ASSEMBLY, No. 3144

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 24, 2020

Sponsored by:
Assemblywoman CAROL A. MURPHY
District 7 (Burlington)

SYNOPSIS
Establishes Regulatory Improvement Commission.

CURRENT VERSION OF TEXT
As introduced.

AN ACT establishing a Regulatory Improvement Commission.

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

1. a. There is established in, but not of, the Department of State a commission to be known as the "Regulatory Improvement Commission." The commission shall be independent of any supervision or control by the Department of State except as expressly authorized under this act.

b. The commission shall consist of nine members, of whom:

(1) five members shall be appointed by the Governor, of whom one shall serve as chairperson;

(2) one member shall be appointed by the President of the Senate;

(3) one member shall be appointed by the Minority Leader of the Senate;

(4) one member shall be appointed by the Speaker of the General Assembly; and

(5) one member shall be appointed by the Minority Leader of the General Assembly.

c. Members of the commission shall be appointed not later than 60 days after the effective date of this act, P.L , c. (pending before the Legislature as this bill), and shall hold their initial meeting as soon as practicable, but no later than 30 days following the appointment of a majority of its authorized membership. Not more than five members appointed to the commission may be from the same political party.

d. The chair of the commission shall be an individual with expertise and experience in rulemaking, such as a past Director of the Office of Administrative Law, a past director of a regulatory affairs office within a State department or agency, and other individuals with similar expertise and experience in rulemaking affairs and the administration of regulatory reviews.

e. Members appointed to the commission shall have a significant depth of experience and responsibilities in matters relating to government services, regulatory policy, economics, State and federal agency management, public administration, and law.

f. Any vacancy in membership of the commission shall be filled in the same manner as the original appointment.

g. The commission shall meet at the call of the chairperson. Five members of the commission shall constitute a quorum, but a lesser number of members may hold hearings. No action of the commission shall be taken without the affirmative vote of the majority of all the authorized members of the commission.

h. Members of the commission shall serve without compensation, but shall be entitled to reimbursements for all necessary expenses incurred in the performance of their duties.

i. The commission shall hold not less than four meetings. Each meeting of the commission shall be open to the public.

j. The Department of State shall provide primary staff support to the commission. The commission shall be entitled to call upon any department, office, division, or agency of this State to supply the commission with data and other information, personnel, or assistance it deems necessary for its purposes. Each department, office, division, or agency of the State shall cooperate with the commission and furnish it with such information, personnel, or assistance as may be necessary for the commission to discharge its duties.

2. a. The purpose of the Regulatory Improvement Commission shall be to evaluate State regulations and provide recommendations for modification, consolidation, or repeal of certain State regulations to the Governor and Legislature with the aim of reducing compliance costs, encouraging growth and innovation, and improving competitiveness, all while protecting public health and safety.

b. The commission shall:

(1) give priority in its analysis of State regulations to those that impose disproportionately high costs on small businesses, impose substantial paperwork burdens, or could be strengthened in their effectiveness while reducing regulatory cost;

(2) solicit and review comments from the public on State regulations from residents and businesses for the purposes of recommending relief for those regulations that conflict with the public interest in economic growth and innovation; and

(3) develop a set of State regulations to modify, consolidate, or repeal to be submitted to the Governor and Legislature.

3. Not later than 60 days after the date of the initial meeting of the commission, the commission shall initiate a process to solicit and collect written recommendations from the general public, interested parties, State departments and agencies, and other relevant entities regarding which State regulations should be examined.

The commission shall ensure that the process initiated under this section allows for recommendations to be submitted to the commission through a website created for the commission or by mail, the period for the submission of recommendations shall end 120 days after the date on which the process is initiated under section 2 of this act, P.L , c. (pending before the Legislature as this bill). At the end of the period for submission of

recommendations under this section, all submitted recommendations shall be published on the website of the commission.

4. During the public comment period described in section 3 of this act, P.L , c. (pending before the Legislature as this bill), the commission shall conduct public outreach and convene focus groups to better inform the members of the commission of the public's interest and possible contributions to the work of the commission.

The focus groups shall include individuals affiliated with the Office of Administrative Law and regulatory affairs offices within a State department or agency, and, at the discretion of the commission, other relevant stakeholders from within or outside of the regulatory entities such as professional, labor, community, and environmental organizations and businesses, workers, and other affected persons or entities as the commission deems appropriate.

5. Not later than 45 days after the date on which the period for the submission of recommendations ends under section 3 of this act, P.L , c. (pending before the Legislature as this bill), the commission shall convene to review submitted recommendations and to identify State regulations to modify, consolidate, or eliminate. In examining State regulations, the commission shall determine the effectiveness of individual State regulations by using multiple resources, including quantitative metrics, testimony from industry experts, and research from the staff of the commission.

6. a. The commission shall prepare and submit a final report on its findings, conclusions, and recommendations to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the Legislature, no later than the 365th day following its initial meeting for their consideration.

b. The commission shall publish, and make available to the public, a report, which shall include, the following:

(1) the findings and conclusions for the improvement of State regulations examined by the commission; and

(2) a list of the recommendations for changes to the State regulations examined by the commission, which may include recommendations for modifications, consolidation, or repeal of such State regulations.

c. The report shall be approved by not fewer than five members of the commission. The commission shall make the report available through the website of the commission and in printed form.

7. This act shall take effect immediately and shall expire on the 30th day after the commission submits its final report.

STATEMENT

This bill establishes a "Regulatory Improvement Commission" in, but not of, the Department of State. The commission will consist of nine members. Five members will be appointed by the Governor, one member will be appointed by the President of the Senate, one member will be appointed by the Minority Leader of the Senate, one member will be appointed by the Speaker of the General Assembly, and one member will be appointed by the Minority Leader of the General Assembly.

The purpose of the commission is to evaluate State regulations and provide recommendations for modification, consolidation, or repeal of certain State regulations to the Governor and Legislature with the aim of reducing compliance costs, encouraging growth and innovation, and improving competitiveness, all while protecting public health and safety.

The commission will:

(1) give priority in its analysis of State regulations to those that impose disproportionately high costs on small businesses, impose substantial paperwork burdens, or could be strengthened in their effectiveness while reducing regulatory cost;

(2) solicit and review comments from the public on State regulations from residents and businesses for the purposes of recommending relief for those regulations that conflict with the public interest in economic growth and innovation; and

(3) develop a set of State regulations to modify, consolidate, or repeal to be submitted to the Governor and Legislature.

The commission will initiate a process to solicit and collect written recommendations from the general public, interested parties, State department and agencies, and other relevant entities regarding which State regulations should be examined. During the public comment period, the commission will conduct public outreach and convene focus groups to better inform the members of the commission of the public's interest and possible contributions to the work of the commission. The commission will also convene to review submitted recommendations and to identify State regulations to modify, consolidate, or eliminate in preparation to issue a final report.

The bill directs the commission to issue a final report of its findings, conclusions, and recommendations to the Governor and the Legislature no later than the 365th day after the commission organizes. The commission would expire 30 days after submitting its final report.