

CHAPTER 284

AN ACT establishing the New Jersey Puerto Rico Commission and supplementing Title 52 of the Revised Statutes.

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

C.52:16A-123 Finding, declaration relative to the New Jersey Puerto Rico Commission.

1. The Legislature finds and declares that:

a. Approximately 5.1 million Hispanics of Puerto Rican origin resided in the 50 states of the United States and in the District of Columbia prior to the devastation of Hurricane Maria; and

b. The number is significantly greater than Puerto Rico's population of 3.6 million, which was in decline due to out-migration before Hurricane Maria; and

c. The storm made landfall on September 20, 2017, and caused a degree of destruction and disorganization rarely experienced in American history, so that months after the storm abated, many of the island's residents still lack access to electricity and clean water; and

d. Hurricane Maria was a worst-case scenario from a meteorological standpoint, as the center of the huge Category 5 hurricane passed directly over Puerto Rico with wind and rain lasting over 30 hours; and

e. Hurricane Maria exhibited many of the elements of a catastrophic event, not just a disaster, as catastrophic events are rarer than disasters because they result in the destruction of critical infrastructure over a large swath of land, which is exactly what happened in Puerto Rico; and

f. Though the true extent of Hurricane Maria's damage to Puerto Rico is still being assessed, there are some indications of what the long term effects of it will be, including: predictions that the island's economy will shrink by about eight percent in 2018, thus making Puerto Rico among the slowest growing economies in the world; thousands of businesses have been unable to open due to continuing electrical blackouts months after the storm; and over 200,000 people have left the island; and

g. Approximately 500,000 persons of Puerto Rican descent live in New Jersey, which is the third-largest Puerto Rican population of any state, and it is estimated that approximately 30,000 displaced Puerto Ricans have come to New Jersey in the wake of Hurricane Maria; and

h. New Jersey recognizes its moral obligation to provide relief to all Americans in distress who come to our State; and

i. This State is committed to contributing to the stabilization of Puerto Rico, so that those who wish to return to their homes on the island will have an opportunity to do so and to find a safe, stable, and sustainable environment in which they can raise a family, educate their children, find gainful employment, and enjoy a level of services similar in quality to those with which New Jersey is blessed.

C.52:16A-124 New Jersey Puerto Rico Commission established.

2. a. There is established in, but not of, the Department of State the New Jersey Puerto Rico Commission. The commission shall consist of 35 members, to be appointed as follows.

Two members of the Legislature shall be appointed by the President of the Senate, neither of whom shall be members of the same political party; and two members of the Legislature shall be appointed by the Speaker of the General Assembly, neither of whom shall be members of the same political party. The legislative members of the commission shall serve during the two-year legislative term in which the appointments are made.

Thirty one members of the commission shall be appointed by the Governor. Sixteen members shall serve for a term of three years and 15 shall serve for a term of four years. The 31 members thus appointed shall include at least one representative from: a State institution of higher education; an electric or gas public utility; the HealthCare Institute of New Jersey, or its successor organization; the New Jersey Chamber of Commerce, or its successor organization; and at least two representatives recommended by the Governor of the Commonwealth of Puerto Rico neither of whom shall be members of the same political party.

b. All appointments shall be made no later than 90 days following the day of enactment of P.L.2019, c.284 (C.52:16A-123 et seq.).

A vacancy in the membership of the commission shall be filled in the same manner as the original appointment was made.

c. Members of the commission shall serve without compensation but may be reimbursed for expenses actually incurred in the performance of their duties, within the limit of funds appropriated to the commission or otherwise made available to it for its purposes.

d. The commission shall meet and hold hearings at the places it designates throughout the State.

C.52:16A-125 Designation of chairpersons, appointment of members.

3. The Governor shall designate a chairperson or co-chairpersons from among the members of the commission, who shall serve in that capacity at the pleasure of the Governor. The chairperson or co-chairpersons, as appropriate, shall appoint from among the commission members the subcommittee chairpersons, who shall each chair only one subcommittee. The chairperson or co-chairpersons, as appropriate, shall serve on the commission's Executive Committee, which shall also include the subcommittee chairpersons and any additional at-large members to be appointed by the chairperson or co-chairperson, as appropriate, from among the members of the commission. The executive committee shall schedule all meetings of the commission and prepare an agenda therefor. A majority of the members of the commission shall constitute a quorum for the transaction of the business of the commission.

C.52:16A-126 Purpose of the New Jersey Puerto Rico Commission.

4. a. The purpose of the New Jersey Puerto Rico Commission shall be to: advance bilateral trade and investment; initiate joint action on policy issues of mutual interest to New Jersey and Puerto Rico; promote business and academic exchanges between New Jersey and Puerto Rico; support Puerto Rico in its efforts to stabilize its economy; encourage New Jersey companies to invest in Puerto Rico's infrastructure; and address such other issues as determined by the commission. In order to carry out its purposes, the commission shall establish subcommittees to examine the following issues.

Economic development, investment and trade.

Research, science, and technology. A priority of this subcommittee shall be to consider the desirability of re-establishing the bi-state commission created in the 1990s under the auspices of the HealthCare Institute of New Jersey to: (1) organize states that are dependent on life sciences industry clusters to protect and preserve a strong pharmaceutical industry in the United States; (2) coordinate joint applications for federal research and manufacturing innovation grants; and (3) create opportunities for university-based research and instructional collaborations.

Public policy advocacy. This subcommittee shall mobilize New Jersey institutions to join with other states in advocating for an infusion of resources into Puerto Rico to stop its economic downward spiral by: (1) making certain that Medicare/Medicaid services are funded at adequate levels and on an equal basis with other states in this country; (2) press for emergency education funding to prevent the deterioration of the island's primary and secondary education systems; (3) support the PROMESA Fiscal Oversight Board in its determination to re-structure Puerto Rico's debt; (4) support a restoration of the benefits provided by Section 936 of the federal tax code; and (5) promote federal funding to reconstruct all of the damaged infrastructure on the island.

Education.

Infrastructure.

Such other issues as deemed appropriate by the commission.

b. The commission shall report its findings and recommendations to the Governor, and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), within one year of its initial organizational meeting and by February 1st of each succeeding year for the activities of the preceding calendar year. The report shall be in writing and include such recommendations as deemed appropriate by the commission to effectuate its purpose, as provided by this section.

C.52:16A-127 Authority to raise funds.

5. The New Jersey Puerto Rico Commission shall be authorized to raise funds, through direct solicitation or other fundraising events, alone, or with other groups, and accept gifts, grants, and bequests from individuals, corporations, foundations, governmental agencies, and public and private organizations and institutions, to defray the commission's administrative expenses and to carry out its purposes as set forth in P.L.2019, c.284 (C.52:16A-123 et seq.). The funds, gifts, grants, or bequests received pursuant to this section shall be deposited in an account in the Department of the Treasury and allocated and annually appropriated to the Department of State to defray the commission's administrative expenses and carry out its purposes.

6. This act shall take effect immediately.

Approved January 9, 2020.