

SENATE, No. 3761

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED MAY 16, 2019

Sponsored by:

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator GERALD CARDINALE

District 39 (Bergen and Passaic)

Co-Sponsored by:

Senator Oroho

SYNOPSIS

Establishes County and Municipal Study Commission.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/11/2019)

1 AN ACT establishing the County and Municipal Study Commission,
2 supplementing Title 40A of the New Jersey Statutes, and making
3 an appropriation.
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. The Legislature finds and declares that:

9 a. New Jersey residents face the highest property tax burden in
10 the United States and reducing this burden has been and continues
11 to be a priority for the Legislature;

12 b. The ongoing effort to share and regionalize local
13 government services has provided some relief over the years, but
14 the Legislature is committed to taking further action to encourage
15 streamlining the delivery of local government services in order to
16 reduce the property tax burden on New Jersey residents;

17 c. Much of the structure, functions, and powers of county and
18 municipal government remain relatively unchanged notwithstanding
19 significant changes in recent decades to the fiscal circumstances of
20 the State and local government, development patterns, technology,
21 and expectations for local government services;

22 d. There is presently no entity in the State with the capacity,
23 resources, and mission to study and examine county and municipal
24 government holistically and with a long-term perspective in order to
25 identify opportunities to deliver local government services in a
26 more modern and efficient manner that reflects the changes of the
27 past several decades, and changes to come; and

28 e. It is therefore necessary, appropriate, and in the public
29 interest to establish a permanent study commission with the ability
30 to conduct comprehensive studies on county and municipal
31 government, on an ongoing basis, for the purpose of identifying and
32 recommending to the Legislature reforms to modernize and
33 optimize the delivery of local government services in New Jersey.
34

35 2. a. There is established, in the Legislative Branch of State
36 Government, a permanent commission to be known as the County
37 and Municipal Study Commission.

38 b. The commission shall consist of nine members as follows:
39 one public member, who shall serve as the chair of the commission,
40 jointly appointed by the President of the Senate and the Speaker of
41 the General Assembly; the chair of the Senate Community and
42 Urban Affairs Committee, or its successor; the chair of the
43 Assembly State and Local Government Committee, or its successor;
44 one public member appointed by the President of the Senate; one
45 public member appointed by the Speaker of the General Assembly;
46 one public member appointed by the Senate Minority Leader; one
47 public member appointed by the Assembly Minority Leader; the
48 president of the New Jersey State League of Municipalities or a

1 designee; and the president of the New Jersey Association of
2 Counties or a designee. Each public member shall have experience
3 in local government service delivery. Vacancies in the membership
4 of the commission shall be filled in the same manner as the original
5 appointments.

6 c. The members shall be appointed within 30 days following
7 the effective date of P.L. c. (C.) (pending before the Legislature
8 as this bill). The chair shall convene an organizational meeting as
9 soon as possible after the appointment of its members. The
10 presence of five members of the commission shall constitute a
11 quorum. The commission may conduct business without a quorum,
12 but may only vote on the issuance of a report submitted to the
13 Governor and the Legislature pursuant to section 5 of
14 P.L. , c. (C.) (pending before the Legislature as this bill),
15 when a quorum is present. A member may participate in meetings
16 of the commission by telephone or other means of
17 telecommunication or electronic communication.

18 d. All commission members shall serve without compensation,
19 but shall be eligible for reimbursement of necessary and reasonable
20 expenses incurred in the performance of their official duties within
21 the limits of funds appropriated or otherwise made available to the
22 commission for its purposes.

23 e. The commission may accept the assistance of any State,
24 county, or municipal department, division, agency, board, bureau,
25 commission, or office as it deems necessary to discharge its duties
26 under P.L. c. (C.) (pending before the Legislature as this
27 bill) and as may be made available to it. Each State department,
28 division, agency, board, bureau, commission, or office shall, to the
29 extent permitted by law, cooperate fully with the commission and
30 shall furnish the commission with such assistance on as timely a
31 basis as necessary to accomplish the purposes of P.L. , c. (C.)
32 (pending before the Legislature as this bill).

33 f. The commission may meet and hold public hearings at the
34 place or places it designates during the sessions or recesses of the
35 Legislature.

36

37 3. a. The commission shall employ and set the compensation
38 of an executive director, who shall serve at its pleasure.

39 b. The executive director shall be responsible for managing and
40 administering the work of the commission, and may carry out any
41 other function or duty to further the work of the commission.

42 c. The executive director may employ up to two professional
43 staff members, as necessary and authorized by the commission and
44 may remove such staff. The staff of the commission shall be within
45 the unclassified service of the State, and their compensation shall be
46 determined by the commission within the limitations of
47 appropriations for commission purposes.

1 d. The Office of Legislative Services shall provide
2 administrative support to the commission as may be requested by
3 the commission.

4 e. The executive director may contract with any consultant or
5 State institution of higher education, as necessary and authorized by
6 the commission, within the limitations of appropriations for
7 commission purposes.

8 f. The executive director may apply for, contract for, receive,
9 and expend for its purposes, any appropriation or grant from the
10 State, its political subdivisions, the federal government, or any
11 other source, public or private, as authorized by the commission.

12
13 4. The commission shall study the structure, functions, and
14 powers of county and municipal government and shall recommend
15 legislative changes that provide for the modern, effective, and
16 efficient delivery of services by counties and municipalities.

17
18 5. The commission shall prepare and submit reports, on at least
19 an annual basis, to the Governor and the Legislature, pursuant to
20 section 2 of P.L.1991, c.164 (C.52:14-19.1), setting forth the results
21 of its studies and any recommendations for constitutional or
22 statutory changes.

23
24 6. a. The chair of the commission may appoint members to
25 serve on a subcommittee.

26 b. If a subcommittee is appointed, the members of the
27 subcommittee shall elect one of its members to serve as chair.

28 c. A subcommittee may review issues before the commission,
29 but only the commission may take any formal action, including the
30 release of any study or recommendation pursuant to section 5 of
31 P.L. , c. (C.) (pending before the Legislature as this bill).

32 d. The chair of the commission may appoint advisory
33 committees, to serve without compensation, which may be desirable
34 to advise and assist the commission in carrying out its functions and
35 duties.

36
37 7. There is appropriated from the Property Tax Relief Fund to
38 the County and Municipal Study Commission \$350,000 to fund the
39 expenses of the commission.

40
41 8. a. The commission shall first conduct studies and prepare
42 reports on the subjects of the assessment of real property for
43 property tax purposes and on the optimal scale of the delivery of
44 county and municipal government services.

45 b. The commission study on the assessment of real property for
46 property tax purposes shall include: (1) examining the differing
47 roles of counties in tax assessment practice; (2) studying the
48 varying approaches to the use of technology in the assessment and

1 appeal process with the goal of developing Statewide standards and
2 practices; and (3) studying any other areas of tax assessment
3 practice as necessary to determine methods that will improve the
4 accuracy and reliability of property assessments and the appeal
5 process.

6 c. The study on the optimal scale of the delivery of county and
7 municipal government services shall include, but not be limited to,
8 an examination of: (1) municipal courts, in coordination with the
9 Administrative Office of the Courts; (2) public and environmental
10 local health; (3) the State Uniform Construction Code; (4) the
11 Uniform Fire Safety Code; and (5) emergency call center and
12 dispatch services.

13
14 9. This act shall take effect immediately.
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17 STATEMENT

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19 This bill would establish the County and Municipal Study
20 Commission as a permanent commission in the Legislative Branch
21 of State Government. The commission would be charged with
22 studying county and municipal government holistically and with a
23 long-term perspective in order to identify opportunities to deliver
24 local government services in a more modern and efficient manner
25 that reflects changes to the fiscal circumstances of the State and
26 local government, development patterns, technology, and
27 expectations for local government services. The commission would
28 provide the Legislature with broad-scale insights on how to reform
29 local government in the State so that it can deliver its services in a
30 more modern and efficient manner.

31 The commission would consist of nine members as follows: one
32 public member, who would serve as the chair of the commission,
33 jointly appointed by the President of the Senate and the Speaker of
34 the General Assembly; the chair of the Senate Community and
35 Urban Affairs Committee; the chair of the Assembly State and
36 Local Government Committee; one public member appointed by the
37 President of the Senate; one public member appointed by the
38 Speaker of the General Assembly; one public member appointed by
39 the Senate Minority Leader; one public member appointed by the
40 Assembly Minority Leader; the president of the New Jersey State
41 League of Municipalities or a designee; and the president of the
42 New Jersey Association of Counties or a designee.

43 The commission would have a staff that includes an executive
44 director and up to two professional staff members. The Office of
45 Legislative Services would provide administrative support to the
46 commission as may be requested by the commission. The executive
47 director would be permitted to contract with any consultant or State
48 institution of higher education, as necessary and authorized by the

1 commission, within the limitations of appropriations for
2 commission purposes, and to seek and spend any appropriation or
3 grant from the State, its political subdivisions, the federal
4 government, or any other source, public or private, as authorized by
5 the commission.

6 The commission would study the structure, functions, and
7 powers of county and municipal government and recommend
8 legislative changes that provide for the modern, effective, and
9 efficient delivery of services by counties and municipalities. In this
10 regard, the commission would be required to prepare and submit
11 reports, on at least an annual basis, to the Governor and the
12 Legislature that set forth the results of its studies and any
13 recommendations for constitutional or statutory changes.

14 The commission would be authorized to form subcommittees to
15 review issues before the commission, but only the commission
16 would be authorized to take any formal action, including the release
17 of any study or recommendation to the Governor and the
18 Legislature. The commission would also be authorized to form
19 advisory committees to advise and assist the commission in
20 carrying out its functions and duties.

21 The bill appropriates \$350,000 from the Property Tax Relief
22 Fund to fund the expenses of the commission.

23 The bill requires the commission to first study and report on the
24 assessment of real property for property tax purposes and the
25 optimal scale of the delivery of county and municipal government
26 services.