

ASSEMBLY, No. 1435

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman BETTYLOU DECROCE

District 26 (Essex, Morris and Passaic)

Assemblyman EDWARD H. THOMSON

District 30 (Monmouth and Ocean)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

Co-Sponsored by:

Assemblymen Clifton, Space, DiMaio, S.Kean, McGuckin, Bramnick,

Assemblywoman N.Munoz, Assemblymen Peterson, Wirths,

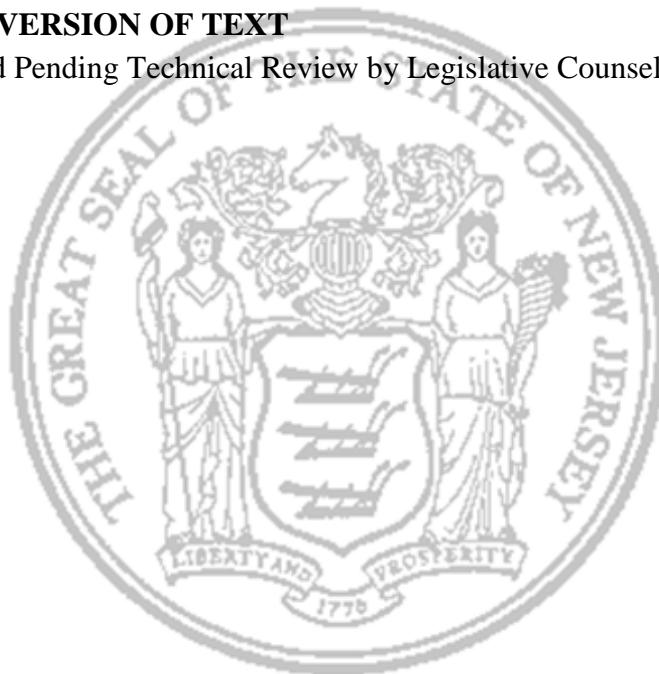
Assemblywoman Vainieri Huttle, Assemblymen DePhillips and Simonsen

SYNOPSIS

Establishes Red Tape Review Commission.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT establishing a Red Tape Review Commission and
2 supplementing Title 52 of the Revised Statutes.

3

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

6

7 1. The Legislature finds and declares that:

8 a. It is imperative that proposed or adopted State rules and
9 regulations, as well as operative Executive Orders, be thoroughly
10 reviewed in a careful, balanced, and expeditious way to: assess their
11 potential or actual effects on the State's economy; determine
12 whether their costs and other burdens on businesses, workers, and
13 local governments outweigh their intended benefits; and establish a
14 basis for providing recommendations to the Governor to amend any
15 rules and regulations or Executive Orders that unduly burden the
16 State's businesses, workers, and local governments.

17 b. A bipartisan commission consisting of representatives from
18 the Executive and Legislative branches of State government, who
19 are devoted to the common goal of promptly addressing the State's
20 economic viability and prosperity, should conduct this review.

21 c. The bipartisan commission should conduct its review with
22 transparency, providing an opportunity for businesses, workers,
23 local governments, and members of the public to obtain information
24 about the commission's work and to communicate pertinent
25 information and opinions in an appropriate and effective manner.

26

27 2. a. There is created a Red Tape Review Commission. For the
28 purposes of complying with the provisions of Article V, Section IV,
29 paragraph 1 of the New Jersey Constitution, the commission shall
30 be allocated in, but not of, the Department of State. The
31 commission shall consist of eight members as follows:

32 (1) The Lieutenant Governor, or a designee, who shall serve as
33 chair of the commission;

34 (2) The Chief Counsel to the Governor, or a designee;

35 (3) The Commissioner of Environmental Protection, or a
36 designee;

37 (4) The Commissioner of Community Affairs, or a designee;

38 (5) The President of the Senate, or a designee;

39 (6) The Speaker of the General Assembly, or a designee;

40 (7) The Senate Minority Leader, or a designee; and

41 (8) The General Assembly Minority Leader, or a designee.

42 b. The Lieutenant Governor, at his or her discretion, may
43 appoint additional members to provide the commission with
44 necessary and appropriate expertise and representation on behalf of
45 businesses, workers, and local governments. Members appointed
46 by the Lieutenant Governor shall serve at the pleasure of the
47 Lieutenant Governor.

1 c. Members of the commission shall serve without
2 compensation.

3 d. The commission shall meet once every six months and at
4 such other times as the chair of the commission may determine.

5

6 3. a. The commission shall:

7 (1) Review all proposed and adopted rules and regulations and
8 operative Executive Orders issued by the Governor to: assess their
9 potential or actual effects on the State's economy; determine
10 whether their costs and other burdens on businesses, workers, and
11 local governments outweigh their intended benefits; and establish a
12 basis for providing recommendations to the Governor to amend any
13 rules and regulations or Executive Orders that unduly burden the
14 State's businesses, workers, and local governments;

15 (2) Call upon any department, office, division, or agency of this
16 State to supply the commission with data and other information,
17 personnel, or assistance it deems necessary to discharge its duties;

18 (3) Solicit both written and oral comments from the public,
19 including professional, labor, community, and environmental
20 organizations, businesses, workers, and other affected persons or
21 entities as the commission deems appropriate, and to consider the
22 views expressed by those parties in any report; and

23 (4) Provide annually a written report to the Governor and the
24 Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
25 19.1), in which the commission shall provide recommendations to
26 repeal, rescind, or amend any rules and regulations or Executive
27 Orders that unduly burden the State's businesses, workers, and local
28 governments.

29 b. Each department, office, division, or agency of the State
30 shall cooperate with the commission and furnish it with such
31 information, personnel, and assistance necessary for the
32 commission to accomplish its duties.

33 c. Reports provided by the commission pursuant to this section,
34 including any recommendations to repeal, rescind, or amend any
35 rules and regulations or Executive Orders contained therein, shall
36 not confer any legal rights upon any persons or entities affected by
37 those rules and regulations or Executive Orders. The commission's
38 reports shall be advisory and shall not be used as a basis for any
39 legal challenges based upon the action or inaction of any
40 department, office, division, or agency of the State.

41

42 4. This act shall take effect immediately.

43

44

45

STATEMENT

46

47 This bill creates the Red Tape Review Commission to assess the
48 effect that rules and regulations and Executive Orders have on the

1 State's economy and to provide recommendations to the Governor
2 to amend any rules and regulations or Executive Orders that unduly
3 burden the State's businesses, workers, and local governments.

4 Under the bill, the commission would be comprised of eight
5 members, consisting of representatives from the Executive and
6 Legislative branches of State government, who are devoted to the
7 common goal of promptly addressing the State's economic viability
8 and prosperity. The bill requires each department, office, division,
9 or agency of the State to cooperate with the commission and furnish
10 it with any information, personnel, and assistance it needs to
11 accomplish its duties. The commission's finding would be advisory
12 and cannot be used as a basis for any legal challenges based upon
13 the action or inaction of any department, office, division, or agency
14 of the State.

15 The bill requires the commission to:

16 (1) Review all proposed and adopted rules and regulations and
17 operative Executive Orders issued by the Governor to: assess their
18 potential or actual effects on the State's economy; determine
19 whether their costs and other burdens on businesses, workers, and
20 local governments outweigh their intended benefits; and establish a
21 basis for providing recommendations to the Governor to amend any
22 rules and regulations or Executive Orders that unduly burden the
23 State's businesses, workers, and local governments;

24 (2) Call upon any department, office, division, or agency of this
25 State to supply the commission with data and other information,
26 personnel, or assistance it deems necessary to discharge its duties;

27 (3) Solicit both written and oral comments from the public,
28 including professional, labor, community, and environmental
29 organizations, businesses, workers, and other affected persons or
30 entities as the commission deems appropriate, and to consider the
31 views expressed by those parties in any report; and

32 (4) Provide annually a written report to the Governor and the
33 Legislature in which the commission must provide
34 recommendations to repeal, rescind, or amend any rules and
35 regulations or Executive Orders that unduly burden the State's
36 businesses, workers, and local governments.