

SENATE, No. 463

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator MICHAEL J. DOHERTY

District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Establishes "New Jersey Prevailing Wage Law Study Commission."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** establishing a commission to study the impact of the
2 prevailing wage law on public expenditures, and supplementing
3 Title 34 of the Revised 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 created a commission to be known as the "New
9 Jersey Prevailing Wage Law Study Commission," which shall be a
10 permanent, independent body in but not of the Department of Labor
11 and Workforce Development. The commission shall consist of nine
12 members as follows:

13 (1) The Commissioner of Labor and Workforce Development,
14 ex officio, who shall serve as chair of the commission;

15 (2) Two members representing labor organizations, not less than
16 one of whom shall represent labor organizations in the construction
17 industry, with one of these two members appointed by the President
18 of the Senate and one appointed by the Speaker of the General
19 Assembly;

20 (3) Two members representing organizations who represent the
21 interests of the business community in this State; not less than one
22 of whom who shall represent businesses in the construction
23 industry, with one of these two members appointed by the Minority
24 Leader of the Senate and one appointed by the Minority Leader of
25 the General Assembly; and

26 (4) Four members representing local governments with public
27 work contracts subject to prevailing wage requirements under State
28 law, of whom one shall be appointed by the President of the Senate,
29 one shall be appointed by the Speaker of the General Assembly, one
30 shall be appointed by the Minority Leader of the Senate, and one
31 shall be appointed by the Minority Leader of the General Assembly.

32 b. Members shall be appointed not later than December 31,
33 2019. Members shall be appointed for three-year terms and may be
34 re-appointed for any number of terms. Any member of the
35 commission may be removed from office by the Governor, for
36 cause, upon notice and opportunity to be heard. Vacancies shall be
37 filled in the same manner as the original appointment for the
38 balance of the unexpired term. A member shall continue to serve
39 upon the expiration of his term until a successor is appointed and
40 qualified, unless the member is removed by the Governor.

41 c. Action may be taken by the commission by an affirmative
42 vote of a majority of its members and a majority of the commission
43 shall constitute a quorum for the transaction of any business, for the
44 performance of any duty, or for the exercise of any power of the
45 commission.

46 d. Members of the commission shall serve without
47 compensation, but may be reimbursed for the actual and necessary
48 expenses incurred in the performance of their duties as members of

1 the commission within the limits of funds appropriated or otherwise
2 made available for that purpose.

3
4 2. a. The commission shall annually evaluate the impact of the
5 prevailing wage law on public expenditures relative to factors to be
6 determined by the commission.

7 b. In furtherance of its evaluation, the commission may hold
8 public meetings or hearings within the State on any matter or
9 matters related to the provisions of this act, and call to its assistance
10 and avail itself of the services of the John J. Heldrich Center for
11 Workforce Development and the employees of any other State
12 department, board, commission or agency which the commission
13 determines possesses relevant data, analytical and professional
14 expertise or other resources which may assist the commission in
15 discharging its duties under this act. Each department, board,
16 commission or agency of this State is hereby directed, to the extent
17 not inconsistent with law, to cooperate fully with the commission
18 and to furnish such information and assistance as is necessary to
19 accomplish the purposes of this act.

20 c. The commission shall submit a written report of its findings
21 regarding the impact of the prevailing wage law on public
22 expenditures, and any recommendations the commission may have
23 concerning changes in the law, to the Governor, and to the
24 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),
25 who shall immediately review the commission report upon its
26 receipt. Each House of the Legislature shall consider the
27 commission report within 120 days of the receipt of the report. The
28 first report shall be submitted to the Legislature no sooner than
29 October 1, 2020 and no later than December 31, 2020, and
30 subsequent reports shall be submitted in one-year intervals
31 thereafter.

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33 3. This act shall take effect immediately.

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36 STATEMENT

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38 This bill establishes the "New Jersey Prevailing Wage Law
39 Study Commission," to study the impact of the prevailing wage law
40 on public expenditures.

41 The commission shall be a permanent, independent body in but
42 not of the Department of Labor and Workforce Development and
43 shall consist of nine members as follows: (1) the Commissioner of
44 Labor and Workforce Development, ex officio, who shall serve as
45 chair of the commission; (2) two members representing labor
46 organizations, not less than one of whom shall represent labor
47 organizations in the construction industry, with one of these two
48 members appointed by the President of the Senate and one

1 appointed by the Speaker of the General Assembly; (3) two
2 members representing organizations who represent the interests of
3 the business community in this State, not less than one of whom
4 who shall represent businesses in the construction industry, with
5 one of these two members appointed by the Minority Leader of the
6 Senate and one appointed by the Minority Leader of the General
7 Assembly; and (4) four members representing local governments
8 with public work contracts subject to prevailing wage requirements
9 under State law, with one appointed by the President of the Senate,
10 one appointed by the Speaker of the General Assembly, one
11 appointed by the Minority Leader of the Senate, and one appointed
12 by the Minority Leader of the General Assembly.

13 The commission shall evaluate the impact of the prevailing wage
14 law on public expenditures, relative to factors to be determined by
15 the commission, and shall annually submit a written report of its
16 findings, and any recommendations the commission may have
17 concerning changes in the law, to the Governor and to the
18 Legislature, who shall immediately review the report upon its
19 receipt.