

ASSEMBLY, No. 321

STATE OF NEW JERSEY

214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman BRIAN E. RUMPF
District 9 (Atlantic, Burlington and Ocean)
Assemblyman JOHN F. AMODEO
District 2 (Atlantic)
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District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

Assemblymen Rudder, Rumana and Biondi

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



(Sponsorship Updated As Of: 3/9/2010)

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 this act:

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

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

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

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

33

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

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STATEMENT

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41 This bill attempts to respond to the need for an economic
42 stimulus in New Jersey which will increase State employment by
43 requiring State departments and agencies, or political subdivisions
44 of the State, when awarding or making public contracts on critical
45 infrastructure projects to be financed from State funds, to give a
46 limited preference to qualified businesses located within the State
47 of New Jersey that employ New Jersey residents A critical

A321 RUMPF, AMODEO

1 infrastructure project is a transportation or highway project;
2 sewerage project; water supply project; or building project
3 constructed by the State or political subdivision thereof, including
4 but not limited to, a school district, which is sited, recommended, or
5 promoted by the Executive Branch as a project of economic
6 necessity. The Governor has stated in his address to a joint session
7 of the Legislature that there exists an economic emergency in the
8 State, and that these public projects are necessary to revive and
9 advance New Jersey's economy. The hiring of New Jersey firms
10 employing New Jersey residents is vital to achieving that goal.

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