

SENATE, No. 420

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

By Senator BRYANT

1 AN ACT concerning the privatization of any functions, duties, or
2 services of a State agency and supplementing Title 52 of the
3 Revised Statutes.

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

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8 1. Prior to the entering into of a contract between a State agency
9 and a nongovernmental entity for the performance by that entity of any
10 of the functions, duties, or services of that agency, the Department of
11 Personnel shall prepare a report for the agency and the entity
12 identifying the functions, duties, or services to be performed and the
13 training and experience needed by employees to perform those
14 functions, duties, or services. Any contract between the agency and
15 the entity shall provide that the entity shall employ only persons with
16 the training and experience specified in the report in the performance
17 of the functions, duties, or services it contracts to perform. If such
18 persons are not employed, the contract shall be terminated and shall be
19 void.

20 For the purposes of this act, "State agency" means any of the
21 principal departments in the Executive Branch of the State
22 government, and any division, board, bureau, office, commission or
23 instrumentality within or created by such department; the Legislature
24 of the State and any office, board, bureau, or commission within or
25 created by the Legislative Branch; and any independent State
26 authority, commission, instrumentality, or agency. A county or
27 municipality shall not be deemed an agency or instrumentality of the
28 State.

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30 2. This act shall take effect immediately.

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STATEMENT

35 This bill provides that (1) prior to the entering into of a contract
36 between a State agency and a nongovernmental entity for the
37 performance by that entity of any of the functions, duties, or services

1 of that agency, the Department of Personnel shall prepare a report for
2 the agency and the entity identifying the functions, duties, or services
3 to be performed and the training and experience needed by employees
4 to perform those functions, duties, or services; (2) any contract
5 between the agency and the entity shall provide that the entity shall
6 employ only persons with the training and experience specified in the
7 report in the performance of the functions, duties, or services it
8 contracts to perform; and (3) if such persons are not employed, the
9 contract shall be terminated and shall be void.

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14 Requires Department of Personnel to prepare certain report prior to
15 privatization contract and requires employees who meet training and
16 experience qualifications to be employed under privatization.