

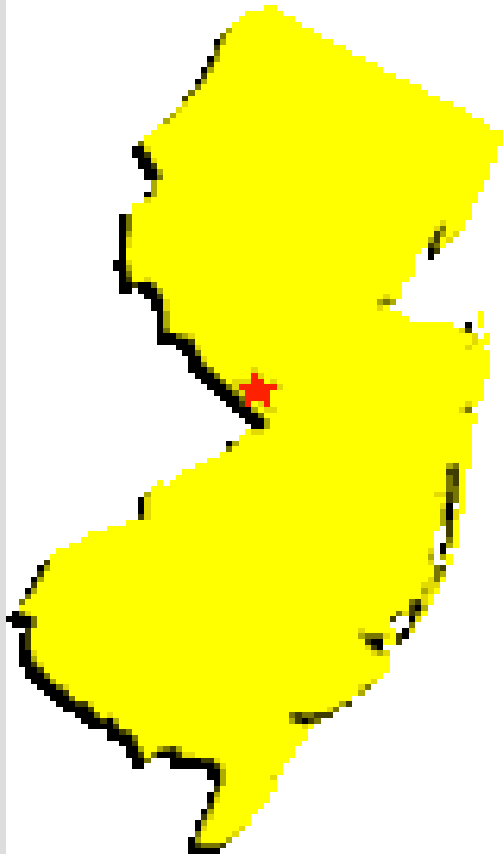
The Board of Public
Utilities & the State
Legislature:

A Working Relationship
In New Jersey

The government of the State of New Jersey, like that of the United States, is divided into three co-equal branches:

- Legislative → principal function is to enact laws
- Executive (Governor and State Agencies) → carries out the programs established by law.
 - The President of the BPU serves on the Governor's Cabinet.
- Judiciary (Supreme Court and lower courts) → punishes violators, settles controversies and disputes, and is the final authority on the meaning and constitutionality of laws.
 - Although the BPU serves a quasi-judicial function, BPU decisions can be appealed to the higher courts of the State of New Jersey.

The New Jersey Legislature



- The Legislative Branch is responsible for proposing and making laws that pertain to the State of New Jersey.
- Each year, over 8,000 bills are introduced in the State Legislature. These bills address a wide variety of topics including health care, education, commerce, and labor.

The State Legislature is comprised of two houses:



- State Senate
 - 40 members

- General Assembly
 - 80 members

The New Jersey Legislature



The Legislature meets in the State House in Trenton, NJ's capital city.

Both Houses usually meet on Mondays and Thursdays, all year long. During this time, there are committee meetings and voting sessions, where members vote on proposed laws.

The Role of the Executive Branch in Legislative Affairs

- The BPU functions under the Executive Branch of the state government.
- The President of the BPU is appointed by the Governor and is a member of the Governor's cabinet. Each time a new Governor takes office, a new President is appointed.
- The President of the Board acts to coordinate BPU recommendations with the best interests of the Governor and his administration's policies.

Legislative Areas of Interest to the BPU

- BPU is primarily concerned with legislation relating to public utilities.
- When a bill is introduced in one of the two legislative houses, it is assigned to a committee.
- Most bills that affect utilities are referred to:
 - The Assembly Telecommunications and Utilities Committee; and
 - The Senate Commerce and Economic Growth Committee

The Legislative Liaison

- The day-to-day interaction between the BPU and the legislature is overseen by the BPU's Legislative Liaison.
- The Legislative Liaison is the primary contact point between the Board and the Legislature.
- However, individual Commissioners and legislators do have contact from time to time.

The Role of the Legislative Liaison

- The function of the Legislative Liaison is similar to that of a lobbyist or a government relations specialist.
- As bills are introduced, the Legislative Liaison quickly reviews them to determine if they pertain to the BPU or the utilities BPU regulates.
- If the BPU has an interest in the bill, it is sent to the appropriate department within the Board for review and comments.
- Once the comments are returned to the Legislative Liaison, the President of the Board and senior staff first review the recommendations of the departmental staff.

Coordinating with the Governor's Office

- After a recommendation is determined at the Board, the Legislative Liaison shares the recommendation with the Governor's office, to ensure that it does not conflict with policy set forth by the Governor.
- Once the Governor's office is made aware of the Board's recommendations, the Legislative Liaison next communicates with the bill's sponsors. This is especially true in instances where the legislation may have a negative consequence for the Board, utilities, or consumers.

Committee Action

- Any Board concerns surrounding the legislation will also be expressed to the Chair of the assigned committee.
- When scheduled by the Chair, the committee considers the bill at a meeting open to the public.
- The committee may report the bill to the House as is, with amendments, or by a substitute bill. If not considered or reported, the bill remains in committee.

Voting

- If the members of the committee vote to pass the bill, it moves on to the House.
- In the House, the bill passes when approved by a majority of authorized members (21 votes in the Senate, 41 in the Assembly).
- If both houses approve the bill, the Governor may either:
 - Sign the bill into law; or
 - Veto the legislation
- However, the legislature can override the veto if 2/3 of the legislators vote to do so.

Current Legislation

- Currently, the Board is interested in 70 pieces of legislation.
- There are two issues which are gaining much attention in the legislature:
 - Energy Deregulation
 - Cable Television

Legislators

- Legislators are elected from 40 legislative districts of substantially equal population.
- The voters in each district elect one Senator and two members of the General Assembly.
- Legislators are highly interested in addressing and resolving state issues through legislation because they are important to all New Jersey residents.
- Moreover, the entire legislature is up for re-election in November 2003, so legislators are particularly sensitive to public opinion.



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