

SENATE RESOLUTION No. 68

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 14, 2020

Sponsored by:
Senator JOSEPH PENNACCHIO
District 26 (Essex, Morris and Passaic)

SYNOPSIS

Constitutes special committee of Senate entitled “Senate Select Committee on the Executive Branch’s Response to the COVID-19 Pandemic.”

CURRENT VERSION OF TEXT

As introduced.



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1 **A SENATE RESOLUTION** constituting a special committee of the
2 Senate entitled the “Senate Select Committee on the Executive
3 Branch’s Response to the COVID-19 Pandemic.”
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5 **WHEREAS**, The coronavirus disease 2019 (COVID-19), which was
6 first identified in Wuhan, China in December 2019, has developed
7 into a global pandemic, with nearly 4 million cases and more than
8 270,000 deaths reported worldwide as of May 2020; and

9 **WHEREAS**, Efforts to slow the spread of COVID-19 have resulted in
10 the implementation of sweeping emergency measures by the
11 executive branch of the government of New Jersey, including
12 issuing stay-at-home orders, limiting social contact, closing non-
13 essential businesses, suspending elective surgeries, expanding the
14 health care workforce, delaying tax collections and adoption of the
15 FY 2021 budget, and directing the allocation and use of scarce
16 resources such as personal protective equipment and ventilators;
17 and

18 **WHEREAS**, COVID-19 has had a significant impact on the lives of
19 every resident of this State. Many New Jersey families have
20 experienced firsthand the effects of furloughs and layoffs, the
21 stresses of prolonged social isolation, and the pain of preventable
22 illnesses and deaths; and

23 **WHEREAS**, It is anticipated that COVID-19 will have lasting
24 deleterious effects on the State economy as both New Jersey and
25 the nation struggle to address lost revenues, the costs of the
26 COVID-19 response, widespread upticks in unemployment claims,
27 and the lasting toll of the disease on first responders, health care
28 workers, and the health care industry, as well as to other
29 commercial and social sectors; and

30 **WHEREAS**, It is incumbent on this House to examine the executive
31 branch’s response to the COVID-19 pandemic to identify the
32 successes and deficiencies in that response and develop policies and
33 strategies to ensure the State is fully prepared for future outbreaks
34 of infectious disease, as well as other Statewide events that may
35 result in a prolonged emergency response; now, therefore,
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37 **BE IT RESOLVED** *by the Senate of the State of New Jersey:*
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39 1. There is constituted a special committee of the Senate
40 entitled the “Senate Select Committee on the Executive Branch’s
41 Response to the COVID-19 Pandemic,” comprising six members of
42 the Senate. The six members shall be appointed by the Senate
43 President, with no more than three members being from a single
44 political party. There shall be a chair and vice-chair of the special
45 committee appointed by the Senate President from among the
46 members appointed to the committee, who shall not be of the same
47 political party.

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1 2. The Senate Select Committee on the Executive Branch's
2 Response to the COVID-19 Pandemic shall evaluate the executive
3 branch's response to the coronavirus disease 2019 (COVID-19)
4 pandemic and develop strategies to improve the State's response to
5 future outbreaks of infectious disease and other Statewide events
6 that may result in a prolonged emergency response. For the
7 purposes of carrying out its charge under this resolution, the special
8 committee shall have all the powers conferred under the laws and
9 the Constitutions of the State of New Jersey and of the United
10 States, including, but not limited to, the following powers, provided
11 that no subpoena shall be issued by the special committee without
12 the written consent of the chair, the vice chair, and the President of
13 the Senate:

14 a. the powers conferred pursuant to chapter 13 of Title 52 of
15 the Revised Statutes, including, but not limited to, the power to
16 issue subpoenas to compel attendance and testimony of persons and
17 the production of books, papers, correspondence, other documents
18 and materials, and electronic records and data;

19 b. to hold hearings, take testimony under oath, and receive
20 documentary or physical evidence relating to the matters and
21 questions it is authorized to investigate or study;

22 c. to use any and all reasonable means of interviewing or fact
23 gathering, including, but not limited to, preliminary conferences or
24 interviews;

25 d. to convene a meeting or hearing to determine the adequacy
26 of the return and rule on the objection if a return on a subpoena or
27 order for the production of documentary evidence is incomplete or
28 accompanied by an objection;

29 e. to utilize the powers provided under R.S.52:13-3 or hold
30 individuals or entities in contempt of the committee;

31 f. to make findings and reports to the Senate of any
32 recommendations, including recommendations for enforcement, that
33 the special committee may consider appropriate with respect to the
34 willful failure or refusal of any person to appear before it, to answer
35 questions or give testimony during an appearance of that person as a
36 witness, or to produce before the committee any books, papers,
37 correspondence, other documents and materials, and electronic
38 records and data that the committee may request;

39 g. to respond to any judicial or other process, or to make
40 application to the courts of this State, or any other state, or the
41 United States;

42 h. to report possible violations of any law, rule, regulation, or
43 code to appropriate federal, State, or local authorities; and

44 i. to adopt additional rules or procedures not inconsistent with
45 this resolution.

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47 3. a. The Senate Select Committee on the Executive Branch's
48 Response to the COVID-19 Pandemic shall be entitled to call to its

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1 assistance and avail itself of the services of the employees of the
2 State of New Jersey, any political subdivision of the State, and any
3 agency thereof, as may be required and as may be available for that
4 purpose, and to employ any other services as may be deemed
5 necessary, in order to perform the duties provided herein, and
6 within the limits of funds appropriated or otherwise made available
7 for that purpose.

8 b. The Senate Select Committee on the Executive Branch's
9 Response to the COVID-19 Pandemic, upon the written approval of
10 the Senate President, shall be entitled to call to its assistance,
11 employ, and avail itself of the services of one or more special
12 counsel retained to assist the committee.

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14 4. This resolution shall take effect immediately.
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17 STATEMENT

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19 This Senate Resolution establishes a special committee of the
20 Senate entitled the "Senate Select Committee on the Executive
21 Branch's Response to the COVID-19 Pandemic" to evaluate the
22 executive branch's response to the coronavirus disease 2019
23 (COVID-19) pandemic and develop strategies to improve the
24 State's response to future outbreaks of infectious disease and other
25 Statewide events that may result in a prolonged emergency
26 response.

27 The special committee will comprise six members of the Senate,
28 to be appointed by the Senate President, with no more than three
29 members being from a single political party. The Senate President
30 will appoint a chair and vice-chair of the special committee from
31 among the membership, who shall not be of the same political
32 party.

33 For the purposes of carrying out its duties, the special committee
34 will have all the powers conferred under the laws and the
35 Constitutions of the State of New Jersey and of the United States,
36 including, but not limited to, the powers conferred under chapter 13
37 of Title 52 of the Revised Statutes, which include the power to issue
38 subpoenas compelling the attendance of witnesses and the
39 production of evidence, provided that no subpoena may be issued
40 by the committee without the written consent of the chair, the vice
41 chair, and the President of the Senate.

42 The special committee will be entitled to call to its assistance
43 and avail itself of the services of the employees of the State of New
44 Jersey, any political subdivision of the State, and any agency
45 thereof, as may be required and as may be available for that
46 purpose, and to employ any other services as may be deemed
47 necessary, in order to perform its duties, and within the limits of
48 funds appropriated or otherwise made available for that purpose.

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1 The special committee, upon the written approval of the Senate
2 President, will be entitled to call to its assistance, employ, and avail
3 itself of the services of one or more special counsel retained to
4 assist the committee.