

SENATE, No. 1368

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

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: 2/10/2020)

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
11 commission shall consist of 14 members as follows: three members
12 of the Senate, two members of the majority party to be appointed by
13 the President of the Senate and one member of the minority party to
14 be appointed by the Minority Leader of the Senate; three members
15 of 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; two public employees, one appointed by the
19 Governor upon the recommendation of the President of the Senate
20 and one appointed by the Governor upon the recommendation of the
21 Speaker of the General Assembly; and six public members, of
22 whom two shall be appointed by the President of the Senate, two by
23 the Speaker of the General Assembly, one by the Minority Leader
24 of the Senate, and one by the Minority Leader of the General
25 Assembly.

26 b. In appointing public members, the appointing authority shall
27 select academic, business, and other professionals who have
28 knowledge, expertise, and practice experience in accounting, county
29 and municipal government, economic analysis, governmental
30 finance and fiscal management, and tax policy, implementation,
31 practice, administration, and regulation. No member shall be a
32 nominee for, or hold, an elective office.

33 c. Legislative members shall serve during the two-year
34 legislative term in which appointments are made. Public members
35 of the commission shall serve for a term of three years, except that
36 of the initial public members so appointed: one member appointed
37 by the President of the Senate and one member appointed by the
38 Speaker of the General Assembly shall serve for a term of one year;
39 one member appointed by the President of the Senate and one
40 member appointed by the Speaker of the General Assembly shall
41 serve for a term of two years, and one member appointed by the
42 President of the Senate and one member appointed by the Speaker
43 of the General Assembly shall serve for three years. The term of
44 each public member shall be deemed to commence on July 1 of the
45 calendar year of appointment and shall expire on June 30 of the
46 third calendar year thereafter, as the case may be for the first or
47 subsequent appointments, but members shall continue to serve
48 during a succeeding term until the appointment and qualification of

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

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

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

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

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

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

10

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

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

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

38

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

1 Speaker of the General Assembly, notifying each officer of any
2 request made by another.

3

4 6. This act shall take effect immediately.

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STATEMENT

8

9 This bill establishes a 14-member “New Jersey Economic and
10 Fiscal Policy Review Commission” in the Legislative Branch of
11 State government. This legislation implements a proposal in the
12 New Jersey Economic & Fiscal Policy Workgroup’s “Path to
13 Progress” report, issued August 9, 2018.

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

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

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

45 The commission is authorized to employ an executive director
46 and staff, employ counsel, and contract for professional and
47 consulting services, and incur other expenses within the limits of
48 funds available for its purposes. The commission may call to its

1 assistance and avail itself of the services of employees of any State,
2 county, or municipal department, board, bureau, commission,
3 agency, or authority as it may require and as may be available and
4 to make use of any existing studies, surveys, data, and other
5 materials in the possession of any State agency or authority and
6 such materials in the possession of any county, municipality, or
7 political subdivision of the State. The commission is granted the
8 powers available pursuant to Chapter 13 of Title 52 of the Revised
9 Statutes, which includes the power to compel the attendance of
10 witnesses.