

SENATE, No. 3770

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 16, 2019

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Senator STEPHEN M. SWEENEY

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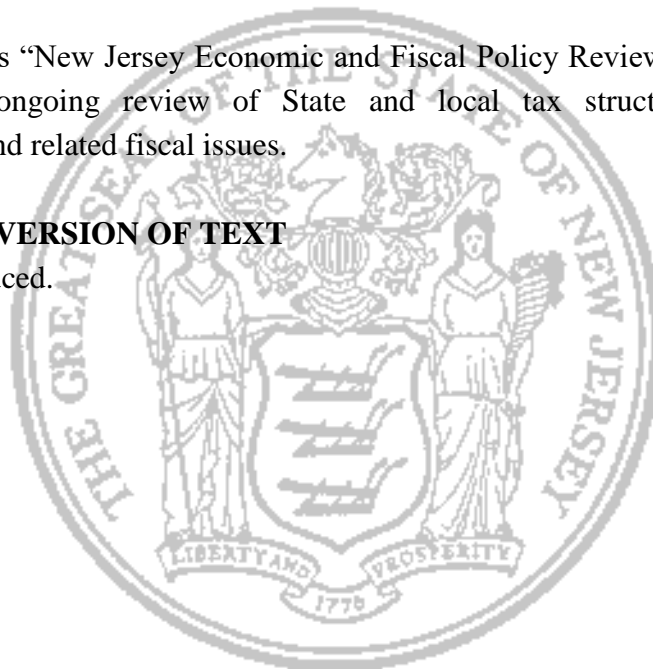
**Senator O'Scanlon, Assemblywoman Mosquera, Assemblymen Space,
Wirths and Assemblywoman Murphy**

SYNOPSIS

Establishes “New Jersey Economic and Fiscal Policy Review Commission” to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/14/2020)

1 AN ACT establishing the “New Jersey Economic and Fiscal Policy
2 Review Commission” and supplementing Title 52 of the Revised
3 Statutes.

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

7
8 1. a. There is hereby created in the Legislative Branch of the
9 State Government a commission to be known as the “New Jersey
10 Economic and Fiscal Policy Review Commission.” The commission
11 shall consist of 12 members as follows: three members of the
12 Senate, two members of the majority party to be appointed by the
13 President of the Senate and one member of the minority party to be
14 appointed by the Minority Leader of the Senate; three members of
15 the General Assembly, two members of the majority party to be
16 appointed by the Speaker of the General Assembly and one member
17 of the minority party to be appointed by the Minority Leader of the
18 General Assembly; and six public members, of whom two shall be
19 appointed by the President of the Senate, two by the Speaker of the
20 General Assembly, one by the Minority Leader of the Senate, and
21 one by the Minority Leader of the General Assembly.

22 b. In appointing public members, the appointing authority shall
23 select academic, business, and other professionals who have
24 knowledge, expertise, and practice experience in accounting, county
25 and municipal government, economic analysis, governmental
26 finance and fiscal management, and tax policy, implementation,
27 practice, administration, and regulation. No member shall be a
28 nominee for, or hold, an elective office.

29 c. Legislative members shall serve during the two-year
30 legislative term in which appointments are made. Public members
31 of the commission shall serve for a term of three years, except that
32 of the initial public members so appointed: one member appointed
33 by the President of the Senate and one member appointed by the
34 Speaker of the General Assembly shall serve for a term of one year;
35 one member appointed by the President of the Senate and one
36 member appointed by the Speaker of the General Assembly shall
37 serve for a term of two years, and one member appointed by the
38 President of the Senate and one member appointed by the Speaker
39 of the General Assembly shall serve for three years. The term of
40 each public member shall be deemed to commence on July 1 of the
41 calendar year of appointment and shall expire on June 30 of the
42 third calendar year thereafter, as the case may be for the first or
43 subsequent appointments, but members shall continue to serve
44 during a succeeding term until the appointment and qualification of
45 a successor. Any vacancy during a term shall be filled in the same
46 manner as the original appointment but only for the balance of the
47 unexpired term. Members shall be eligible for reappointment to
48 successive terms. Any member of the commission may be removed

1 for cause by the appropriate appointing authority. The members
2 shall serve without compensation but shall be reimbursed for
3 necessary expenses incurred in the performance of their duties,
4 subject to the availability of funds therefor.

5
6 2. The commission shall organize as soon as practicable
7 following the appointment of its members to elect a chairperson,
8 and to select a secretary, who need not be a member of the
9 commission. The commission may formulate and adopt rules of
10 procedure and operation in furtherance of its responsibilities. The
11 commission may divide itself into such subcommittees and task
12 forces, which task forces may include persons other than members
13 of the commission, such as academics, government officers,
14 representatives of business, or other professionals, and may enter
15 into such cooperative agreements as it deems necessary to
16 accomplish its purposes. Persons serving on task forces who are
17 not members of the commission shall serve at the appointment of
18 the chairperson and shall be non-voting participants in the task
19 forces. The commission may meet and hold hearings at such places
20 and times as it shall designate, provided, however, that the
21 commission shall meet at least once in each calendar quarter
22 following its organization. The commission may receive reports
23 and testimony from independent experts, other qualified
24 individuals, and members of the general public.

25
26 3. a. On or before December 31 of each year, the commission
27 shall adopt a plan of work for the following calendar year. The plan
28 of work shall require the commission to undertake a thorough study
29 of significant economic or fiscal policy issues facing New Jersey,
30 including but not limited to, economic conditions and trends, the
31 State and local tax structure, the impact of changes to federal law
32 on State finances, the methods for providing funds for government
33 services and infrastructure, employee retirement, health care, and
34 other benefits, and the structural and administrative streamlining of
35 State government. The commission's studies shall be completed by
36 the end of the calendar year in which they initiated and transmitted
37 to the Governor and Legislature with its annual report.

38 b. The commission shall have all the powers granted pursuant to
39 Chapter 13 of Title 52 of the Revised Statutes.

40 c. The reports prepared by the commission pursuant to this
41 section shall provide a summary of the examination or review, as
42 appropriate, conducted by the commission and detail each of the
43 commission's recommended policy options. The reports shall
44 identify any legislative bills or resolutions that the commission
45 recommends for adoption by the Legislature and shall specify if any
46 recommendation necessitating any changes to the State Constitution
47 should be recommended to the Legislature for submission to the
48 voters. The commission shall transmit the reports required pursuant

1 to subsections a. and b. of this section to the Legislature in
2 accordance with section 2 of P.L.1991, c.164 (C.52:14-19.1) and
3 shall make the report available to the public electronically through a
4 link prominently displayed on the official Internet website of the
5 Legislature.

6
7 4. a. The commission shall be entitled to appoint an executive
8 director and a staff and call to its assistance and avail itself of the
9 services or employees of any State, county, or municipal
10 department, board, bureau, commission or agency or authority as it
11 may require and as may be available to it for its purposes, and to
12 employ counsel and contract for professional and consulting
13 services, and employ stenographic and clerical assistants, and incur
14 traveling and other miscellaneous expenses as it may deem
15 necessary, in order to perform its duties, and as may be within the
16 limits of funds appropriated or otherwise made available to it for its
17 purposes.

18 b. The staff of the commission shall be within the unclassified
19 service of the State, and their compensation shall be determined by
20 the commission within the limitations of funds appropriated or
21 otherwise made available for its purposes.

22 c. The commission may make use of existing studies, surveys,
23 data and other materials in the possession of any State agency or
24 authority and such materials in the possession of any county,
25 municipality, or political subdivision of the State, other than the
26 records and files of the Director of the Division of Taxation that are
27 confidential under R.S.54:50-8, but may direct the Director of the
28 Division of Taxation to prepare for publication statistics so
29 classified as to prevent the identification of a particular report and
30 the items thereof. Each State agency, authority, county,
31 municipality, and political subdivision of the State shall make any
32 information and materials available to the commission as it may
33 require to perform its responsibilities under this act.

34
35 5. The commission shall issue a report to the Legislature
36 annually in accordance with section 2 of P.L.1991, c.164 (C.52:14-
37 19.1), summarizing its activities in the prior year and its planned
38 activities for the current year and shall submit interim reports
39 setting forth the results of its studies and making such legal,
40 administrative, and organizational changes as the commission
41 deems appropriate. The commission shall also make any
42 appropriate studies, subject to the limitations of the commission's
43 resources, which are requested by the President of the Senate or the
44 Speaker of the General Assembly, notifying each officer of any
45 request made by another.

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47 6. This act shall take effect immediately.

STATEMENT

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This bill establishes a 12-member “New Jersey Economic and Fiscal Policy Review Commission” in the Legislative Branch of State government. This legislation implements a proposal in the New Jersey Economic & Fiscal Policy Workgroup’s “Path to Progress” report, issued August 9, 2018.

The commission is charged with studying significant economic and fiscal concerns confronting the State to assure that policymakers, academics, and the public are provided with information and analyses of the State’s policies and their implications, ultimately improving the decision-making capabilities of State and local government officials, business leaders, and concerned members of the general public. The commission will be composed six members of the Legislature (three Senators and three Assemblypersons) and six public members. Legislative members of the commission would be serve during the two-year term in which they were appointed; public members would serve three-year terms.

The commission will engage in ongoing study of conditions and prospects for the State’s economy and other fiscal issues facing New Jersey. The bill requires the commission to adopt an annual plan of work. The plan of work will outline significant economic or fiscal policy concerns confronting the State that will be studied the commission during a calendar year. Issue studies must be completed within the calendar year they were initiated and transmitted to the Governor and Legislature with the commission’s annual report.

The commission may respond to specific study requests by the President of the Senate or the Speaker of the General Assembly if the work is within the staff and financial limits of the commission. To facilitate the commission’s work, the bill authorizes the commission to divide itself into subcommittees and task forces that can include persons other than members of the commission, such as academics, government officers, representatives of business, and other professionals, and the bill allows the commission to enter into cooperative arrangements with academic or research institutions as it deems necessary to accomplish its purposes.

The commission is authorized to employ an executive director and staff, employ counsel, and contract for professional and consulting services, and incur other expenses within the limits of funds available for its purposes. The commission may call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, agency, or authority as it may require and as may be available and to make use of any existing studies, surveys, data, and other materials in the possession of any State agency or authority and such materials in the possession of any county, municipality, or political subdivision of the State. The commission is granted the

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1 powers available pursuant to Chapter 13 of Title 52 of the Revised
2 Statutes, which includes the power to compel the attendance of
3 witnesses.