

ASSEMBLY BILL NO. 1869

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1869 with my recommendations for reconsideration.

This bill would reestablish, within the Department of the Treasury ("Treasury"), a Division of Minority and Women Business Development to be headed by a State Chief Disparity Officer. The Division would administer and monitor policies, practices, and programs that further the State's efforts to ensure equal opportunity for minority-owned and women-owned business enterprises in purchasing and procurement by State departments and agencies, including independent State authorities.

I agree with the sponsors that the State should be concerned with ensuring equal opportunity for minority and women-owned businesses to participate in the State procurement process, which is why I recently signed Senate Joint Resolution 75 ("SJR-75"). SJR-75 establishes the "Disparity in State Procurement Study Commission" -- the purpose of which is to review potential disparities in State procurement, if any, between the availability and utilization of small, disadvantaged, and minority and women-owned business enterprises. The Study Commission shall issue a report within one year, with recommendations for legislative or regulatory action.

I am concerned that this bill's requirements are premature given that it has been determined that the Study Commission should review potential disparities. Further, the bill will usurp the Study Commission's authority to make recommendations regarding the policies, practices, and programs that promote

opportunities for minority and women-owned businesses. Accordingly, I am recommending changes to the bill to remove the provisions mandating the establishment of a new division within the Treasury and altering the procurement practices for small businesses.

Nevertheless, I agree that a State employee should be dedicated to reviewing efforts by minority and women-owned businesses to secure State contracts, and my recommendations include retaining the provisions creating such a position. However, I recommend changing the name of the Chief Disparity Officer to the Chief Diversity Officer, as this name more accurately reflects the duties and responsibilities of the position.

Accordingly, I herewith return Assembly Bill No. 1869 and recommend that it be amended as follows:

<u>Page 2, Section 1, Line 8:</u>	After "established in" insert "the Division of Purchase and Property in"
<u>Page 2, Section 1, Line 9:</u>	Delete "Division of Minority and Women Business Development. The"
<u>Page 2, Section 1, Lines 10-14:</u>	Delete in their entirety
<u>Page 2, Section 1, Line 15:</u>	Delete "The head of the division shall be the State"
<u>Page 2, Section 1, Line 15:</u>	Delete "Disparity" and insert "Diversity"
<u>Page 2, Section 1, Line 16:</u>	Delete "State"
<u>Page 2, Section 1, Line 16:</u>	Delete "Disparity" and insert "Diversity"
<u>Page 2, Section 1, Line 21:</u>	Delete "The"
<u>Page 2, Section 1, Lines 22-32:</u>	Delete in their entirety
<u>Page 2, Section 2, Lines 34-41:</u>	Delete in their entirety
<u>Page 2, Section 3, Lines 43-48:</u>	Delete in their entirety
<u>Page 3, Section 3, Lines 1-4:</u>	Delete in their entirety

Page 3, Section 4, Line 6:

Delete "4." and insert "2."

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Gregory L. Acquaviva

Chief Counsel to the Governor