



# The New Jersey Legislative and Regulatory Process

## Bills, Code, Laws, Regulation, & Letter Writing

### How a Bill Becomes a Law in New Jersey

The New Jersey Legislature is composed of two chambers: the Senate with 40 members, and the Assembly with 80 members. A bill becomes law when the Senate and Assembly pass the bill and the governor signs it.

#### 1. Idea Developed

A legislator decides to sponsor a bill, sometimes at the suggestion of a constituent, interest group, public official, or the governor. The legislator may ask other legislators in the same chamber to join as cosponsors.

#### 2. Bill Drafted

At the legislator's direction, the Office of Legislative Services, a non-partisan agency of the legislature, provides research and drafting assistance and prepares the bill in proper technical form.

#### 3. Bill Introduced

During a session, the legislator gives the bill to the senate secretary or assembly clerk, who reads the bill's title aloud. This is known as the first reading. The bill is printed and released to the public.

#### 4. Committee Reference

The Senate President or assembly speaker usually refers the bill to a committee for review, but may send the bill directly to the second reading (see #6) in order to speed up its consideration.

#### 5. Committee Action

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 Senate/Assembly as is, with amendments, or by a substitute bill. If the bill is not considered or reported, it remains in the committee.

#### 6. Second Reading

When the bill is reported to the floor (or referred directly without committee review), its title is read aloud for the second reading. The bill is eligible for amendment on the floor. After the bill is given a third reading, the Senate or Assembly must vote to return it to the second reading for any further amendments.

#### 7. Third Reading

When scheduled by the president or speaker, the bill is given a third reading and considered on the floor. The bill may not go through the second and third reading on the same day, except by an emergency vote of 3/4 of the members (30 votes in the Senate, 60 in the Assembly).

#### 8. Senate/Assembly Vote

The bill passes when approved by a majority of the authorized members (21 votes in the Senate, 41 in the Assembly) and is sent to the other chamber. If a final vote is not taken, the bill may be considered at another time or may be returned to a committee by a vote of the Senate/Assembly.

#### 9. Second Vote

The bill is delivered to the second house where it goes through the same process. If the second vote amends the bill, it is returned to the first chamber for a vote on the changes. A bill receives final legislative approval when it passes both chambers in identical form.

#### 10. Governor's Action

After final passage, the bill is sent to the governor. The governor may sign it, conditionally veto it (returning it for changes), or veto it absolutely. The governor may veto single line items of appropriation bills. Bills passed in the last ten days of a two-year session may be "pocket vetoed."

#### 11. Law

A bill becomes law upon the governor's signature or after 45 days if no action is taken. If vetoed, a bill may become law if the Legislature overrides the veto by a 2/3 vote (27 in the Senate, 54 in the Assembly). A law takes effect on the day specified in its text or, if unspecified, July 4th following its passage.

# How Regulations Are Adopted In New Jersey

A major function of the State Board of Education is the adoption of administrative code that contains the rules for implementing education laws. The process follows 9 steps, with the first 4 prior to the specific requirements as outlined in the Administrative Procedures Act.

## Step 1.

Code is proposed by the Commissioner of Education and introduced for review by the State Board of Education and stakeholders.

## Step 2.

Feedback is provided to the New Jersey Department of Education (NJDOE) about the proposed code from the State Board at monthly meeting (First Discussion)

## Step 3.

Feedback is provided to the NJDOE about the proposed code from the State Board at a second monthly meeting (Second Discussion – typically 30 days later)

## Step 4.

A public testimony session is held (following second discussion) permitting stakeholders and interested parties an opportunity to weigh in.

## Step 5.

The code proposal is heard at ‘Proposal Level’ at State Board monthly meeting (typically 30 days later) for approval by State Board to publish the code proposal in the New Jersey Register.

## Step 6.

The code proposal is published in the New Jersey Register publication with a 60 day written comment period.

## Step 7.

A public testimony session is held approximately six weeks following proposal level (step 5) to allow for oral public comment.

## Step 8.

The proposal moves to ‘Adoption Level’ at a State Board monthly meeting at least 60 days from publication in the New Jersey Register.

## Step 9.

Publication in the New Jersey Register establishes the effective date of the newly adopted regulation.

# Guidelines for Letter Writing

## Be sure to know who your representatives are.

Know your legislative district, the names of your state senator and two assembly persons, your state board members, and your representatives in Washington, DC, if working at that level. Know the legislators and policy makers who are key to your issue. Try to have people from their districts lobby them. If you need assistance to find your current legislators, visit [www.njpsa.org](http://www.njpsa.org) and go to the NJPSA Legislative Action Center.

## Proper letter etiquette should be followed.

The correct address and salutation on the envelope and letter should be used. All legislators and state board members are addressed as “The Honorable...”

## Give your full name and address, and identify yourself as a registered voter in your district.

Legislators and state board members sometimes choose to respond to letters, so it is important for them to know who you are and what district you are in. Also, if it turns out to be a long effort, you may be contacting your legislator or state board member several times and you want to build on the familiarity. Mentioning your organization also helps.

## Identify the bill of concern or regulatory proposal.

Give both the bill number and name, if it has one, and a short description. A legislator is involved with many bills and may not automatically know which one you are referring to. Similarly, state board members handle several regulatory packages simultaneously.

## Give reasons for your position, but be brief.

Besides giving the basic information, be specific as to how this will affect you, the community, or the district. Short, concise letters that discuss one issue are most effective.

## Express yourself politely.

Intimidation, threats, or insincere flattery will not help you win the issue. Remember that others who may be in opposition to your cause will be making every effort to be polite.

## Try to generate a commitment of support from the legislator.

Ask why the legislator or state board member feels a certain way about the issue. Engage the legislator or state board member in a meaningful and thoughtful discussion of the issues.

## Be Original.

Don’t use form letters or copy another person’s letter. It is better to make a short, original, and unique statement than to mimic someone else.

## Time your letter to arrive at the key moment.

There are critical times in the legislative and regulatory process. Being too early in your contact will not help. Contact the NJPSA Government Relations staff for guidance. In fact, consider utilizing email to contact your legislator and state board member.

## Thank your legislators when their actions meet with your approval.

They appreciate the support of the voting public and, like everyone else, like to hear good news instead of always the bad.