

CHAPTER 345

AN ACT concerning background investigations for certain gubernatorial transition positions and amending P.L.1969, c.213.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 3 of P.L.1969, c.213 (C.52:15A-3) is amended to read as follows:

C.52:15A-3 Services and facilities provided to Governor-elect upon request.

3. (a) The Director of the Division of Purchase and Property referred to in P.L.1969, c.213 (C.52:15A-1 et seq.) as "the director," is authorized to provide, upon request, to each Governor-elect, for use in connection with the Governor-elect's preparations for the assumption of official duties as Governor necessary services and facilities, including:

(1) Suitable office space appropriately equipped with furniture, furnishings, office machines and equipment, and office supplies as determined by the director, after consultation with the Governor-elect, or a designee provided for in subsection (e) of this section, at any place or places within the State of New Jersey as the Governor-elect shall designate;

(2) Payment of the compensation of members of office staffs designated by the Governor-elect at rates determined by the Governor-elect. Provided, that any employee of any agency of any branch of the State Government may be detailed to these staffs on a reimbursable or nonreimbursable basis with the consent of the head of the agency; and while so detailed the employee shall be responsible only to the Governor-elect for the performance of the employee's duties. Provided further, that any employee so detailed shall continue to receive the compensation provided pursuant to law for the employee's regular employment, and shall retain the rights and privileges of this employment without interruption. Notwithstanding any other law, persons receiving compensation as members of office staffs under this subsection, other than those detailed from agencies, shall not be held or considered to be employees of the State Government, except for purposes of the Public Employees' Retirement System, P.L.1954, c.84 (C.43:15A-1 et seq.) and the "New Jersey Conflicts of Interest Law," P.L.1971, c.182 (C.52:13D-12 et seq.);

(3) Payment of expenses for the procurement of services of experts or consultants or organizations thereof for the Governor-elect may be authorized at rates not to exceed \$100 per diem for individuals;

(4) Payment of travel expenses and subsistence allowances, including rental by the State Government of hired motor vehicles, found necessary by the Governor-elect, as authorized for persons employed intermittently or for persons serving without compensation, as may be appropriate;

(5) Communications services found necessary by the Governor-elect;

(6) Payment of expenses for necessary printing and binding;

(7) Payment of expenses related to confidential character, financial, and criminal background investigations of applicants for positions of a lower rank than cabinet-level when deemed necessary by the Governor-elect or the Governor-elect's assistant designated pursuant to subsection e. of this section.

(b) The director shall not expend funds for the provision of services and facilities under P.L.1969, c.213 (C.52:15A-1 et seq.) in connection with any obligations incurred by the Governor-elect before the day following the date of the general elections.

(c) The term "Governor-elect" as used in P.L.1969, c.213 (C.52:15A-1 et seq.) shall mean such person as is the apparent successful candidate for the office of Governor, respectively, as ascertained by the Secretary of State following the general election.

(d) Each Governor-elect shall be entitled to conveyance of all mail matter, including airmail, sent by the Governor-elect in connection with preparations for the assumption of official duties as Governor.

(e) Each Governor-elect may designate to the director an assistant authorized to make on the Governor-elect's behalf such designations or findings of necessity as may be required in connection with the services and facilities to be provided under P.L.1969, c.213 (C.52:15A-1 et seq.).

(f) In the case where the Governor-elect is the incumbent Governor there shall be no expenditures of funds for the provision of services and facilities to the incumbent under P.L.1969, c.213 (C.52:15A-1 et seq.), and any funds appropriated for these purposes shall be returned to the general funds of the treasury.

(g) The salary of each person receiving compensation as a member of the office staff under paragraph (2) subsection (a) of this section, other than one detailed from an agency, shall be reported to the State Ethics Commission and made available by the commission to the public. Each person shall complete the training program required pursuant to section 2 of P.L.2005, c.382 (C.52:13D-21.1) promptly after employment, and shall be provided by the commission, and shall acknowledge receipt thereof, with all ethics materials, forms, codes, guides, orders and notices required to be distributed to State employees. The Governor-elect shall designate which of these persons shall (1) file with the commission the financial disclosure statement required of State officers and employees by law, regulation, or executive order and (2) certify that the person is not in violation of ethical standards or conflicts of interest restrictions or requirements.

2. This act shall take effect immediately.

Approved January 13, 2020.