

52:32-17 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:32-17 et al (Minority and female and small business set aside program)

LAWS OF: 1985 **CHAPTER:** 384

BILL NO: S1776

Sponsor(s): Lipman

Date Introduced: May 14, 1984

Committee: Assembly: State Government, Civil Service, Elections, Pensions and Veterans' Affairs

Senate: State Government, Federal and Interstate Relations and Veterans' Affairs

Amended during passage: Yes Amendments denoted by asterisks according to Governor's recommendations

Date of Passage: **Assembly:** January 8, 1985 Re-enacted 12-9-85
Senate: June 28, 1984 Re-enacted 11-18-85

Date of Approval: December 18, 1985

Following statements are attached if available:

Sponsor statement: Yes (Below) Attached: Senate amendments, adopted 6-18-84 (with statement)

Committee statement: **Assembly** No
Senate Yes

Fiscal Note: Yes

Veto Message: Yes

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:
This bill establishes a set-aside program for small businesses, minority businesses and female businesses.

(OVER)

See newspaper clippings--attached.

"Kean urges minority firms to get share of state pacts," 10-9-85
Trenton Times.

"3 laws enacted to assist small businesses owned by minorities, women,"
12-19-85 Star Ledger.

12-18-85

[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 1776

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Senator LIPMAN

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT to amend the title of "An act concerning the designation of certain State purchases and construction contracts as small business set-asides and supplementing Title 52 of the Revised Statutes," approved January 17, 1984 (P. L. 1983, c. 482), so that the same shall read "An act concerning the designation of certain State purchases and construction contracts as set-asides for small businesses, female businesses, and minority businesses and supplementing Title 52 of the Revised Statutes," ***[and]*** to amend the body of that act ***, and to make an appropriation***.

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

1 1. The title of P. L. 1983, c. 482 is amended to read as follows:

2 An act concerning the designation of certain State purchases and
3 construction contracts as [small business] set-asides *for small*
4 *businesses, female businesses, and minority businesses* and supple-
5 menting Title 52 of the Revised Statutes.

1 2. Section 1 of P. L. 1983, c. 482 (C. 52:32-17) is amended to
2 read as follows:

3 1. This act shall be known and may be cited as the ["Small
4 Business Set-Aside Act."] "*Set-Aside Act for Small Businesses,*
5 *Female Businesses, and Minority Businesses.*"

1 3. Section 2 of P. L. 1983, c. 482 (C. 52:32-18) is amended to
2 read as follows:

3 2. The Legislature declares that the existence of a strong and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate amendments adopted June 18, 1984.

**—Assembly committee amendments adopted October 11, 1984.

***—Senate amendments adopted in accordance with Governor's recommenda-
tions June 27, 1985.

4 healthy free enterprise system is directly related to the well-being
 5 and competitive strength of small business, *female business and*
 6 *minority business* concerns and to the opportunity for small busi-
 7 ness, *female business and minority business* to have free entry
 8 into business, to grow and to expand; and finds that the State must
 9 ensure that a fair proportion of the State's total purchases and
 10 contracts for construction, property and services is placed with
 11 small business, *female business and minority business* concerns.

1 4. Section 3 of P. L. 1983, c. 482 (C: 52:32-19) is amended to
 2 read as follows:

3 3. As used in this act:

4 a. "Contracting agency" means the State or any board, com-
 5 mission, committee, authority or agency of the State.

6 b. "Chief" means the Chief of the Office of Small Business
 7 Assistance ****when used in conjunction with the small business and*
 7A *female business set-aside programs, or the Chief of the Office of*
 7B *Minority Business Enterprise when used in conjunction with the*
 7C *minority business set-aside program***.*

8 c. "Department" means the Department of Commerce and Eco-
 9 nomic Development.

10 d. "Office" means the Office of Small Business Assistance in the
 11 Department of Commerce and Economic Development ****when*
 11A *used in conjunction with the small business and female business*
 11B *set-aside programs, or the Office of Minority Business Enterprise*
 11C *when used in conjunction with the minority business set-aside pro-*
 11D *gram***.*

12 e. "Small business" means a business which has its principal
 13 place of business in the State, is independently owned and operated
 14 and meets all other qualifications as may be established in accor-
 15 dance with P. L. 1981, c. 283 (C. 52:27H-21.1 et seq.).

16 f. "Small business set-aside contract" means (1) a contract for
 17 goods, equipment, construction or services which is designated as
 18 a contract with respect to which bids are invited and accepted only
 19 from small businesses, or (2) a portion of a contract when that
 20 portion has been so designated.

21 g. "Minority business" means a business which **has its
 22 principal place of business in the State,** is independently owned
 23 and operated and at least 51% of which is owned and controlled by
 24 persons who are Black, Hispanic, Portuguese, Asian American,
 25 American Indian or Alaskan Natives ****[and who are residents of**
 25A **New Jersey]**.**

26 h. "Minority business set-aside contract" means (1) a contract
 27 for goods, equipment, construction or services which is designated

28 *as a contract with respect to which bids are invited and accepted*
 29 *only from minority business; or (2) a portion of a contract when*
 30 *that portion is so designated.*

31 *i. "Female business" means a business which ^{**}has its principal*
 32 *place of business in the State,** is independently owned and*
 33 *operated and at least 51% of which is owned and controlled by*
 33A *women ^{**}[who are residents of New Jersey]**.*

34 *j. "Female business set-aside contract" means (1) a contract for*
 35 *goods, equipment, construction or services which is designated as*
 36 *a contract with respect to which bids are invited and accepted only*
 37 *from female business; or (2) a portion of a contract when that*
 38 *portion is so designated.*

1 5. Section 4 of P. L. 1983, c. 482 (C. 52:32-20) is amended to
 2 read as follows:

3 4. *a.* Notwithstanding the provisions of any State bidding or
 4 public contracts laws to the contrary, *but subject to any superven-*
 5 *ing federal statutes or rules*, contracting agencies, in consultation
 6 with the **[office, shall]** *department, may designate a contract, or a*
 7 *portion thereof, of goods, equipment, construction or services to*
 8 *be awarded by a contracting agency as a small business, female*
 9 *business or minority business set-aside contract pursuant to the*
 10 *goals and procedures established by this 1984 amendatory act,*
 11 *whenever there is a reasonable expectation that bids may be ob-*
 12 *tained from at least three qualified small businesses, female busi-*
 13 *nesses or minority businesses capable of furnishing the desired*
 14 *goods, equipment, construction or services at a fair and reasonable*
 15 *price. The designation shall be made prior to the advertisement*
 16 *for bids.*

17 *b.* *Where application of the goals and procedures established*
 18 *under this act would jeopardize the State's participation in a pro-*
 19 *gram from which the State receives federal funds or other bene-*
 20 *fits, the contracting agency may, in consultation with the depart-*
 21 *ment, withdraw the affected contracts from consideration or cal-*
 22 *culatation.*

1 6. Section 5 of P. L. 1983, c. 482 (C. 52:32-21) is amended to
 2 read as follows:

3 5. *a.* There **[is]** *are established the **[goal]** goals that contract-*
 4 *ing agencies **[set aside]** award at least ***[15%]* ^{**}[*10%]*^{**}***
 5 *^{**}15%^{**} of their contracts for small businesses, at least ***[15%]****
 6 ****7%*** of their contracts for ^{***}**[minortiy]**^{***} ^{***}minority^{***} busi-*
 7 *nesses and at least ***[10%]*** ***3%*** of their contracts for female*
 8 *businesses. **[This goal]** These goals may, where appropriate, be*
 9 *attained by the direct designation of prime contracts for small*

10 business, *minority business or female business* or, in the case of a
 11 prime contract not directly designated for small business, *minority*
 12 *business or female business*, by requiring that a portion of such a
 13 prime contract be subcontracted to a small business, *minority busi-*
 14 *ness or female business*. Each contracting agency shall make a
 14A good faith effort to attain the **[goal]** *goals* established in this
 14B section.

15 *b. The goals established in subsection a. of this section shall be*
 16 *attained independent of each other, and any given contract may*
 17 *be counted for purposes of attaining the small business goal, the*
 18 *minority business goal, or the female business goal, but not towards*
 19 *more than one goal. Pursuant to the goals established by this act,*
 20 *a total of at least ***[40%]*** ****[*20%*]**** **25%** of the State's*
 21 *procurement contracts shall be awarded to small businesses,*
 22 *minority businesses, and female businesses.*

23 *c. For purposes of obtaining these goals, contracting agencies*
 24 *shall, when necessary, specifically set aside contracts or portions*
 25 *of contracts for which only small businesses, minority businesses*
 26 *or female businesses may bid.*

1 7. Section 6 of P. L. 1983, c. 482 (C. 52:32-22) is amended to
 2 read as follows:

3 6. If the **[chief]** *department* and the contracting agency disagree
 4 as to whether **[the small business]** *a set-aside* is appropriate for
 5 a contract or a portion of a contract, the dispute shall, within seven
 6 days, be submitted to the State Treasurer, *or his designee*, for final
 7 determination.

1 8. Section 7 of P. L. 1983, c. 482 (C. 52:32-23) is amended to
 2 read as follows:

3 7. The advertisement for **[small business]** *bids on a set-aside*
 4 *contract* shall indicate the invitation to bid as a **[small business]**
 5 *set-aside*. The advertisement shall be in such newspaper or news-
 6 papers as will best give notice thereof to **[small business]** *appro-*
 7 *priate* bidders and shall be sufficiently in advance of the purchase
 8 or contract to promote competitive bidding among **[small]** *those*
 9 *businesses for whom the contract is being set-aside*. The newspaper
 10 or newspapers in which the advertisement shall appear shall be
 11 selected by the contracting agency in consultation with the office.
 12 The advertisement shall designate the time and place at which
 13 sealed proposals shall be received and publicly opened and read,
 14 the amount of the cash or certified check, if any, which shall ac-
 15 company each bid and such other items as the **[office]** *contracting*
 16 *agency* may deem proper. The advertisement shall be made *by that*
 17 *contracting agency* pursuant to the procedure set forth in the law

18 governing State contracts, where this act is inconsistent with that
19 law.

1 9. Section 8 of P. L. 1983, c. 482 (C. 52:32-24) is amended to
2 read as follows:

3 8. *a.* The department **【may】** *shall* establish reasonable regula-
4 tions appropriate for controlling the **【qualifications】** *designation*
5 of prospective small business bidders **【according to the financial**
5A *ability and experience of the bidders and the capital and equipment*
6 *available to them pursuant to and reasonably related to the class*
7 *or category of work to be performed or materials and supplies to*
8 *be furnished or hired in the performance of any subcontract, and*
9 *may require each bidder to furnish a statement thereof. No qualifi-*
10 *cation rating of any bidder shall be influenced by his race, creed,*
11 *color, national origin, ancestry, age, marital status or sex, nor shall*
12 *undue preferences be created】*, *minority business bidders and fe-*
13 *male business bidders and shall maintain lists of designated busi-*
14 *nesses.*

15 *b. The department shall establish a procedure whereby busi-*
16 *nesses may request inclusion on appropriate lists for small busi-*
17 *nesses, minority businesses and female businesses.*

18 *c. The department shall establish a procedure for annually re-*
19 *viewing the lists and determining whether the businesses on the*
20 *lists shall continue to be designated as small businesses, minority*
21 *businesses and female businesses.*

22 *d. The department shall establish a procedure whereby the des-*
23 *ignation of a business as a small business, minority business or*
24 *female business may be challenged by a third party.*

25 *e. Any procedures established pursuant to subsections b., c., and*
26 *d., of this section shall include notice to the business whose desig-*
27 *nation is at issue and an opportunity for a hearing at the depart-*
28 *ment. The hearing shall not be considered a contested case under*
29 *the "Administrative Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1*
30 *et seq.).*

1 10. Section 9 of P. L. 1983, c. 482 (C. 52:32-25) is amended to
2 read as follows:

3 9. When a contract or portion thereof has been designated as
4 a **【small business】** set-aside, invitations for bids shall be confined
5 to **【small】** businesses *designated by the department as appropriate*
6 *for the set-aside* and bids from other bidders shall be rejected.
7 The purchase, contract or expenditure of funds shall be awarded
8 **【pursuant to section 7 of P. L. 1954, c. 48 (C. 52:34-12)】** among
9 the **【small】** businesses, considering formality with specifications
10 and terms, in accordance with **【regulations published by the de-**

11 department] *the statutes and rules governing purchases by the con-*
 12 *tracting agency.* The award shall be made with reasonable prompt-
 13 ness by the contracting agency with written notice to the [office]
 14 *department.*

1 11. Section 10 of P. L. 1983, c. 482 (C. 52:32-26) is amended
 2 to read as follows:

3 10. If the contracting agency determines that the acceptance of
 4 the lowest responsible bid *on a set-aside contract* will result *either*
 5 *in the payment of an unreasonable price or in a contract otherwise*
 6 *unacceptable pursuant to the statutes and rules governing pur-*
 7 *chases by that agency,* the contracting agency shall reject all bids
 8 and withdraw the designation of [small business] *the set-aside*
 9 *contracts.* [Small businesses] *Bidders* shall be notified [in writing]
 10 of the [small business] set-aside cancellation, the reasons for the
 11 rejection and the State's intent to resolicit bids on an unrestricted
 12 basis. The canceled solicitation shall not be counted as a set-aside
 13 for the purpose of attaining established set-aside goals. *Except in*
 14 *cases of emergency, prior to the final award of the contract, the*
 15 *contracting agency shall provide an opportunity for a hearing on*
 16 *the reasons for the rejection of the set-aside designation. This*
 17 *hearing shall not be considered a contested case under the "Ad-*
 18 *ministrative Procedure Act," P. L. 1968, c. 410 (C. 52:14B-1 et*
 19 *seq.).*

1 12. Section 11 of P. L. 1983, c. 482 (C. 52:32-27) is amended
 2 to read as follows:

3 11. Each contracting agency shall submit an annual report to the
 4 [office] *department* according to [the] *a* schedule announced by
 5 the [office] *department.* This report shall include the following
 6 information:

7 a. The total dollar value and number of [set-aside] contracts
 8 awarded to small businesses, *minority businesses and female busi-*
 9 *nesses, including a separate accounting of any set-aside contracts,*
 10 and the percentage of the total State procurements by the con-
 11 tracting agency the figure of total dollar value and the number
 12 of set-asides reflects.

13 b. The types and sizes of businesses receiving set-aside awards
 14 and the nature of the purchases and contracts; and

15 c. The efforts made to publicize and promote the program.

16 The [office] *department* shall receive and analyze the reports
 17 submitted by the contracting agencies and, utilizing this data, sub-
 18 mit an annual report to the [Commissioner of the Department of
 19 Commerce and Economic Development and] the Governor *and the*

20 *Legislature* showing the progress being made toward the objec-
 21 tives and goals of this act during the preceding fiscal year.

1 13. Section 12 of P. L. 1983, c. 482 (C. 52:32-28) is amended
 2 to read as follows:

3 12. **【**The office shall monitor the development of bidders lists in
 4 each contracting department or agency within State government
 5 and shall provide guidance and expertise in the compilation and
 6 qualification of bidders for the bidders lists. All bidders shall meet
 7 the qualifications as “small business” as established in accordance
 8 with the Small Business Size Standards for Procurement of the
 9 New Jersey Office of Small Business Assistance in the Department
 10 of Commerce and Economic Development. The office shall review
 11 the lists annually with each contracting department to determine
 12 which of those businesses continue to qualify as small businesses.
 13 The department shall establish a procedure whereby the designa-
 14 tion of a business as a small business may be challenged by a third
 15 party. The procedure shall include proper notice and a hearing
 16 for all parties concerned before the bid is awarded.**】**

17 *Each contracting agency shall annually develop, in consultation*
 18 *with the department, a plan for achieving its small business, mi-*
 19 *nority business and female business goals.*

1 14. Section 14 of P. L. 1983, c. 482 (C. 52:32-30) is amended
 2 to read as follows:

3 14. **【A】** *Where the department determines that a business*
 4 **【which】** has been classified as a small business, *minority business*
 5 *or female business* on the basis of **【incorrect】** *false information*
 6 *knowingly* supplied by **【it】** *the business* and **【which】** has been
 7 awarded a contract to which it would not otherwise have been
 8 entitled under this act, *the department* shall:

9 a. **【Pay to the State】** *Assess the business* any difference be-
 10 tween the contract amount and what the State’s cost would have
 11 been if the contract had not been awarded in accordance with the
 12 provisions of this act:

13 b. In addition to the amount due under subsection a., **【be as-**
 14 **sessed】** *assess the business* a penalty in an amount of not more
 15 than 10% of the amount of the contract involved; **【and】**

16 c. **【Be】** *Order the business* ineligible to transact any business
 17 with the State for a period of not less than three months and not
 18 more than 24 months**【.】**; *and*

19 d. *Prior to any final determination, assessment or order under*
 20 *this section, afford the business an opportunity for a contested*
 21 *case hearing pursuant to P. L. 1968, c. 410 (C. 52:14B-1 et seq.).*

22 All payments to the State pursuant to subsection a. of this section

23 shall be deposited in the fund out of which the contract involved
24 was awarded. All payments to the State pursuant to subsection b.
25 of this section shall be deposited in the General State Fund.

1 ***15. There is appropriated to the Department of Commerce
2 and Economic Development the sum of \$150,000.00 from the Gen-
3 eral Fund for the purpose of enabling the department to carry
4 out its duties and responsibilities under with act.***

1 ***[15.]*** **16.*** This act shall take effect ***[immedi-
2 ately]*** **six months after the date of enactment***.

12 which of those businesses continue to qualify as small businesses.
 13 The department shall establish a procedure whereby the designa-
 14 tion of a business as a small business may be challenged by a third
 15 party. The procedure shall include proper notice and a hearing
 16 for all parties concerned before the bid is awarded.】

17 *Each contracting agency shall annually develop, in consultation*
 18 *with the department, a plan for achieving its small business, mi-*
 19 *nority business and female business goals.*

1 14. Section 14 of P. L. 1983, c. 482 (C. 52:32-30) is amended
 2 to read as follows:

3 14. 【A】 *Where the department determines that a business*
 4 *【which】 has been classified as a small business, minority business*
 5 *or female business on the basis of 【incorrect】 false information*
 6 *knowingly supplied by 【it】 the business and 【which】 has been*
 7 *awarded a contract to which it would not otherwise have been*
 8 *entitled under this act, the department shall:*

9 a. 【Pay to the State】 *Assess the business any difference be-*
 10 *tween the contract amount and what the State's cost would have*
 11 *been if the contract had not been awarded in accordance with the*
 12 *provisions of this act;*

13 b. In addition to the amount due under subsection a., 【be as-
 14 sessed】 *assess the business a penalty in an amount of not more*
 15 *than 10% of the amount of the contract involved; 【and】*

16 c. 【Be】 *Order the business ineligible to transact any business*
 17 *in this State for a period of not less than three months and not*
 18 *more than 24 months【.】; and*

19 d. *Prior to any final determination, assessment or order under*
 20 *this section, afford the business an opportunity for a contested*
 21 *case hearing pursuant to P. L. 1968, c. 410 (C. 52:14B-1 et seq.).*

22 All payments to the State pursuant to subsection a. of this section
 23 shall be deposited in the fund out of which the contract involved
 24 was awarded. All payments to the State pursuant to subsection b.
 25 of this section shall be deposited in the General State Fund.

1 15. This act shall take effect immediately.

STATEMENT

This bill establishes a set-aside program for small businesses,
 minority businesses and female businesses.

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO
SENATE, No. 1776

STATE OF NEW JERSEY

DATED: MAY 17, 1984

This bill establishes a set-aside program for small businesses, minority businesses and female businesses. It provides that State contracting agencies shall establish goals to award at least 15% of their contracts to small businesses, 15% to minority businesses and 10% to female businesses.

A small business set-aside program, in the Department of Commerce and Economic Development, is already in operation. This bill amends the existing law to provide for female business and minority business categories. The goals established shall be calculated independently of each other and any award can count only towards fulfilling one goal. In order to obtain these goals, contracting agencies shall, when necessary, set aside contracts, or portions of contracts, for which only small businesses, minority businesses or female businesses may bid.

The bill also provides that the Department of Commerce and Economic Development shall establish regulations controlling the designation of prospective small business, minority business and female business bidders and shall maintain lists of designated businesses.

ADOPTED

JUN 18 1984

R-25
6/13/84/rd/6/18/84

Senate Amendments

to

Senate Bill No. 1776

by Senator Lipman

Amend:

Page	Sec.	Line	
3	6	4	Omit "15%" insert "10%"
3	6	5	Omit "15%" insert "7%"
3	6	6	Omit "10%" insert "3%"
4	6	20	Omit "40%" insert "20%"

STATEMENT

This amendment reduces the set-aside program from 40% to 20% of the State's procurement contracts and provides for percentages of 10% for small businesses, 7% for minority businesses and 3% for female businesses.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

June 27, 1985

SENATE BILL NO. 1776 (2nd OCR)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1776 (2nd OCR) with my recommendations for reconsideration.

Senate Bill No. 1776 (2nd OCR) will amend the Small Business Set-Aside Act (P.L. 1983, c.482) to require State contracting agencies to establish goals of setting aside a certain percentage of their contracts for minority business enterprises (MBE's) and women's business enterprises (WBE's). Current law requires State contracting agencies to establish a set-aside goal of 15% of their contracts for small businesses (SBE's). Senate Bill No. 1776 (2nd OCR) will require State contracting agencies to establish additional set-aside goals of 7% for MBE's and 3% for WBE's.

I support the concept expressed within Senate Bill No. 1776 (2nd OCR). This bill will encourage the growth and competitiveness of MBE's and WBE's in the marketplace and will provide an opportunity for these businesses to establish favorable reputations in their areas of expertise. However, I must return the bill for amendment as it is deficient in three areas.

The terms "Office" and "Chief" must be amended to refer to the Office of Minority Business Enterprise (OMBE), Department of Commerce and Economic Development, and to the head of that office, when the terms are used in conjunction with the MBE set-aside program. Presently, the terms only refer to the Office of Small Business Assistance (OSBA), Department of Commerce and Economic Development, and to the head of that office. OMBE has the responsibility of qualifying businesses as MBE's and for establishing and coordinating programs to assist MBE's. Amending S-1776 (2nd OCR) in this manner will ensure that the appropriate office within the Department of Commerce and Economic Development will administer the MBE set-aside program.

I also recommend that Senate Bill No. 1776 (2nd OCR) be amended to insert an appropriation in the amount of \$150,000.00. The Department of Commerce and Economic Development advises that this sum is necessary to provide funding for the implementation of the MBE and WBE set-aside programs.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

2

Finally, I recommend that the effective date of this bill be amended from immediately to six months after the date of enactment. Delaying the effective date in this manner will enable the Department of Commerce and Economic Development to establish procedures and promulgate regulations to ensure that the MBE and WBE set-aside programs will function efficiently and effectively.

Accordingly, I return Senate Bill No. 1776 (2nd OCR) and recommend that it be amended as follows:

Page 1, Title, Line 8: Delete "and"

Page 1, Title, Line 9: After "act" insert ", and to make an appropriation"

Page 2, Section 4, Line 7: After "Assistance" insert "when used in conjunction with the small business and female business set-aside programs, or the Chief of the Office of Minority Business Enterprise when used in conjunction with the minority business set-aside program"

Page 2, Section 4, Line 11: After "Development" insert "when used in conjunction with the small business and female business set-aside programs, or the Office of Minority Business Enterprise when used in conjunction with the minority business set-aside program"

Page 3, Section 6, Line 6: Delete "minortiy" insert "minority"

Page 7, Section 14, After Line 25: Insert new section as follows:

"15. There is appropriated to the Department of Commerce and Economic Development the sum of \$150,000.00 from the General Fund for the purpose of enabling the Department to carry out its duties and responsibilities under this act."

Page 7, Section 15, Line 1: Delete "15" insert "16"

Page 7, Section 15, Line 1: Delete "immediately" insert "six months after the date of enactment"

Respectfully,
/s/ Thomas H. Kean
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards
Chief Counsel



977.901
G61

OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001
Contact: PAUL WOLCOTT
(609) 292-8956

TRENTON, N.J. 08625
Release: WED., DEC. 18, 1985

Governor Thomas H. Kean has signed three bills intended to enhance business opportunities for women and minority entrepreneurs.

The bills are S-1776, sponsored by State Senator Wynona M. Lipman, D-Essex, A-1824 and A-1828, both sponsored by Assemblyman Wayne R. Bryant, D-Camden. All were originally the subject of conditional vetoes.

"I'm proud to sign these bills, because they all reflect the policy I have been working to implement for the past four years --- a policy that provides opportunity for those who have the drive and spirit to develop and run their own businesses," Kean said. "I have long maintained that the real key to revitalizing our cities, and to bring minorities and women into the mainstream of our society and our economy is not handouts or support programs. It is the opportunity --- real and genuine opportunity --- to succeed.

"Small business is the backbone of our economy. With the enactment of these bills, we create new opportunities for men and women to start and succeed with their own businesses. The jobs, the pride and the successes these bills will help create will do more to strengthen the position of minorities and women than any government program," Kean said.

S-1776 amends the Small Business Set-Aside Act of 1983 by requiring State contracting agencies to establish goals of setting aside percentages of their contracts for minority business and women's business enterprises.

- more -

A-1824 allows a bank, bank holding company or savings banks to establish a subsidiary or originate loans or loan and technical assistance packages for purchase by the New Jersey Development Authority for Small, Minority and Women's Business Enterprises.

A-1828 creates the New Jersey Development Authority for Small, Minority and Women's Business Enterprises.

##

##

##

RECEIVED
NOV 22 1985

1985
THANK YOU