

ANALYSIS OF THE NEW JERSEY BUDGET

**DEPARTMENT OF
PERSONNEL**

FISCAL YEAR

2004 - 2005

NEW JERSEY STATE LEGISLATURE

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This report was prepared by the State Government Section of the Office of Legislative Services under the direction of the Legislative Budget and Finance Officer. The primary author was James F. Vari.

Questions or comments may be directed to the OLS State Government Section (609-292-9106) or the Legislative Budget and Finance Office (609-292-8030).

DEPARTMENT OF PERSONNEL

Budget Pages..... C-16, C-25; D-309 to D-314

Fiscal Summary (\$000)

	Expended FY 2003	Adjusted Appropriation FY 2004	Recommended FY 2005	Percent Change 2004-05
State Budgeted	\$28,760	\$26,103	\$25,448	(2.5)%
Federal Funds	270	0	0	—
<u>Other</u>	<u>0</u>	<u>4,896</u>	<u>4,632</u>	<u>(5.4)%</u>
Grand Total	\$29,030	\$30,999	\$30,080	(3.0)%

Personnel Summary - Positions By Funding Source

	Actual FY 2003	Revised FY 2004	Funded FY 2005	Percent Change 2004-05
State	365	361	394	9.1%
Federal	0	0	0	—
<u>Other</u>	<u>9</u>	<u>26</u>	<u>42</u>	<u>61.5%</u>
Total Positions	374	387	436	12.7%

FY 2003 (as of December) and revised FY 2004 (as of September) personnel data reflect actual payroll counts. FY 2005 data reflect the number of positions funded.

Introduction

The Department of Personnel administers the personnel system for the Executive Branch of State government and provides personnel services to 20 of New Jersey's 21 counties, nearly 200 municipalities, and approximately 100 other autonomous public entities (e.g., authorities). Major responsibilities of the Department of Personnel are: (1) to develop and administer a comprehensive personnel system based on merit; (2) to offer cost-effective training and staff development services; (3) to assist State and local government agencies in filing staff vacancies with qualified candidates; and (4) to administer the State's Equal Employment Opportunity and Affirmative Action programs.

Key Points

For FY 2005, a State appropriation of \$25.4 million is recommended for the Department of Personnel, down \$655,000 or 2.5 percent, from the FY 2004 adjusted appropriation of \$26.1 million. The Governor's FY 2005 budget recommends a 5.4 percent or \$264,000 decrease in the appropriation of other funds, to \$4.6 million. There are no capital construction or federal funds appropriations to this department.

- The FY 2005 budget recommended by the Governor includes a \$650,000 reduction in the direct state services appropriation for the "Services Other Than Personal" category, spread among three of the five program classifications within the department. Funds to these accounts are used to pay outside vendors and consultants for their services, as well as services such as postage, telephone and data processing.
- These reductions will lower appropriations for the Human Resource Development Institute by 7.6 percent, reduce the State and Local Government Operations appropriation by 1.7 percent and reduce the Personnel Policy Development and General Administration program appropriation by 1.9 percent.
- Budget evaluation data indicates that the number of counseling sessions conducted by the Human Resource Development Institute will decline by 1,600 in FY 2005, down 40 percent to 2,400 sessions from the 4,000 sessions conducted in FY 2004. The number of individuals trained by means of distance learning or alternative training technologies would drop from 900 in FY 2004 to 400 in FY 2005, with a corresponding decrease in the number of contact hours with these trainees, from 2,250 in FY 2004 to 800 in FY 2005.

Background Paper

State Employment Trends

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Program Description and Overview

The Department of Personnel, created pursuant to the Civil Service Act (Title 11A), Laws of 1986, Chapter 112, replaced the old Department of Civil Service. As the administrator of the personnel system for all State executive branch departments and agencies and the Office of the Chief Executive, the Department of Personnel develops and implements policy governing all phases of personnel administration. It also provides personnel services to 20 of New Jersey's 21 counties (Somerset County excluded) and more than 190 municipalities and numerous autonomous bodies.

The department is responsible for the recruitment and examination of qualified candidates; classification of job titles; administration of the compensation program for State employees; monitoring of affirmative action and *Americans with Disabilities Act* (ADA) programs in State agencies for compliance; promoting affirmative action; providing for employee appeals procedures; and furnishing selected training programs to employees.

There are five program classifications that the department is organized by: (1) Personnel Policy Development and General Administration; (2) State and Local Government Operations; (3) Merit Services; (4) Equal Employment Opportunity and Affirmative Action; and (5) the Human Resource Development Institute.

Personnel Policy Development and General Administration

The role of the Personnel Policy Development and General Administration program is to exercise overall direction and control of the department's operations. This program is responsible for developing any proposal that may be necessary to revise laws governing the public career system. It also encompasses issuance of rules and regulations to implement the Merit System statutes, the development, evaluation and adjustment of personnel programs, and general administrative support.

State and Local Government Operations

State and Local Government Operations provides government agencies with support in organizational design, classification of job titles, and equitable compensation of staff. It helps recruit applicants by planning, scheduling and conducting merit system examinations. After such examinations are conducted, this office prepares lists of eligible candidates for State and local government positions.

This office is also responsible for the administration of the Senior Executive Service, various performance appraisals, and the monitoring and processing of all new hires and promotions to ensure compliance with Merit System rules. Finally, this office develops and publishes job specifications for all classified titles in all levels of government; maintains employment records and monitors all personnel transactions to ensure compliance with Merit System law and department rules.

Merit Services

Merit Services includes the division that provides the professional, technical and clerical support services for the Merit System Board and the Commissioner of Personnel. The Merit System Board comprises the Commissioner of Personnel and four part-time members. The Merit System Board renders decisions on appeals; interprets Merit System rules; and amends rules and adopts new rules (after publication in the New Jersey Register for comment) as necessary. Staff are responsible for investigating and responding to appeals that the Board may consider and also resolve disputes

Program Description and Overview (Cont'd)

by providing alternate avenues of resolution. Finally, this division prepares and reviews Merit System rules for inclusion in the New Jersey Administrative Code and ensures compliance with laws and rules governing appointments and determinations.

Equal Employment Opportunity and Affirmative Action (EEO/AA)

Equal Employment Opportunity (EEO) and Affirmative Action (AA) encompasses enforcement of federal and State laws against discrimination or harassment based on age, ancestry, sexual orientation, atypical hereditary cellular or blood trait, color, creed, disability (mental or physical, including AIDS/HIV), familial status, genetic information, liability for service in the Armed Forces, marital status, national origin, race, religion, or sex (including pregnancy).

This division helps ensure that each individual receives fair and equal treatment in employment practices and protection from discrimination. The policies of the EEO apply to all employment practices, including recruitment and selection, hiring and assignment, training and career development, promotion and transfer, work environment, compensation and benefits, and layoff and termination.

The division also issues affirmative action policies and procedures that are designed to achieve equal employment opportunity. Staff acts to prevent, detect, correct and eliminate discrimination and helps ensure that qualified women and minorities are considered when organizations make employment decisions.

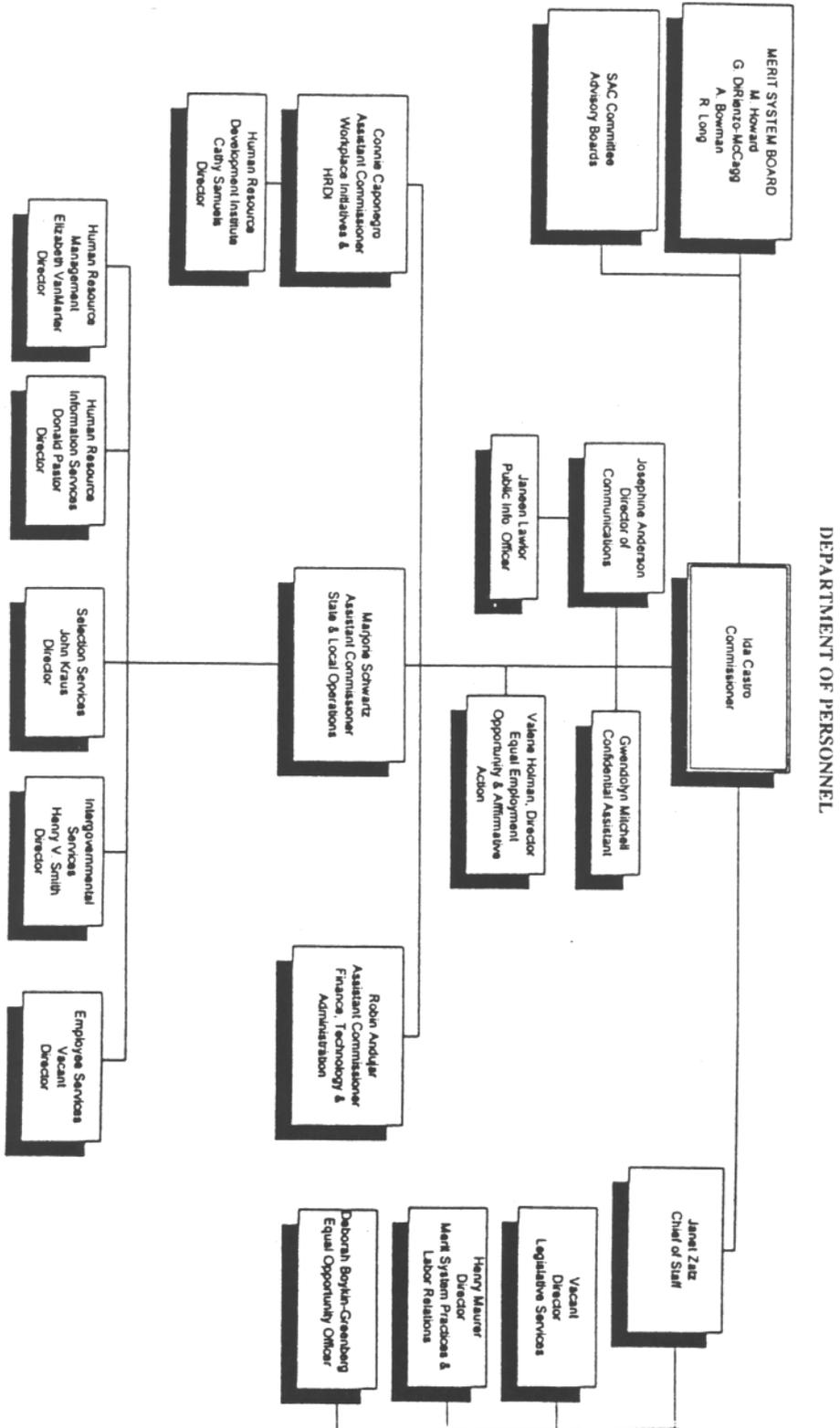
Human Resource Development Institute (HRDI)

The Human Resource Development Institute (HRDI) compiles information on the human resource development and training needs of State government; advises the Governor on human resources development and training plans, policies and programs; works with the State agencies to prepare human resource development and training plans and programs; presents formal training courses in both common tasks and agency-specific subjects to State government employees; and determines the necessity for the use of training providers from outside State government, and obtains these services as required.

HRDI provides training courses to enhance and increase the knowledge, skills and abilities of public employees throughout the State. Courses offered by the HRDI cover a broad spectrum of topics including information technology, management and leadership, professional and personal development and human resource management. These courses are approved for Continuing Education Units by IACET (the International Association of Continuing Education and Training). Additionally, the Department of Community Affairs (DCA), Division of Local Government Services has approved HRDI courses for CEU credits to select local government titles.

The HRDI also offers the following services to both State and local government agencies: consulting and organizational needs assessments; customized training – by topic or by functional area; and executive leadership programs – including CPM Certificate programs and executive retreats.

Organization Chart



Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 2003	Adj. Approp. FY 2004	Recom. FY 2005	Percent Change	
				2003-05	2004-05
General Fund					
Direct State Services	\$28,756	\$26,103	\$25,448	(11.5)%	(2.5)%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	4	0	0	(100.0)%	0.0%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$28,760	\$26,103	\$25,448	(11.5)%	(2.5)%
Property Tax Relief Fund					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
Casino Revenue Fund	\$0	\$0	\$0	0.0%	0.0%
Casino Control Fund	\$0	\$0	\$0	0.0%	0.0%
State Total	\$28,760	\$26,103	\$25,448	(11.5)%	(2.5)%
Federal Funds	\$270	\$0	\$0	(100.0)%	0.0%
Other Funds	\$0	\$4,896	\$4,632	----	(5.4)%
Grand Total	\$29,030	\$30,999	\$30,080	3.6%	(3.0)%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 2003	Revised FY 2004	Funded FY 2005	Percent Change	
				2003-05	2004-05
State	365	361	394	7.9%	9.1%
Federal	0	0	0	0.0%	0.0%
All Other	9	26	42	366.7%	61.5%
Total Positions	374	387	436	16.6%	12.7%

FY 2003 (as of December) and revised FY 2004 (as of September) personnel data reflect actual payroll counts. FY 2005 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	40.4%	35.1%	34.4%	----	----
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2004</u>	<u>Recomm.</u> <u>FY 2005</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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Direct State Services**Services Other Than
Personnel**

	\$4,963	\$4,313	(\$650)	(13.1)%	D-313
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This recommended reduction in this category includes \$75,000 in the Personnel Policy Development and General Administration program, \$255,000 in State and Local Government Operations and \$325,000 in the Human Resource Development Institute. The department plans to achieve these savings by reducing the number of tests that would be developed or re-evaluated and through the more efficient scheduling of training classes.

All Other Funds**State and Local
Government
Operations**

	\$3,136	\$2,932	(\$204)	(6.5)%	D-314
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The number of applications received for Open Competitive Examinations is estimated to decline by 10,000 in FY 2005 compared to FY 2004, negatively impacting anticipated revenue.

Discussion Points

1. The Fiscal Year 2004 Appropriations Act (P.L.2003, c.122) contained the following provision addressing salary compression for public managers:

[T]he State Treasurer, the Commissioner of Personnel and the Director of the Division of Budget and Accounting shall establish directives governing salary ranges and rates of pay, including salary increases, provided however, that across-the-board cost of living increases shall be provided to public sector managers consistent with the executed contracts between the State of New Jersey and the Communications Workers of America. By December 1, 2003 a report shall be issued addressing salary compression for public managers. The implementation of such directives shall be made effective at the first full pay period of Fiscal Year 2004 as determined by such directives, with timely notification of such directives to the Joint Budget Oversight Committee or its successor...

As defined in the report, "salary compression" means a manager's salary is less than \$2,000 more than the highest paid (base pay only) employee directly reporting to such manager. This guideline was chosen because it had been used as a guide in past management salary programs.

Since the mid-1980s, managers' salaries have been controlled by various management salary programs which limited the amount of increase an individual manager could receive. The Department of Personnel report found that a manager earning \$48,000 in 1985 would have a salary of \$77,000 in 2001 based on various management salary programs. In contrast, a typical higher level supervisor represented by the Communications Workers of America earning \$33,895 in 1985 would have a base annual income of \$78,238 through the negotiated across-the-board increases and annual performance increments. Thus, the manager would have had a 60 percent increase in salary while the subordinate would have realized a 130 percent increase within the same time frame.

The salary compression for public managers study found that as of July 1, 2003, 938 of the 4,254 managers throughout the Executive Branch met the "\$2,000 or less" definition of salary compression. To rectify this situation, the cumulative salary increase for these managers would total \$7.5 million.

The FY 2005 Budget recommends \$126.6 million for salary increases (page D-458), including budget language directing a 2.9 percent cost of living adjustment for public sector managers.

- **Question:** Of the FY 2005 Budget recommendation of \$126.6 million for salary increases, approximately what amount would fund cost of living increases (COLA) for public sector managers? Will the COLA increase by the same amount for compressed and non-compressed managers? Will there be other restrictions on the COLAs? Please provide, by department, the total number of compressed managers and the recommended amount of funding included in the FY 2005 budget for the proposed COLA for these managers.

2. A total of 79,639 full-time positions are recommended in FY 2005, up 3,890 employees or

Discussion Points (Cont'd)

5.1 percent, over the 75,749 employees as of December 2003. In July 2002, following most of the departures under the Early Retirement Incentive (ERI), 71,277 full-time employees were on the payroll. The Administration anticipated replacing approximately 50 percent of the 4,766 State employees who opted for the ERI, which would have added back 2,383 employees. However, over the past two years (July 2002 through June 2004) the number of State employees will have risen by 8,362.

- **Question:** a. Has the Department of Personnel (DOP) identified any negative effects of the ERI on the experience and skill level of the State workforce?

b. Please itemize by agency why and where the hiring has occurred. Please be specific with regard to each department but most especially to growing departments, such as Law and Public Safety, that will have 604 (8.5%) more employees on the payroll in July 2004 than it did two years earlier.

c. How does DOP help agencies in the process of hiring a high number of new employees, such as DYFS, anticipate and meet staffing needs in the short, mid and long term? Given the unforeseen rapid rate of hiring over the past two years, please explain any new policies and procedures the department has initiated to attract, develop, and retain a high quality workforce for the State that it was not using previously.

d. Has DOP written a Statewide five-year strategic plan for the State workforce by department or agency? If so, please submit. If not, should such a strategic plan be developed? What is the DOP's projection concerning the total number of funded State positions over the next three fiscal years (FY 2006 - FY 2008)?

3. The Governor's FY 2005 budget recommends a \$650,000 reduction in non-salary training and personnel examinations costs in the anticipation of operational efficiencies in this program. These recommended reductions from the FY 2004 adjusted appropriation include \$255,000 in State and Local Government Operations through the use of "creative selection in test development and re-evaluation of the current Time and Leave Reporting System" and \$325,000 in the Human Resource Development Institute through more efficient scheduling of training classes.

- **Question:** Please describe and itemize the types of operational efficiencies the department will implement in FY 2005 to achieve these savings. What does "creative selection in test development" mean? How will a re-evaluation of the Time and Leave Reporting System result in reduced costs? Please describe how the \$325,000 recommended reduction to the Human Resource Development Institute will be achieved and give an example of scheduling training classes more efficiently.

Discussion Points (Cont'd)

4. The State permits each department to establish a tuition aid program for employees attending classes at an accredited educational institution. The provisions of Department of Personnel Administrative Code regulations state:

each State department or agency, subject to available appropriations, shall establish a tuition aid program, available to eligible employees to complete undergraduate, graduate, technical or supplemental course work at an accredited educational institution which relate to current or planned job responsibilities (N.J.A.C. 4A:6-4.6 (a)).

The regulations require each department to submit semi-annual reports to the Department of Personnel that include the names and titles of the employees receiving tuition aid and the amount received by such employees. Tuition aid is limited to the cost of six credits per semester at a New Jersey State College or Rutgers, the State University. Reimbursement is made upon evidence of satisfactory completion of the courses as determined by the department or agency. Regulations do not appear to place other specific criteria upon employees who enroll and receive tuition aid. Thus, unlike many private companies where employee tuition reimbursement is contingent upon defined standards, such as maintaining a certain letter grade, the standards placed on the State employee to receive tuition aid are not uniform and may not be as high as such standards should be.

- **Question:** Does the Department of Personnel (DOP) plan to raise the standards for eligibility in the tuition aid program by amending these regulations so that, for example, no State employee may receive tuition aid who does not receive a letter grade of "B" or greater? Are there any classes or degree programs that should not be reimbursed by the State? If so, please explain and if not, why not? How does DOP enforce the regulations requiring course work to relate "to current or planned job responsibilities"? Please provide the two most recent semi-annual reports received by DOP related to the tuition aid program.

Background Paper: State Employment Trends

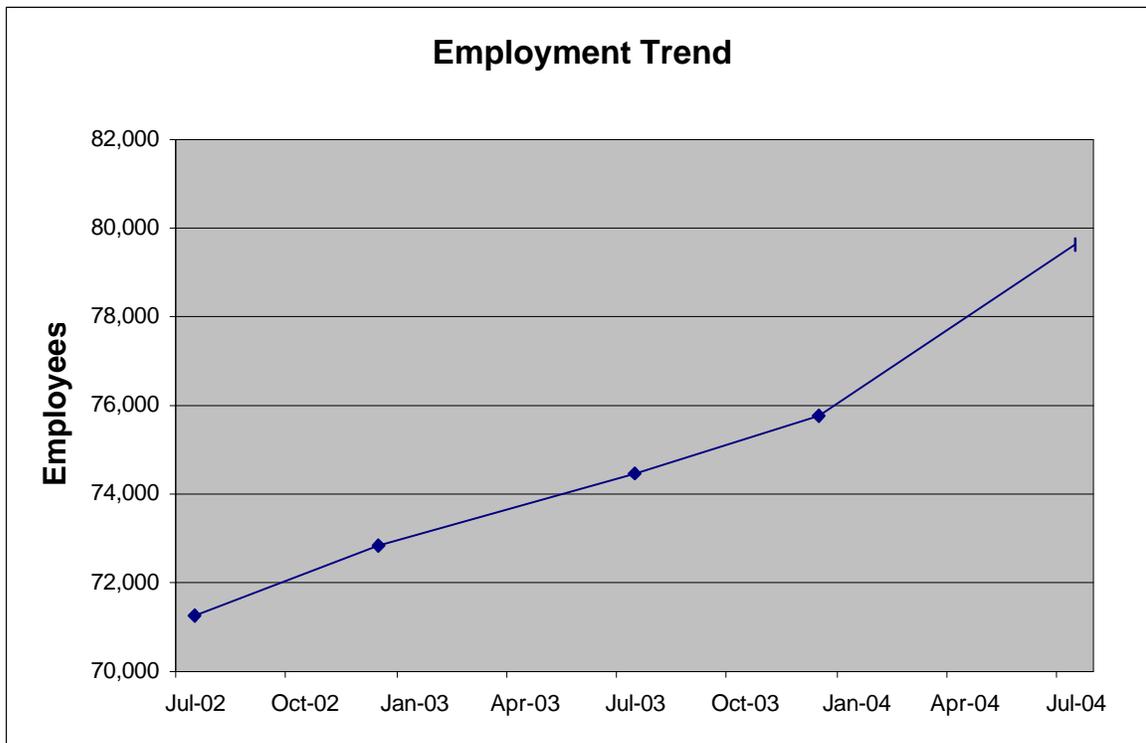
TABLE 1

Personnel Summary - Positions By Funding Source

	Full-Time Employees July 2002	Full-Time Employees Dec 2002	Full-Time Employees July 2003	Full-Time Employees Dec 2003	Funded FY 2005	Percent Change Dec 2003 - Funded FY 2005
State - General	50,615	51,566	50,866	51,355	53,482	4.1%
State - Other	8,833	9,028	11,154	11,714	12,737	8.7%
<u>Federal</u>	<u>11,829</u>	<u>12,229</u>	<u>12,459</u>	<u>12,680</u>	<u>13,420</u>	5.8%
Total Positions	71,277	72,823	74,479	75,749	79,639	5.1%

Full-Time Employees reflects the number of employees that received pay checks for the pay periods 15/02 (June 29, 2002 - July 12, 2002); 01/03 (December 14, 2002 - December 27, 2002); 16/03 (July 12, 2003 - July 25, 2003); 26/03 (November 29, 2003 - December 12, 2003). FY 2005 data reflect the number of positions funded in the Governor's budget proposal.

CHART 1



Background Paper: State Employment Trends (Cont'd)

State Workforce Increases By 11.7 Percent Following ERI

A total of 79,639 full-time positions are recommended in FY 2005, up 3,890 employees or 5.1 percent, over the 75,749 employees as of December 2003. In July 2002, following most of the departures under the Early Retirement Incentive (ERI), 71,277 full-time employees were on the payroll. The Administration anticipated replacing approximately 50 percent of the 4,766 State employees who opted for the ERI, which would have added back 2,283 employees. However, over the past two years (July 2002 through July 2004) the number of State employees will have risen by 8,362.

New Positions

For FY 2005, 53,482 positions are funded with State General Funds, up 2,127 employees or 4.1 percent, over the December 2003 total. The primary reason for this increase is the proposed reform to the child welfare system. The FY 2005 Budget funds 1,129 additional positions in the Division of Youth and Family Services (DYFS); 93 new positions in the Department of Law and Public Safety's Child Welfare Reform agency; and 126 positions in the Office of the Public Defender for child welfare reform. There is also significant State funded employee growth at the Department of Military and Veterans' Affairs. Recommended FY 2005 funding and proposed supplemental funding in FY 2004 would increase positions by 205 compared to December 2003 primarily to staff the Old Glory Wing at the Menlo Park Veterans' Home and to staff the opening of the reconstructed Vineland Veterans' Home.

The number of full-time employee positions funded from dedicated State revenue (State - Other) would rise 1,023 or 8.7 percent in FY 2005. This continues the trend, accelerated between December 2002 and July 2003, to shift employees from General Fund revenue to dedicated State revenue. For example, in July 2002, Motor Vehicle Services employed 1,218 individuals, of whom 177 were funded from non-State General Fund revenue. The FY 2005 Budget proposes 2,500 employees at Motor Vehicle Services, all of whom would be funded through other revenue. This revenue was State revenue in July 2002.

Major Increases In Employment By Certain Departments

The number of individuals employed at the Department of Human Services (DHS) would increase 1,233 or 6.1 percent from December 2003 to July 2004 under the Governor's FY 2005 Budget proposal, as a total of 21,360 positions are budgeted for the upcoming fiscal year. The Department of Law and Public Safety (DL&PS) would employ 319 additional individuals in FY 2005 compared to December 2003, to a total of 7,708. In July 2002, immediately after the ERI, DHS and DL&PS employed 18,888 and 7,104 employees, respectively. The number of individuals to be employed in FY 2005 at the Department of Corrections would rise by 196 to 9,427 primarily due to the hiring of additional correction officers to reduce overtime costs. Employment at the State Parole Board, reflecting staffing needed to more intensely monitor sex offender parolees and to supervise increased numbers of parolees in alternative programs, would rise by 80. An additional 695 employees are budgeted at the Department of Health and Senior Services (HSS), with non-State full-time employee growth due primarily to increases in federal funding from a variety of sources. The 196 new employees budgeted in FY 2005 for the Department of Environmental Protection (DEP) is attributable to many factors, according to the Administration, such as additional shore protection and site remediation staff, new staff for the enhanced stormwater regulations program and smart growth permitting, new staff dedicated for watershed management and a new Underground Storage Tank Inspection program, and additional staff to be paid by natural resource damage recoveries and an increase in water allocation fees.

Background Paper: State Employment Trends (Cont'd)

TABLE 2

Department	Full-Time Employees July 2002	Funded FY 2005	Total Change	Percent Change July 2002 - Funded FY 2005
Agriculture	240	259	19	7.9%
Banking	483	510	27	5.6%
Chief Executive	120	110	(10)	-8.3%
Community Affairs	1,014	1,185	171	16.9%
Corrections	9,877	10,162	285	2.9%
Education	758	1,068	310	40.9%
Environmental Protection	3,264	3,487	223	6.8%
Health and Senior Services	1,950	2,395	445	22.8%
Human Services	18,888	21,360	2,472	13.1%
Labor	3,264	3,749	485	14.9%
Law & Public Safety	8,765	9,685	920	10.5%
Military Affairs	1,364	1,650	286	21.0%
Personnel	380	436	56	14.7%
State	561	613	52	9.3%
Transportation	4,873	6,376	1,503	30.8%
Treasury	6,086	6,679	593	9.7%
Commissions	2	2	0	0.0%
<i>Executive Total</i>	<i>61,889</i>	<i>69,726</i>	<i>7,837</i>	<i>12.7%</i>
Legislature	496	543	47	9.5%
Judiciary	1,745	1,833	88	5.0%
County Courts	7,147	7,537	390	5.5%
Grand Total	71,277	79,639	8,362	11.7%

Note: The Department totals in Table 2 above sum positions from agencies that, for administrative purposes, are located in but are not of certain departments.

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The Office of Legislative Services provides nonpartisan assistance to the State Legislature in the areas of legal, fiscal, research, bill drafting, committee staffing and administrative services. It operates under the jurisdiction of the Legislative Services Commission, a bipartisan body consisting of eight members of each House. The Executive Director supervises and directs the Office of Legislative Services.

The Legislative Budget and Finance Officer is the chief fiscal officer for the Legislature. The Legislative Budget and Finance Officer collects and presents fiscal information for the Legislature; serves as Secretary to the Joint Budget Oversight Committee; attends upon the Appropriations Committees during review of the Governor's Budget recommendations; reports on such matters as the committees or Legislature may direct; administers the fiscal note process and has statutory responsibilities for the review of appropriations transfers and other State fiscal transactions.

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Individuals wishing information and committee schedules on the FY 2005 budget are encouraged to contact:

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