

ASSEMBLY, No. 2053

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED FEBRUARY 3, 2022

Sponsored by:

Assemblyman JOHN DIMAIO

District 23 (Hunterdon, Somerset and Warren)

Assemblyman EDWARD H. THOMSON

District 30 (Monmouth and Ocean)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

Co-Sponsored by:

Assemblymen Clifton, Space, S.Kean, McGuckin, Assemblywoman N.Munoz, Assemblymen Peterson, DePhillips, Simonsen, McClellan and Wirths

SYNOPSIS

Establishes Red Tape Review Commission.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/28/2022)

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 whether
12 their costs and other burdens on businesses, workers, and local
13 governments outweigh their intended benefits; and establish a basis
14 for providing recommendations to the Governor to amend any rules
15 and regulations or Executive Orders that unduly burden the State's
16 businesses, workers, and local governments.

17 b. A bipartisan commission consisting of representatives from
18 the Executive and Legislative branches of State government, who are
19 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, local
23 governments, and members of the public to obtain information about
24 the commission's work and to communicate pertinent information
25 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 be
30 allocated in, but not of, the Department of State. The commission
31 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 by
46 the Lieutenant Governor shall serve at the pleasure of the Lieutenant
47 Governor.

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

3 d. The commission shall meet once every six months and at such
4 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 whether
10 their costs and other burdens on businesses, workers, and local
11 governments outweigh their intended benefits; and establish a basis
12 for providing recommendations to the Governor to amend any rules
13 and regulations or Executive Orders that unduly burden the State's
14 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.52:14-19.1),
25 in which the commission shall provide recommendations to repeal,
26 rescind, or amend any rules and regulations or Executive Orders that
27 unduly burden the State's businesses, workers, and local
28 governments.

29 b. Each department, office, division, or agency of the State shall
30 cooperate with the commission and furnish it with such information,
31 personnel, and assistance necessary for the commission to
32 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 not
36 confer any legal rights upon any persons or entities affected by those
37 rules and regulations or Executive Orders. The commission's reports
38 shall be advisory and shall not be used as a basis for any legal
39 challenges based upon the action or inaction of any department,
40 office, division, or agency of the State.
41

42 4. This act shall take effect immediately.
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45 STATEMENT
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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 to
2 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 the
13 action or inaction of any department, office, division, or agency of
14 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 whether
19 their costs and other burdens on businesses, workers, and local
20 governments outweigh their intended benefits; and establish a basis
21 for providing recommendations to the Governor to amend any rules
22 and regulations or Executive Orders that unduly burden the State's
23 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 recommendations
34 to repeal, rescind, or amend any rules and regulations or Executive
35 Orders that unduly burden the State's businesses, workers, and local
36 governments.