



**ANALYSIS OF THE NEW JERSEY BUDGET**

**DEPARTMENT OF TRANSPORTATION  
AND  
MOTOR VEHICLE COMMISSION**

**FISCAL YEAR**

**2007 - 2008**

# NEW JERSEY STATE LEGISLATURE

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# DEPARTMENT OF TRANSPORTATION AND MOTOR VEHICLE COMMISSION

Budget Pages..... C-12; C-20; C-28; C-29; C-30; C-31; C-33; C-34; C-35; C-36; D-403 to D-419; H-39; H-41; H-63

## Fiscal Summary (\$000)

	Expended FY 2006	Adjusted. Appropriation FY 2007	Recommended FY 2008	Percent Change 2007-08
State Budgeted	\$1,220,006	\$1,327,334	\$1,318,840	( .6%)
Federal Funds	970,249	1,007,416	1,128,504	12.0%
<u>Other</u>	<u>1,495,763</u>	<u>1,895,703</u>	<u>1,891,363</u>	<u>( .2%)</u>
Grand Total	\$3,686,018	\$4,230,453	\$4,338,707	2.6%

## Personnel Summary - Positions By Funding Source

	Actual FY 2006	Revised FY 2007	Funded FY 2008	Percent Change 2007-08
State	2,847	2,758	2,704	( 2.0%)
Federal	1,044	999	1,079	8.0%
Other	6	7	7	—
Motor Vehicle <u>Commission</u>	<u>2,707</u>	<u>2,610</u>	<u>2,749</u>	<u>5.3%</u>
Total Positions	6,604	6,374	6,539	2.6%

FY 2006 (as of December) and revised FY 2007 (as of September) personnel data reflect actual payroll counts. FY 2008 data reflect the number of positions funded. Personnel summary does not include employees of New Jersey Transit Corporation.

## **Key Points**

- The Department of Transportation (DOT) and Transportation Trust Fund (TTF) revenue and spending are essentially unchanged from last fiscal year, with no significant activity changes or new initiatives proposed.
- The FY2008 State appropriations budget for the DOT totals \$1.319 billion, a decrease of \$8.5 million or 0.6% under the fiscal 2007 adjusted appropriation of \$1.327 billion. This does not represent a decrease in proposed departmental activity or anticipation of efficiencies: rather, the year-to-year difference is largely accounted for by the funding of Highway Facilities Maintenance and Fixed Charges: the FY2007 adjusted appropriation for this item includes \$10 million for winter snow and ice control costs, provided by a

## Key Points (Cont'd)

supplemental appropriation, that is not included in the Executive recommendations for FY2008.

### Transportation Trust Fund

- In accord with the fourth Transportation Trust Fund renewal, P.L. 2006 c.3, the Executive proposes for FY2008 \$1.6 billion for capital infrastructure spending **from** the TTF, unchanged from the current year. That statute authorized State spending of \$1.6 billion annually for five years. The allocation of this amount among project categories is also unchanged from last year, as follows: State highway projects, \$750 million; local highway projects, \$175 million; and mass transit, \$675 million.
- Federally funded capital infrastructure spending is increased to \$1.057 billion from \$933.9 million (an increase of \$123.1 million, or 13.2%).
- \$895 million is recommended for appropriation **to** the TTF, representing most of the revenues constitutionally dedicated to funding of the State transportation system, but excluding \$102 million in statutorily dedicated revenues.

This is the second year of the five-year program for the TTF authorized by in P.L. 2006, c.3. In accord with that program, the Executive budget recommends directing \$883 million in appropriations **to** the TTF from Constitutionally dedicated revenues, supplemented by \$12 million receivable under contract from the two toll road authorities. Amounts so dedicated under the Constitution include (1) \$200 million from sales and use tax revenue, (2) \$200 million from petroleum products gross receipts tax revenue, and (3) an amount equal to \$0.105 per gallon of revenue from the motor fuels tax. P.L.2006, c.3 increased the minimum amount motor fuels tax revenue dedicated to the TTF to \$483 million. That minimum amount, revenue from the other constitutional sources, and \$12 million from the toll authorities contract together yield the \$895 million in recommended appropriation to the TTF.

### New Jersey Transit

- The budget recommends a Grant-In-Aid appropriation to the New Jersey Transit Corporation (NJ Transit) of \$298.2 million, unchanged from FY2007. NJ Transit's total budget will increase to \$1.587 billion, an increase of 4.5%, or \$68 million. This increase is based on an \$80 million increase in forecasted farebox revenue, offsetting an \$11.9 million decrease in other revenues.
- Transportation Assistance for Senior Citizens and Disabled Residents is recommended to increase by \$2 million (5.7%), to 36.9 million. The program is funded by a statutory dedication of 7.5 percent of Casino Revenue Fund collections

**Fiscal and Personnel Summary**

**AGENCY FUNDING BY SOURCE OF FUNDS (\$000)**

	Expended FY 2006	Adj. Approp. FY 2007	Recom. FY 2008	Percent Change	
				2006-08	2007-08
<b>General Fund</b>					
Direct State Services	\$106,868	\$99,204	\$88,712	( 17.0%)	( 10.6%)
Grants-In-Aid	273,786	298,200	298,200	8.9%	0.0%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	805,000	895,000	895,000	11.2%	0.0%
Debt Service	0	0	0	0.0%	0.0%
<b>Sub-Total</b>	<b>\$1,185,654</b>	<b>\$1,292,404</b>	<b>\$1,281,912</b>	<b>8.1%</b>	<b>( 0.8%)</b>
<b>Property Tax Relief Fund</b>					
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%
<b>Sub-Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>Casino Revenue Fund</b>	<b>\$34,352</b>	<b>\$34,930</b>	<b>\$36,928</b>	<b>7.5%</b>	<b>5.7%</b>
<b>Casino Control Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>State Total</b>	<b>\$1,220,006</b>	<b>\$1,327,334</b>	<b>\$1,318,840</b>	<b>8.1%</b>	<b>( 0.6%)</b>
<b>Federal Funds</b>	<b>\$970,249</b>	<b>\$1,007,416</b>	<b>\$1,128,504</b>	<b>16.3%</b>	<b>12.0%</b>
<b>Other Funds</b>	<b>\$1,495,763</b>	<b>\$1,895,703</b>	<b>\$1,891,363</b>	<b>26.4%</b>	<b>( 0.2%)</b>
<b>Grand Total</b>	<b>\$3,686,018</b>	<b>\$4,230,453</b>	<b>\$4,338,707</b>	<b>17.7%</b>	<b>2.6%</b>

**PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE**

	Actual FY 2006	Revised FY 2007	Funded FY 2008	Percent Change	
				2006-08	2007-08
State	2,847	2,758	2,704	( 5.0%)	( 2.0%)
Federal	1,044	999	1,079	3.4%	8.0%
Other	6	7	7	16.7%	0.0%
Motor Vehicle Commission	2,707	2,610	2,749	1.6%	5.3%
<b>Total Positions</b>	<b>6,604</b>	<b>6,374</b>	<b>6,539</b>	<b>( 1.0%)</b>	<b>2.6%</b>

FY 2006 (as of December) and revised FY 2007 (as of September) personnel data reflect actual payroll counts. FY 2008 data reflect the number of positions funded. Personnel summary does not include employees of New Jersey Transit Corporation.

**AFFIRMATIVE ACTION DATA**

Total Minority Percent - Department	25.4%	26.2%	25.9%	---	---
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**Significant Changes/New Programs (\$000)**

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2007</u>	<u>Recomm.</u> <u>FY 2008</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
<b>I. State and Local Highways</b>					
<b>Maintenance and</b>					
<b>Fixed Charges</b>	<b>\$24,149</b>	<b>\$14,149</b>	<b>(\$10,000)</b>	<b>( 41.4%)</b>	<b>D-412</b>

The decrease in this line item reflects the practice of relying on supplemental appropriations language authority of \$10 million for Maintenance and Operations, usually used to fund winter operations costs. The department has budgeted \$11.3 million for winter operations costs. \$10 million is excluded from the base budget and will be added via supplemental appropriation, as was the case in FY2007. \$14.2 million has been expended as of March 2007 for winter operations, although more charges will occur.

**II. New Jersey Transit Corporation (NJT) D-414 to D-417****A. Expenditures**

1. Bus Operations	\$513,761	\$527,500	\$13,739	2.7%
2. Rail Operations	\$592,248	\$621,900	\$29,652	5.0%
3. Light Rail Operations	\$74,650	\$77,200	\$ 2,550	3.4%
4. Corporate Operations	\$236,279	\$253,200	\$16,921	7.2%
5. Purchased Transport	\$101,762	\$107,000	\$5,238	5.1%
Sub- Total	<b>\$1,518,700</b>	<b>\$1,586,800</b>	<b>\$68,100</b>	<b>4.5%</b>

**B. Revenues**

1. State Subsidy	\$298,200	\$298,200	0	—
2. NJT Resources:				
a. Farebox	\$666,000	\$746,000	\$80,000	12.0%
b. Other	\$554,500	\$542,600	(\$11,900)	( 2.1%)
Sub-Total	<b>\$1,518,700</b>	<b>\$1,586,800</b>	<b>\$68,100</b>	<b>4.5%</b>

**C. Casino Revenue**

Fund	\$34,930	\$36,928	\$ 1,998	5.7%
<b>NJT Total</b>	<b>\$1,553,630</b>	<b>\$1,623,728</b>	<b>\$70,098</b>	<b>4.5%</b>

The above information summarizes by major purpose the expenditure data for NJ Transit followed by a summary of the Revenue sources available to support these expenditures.

Total resources in FY 2008 are projected to increase by \$70 million, an amount attributable to an \$80 million increase in expected Farebox revenue. NJ Transit commenced public hearings

**Significant Changes/New Programs (\$000) (Cont'd)**

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2007</u>	<u>Recomm.</u> <u>FY 2008</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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in January 2007 on a proposed fare increase averaging 9 percent, based on its goal of closing a \$60 million budget gap. The system-wide cost-recovery ratio will improve slightly from actual FY2006, to 55.6% from 53.4%. Average daily ridership is expected to increase to 441,600, an increase of about 1.4%.

**III. Special Transportation Trust Fund**

<b>Federal/ Other Funds</b>	<b>\$933,880</b>	<b>\$1,057,000</b>	<b>\$123,120</b>	<b>13.2%</b>	<b>D-413</b>
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The Administration projects TTF revenues from Federal and other sources (Federal Highway Administration or Department of Transportation) to increase. The recently enacted federal transportation plant SAFETEA-LU increased revenues available for State use over the next several years.

**Language Provisions**

2007 Appropriations Handbook

2008 Budget Recommendations

**p. B-169**

Notwithstanding any other law to the contrary, \$21,000,000 of the amounts credited to the New Jersey Emergency Medical Service Helicopter Response Program Fund on or after July 1, 2006, is available to the General Fund as State revenue.

No comparable language.

Explanation

The FY2007 language relates to revenue from additional motor vehicle registration charges imposed by P.L.2005, c.311, totaling \$3 per vehicle, estimated to yield a total of approximately \$21 million. Under the language, the revenue was appropriated for general State purposes, and was not allocated for the purposes to which it was dedicated by the statute (New Jersey Emergency Medical Helicopter Response Program, \$14 million; new State Police trooper classes, \$7 million). This language is discontinued because the FY2008 recommended budget for the Department of Law and Public Safety appropriates these funds for various departmental purposes, not for use as general State revenue.

2007 Appropriations Handbook

2008 Budget Recommendations

**p. B-172**

Notwithstanding any other law to the contrary, of the amounts appropriated hereinabove for the Department of Transportation from the General Fund, **\$40,000,000** thereof shall be paid from funds received or receivable from the various transportation-oriented authorities pursuant to contracts between the authorities and the State as are determined to be eligible for such funding pursuant to such contracts, as shall be determined by the Director of the Division of Budget and Accounting.

**p. D-413**

Notwithstanding the provisions of any law or regulation to the contrary, of the amounts appropriated hereinabove for the Department of Transportation from the General Fund, **\$12,500,000** thereof shall be paid from funds received or receivable from the various transportation-oriented authorities pursuant to contracts between the authorities and the State as are determined to be eligible for such funding pursuant to such contracts, as shall be determined by the Director of the Division of Budget and Accounting.

Explanation

Under contracts with the New Jersey Turnpike Authority and South Jersey Transportation Authority, the State will receive monies from these authorities in an amount anticipated in the



**Language Provisions (Cont'd)**

FY2008 budget (page C-12) at \$24.5 million, a decrease of \$27.5 million from the \$52 million anticipated from these authorities in FY2007. The above language provides that toll road authority contract revenue shall fund General Fund appropriations to the DOT for Highway Facilities to the extent of \$40 million in FY2007 and \$12.5 million (\$27.5 million less) in FY2008. As in FY2007, the remainder of the anticipated contract revenue (\$12 million in each fiscal year) is appropriated through budget language (page D-414) to the TTF for the capital construction program. It is noted that N.J.S.A.27:1B-20 c. provides that \$24.5 million of revenue received from contracts with toll road authorities shall be appropriated to the TTF. Thus, as in FY2007, the FY2008 recommendations provide the TTF with slightly less than one-half of the toll road revenue prescribed under statutory law.

## Discussion Points

### Department of Transportation

1. The enacted FY 2007 budget anticipated savings from management efficiencies (\$50 million), information technology efficiencies (\$20 million) and procurement efficiencies (\$15 million). These savings, while reflected in the Interdepartmental Accounts section of the budget, were to be obtained from executive agency budgeted appropriations, presumably in direct correlation with identified efficiency improvements.

- **Question:** What amount of the department's original FY 2007 appropriations were reallocated to Interdepartmental Accounts as savings from management efficiencies, information technology efficiencies and procurement efficiencies, respectively? What specific efficiencies were achieved by the department that correlate to the reallocations? What adverse impacts, if any on the output and outcomes of department programs and services resulted or will result from these funding reallocations, in the current fiscal year and as projected for FY 2008?

### Transportation Trust Fund

2. P.L. 2006, c.3 increased the TTFA annual bonding cap from \$650 million to \$1.6 billion.

- **Question:** What new debt does the TTFA plan to issue in FY2008? What bonding authority remains available to the TTFA? What is the aggregate debt service schedule for all debt being serviced through the TTFA, including debts from NJ Transit for the Hudson-Bergen Light Rail, and from the Economic Development Authority?

### New Jersey Transit

3. The New Jersey Transit (NJT) proposed operating budget for FY 2008, as displayed on page D-416 of the Governor's FY 2008 Recommended Budget, totals about \$1.587 billion, an increase of 4.5 percent over the adjusted FY 2007 budget. Operating revenues are projected to grow from \$666 million to \$746 million (+\$80 million, or 12 percent). NJT has proposed a rate hike, which could take effect as early as June 1, 2007, and has conducted public hearings and informational sessions on its proposal. According to a press report, Executive Director Warrington cited the need to close a \$60 million budget gap as the reason for increasing fares by an average 9 percent. Average daily ridership for all components of NJT is projected to reach 441,600 in FY 2008, a growth of 1.4 percent above FY 2007.

- **Question:** How much of the \$80 million increase in operating revenues is expected from proposed fare hikes? How much is expected from increased ridership at current rates? At rates as they are proposed to increase? What effective date of fare increases is implicit in FY 2008 operating revenue projections? In projecting ridership change for FY 2008, what impact is the fare increase estimated to have on ridership numbers or behavior? Has NJT received any testimony during public hearings and other public forums that has caused it to revise its original proposal? If so, what are these revisions?

4. NJT recently approved a \$409 million contract to purchase 1,145 new buses, which will enable it to replace 80 percent of its current bus fleet at a rate of 200 buses per over a six-year period. These new buses are to be fifty percent cleaner (in terms of emission) than the

## Discussion Points (Cont'd)

buses they replace, will seat 42 passengers, will be equipped with closed-circuit security cameras, and are to enter service by winter 2008. Based on the numbers given, these buses will cost about \$357,000 each, and to acquire 200 buses per year would require annual outlays of \$71 million. The FY 2007 Transportation Trust Fund (TTF) capital program for NJT includes a line item for "Bus Acquisition Program" of \$20.92 million, compared to FY 2006 funding for this purpose of \$4.28 million.

- **Question:** Please provide a detailed plan of finance for this new bus acquisition contract, showing for each year of the plan federal funds by source, non-federal pay-as-you-go sources, TTF annual capital program authorizations, and any other funding sources or techniques, including any debt financing external to the Transportation Trust Fund Authority, such as the NJ Economic Development Authority. What impact on annual operating costs are anticipated from deployment of these new buses?

5. Following the enactment of P.L. 2006, c.3, which authorized the TTF Annual Capital Program at \$1.6 billion annually for FY 2007- FY 2011, NJT received a TTF Capital Program Allocation of \$675 million, an increase of \$141 million over FY 2006. The FY 2008 budget recommends the same allocation to NJT as in FY 2007. Among the items included in NJT's FY 2007 Capital Program from the TTF was \$95 million for "Rail Transit Initiatives", for which only \$6 million was authorized in FY 2006. The "Transportation Capital Program for FY 2007", dated July 1, 2006 lists multiple potential projects to which these funds could be allocated, in no rank order, including major commuter rail system extensions or restorations.

- **Question:** Please itemize the specific projects or purposes for which FY 2007 "Rail Transit Initiatives" funding have been expended or committed to date, and the amounts expended or committed. What specific factors, circumstances or events prompted NJT to choose these projects or purposes from among the many potential projects listed in the "Transportation Capital Program for FY 2007"? Has any portion of this line item has been transferred to other line-items during FY 2007? If so, please identify those line items and the amount transferred to each.

### Motor Vehicle Commission

6. The Department of Homeland Security (DHS) has released requirements for the standardization of state identification documents, through the "Real ID Act" P.L.109-13. States will be required to begin issuing these documents, described as "internal passports" by May 2008, with a possible extension to December 2009. Many states oppose the rule as an unfunded mandate, and the cost to New Jersey is likely to be significant.

DHS has estimated the cost of implementation at \$23.1 billion over 10 years, of which \$10 billion to \$14 billion are costs to states. A report issued in September 2006 (before final regulations were issued) by the National Conference of State Legislators (presented in part by the American Association of Motor Vehicle Administrators) estimated the cost at \$11 billion, but they noted that "The findings...have likely underestimated the full impact of Real ID", pending the release of the final regulations.

- **Question:** What is the projected cost of Real ID Act to New Jersey? How does that cost compare to other states? How will the MVC meet that cost?

## Discussion Points (Cont'd)

7. In a FY 2007 discussion point, OLS observed that the Motor Vehicle Commission's adopted budgets for FY 2006 and FY 2007, as reported in its 2005 Annual Report and Service Assessment, relied on non-recurring revenues to support operating levels – in other words, the Commission was facing a structural budget deficit. In response to the OLS discussion point, the Commission acknowledged that a structural deficit was "unavoidable in the long term", and that in the short term it would exercise fiscal responsibility, by implementing efficiencies and preserving carry forward balances for the next few budget years.

In its 2006 Annual Report and Service Assessment, the Commission indicates a revised operating budget for FY 2007 of about \$295.6 million (down from its original FY 2007 budget of \$319 million) against current revenues of \$293.5 million, thus estimating that it will spend down only about \$4.1 million in carry forward balances, rather than \$38 million as originally projected. However, its FY 2008 budget plans \$299 million in operating expenses while projecting \$280 million in current revenues, which would result in a reduction in carry forward balances of about \$19 million, from \$76 million to \$57 million. Based on these data, the Commission will largely succeed in preserving accumulated balances for FY 2007 but not for FY 2008.

● **Question:** What steps did the Commission take to reduce operating expenses in FY 2007 below its original budget? What impact, if any, did those steps have on its customers? On the fulfillment of its organizational responsibilities? Assuming the FY 2008 budget is enacted as proposed, please provide annual projections for operating budgets at current service levels and revenue projections assuming no fee increases or revenue diversions, for the fiscal years 2009-2013. Based on these projections, how much of the projected FY 2008 ending balance of \$57 million is spent down in each fiscal year after FY 2008? In what fiscal year, if any, will all accumulated balances be consumed, and what is the operating deficit in the fiscal year next following?

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