

ASSEMBLY, No. 884

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen GARRETT and IMPREVEDUTO

1 AN ACT establishing the Professional, Occupational and Trades
2 Licensing Review Commission.

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

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7 1. There is created a commission to be known as the Professional,
8 Occupational and Trades Licensing Review Commission with a
9 membership of nine members to be appointed as follows: four public
10 members to be appointed by the Governor, with the advice and
11 consent of the Senate; two members of the Senate appointed by the
12 President thereof, not more than one of whom shall be of the same
13 political party, who shall serve only as long as they are members of
14 that House; two members of the General Assembly, appointed by the
15 Speaker thereof, not more than one of whom shall be of the same
16 political party, who shall serve only as long as they are members of
17 that House; and the Director of the Division of Consumer Affairs in
18 the Department of Law and Public Safety or his designee.

19 All appointments shall be made within 60 days of the effective date
20 of this act. Vacancies in the membership of the commission shall be
21 filled in the same manner as the original appointments were made.
22 Members of the commission shall serve without compensation for
23 performing their duties as members, but the commission may, within
24 the limits of funds appropriated or otherwise made available therefor,
25 reimburse members for the actual expenses necessarily incurred in the
26 performance of their duties.

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28 2. The commission shall organize within 30 days after the
29 appointment of its members and the commission shall appoint a
30 chairman and a vice chairman from among its members. The
31 commission may appoint a secretary, who need not be a member of the
32 commission.

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34 3. The commission shall meet not less than once per month.

1 Meetings shall be conducted pursuant to the "Open Public Meetings
2 Act," P.L.1975, c.231 (C.10:4-6 et seq.).

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4 4. a. It shall be the duty of the commission to study, evaluate and
5 make recommendations concerning appropriate methods for
6 overseeing professions, occupations and trades and to determine which
7 require special regulation or licensing to protect the public interest.

8 b. In the course of studying, evaluating and reporting upon the
9 regulation of professions, occupations and trades, the commission shall
10 consider the following criteria:

11 (1) Whether deregulating the currently regulated practice of a
12 profession, occupation or trade will clearly harm or endanger the
13 health, safety and welfare of substantial segments of the public and
14 whether the potential for harm is clearly recognized if the profession,
15 occupation or trade is unregulated;

16 (2) Whether the public is effectively protected by means other than
17 regulation of any particular profession, occupation or trade;

18 (3) Whether duplication or overlapping of regulatory
19 responsibilities exists in the regulation of any particular profession,
20 occupation or trade; and

21 (4) Whether the regulation of any profession, occupation or trade
22 creates an adverse social or economic impact upon the public or any
23 substantial segment thereof.

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25 5. The commission shall be entitled to call to its assistance and
26 avail itself of the services of the employees of any State, county or
27 municipal department, board, bureau, commission or agency as it may
28 require and as may be available to it for its purposes, and to employ
29 counsel, stenographic and clerical assistants and incur traveling and
30 other miscellaneous expenses as it may deem necessary, in order to
31 perform its duties, and as may be within the limits of funds
32 appropriated or otherwise made available to it for its purposes.

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34 6. Six months prior to the expiration of this act the Senate Labor,
35 Industry and Professions Committee and the General Assembly
36 Commerce and Regulated Professions Committee, or their successors,
37 shall review the operation of the commission and make
38 recommendations to the Legislature on its continuance and on any
39 changes in its organization or authority which are deemed appropriate.

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41 7. The commission may meet and hold hearings at any place or
42 places as it shall designate during the sessions or recesses of the
43 Legislature. The commission shall reports its findings, conclusions
44 and recommendations to the Governor and the Legislature as soon as
45 practicable but not later than 24 months after the effective date of this
46 act, accompanying them with any legislative bills which it may desire

1 to recommend for adoption by the Legislature.

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3 8. This act shall take effect immediately and shall expire on the last
4 day of the 25th month following enactment.

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STATEMENT

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9 This bill establishes the Professional, Occupational and Trades
10 Licensing Review Commission. The commission shall consist of nine
11 members as follows: four public members to be appointed by the
12 Governor, with the advice and consent of the Senate; two members of
13 the Senate appointed by the President thereof, not more than one of
14 whom shall be of the same political party; two members of the General
15 Assembly appointed by the Speaker thereof, not more than one of
16 whom shall be of the same political party; and the Director of the
17 Division of Consumer Affairs in the Department of Law and Public
18 Safety or his designee.

19 The commission shall study, evaluate and make recommendations
20 concerning appropriate methods for overseeing professions,
21 occupations and trades and to determine which require special
22 regulation or licensing to protect the public interest.

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27 Establishes the Professional, Occupational and Trades Licensing
28 Review Commission.