

# ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY JOINT RESOLUTION

**Nos. 174 and 199**

## **STATE OF NEW JERSEY** **219th LEGISLATURE**

ADOPTED JANUARY 13, 2021

**Sponsored by:**

**Assemblyman WILLIAM F. MOEN, JR.**

**District 5 (Camden and Gloucester)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman NICHOLAS CHIARAVALLOTI**

**District 31 (Hudson)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

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**Assemblymen Space, Wirths, Dancer, Mazzeo, Armato, Assemblywomen Vainieri Huttie, Lampitt, Assemblymen Stanley, Thomson, Freiman, Catalano, McGuckin, Assemblywoman Downey, Assemblyman Houghtaling, Assemblywoman Jimenez, Assemblyman Tully, Assemblywoman Mosquera and Assemblyman Scharfenberger**

**SYNOPSIS**

Establishes “Commission to Review Impact of COVID-19 on Small Businesses.”

**CURRENT VERSION OF TEXT**

Substitute as adopted by the Assembly Commerce and Economic Development Committee.

(Sponsorship Updated As Of: 3/1/2021)

1   **A JOINT RESOLUTION** establishing the “Commission to Review the  
2       Impact of COVID-19 on Small Businesses.”

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

6  
7       1. a. There is hereby established the “Commission to Review  
8       the Impact of COVID-19 on Small Businesses.”

9       b. (1) The commission shall consist of eleven members as  
10      follows:

11      (a) Three members appointed by the Governor;

12      (b) Three members appointed by the President of the Senate;

13      (c) Three members appointed by the Speaker of the General  
14      Assembly;

15      (d) One member appointed by the minority leader of the Senate;

16      (e) One member appointed by the minority leader of the General  
17      Assembly.

18      (2) Of the three members appointed by the Governor: one shall  
19      be the Commissioner of the Department of Health, or the  
20      commissioner’s designee, who shall serve ex officio; one shall be a  
21      representative of the New Jersey Chamber of Commerce; and one  
22      shall be a representative of the New Jersey Business and Industry  
23      Association.

24      (3) Of the three members appointed by the Senate President: one  
25      shall be a member of the Senate; one shall be a public member with  
26      background in the health care or the hospitality industry; and one  
27      shall be a public member with background in small business  
28      ownership or management.

29      (4) Of the three members appointed by the Speaker of the  
30      General Assembly: one shall be a member of the General  
31      Assembly; one shall be a public member with background in the  
32      health care or the hospitality industry; and one shall be a public  
33      member with background in small business ownership or  
34      management.

35      (5) The minority leader of the Senate shall appoint a member of  
36      the Senate.

37      (6) The minority leader of the General Assembly shall appoint a  
38      member of the General Assembly.

39      c. Any vacancy in the membership of the commission shall be  
40      filled in the same manner in which the original appointment was  
41      made.

42      d. (1) It shall be the duty of the commission to review State  
43      and local government rules and regulations, and Executive Orders,  
44      that were issued in response to the public health emergency  
45      declared pursuant to Executive Order No. 103 of 2020, and to  
46      analyze the impact of those rules, regulations, and Executive Orders  
47      on small businesses, investment, and economic growth in the State,  
48      and the ability for the economy to recover.

1       (2) After each meeting, the commission shall issue a report to  
2 the Governor and to the State Legislature, pursuant to section 2 of  
3 P.L.1991, c.164 (C.52:14-19.1), which includes the commission's  
4 findings and recommendations on the impact of existing rules,  
5 regulations, and Executive Orders, that were issued in response to  
6 the current public health emergency, on small businesses,  
7 investment, and economic growth in the State, and the ability for  
8 the economy to recover. The commission's reports shall identify  
9 and address: the most significant issues impacting small businesses  
10 because of COVID-19; the most significant hurdles for small  
11 businesses to overcome to recover from the effects of COVID-19;  
12 the most helpful and least helpful government resources available to  
13 small businesses; the programs that were most effective to support  
14 small businesses in innovation; and the personal protective  
15 equipment needs of small businesses.

16       e. (1) The members of the commission shall be appointed  
17 within 20 days following the date of enactment of this resolution.  
18 Six members shall constitute a quorum of the commission. The  
19 commission shall organize as soon as is practicable after the  
20 appointment of a quorum, and shall convene its first meeting within  
21 30 days of the appointment of a quorum. The commission shall  
22 select a chairperson from among its membership and a secretary  
23 who need not be a member of the commission. The commission  
24 may conduct business without a quorum, but may only vote when a  
25 quorum is present. The commission shall meet regularly for the  
26 duration of the public health emergency, at the times and in the  
27 places the chairperson may deem appropriate and necessary, to  
28 effectuate the commission's duties. The commission shall conduct  
29 at least three public hearings at such place or places as the  
30 chairperson shall designate.

31       (2) The commission shall be entitled to call to its assistance and  
32 avail itself of the services of the employees of any State, county, or  
33 municipal department, board, bureau, commission, authority, or  
34 agency as it may require, and as may be available to it for its  
35 purposes. The New Jersey Business Action Center shall provide  
36 professional and clerical staff to the commission, as may be  
37 necessary to effectuate the purposes of this act.

38       (3) Members of the commission shall serve without  
39 compensation, but may incur traveling and other miscellaneous  
40 expenses, as the members deem necessary to perform their duties,  
41 within the limits of funds appropriated or otherwise made available  
42 to the commission for its purposes.

43       f. As used in this section, "small business" means a business  
44 which has its principal place of business in the State, is  
45 independently owned and operated, and has 100 or fewer full-time  
46 employees.

- 1        2. This joint resolution shall take effect immediately, and shall
- 2        expire upon the expiration of the public health emergency declared
- 3        by the Governor pursuant to Executive Order No. 103 of 2020, or
- 4        any extension thereof or any replacement therefor.