

ASSEMBLY, No. 6118

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JANUARY 6, 2020

Sponsored by:

Assemblyman LOUIS D. GREENWALD

District 6 (Burlington and Camden)

Assemblywoman PATRICIA EGAN JONES

District 5 (Camden and Gloucester)

Co-Sponsored by:

**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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 manner as the original appointment but only for the balance of the
2 unexpired term. Members shall be eligible for reappointment to
3 successive terms. Any member of the commission may be removed
4 for cause by the appropriate appointing authority. The members
5 shall serve without compensation but shall be reimbursed for
6 necessary expenses incurred in the performance of their duties,
7 subject to the availability of funds therefor.

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

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

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

43 c. The reports prepared by the commission pursuant to this
44 section shall provide a summary of the examination or review, as
45 appropriate, conducted by the commission and detail each of the
46 commission's recommended policy options. The reports shall
47 identify any legislative bills or resolutions that the commission
48 recommends for adoption by the Legislature and shall specify if any

1 recommendation necessitating any changes to the State Constitution
2 should be recommended to the Legislature for submission to the
3 voters. The commission shall transmit the reports required pursuant
4 to subsections a. and b. of this section to the Legislature in
5 accordance with section 2 of P.L.1991, c.164 (C.52:14-19.1) and
6 shall make the report available to the public electronically through a
7 link prominently displayed on the official Internet website of the
8 Legislature.

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

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

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

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

1 6. This act shall take effect immediately.

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STATEMENT

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

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

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

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

41 The commission is authorized to employ an executive director
42 and staff, employ counsel, and contract for professional and
43 consulting services, and incur other expenses within the limits of
44 funds available for its purposes. The commission may call to its
45 assistance and avail itself of the services of employees of any State,
46 county, or municipal department, board, bureau, commission,
47 agency, or authority as it may require and as may be available and
48 to make use of any existing studies, surveys, data, and other

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1 materials in the possession of any State agency or authority and
2 such materials in the possession of any county, municipality, or
3 political subdivision of the State. The commission is granted the
4 powers available pursuant to Chapter 13 of Title 52 of the Revised
5 Statutes, which includes the power to compel the attendance of
6 witnesses.