of Insurance, the same shall mean
44 and refer to the commissioner.

45

46 13. There is established in the department the Division of

1 Insurance. The division shall be under the immediate supervision of
2 an assistant commissioner, who shall be known as the Assistant
3 Commissioner of the Division of Insurance. The assistant
4 commissioner shall be appointed by the commissioner to serve at the
5 pleasure of the commissioner during the commissioner's term of office.
6 The assistant commissioner so appointed shall receive such salary as
7 shall be provided by law.

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

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

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

22 23 24 STATEMENT

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

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36 Consolidates and transfers the duties of Departments of Banking and
Insurance to new Department of Banking and Insurance.