

SENATE, No. 3791

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 20, 2021

Sponsored by:

Senator DAWN MARIE ADDIEGO

District 8 (Atlantic, Burlington and Camden)

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Requires Governor to appoint Chief Accountability Officer to supervise all State ombudsmen, compliance officers, comptrollers, and other officers with substantially similar positions.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/1/2021)

1 **AN ACT** concerning a Chief Accountability Officer in the Office of
2 the Governor and supplementing Title 52 of the Revised Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. The Governor shall appoint a Chief Accountability
8 Officer who shall serve in the Office of the Governor. The officer
9 shall report directly to the Governor.

10 The officer shall be appointed by the Governor with the advice
11 and consent of the Senate. The officer shall serve for a term of five
12 years and until the appointment and qualification of a successor.
13 The officer may be reappointed by the Governor with the advice
14 and consent of the Senate for any number of successive terms. The
15 officer may be removed by the Governor only for cause upon notice
16 and opportunity to be heard.

17 The officer shall be a person qualified by education, training, and
18 prior work experience to perform the duties and functions and fulfill
19 the responsibilities of the position. The officer shall devote full
20 time to the duties, responsibilities, and functions of the position and
21 shall receive a salary as shall be commensurate with duties,
22 responsibilities, and functions of the position.

23 The officer shall submit requests for the budget of the office
24 directly to the Governor who shall review the requests and forward
25 them to the Division of Budget and Accounting in the Department
26 of the Treasury.

27 b. The Chief Accountability Officer shall establish a system to
28 ensure that the officers named in this subsection conduct their
29 duties, audits, investigations, and reviews in consultation,
30 coordination, and cooperation with the Chief Accountability
31 Officer.

32 The Chief Accountability Officer shall ensure that the duties,
33 audits, investigations, and reviews of the officers named in this
34 subsection are conducted in accordance the laws, rules, and
35 regulations of this State and in accordance with any prevailing
36 national and professional standards, rules, and practices relating to
37 such duties, audits, investigations, and reviews in government
38 environments.

39 The Chief Accountability Officer shall supervise the activities of
40 the following officers of the State government, notwithstanding any
41 other provision of law to the contrary:

42 Inspector General, Department of Transportation

43 Director of the Division of Internal Audit, New Jersey Transit
44 Corporation

45 Ombudsman, Board of Public Utilities

46 Insurance Claims Ombudsman, Department of Banking and
47 Insurance

1 New Jersey Special Education Ombudsman, Department of
2 Education
3 Student Loan Ombudsman, Department of Banking and
4 Insurance
5 NJ ESSA Nonpublic Ombudsman
6 Smart Growth Ombudsman, Department of Community Affairs
7 Small Business Ombudsman, Department of State
8 Executive Director, State Agriculture Development Committee
9 Ombudsman for Individuals with Intellectual or Developmental
10 Disabilities and their Families, Department of Human Services
11 State Long-Term Care Ombudsman, Department of Human
12 Services
13 Office of Corrections Ombudsperson, Department of Corrections
14 Military and Defense Economic Ombudsman, Department of
15 Military and Veterans Affairs
16 Compliance Review Officer, State Ethics Commission
17 State Comptroller, Department of the Treasury
18 Command Inspector General, New Jersey National Guard
19 c. The Chief Accountability Officer shall establish the internal
20 organizational structure of the office in a manner appropriate to
21 carrying out the duties and functions, and fulfilling the
22 responsibilities, of the office. The officer shall have the power to
23 appoint, employ, promote, and remove such assistants, employees,
24 and personnel as the officer deems necessary for the efficient and
25 effective administration of the office. All such assistants,
26 employees and personnel shall be deemed confidential employees
27 for purposes of the "New Jersey Employer-Employee Relations
28 Act," P.L.1941, c. 100 (C.34:13A-1 et seq.).
29 The officer is authorized to call upon any department, office,
30 division, or agency of State government to provide such
31 information, resources, or other assistance deemed necessary to
32 discharge the duties and functions and to fulfill the responsibilities
33 of the office. Each department, office, division, and agency of this
34 State shall cooperate with the office and furnish the office with the
35 assistance necessary to accomplish the purposes of this section.
36 d. The Chief Accountability Officer shall meet at periodic
37 intervals, but at least twice annually, with the officers named in
38 subsection b. of this section or as often the officer deems necessary
39 for the purpose of consulting, coordinating, and cooperating with
40 those officers in the conduct of their duties, responsibilities, and
41 functions.
42 The focus of all parties during such meetings shall be to:
43 facilitate communication and exchange information on completed,
44 current, and future audits, investigations, and reviews; avoid
45 duplication and fragmentation of efforts; optimize the use of
46 resources; avoid divisiveness and organizational uncertainty;
47 promote effective working relationships; and avoid the unnecessary
48 expenditure of public funds.

1 e. The Chief Accountability Officer shall provide periodic
2 reports to the Governor, and shall issue an annual report to the
3 Governor and to the Legislature in accordance with section 2 of
4 P.L.1991, c.164 (C.52:14-19.1), which shall be available to the
5 public.

6
7 2. This act shall take effect immediately.
8
9

10 STATEMENT
11

12 This bill requires the Governor to appoint a Chief Accountability
13 Officer who will report directly to the Governor. The officer shall
14 be a person qualified by education, training, and prior work
15 experience to perform the duties and functions and fulfill the
16 responsibilities of the position. The officer will be appointed by the
17 Governor with the advice and consent of the Senate and will serve
18 for a term of five years.

19 The Chief Accountability Officer will establish a system to
20 ensure that the officers named in this bill conduct their duties,
21 audits, investigations, and reviews in consultation, coordination,
22 and cooperation with the Chief Accountability Officer.

23 The Chief Accountability Officer will ensure that the duties,
24 audits, investigations, and reviews of the officers named in this bill
25 are conducted in accordance the laws, rules, and regulations of this
26 State and in accordance with any prevailing national and
27 professional standards, rules, and practices relating to such duties,
28 audits, investigations, and reviews in government environments.

29 The Chief Accountability Officer will supervise the activities of
30 the following officers of the State government:

31 Inspector General, Department of Transportation

32 Director of the Division of Internal Audit, New Jersey Transit
33 Corporation

34 Ombudsman, Board of Public Utilities

35 Insurance Claims Ombudsman, Department of Banking and
36 Insurance

37 New Jersey Special Education Ombudsman, Department of
38 Education

39 Student Loan Ombudsman, Department of Banking and
40 Insurance

41 NJ ESSA Nonpublic Ombudsman

42 Smart Growth Ombudsman, Department of Community Affairs

43 Small Business Ombudsman, Department of State

44 Executive Director, State Agriculture Development Committee

45 Ombudsman for Individuals with Intellectual or Developmental
46 Disabilities and their Families, Department of Human Services

47 State Long-Term Care Ombudsman, Department of Human
48 Services

1 Office of Corrections Ombudsperson, Department of Corrections
2 Military and Defense Economic Ombudsman, Department of
3 Military and Veterans Affairs
4 Compliance Review Officer, State Ethics Commission
5 State Comptroller, Department of the Treasury
6 Command Inspector General, New Jersey National Guard
7 The Chief Accountability Officer will establish the internal
8 organizational structure of the office in a manner appropriate to
9 carrying out the duties and functions, and fulfilling the
10 responsibilities, of the office. Each department, office, division and
11 agency of this State is required to cooperate with the office and
12 furnish the office with the assistance necessary to accomplish the
13 purposes of this section.
14 The Chief Accountability Officer is required to meet at periodic
15 intervals, but at least twice annually, with the officers named in this
16 bill for the purpose of consulting, coordinating, and cooperating
17 with those officers in the conduct of their duties, responsibilities,
18 and functions.
19 The focus of all parties during such meetings will be to: facilitate
20 communication and exchange information on completed, current,
21 and future audits, investigations, and reviews; avoid duplication and
22 fragmentation of efforts; optimize the use of resources; avoid
23 divisiveness and organizational uncertainty; promote effective
24 working relationships; and avoid the unnecessary expenditure of
25 public funds.
26 The Chief Accountability Officer will provide periodic reports to
27 the Governor and issue an annual report to the Governor and the
28 Legislature, which will be available to the public.