

NJ LEGISLATIVE PROCESS & LAW REVISION COMMISSION

PART 1

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NJ LEGISLATURE – PART 1

A.) Structure of the NJ Legislature



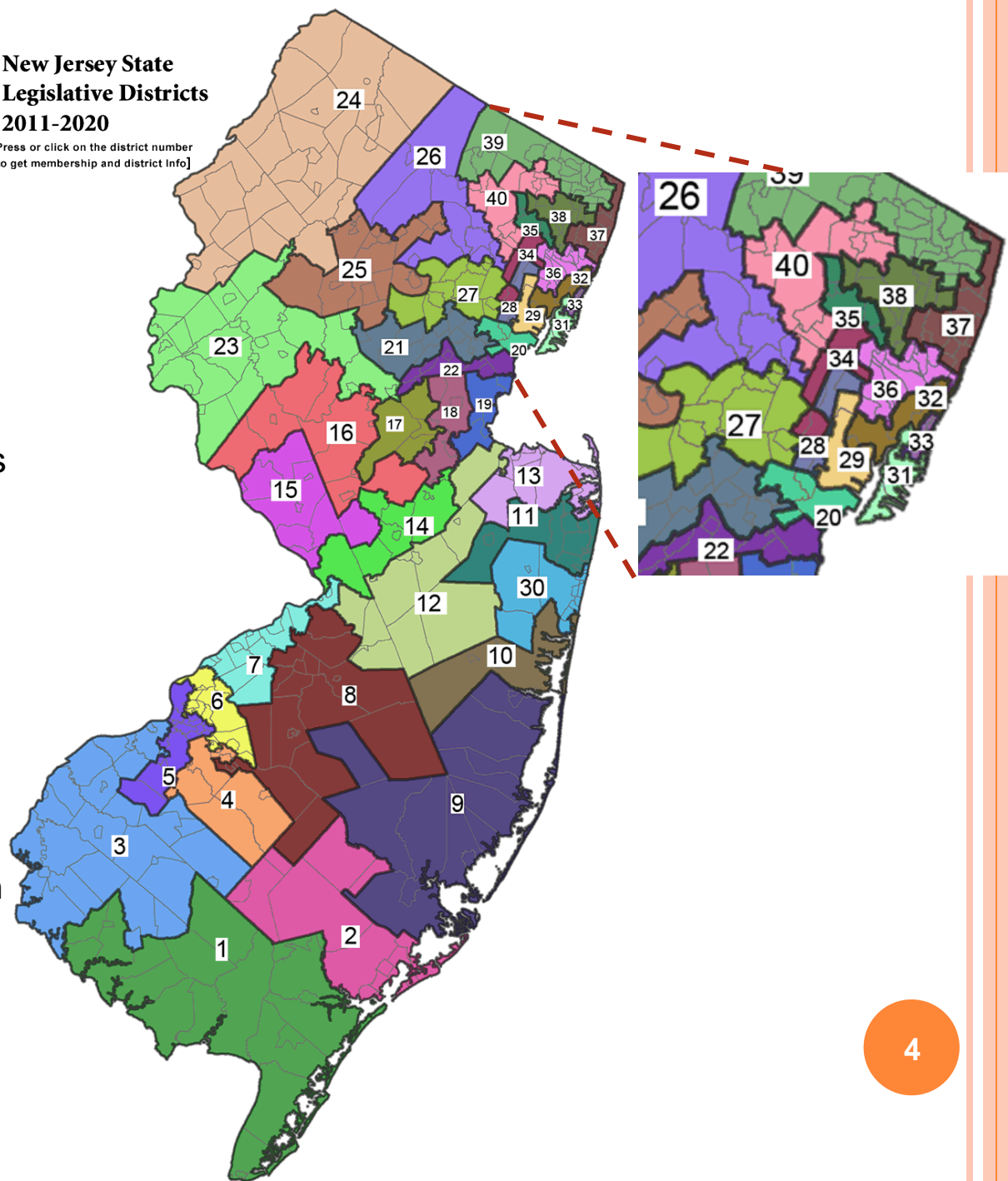
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NJ DISTRICTS

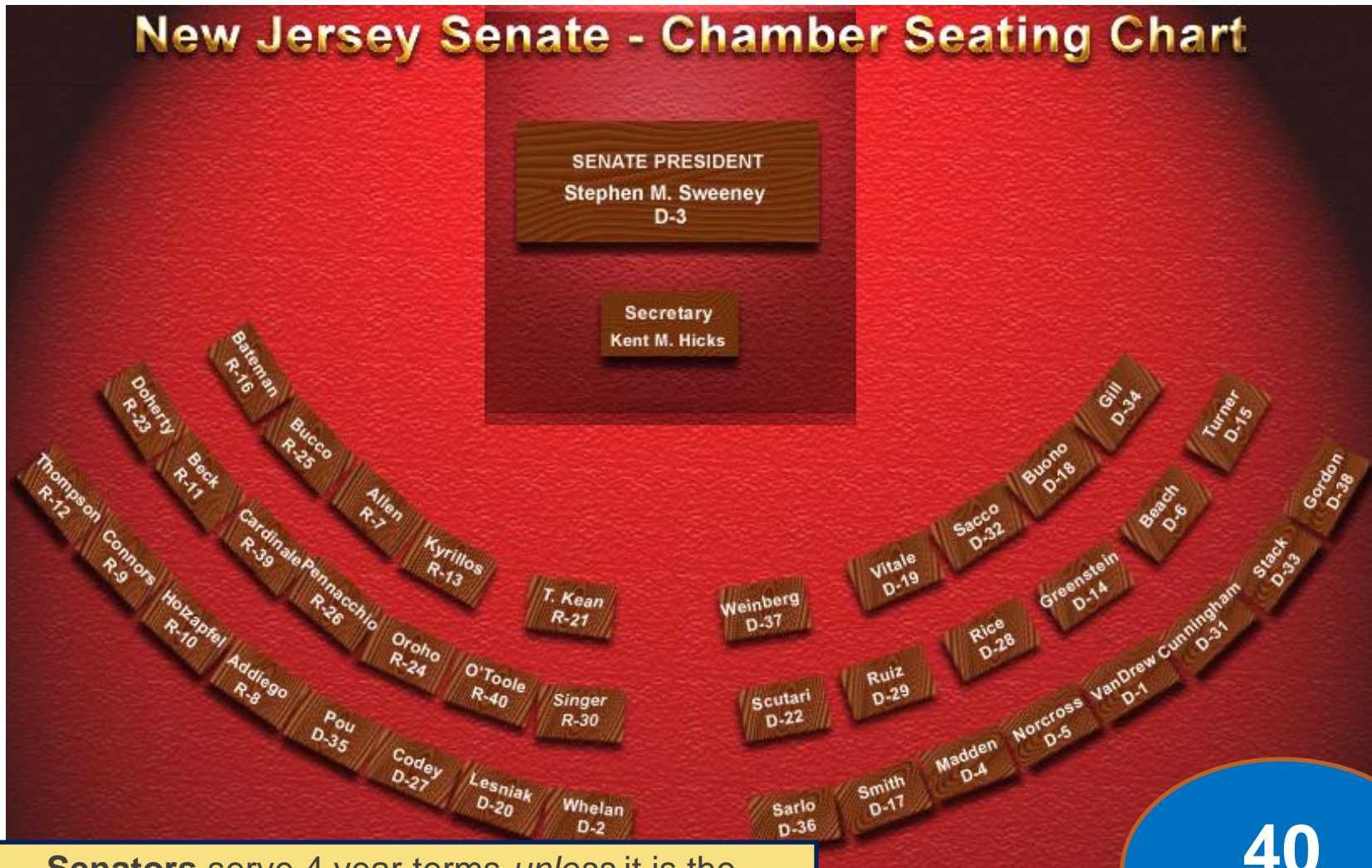
- There are **40 districts** in NJ. Each district *elects 1 NJ Senator* and *2 NJ Assemblymen*, which amounts to a total of **120 legislators**.
- The districts are designed to contain an equal number of voters, so that each legislator represents a relatively equal number of citizens.
- New boundary lines for the districts are redrawn every ten years after an official count or census has been taken.

New Jersey State Legislative Districts 2011-2020

[Press or click on the district number
to get membership and district info]



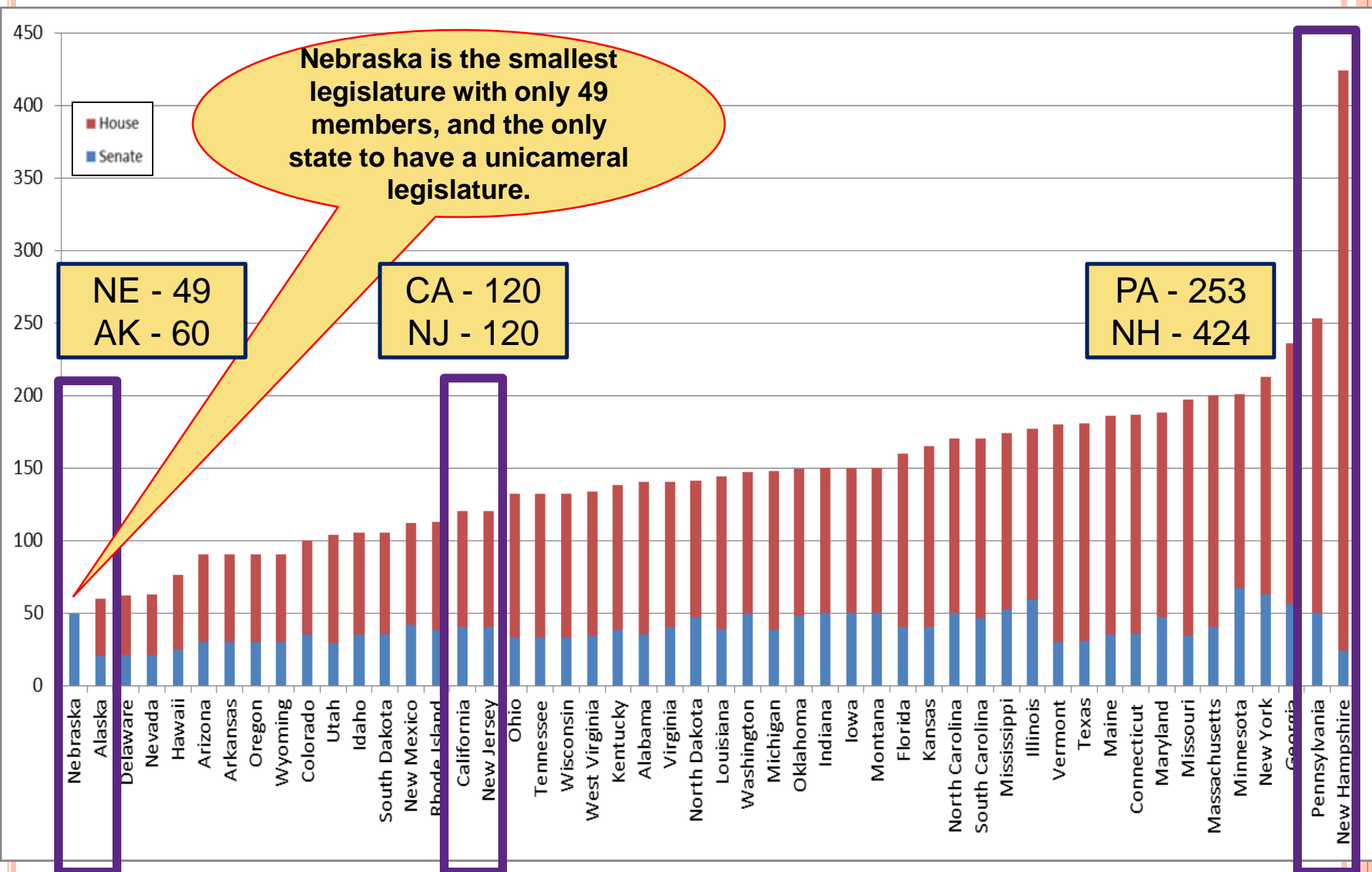
Inside the NJ Legislature



Senators serve 4 year terms *unless* it is the beginning of a new decade. In other words the term structure throughout the decade is 2-4-4 years per elected term.

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Members

SIZE OF STATE LEGISLATURES - 2013

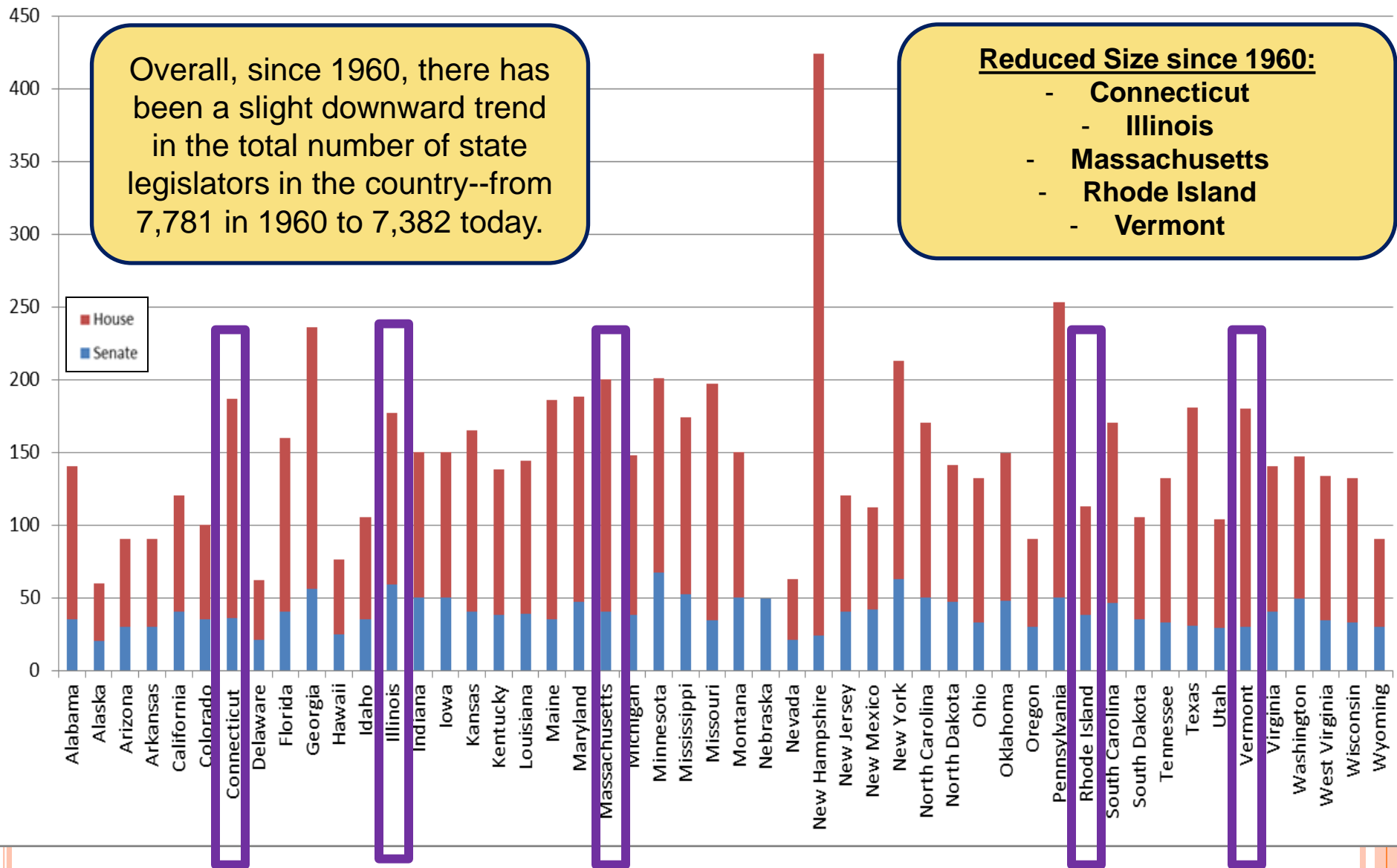


SIZE OF STATE LEGISLATURES - 2013

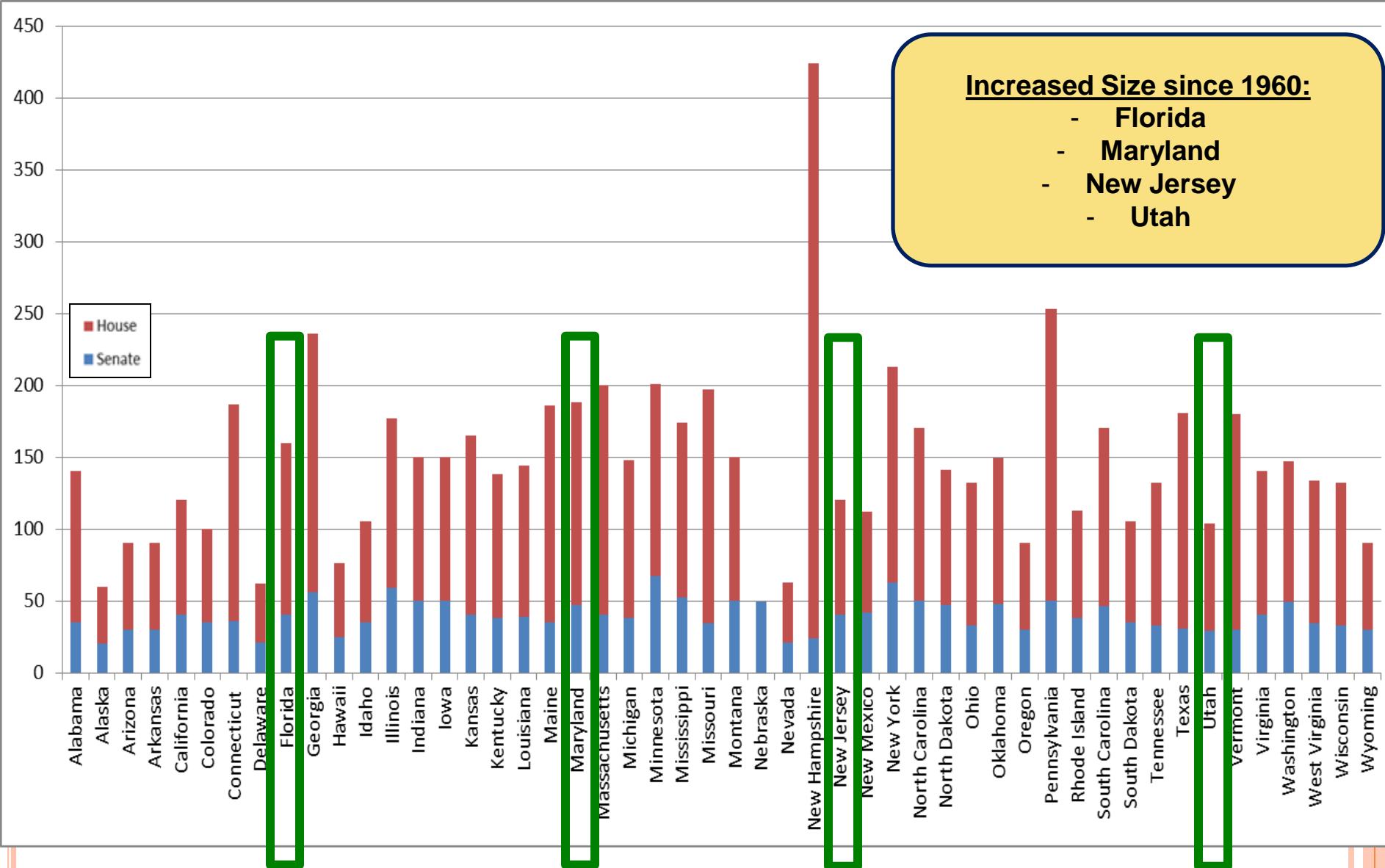
Overall, since 1960, there has been a slight downward trend in the total number of state legislators in the country--from 7,781 in 1960 to 7,382 today.

Reduced Size since 1960:

- Connecticut
- Illinois
- Massachusetts
- Rhode Island
- Vermont



SIZE OF STATE LEGISLATURES - 2013



SIZE OF STATE LEGISLATURES – NEW JERSEY

How can the number of Legislators change?

Different methodologies are used across the US in order to increase or decrease the number of legislators in state government, including constitutional revisions, referendums, or a change in the number of districts within a state due to population. Below is a brief summary of events surrounding the increased number of legislators in NJ since the 1960's.

NJ Constitution of 1947

- **21 Senators** (1 from each county regardless of population)
- **60 Assemblymen** (There could be a maximum of 60 Assemblymen. Each county had a minimum of 1 Assemblyman, and the remaining 39 Assemblymen seats were allocated according to population in the county.)

Reynolds v. Sims, 377 U.S. 533 (1964)

- Establishes the “**one man, one vote**” principle
- This case was originally filed in the Federal District Court for the Middle District of Alabama as an Equal Protection claim

Jackman v. Bodine, 43 N.J. 453 (1964)

- The NJ Supreme Court held that parts of Art. IV, S. II of the NJ Constitution violated the Federal Constitution.
- Addressed 2 main issues: (1) whether these provisions violated the Federal Constitution, and (2), if so, what must be done to remedy the violation. [Issue 2 was deferred to the NJ Legislature.]

NJ Constitutional Convention of 1966

- The Court concluded that a constitutional convention had to be convened, without a vote of the people.
- The Court was involved in the Constitutional amendments between 1964 and 1975.

SIZE OF STATE LEGISLATURES – NEW JERSEY

Court decisions stemming from the Constitutional Convention:

- **Scrimminger v. Sherwin, 60 N.J. 483 (1972)**
 - No further elections would be held under temporary apportionment plan; constitutional requirements of “**contiguity and compactness**” must be maintained
 - The Court recognized the conflict between preservation of county lines and “as nearly as may be according to the number of their inhabitants”.
- **Davenport v. Apportionment Commission, 65 N.J. 125 (1974)**
 - **Cannot use counties** as building blocks for districts.
 - “**Compactness**” is required for both houses of the legislature, even if it is only expressly mentioned in reference to the Assembly.

SIZE OF STATE LEGISLATURES – NEW JERSEY

“We hold that, as a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis. Simply stated, an individual’s right to vote for state legislators is unconstitutionally impaired when its weight is in substantial fashion diluted when compared with votes of citizens living in other parts of the State.”

- Reynolds, 377 US, at 568.

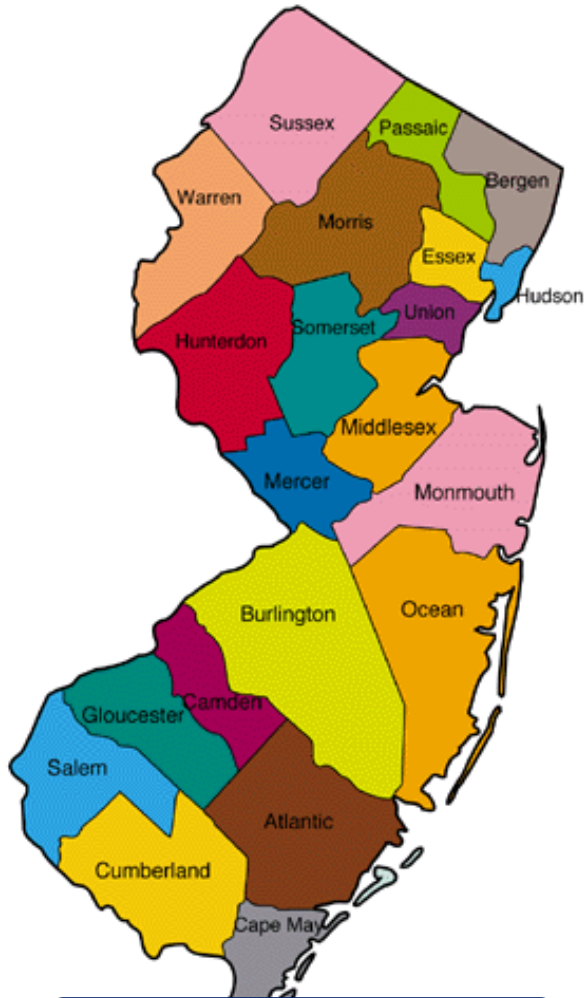
Pre-Revision: NJ Constitution Art. IV, S. II:

- “The Senate shall be composed of one Senator from each county, elected by the legally qualified voters of the county...”

Post-Revision: NJ Constitution Art. IV, S. II, Cl. 1:

- “The Senate shall be composed of forty senators apportioned among Senate districts as nearly as may be according to the number of their inhabitants as reported in the last preceding decennial census of the United States and according to the method of equal proportions. Each Senate district shall be composed, wherever practicable, of one single county, and, if not so practicable, of two or more contiguous whole counties.”

SIZE OF STATE LEGISLATURES – NEW JERSEY

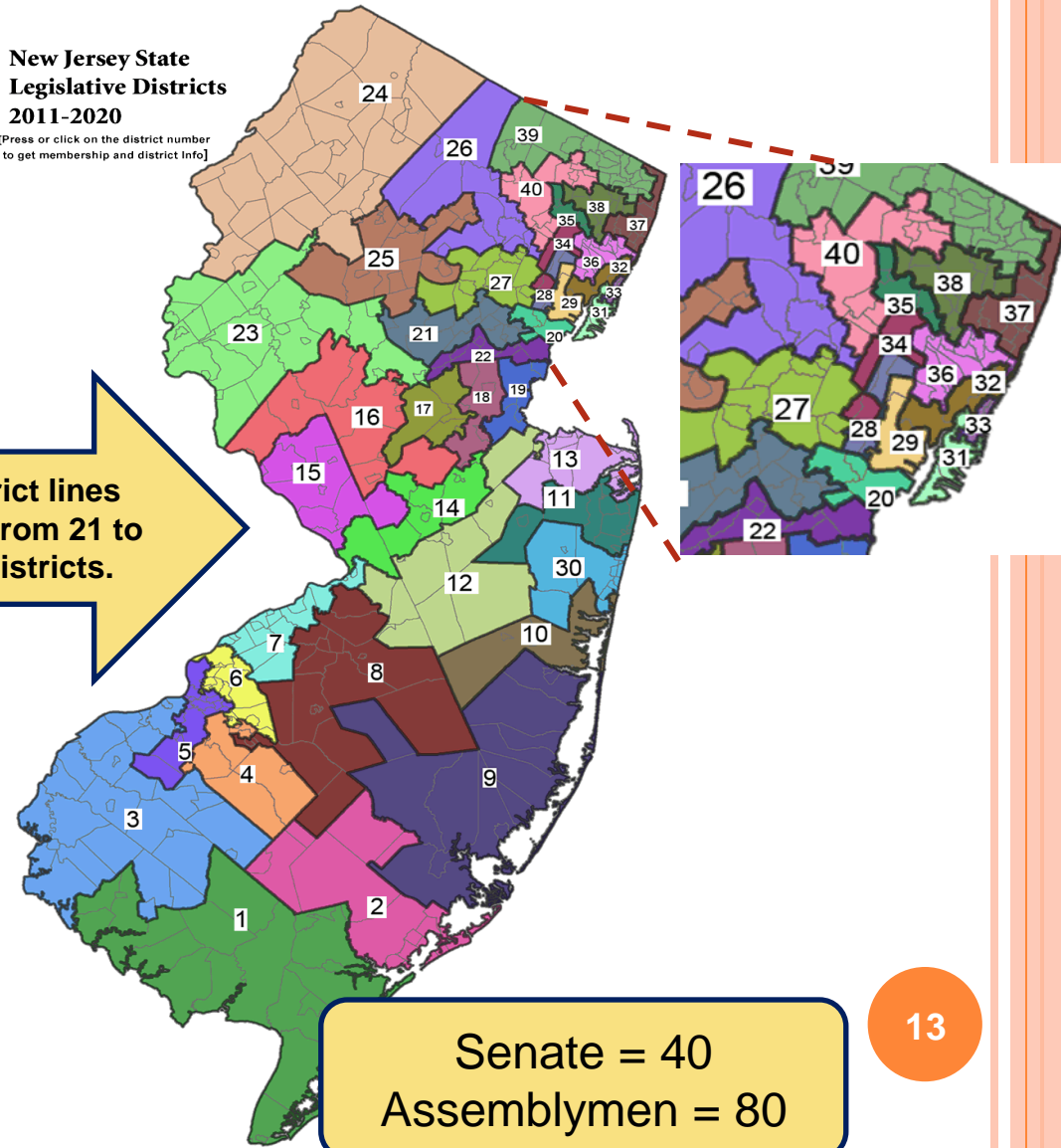


Senate = 21
Assemblymen = 60

New Jersey State Legislative Districts 2011-2020

[Press or click on the district number to get membership and district info]

District lines went from 21 to 40 districts.



Senate = 40
Assemblymen = 80

NJ LEGISLATURE – PART 1

B.) Legislature Demographics: State & National

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Legislator Demographics: State-by-State

New Jersey Statistics

New Jersey Ethnicities	
Ethnicity	Gender Age Religion Occupation
Education	Party Compositions
6%	Latino
13%	African American
0%	Asian
0%	Native American/Native Alaskan
84%	Caucasian

New Jersey Genders	
Ethnicity	Gender Age
Education	Party Compo
70.8%	Male
29.2%	Female

New Jersey Religions	
Ethnicity	Gender Age
Education	Party Compo
12%	Protestant
34%	Catholic
2%	Other Christian
6%	Jewish
0%	Mormon
1%	Other
46%	Unspecified

New Jersey Occupations	
Ethnicity	Gender Age Religion Occupation
Education	Party Compositions
26.1%	Attorney
21.9%	Full-Time Legislator
11.0%	Business: Executive/Manager
10.9%	Consultant/Professional/Nonprofit
8.4%	Government Employee: Local
5.0%	Educator: College
5.0%	Medical
2.5%	Business: Non-Manager
2.5%	Labor Union
1.7%	Business Owner
1.7%	Educator: K-12
1.7%	Real Estate
0.8%	Insurance
0.0%	Accountant
0.0%	Agriculture
0.0%	Clergy
0.0%	Communication/Arts
0.8%	Engineer/Scientist/Architect

**These are approximate demographics.*

Legislator Demographics: National Totals

National Statistics compared to New Jersey

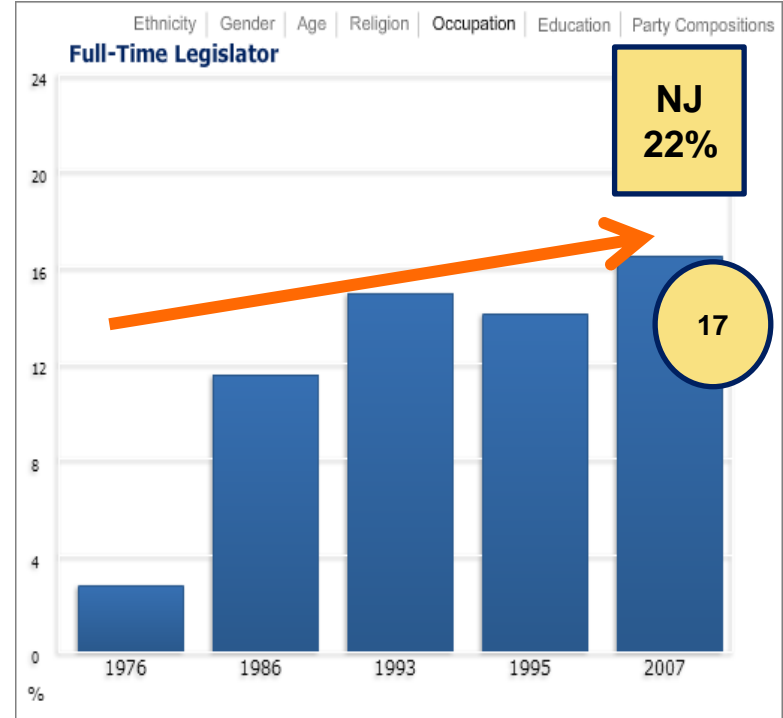
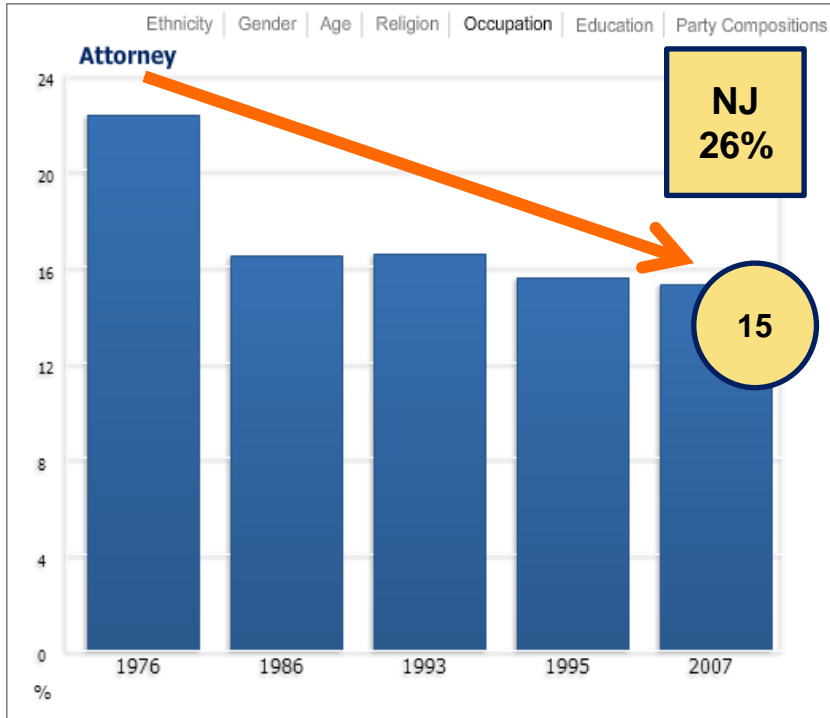
Ethnicity	NJ %	National %
Latino	6%	3%
African American	13%	9%
Asian	0%	1%
Native American	0%	1%
Caucasian	84%	86%

Religion	NJ %	National %
Protestant	12%	34%
Catholic	34%	16%
Other Christian	2%	4%
Jewish	6%	2%
Mormon	0%	1%
Other	1%	0%
Unspecified	46%	43%

Gender	NJ %	National %
Female	29%	24%
Male	71%	76%

Legislator Demographics: National Totals

National Statistics compared to New Jersey



Legislator Demographics: National Totals

National Statistics compared to New Jersey

New Jersey:

- Part time position = 80% a full time position
- Salary is \$49,000/year without per diem payments (2009)

Category of Legislature	Time on the Job (1)	Compensation (2)	Staff per Member (3)
Red	80%	\$68,599	3.9
White	70%	\$35,326	3.1
Blue	54%	\$15,984	1.2

Red	Red Light	White		Blue Light	Blue
California	Illinois	Alabama	Missouri	Georgia	Montana
Michigan	Florida	Alaska	Nebraska	Idaho	New Hampshire
New York	Ohio	Arizona	North Carolina	Indiana	North Dakota
Pennsylvania	Massachusetts	Arkansas	Oklahoma	Kansas	South Dakota
	New Jersey	Colorado	Oregon	Maine	Utah
	Wisconsin	Connecticut	South Carolina	Mississippi	Wyoming
		Delaware	Tennessee	Nevada	
		Hawaii	Texas	New Mexico	
		Iowa	Virginia	Rhode Island	
		Kentucky	Washington	Vermont	
		Louisiana		West Virginia	
		Maryland			
		Minnesota			

Red:

- Larger time commitment
- High salary
- More staff per member



Blue:

- Smaller time commitment
- Lower salary
- Less staff per member

*These are approximate metrics based on data from 2008.

NJ LEGISLATURE – PART 1

C.) Other Legislative Entities

OTHER LEGISLATIVE ENTITIES

COMMITTEE, COMMISSION

A group established by law, resolution, or order of the presiding officer to investigate a particular issue or area and make recommendations for legislative or administrative action.

Committees or commissions are frequently comprised of legislators of one or both houses, subject area experts or public members appointed by merit of the positions they hold in state agencies and private organizations.

OTHER LEGISLATIVE ENTITIES - COMMITTEES:

Assembly

- Agriculture and Natural Resources
- Appropriations
- Bipartisan Leadership Committee
- Budget
- Budget Committee (Budget Hearings Only)
- Commerce and Economic Development
- Consumer Affairs
- Education
- Environment and Solid Waste
- Financial Institutions and Insurance
- Health and Senior Services
- Higher Education
- Homeland Security and State Preparedness
- Housing and Local Government
- Human Services
- Judiciary
- Labor
- Law and Public Safety
- Military and Veterans' Affairs
- Regulated Professions
- Regulatory Oversight and Gaming
- Special Committee on Economic Development
- State Government
- Telecommunications and Utilities
- Tourism and the Arts
- Transportation, Public Works and Independent Authorities
- Women and Children

Senate

- Budget and Appropriations
- Budget and Appropriations (Budget Hearings Only)
- Commerce
- Community and Urban Affairs
- Education
- Environment and Energy
- Health, Human Services, and Senior Citizens
- Higher Education
- Judiciary
- Labor
- Law and Public Safety
- Legislative Oversight
- Military and Veterans' Affairs
- Rules and Order
- State Government, Wagering, Tourism, and Historic Preservation
- Transportation

In a few instances, **ad hoc committees** may be created to address special issues and make recommendations for legislative or administrative action.
Ex: 2006-2007 Special Session for Property Tax Reform.

OTHER LEGISLATIVE ENTITIES - COMMITTEES:

Joint Committees

- Joint Budget Oversight
 - Joint Committee on Housing Affordability
 - Joint Committee on the Public Schools
- Joint Legislative Committee on Ethical Standards
- Joint State Leasing and Space Utilization Committee

Legislative Commissions

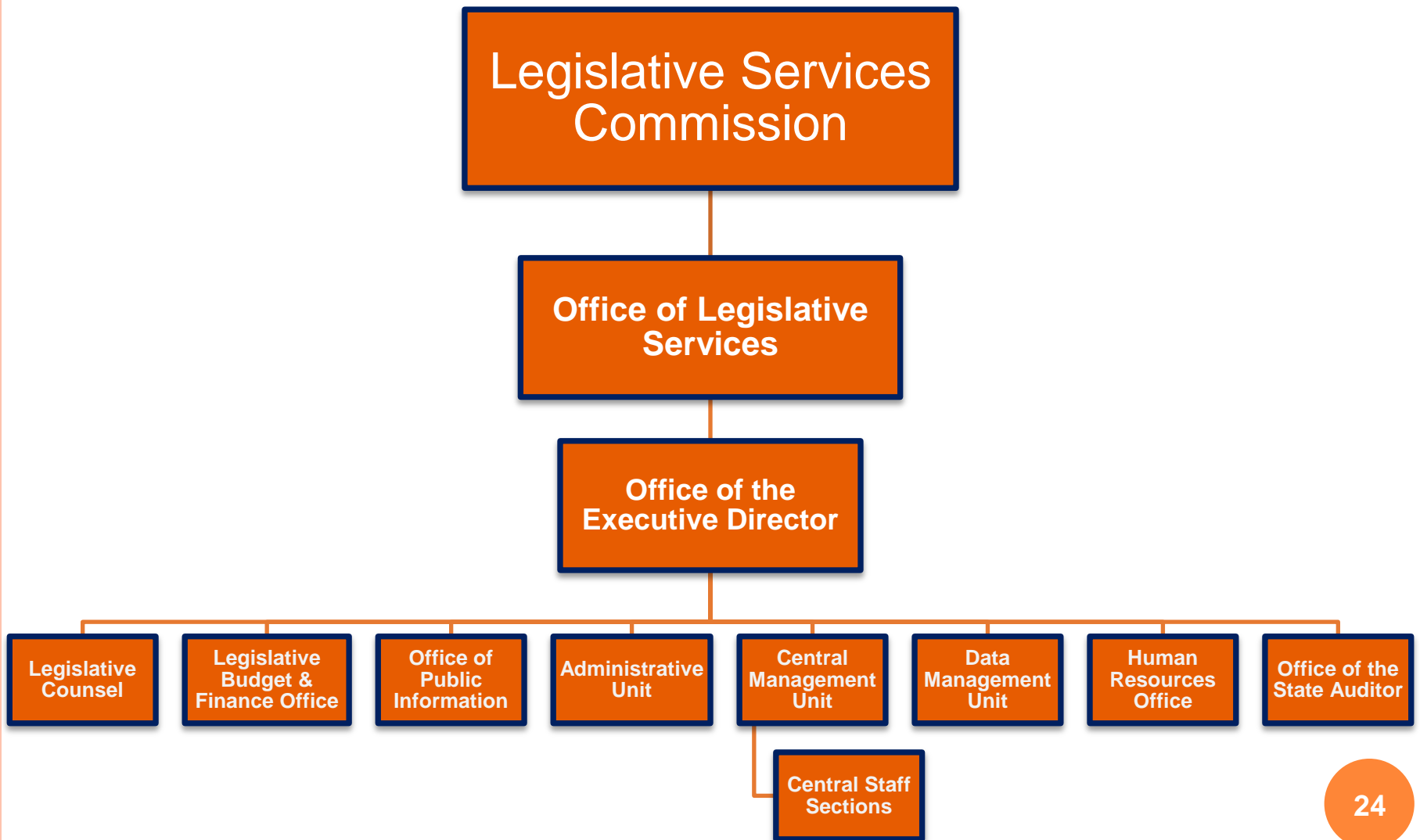
- Legislative Services Commission
- Intergovernmental Relations Commission
- NJ Corporate and Business Law Study Commission
 - **NJ Law Revision Commission**
- Pension and Health Benefits Review Commission
 - Sales and Use Tax Review Commission
- State Capital Joint Management Commission
 - State Commission of Investigation
 - State House Commission

OTHER LEGISLATIVE ENTITIES – PARTISAN STAFF:

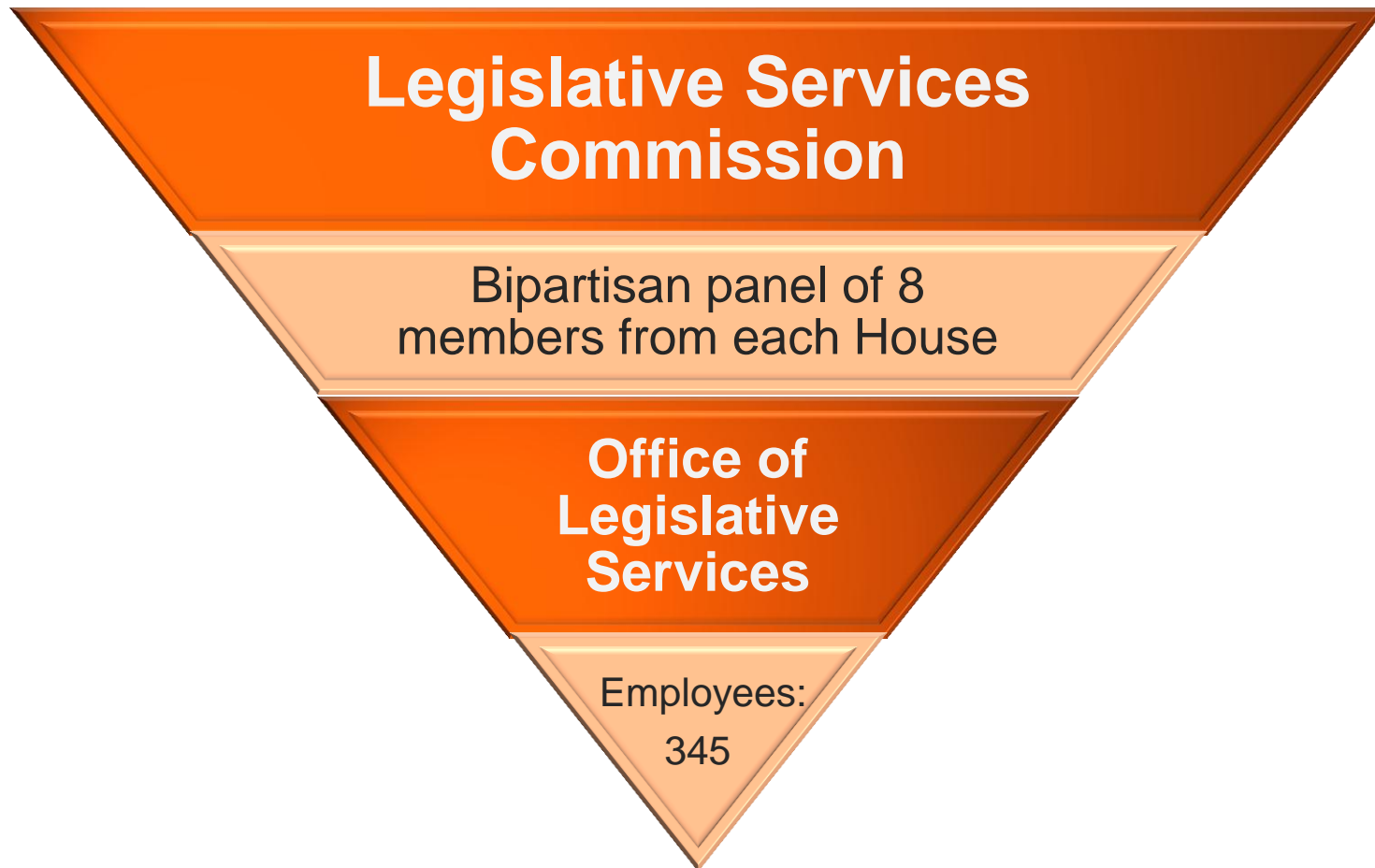
- The Legislature defines “*partisan staff*” as:
 - “[s]taff members who serve under the direction of the majority and minority leadership to provide research, policy, public relations and administrative services to their respective party leaders and legislators.”
- Each partisan staff in both Houses is led by an Executive Director



OTHER LEGISLATIVE ENTITIES – OLS HIERARCHY:



OTHER LEGISLATIVE ENTITIES – OLS:



The OLS was reorganized in 1986 when the Legislature merged the fiscal, research, and legal service agencies into one.

It was established to provide nonpartisan support to the Legislature, its officers, members, committees, and commissions.

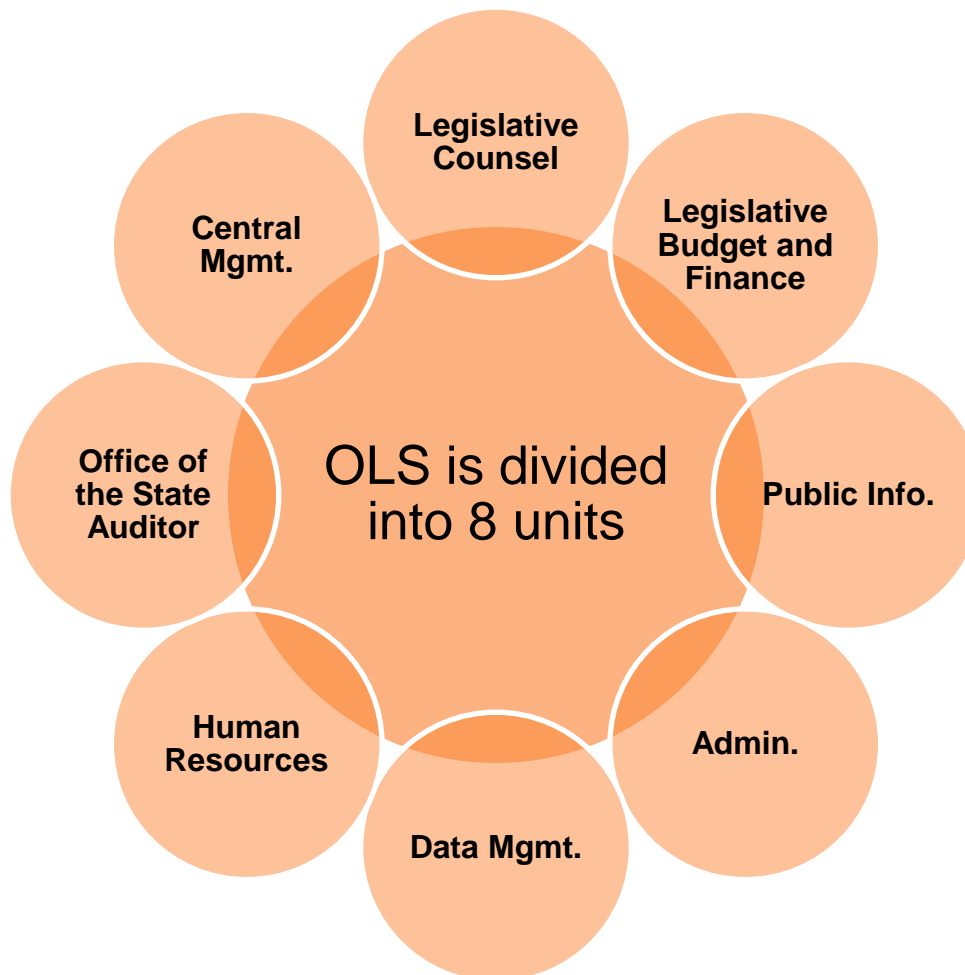
OTHER LEGISLATIVE ENTITIES – OLS:

OLS support services include:

- General, legal and fiscal research and analysis
- Bill drafting
- Legal opinions
- Ceremonial resolution drafting
- Fiscal note preparation
- Committee staffing
- District office rental and supply
- Distribution of bills and legislative documents
- Computer data-base management
- Public Information programs
- General administrative services
- Personnel program Management

OTHER LEGISLATIVE ENTITIES – OLS:

- The OLS may not take on its own projects, and can only conduct research and drafting work upon the request of a legislator or committee.
- All OLS work is subject to the final decision of the legislator.



OTHER LEGISLATIVE ENTITIES – OLS:

Data Management

- Handles maintenance, support, training, and security of the Legislature's computer networks.

Legislative Counsel

- Provides legal advice to legislators, committees, leadership, and commissions. Some focus strictly on ethics issues.

Legislative Budget and Finance

- Conducts fiscal research and analysis. Presents all fiscal impact statements and approves the transfer of funds between two or more state accounts.

Public Information

- Coordinates the NJ Legislative hotline, bill tracking, publications, handling ceremonial resolutions, media requests, and in-house reference library.

Administrative

- Provides all payroll, purchasing, and other administrative services.

Human Resources

- Administers the human resource program for OLS and other legislative commissions.

Office of the State Auditor

- Conducts audits on all units of state government in NJ.

Central Management

- Provides fiscal and legal research and committee staff services. Oversees research and bill drafting assignments, processes and prints proposed legislation and coordinates special projects. Contains 10 specialized sections.

OTHER LEGISLATIVE ENTITIES – OLS:

Central Management Unit



Authorities, Utilities, Transportation and Communications

Commerce, Labor and Industry

Education

Environment, Agriculture, Energy and Natural Resources

Human Services

Judiciary

Law and Public Safety

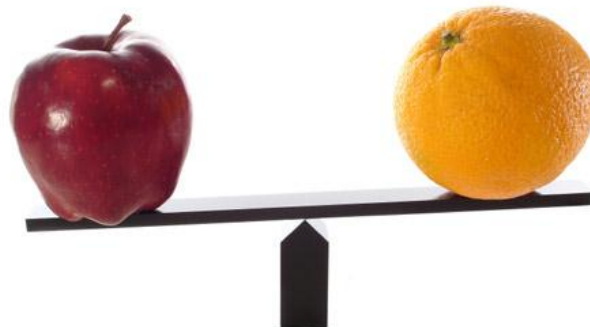
Local Government

Revenue, Finance and Appropriations

State Government

OTHER LEGISLATIVE ENTITIES – OLS v. NJLRC:

Category	NJLRC	OLS
Speed	The turn-around time varies on a project-by-project basis.	There is pressure from the Legislator to work quickly.
Selection of Projects	Identify potential projects from various sources.	Limited to projects brought forward by the legislature.
Sources for commentary	Seeks comments throughout process.	Required to regard requests for assistance by Legislators or others as confidential.



CONCLUSION:

This concludes Part 1 of this presentation on the NJ Legislative Process & Law Revision Commission. Please see the adjoining presentations (Part 2 and 3) for more information regarding this area. A summary of the topics covered is listed below.

- Part 1: New Jersey Legislature
 - A.) Structure of the NJ Legislature
 - B.) Legislator Demographics: State & National
 - C.) Other Legislative Entities

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THANK YOU FOR VISITING NJLRC WEBSITE!



If you have any questions, concerns, or comments regarding this presentation, please feel free to reach out to the NJLRC office.

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