

ASSEMBLY, No. 785

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

"Invest in New Jersey First Act;" requires preference in awarding certain contracts for critical infrastructure projects.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning public contracts and supplementing Title 52 of
2 the Revised Statutes.

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

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7 1. As used in P.L. , c. (C.) (pending before the
8 Legislature as this bill):

9 "Critical" means sited, recommended, or promoted by a State
10 department or agency or by the Governor as a project of economic
11 necessity which will increase employment during a period of
12 economic downturn.

13 "Infrastructure project" means any transportation or highway
14 project; sewerage project; water supply project; or building project
15 constructed by the State or any political subdivision thereof,
16 including, but not limited to, a school district.

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18 2. Notwithstanding any provision of law, rule, or regulation to
19 the contrary, a State department or agency, or political subdivision
20 of the State, in making or awarding a contract for a critical
21 infrastructure project or part or portion thereof to be financed from
22 State funds, shall grant a preference for such contract to qualified
23 businesses located in the State of New Jersey employing residents
24 of the State, up to the limits set forth under rules and regulations
25 promulgated pursuant to section 3 of P.L. , c. (C.) (pending
26 before the Legislature as this bill).

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28 3. The Department of the Treasury shall promulgate rules and
29 regulations, pursuant to the "Administrative Procedure Act,"
30 P.L.1968, c.410 (C.52:14B-1 et seq.) to identify qualified businesses
31 under section 2 of P.L. , c. (C.) (pending before the
32 Legislature as this bill). The rules and regulations shall also set
33 forth limits on the amount of preference that may be given to a
34 qualified business located in New Jersey employing residents of the
35 State.

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37 4. This act shall take effect immediately, except that section 2
38 shall remain inoperative until the rules and regulations promulgated
39 pursuant to section 3 shall have become effective.

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STATEMENT

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44 This bill attempts to respond to the need for an economic
45 stimulus in New Jersey and an increase in employment in the State
46 by requiring State departments and agencies, or political
47 subdivisions of the State, to give a limited preference to qualified
48 businesses located within the State of New Jersey that employ New

1 Jersey residents when awarding or making public contracts on
2 critical infrastructure projects financed from State funds. A critical
3 infrastructure project is a transportation or highway project;
4 sewerage project; water supply project; or building project
5 constructed by the State or political subdivision thereof, including
6 but not limited to, a school district, which is sited, recommended, or
7 promoted by the Executive Branch as a project of economic
8 necessity.

9 Under the bill, the Department of the Treasury is to be
10 responsible for identifying qualified businesses and establishing
11 preference limits on the amount of preference granted to New
12 Jersey businesses.

13 The Governor has stated in his address to a joint session of the
14 Legislature that there exists an economic emergency in the State,
15 and that these public projects are necessary to revive and advance
16 New Jersey's economy. The hiring of New Jersey firms employing
17 New Jersey residents is vital to achieving that goal.