

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: No

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LAW/RWH

P.L.2013, CHAPTER 36, *approved March 27, 2013*
Senate, No. 1415 (*Second Reprint*)

1 AN ACT establishing a pilot program in the New Jersey Turnpike
2 Authority to aid military personnel in finding employment in the
3 construction industry ¹and supplementing P.L.1948, c.454
4 (C.27:23-1 et seq.)¹.

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

8
9 1. As used in this act:

10 ¹“Apprenticeable trade” means a trade or occupation eligible to

11 participate in an apprenticeship program.

12 “Apprenticeship program” shall have the meaning ascribed to

13 that term in section 3 of P.L.1993, c.268 (C.34:15E-3).¹

14 “Authority” means the New Jersey Turnpike Authority

15 established by section 3 of P.L.1948, c.454 (C.27:23-3) or its

16 successor.

17 ¹“Custom fabrication” shall have the meaning ascribed to that

18 term in section 2 of P.L.1963, c.150 (C.34:11-56.26).¹

19 “Helmets to Hardhats Program” means the program administered

20 by the ¹[non-profit Center for Military Recruitment, Assessment,

21 and Veterans Employment] New Jersey State Building and

22 Construction Trades Council¹ that connects National Guard,

23 Reserve, and transitioning active-duty military personnel with jobs

24 in the construction industry.

25 “Highway project” shall have the meaning ascribed to that term

26 in section 4 of P.L.1948, c.454 (C.27:23-4).

27 ¹“Labor hours” means work performed by a skilled or semi-

28 skilled laborer, mechanic, apprentice, or helper employed by any

29 contractor or subcontractor and engaged in the construction,

30 reconstruction, demolition, alteration, custom fabrication, repair

31 work, or maintenance work, including painting and decorating,

32 done under contract and paid for in whole, or in part, out of the

33 funds of a public body, except work performed under a

34 rehabilitation program.

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate floor amendments adopted October 25, 2012.

²Senate amendments adopted in accordance with Governor's recommendations February 7, 2013.

1 “Public body” shall have the meaning ascribed to that term in
2 section 2 of P.L.1963, c.150 (C.34:11-56.26).

3 “Work performed under a rehabilitation program” shall have the
4 meaning ascribed to that term in section 2 of P.L.1963, c.150
5 (C.34:11-56.26).

6 “Worker” shall have the meaning ascribed to that term in section
7 2 of P.L.1963, c.150 (C.34:11-56.26).¹

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9 2. ²a.² The authority shall establish a pilot program to aid
10 former military personnel in finding employment in the construction
11 industry. Notwithstanding the provisions of section 18 of P.L.1968,
12 c.461 (C.27:23-6.1) or any other law to the contrary, ‘pursuant to’¹
13 the pilot program ‘the authority’¹ shall require that for each highway
14 project constructed by the authority, contracts shall be awarded
15 such that not less than ‘five percent or more than’¹ 20 percent of the
16 projected labor hours per project are awarded to contractors
17 ‘[registered with] who employ workers from an apprenticeable
18 trade participating in’¹ the Helmets to Hardhats Program ‘as
19 certified by the New Jersey State Building and Construction Trades
20 Council. The authority shall provide that workers shall be paid not
21 less than the prevailing wage rate for the worker's craft or trade, as
22 determined by the Commissioner of Labor and Workforce
23 Development pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.)¹.

24 ²b. The authority shall develop goals to increase employment
25 opportunities for all veterans during the pilot program period,
26 including, but not limited to, goals for labor hours both in the
27 administrative and construction areas related to highway projects.²

28
29 3. The authority shall conduct the pilot program established
30 pursuant to section 2 of this act for a period of 18 months from the
31 effective date of this act.

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33 4. The authority shall evaluate the pilot program established
34 pursuant to section 2 of this act to determine what impact, if any,
35 the program had in connecting former military personnel with jobs
36 in the construction industry and on the cost of highway projects
37 constructed by the authority. ²The authority shall review its efforts
38 to comply with the goals established pursuant to subsection b. of
39 section 2 of this act and the impact of those goals on employment
40 opportunities for veterans.² The authority shall report the findings
41 of that evaluation to the Governor and, pursuant to section 2 of
42 P.L.1991, c.164 (C.52:14-19.1), to the Legislature, within 24
43 months after the effective date of this act.

44
45 5. This act shall take effect on the first day of the seventh
46 month next following enactment, but the authority may take such

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1 anticipatory administrative action in advance thereof as shall be
2 necessary for the implementation of this act.

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7 Establishes Helmets to Hardhats pilot program in New Jersey
8 Turnpike Authority.

SENATE, No. 1415

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 6, 2012

Sponsored by:

Senator JIM WHELAN

District 2 (Atlantic)

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

Co-Sponsored by:

Senator Norcross

SYNOPSIS

Establishes Helmets to Hardhats pilot program in New Jersey Turnpike Authority.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/26/2012)

1 AN ACT establishing a pilot program in the New Jersey Turnpike
2 Authority to aid military personnel in finding employment in the
3 construction industry.

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

7
8 1. As used in this act:

9 "Authority" means the New Jersey Turnpike Authority
10 established by section 3 of P.L.1948, c.454 (C.27:23-3) or its
11 successor.

12 "Helmets to Hardhats Program" means the program administered
13 by the non-profit Center for Military Recruitment, Assessment, and
14 Veterans Employment that connects National Guard, Reserve, and
15 transitioning active-duty military personnel with jobs in the
16 construction industry.

17 "Highway project" shall have the meaning ascribed to that term
18 in section 4 of P.L.1948, c.454 (C.27:23-4).

19
20 2. The authority shall establish a pilot program to aid former
21 military personnel in finding employment in the construction
22 industry. Notwithstanding the provisions of section 18 of P.L.1968,
23 c.461 (C.27:23-6.1) or any other law to the contrary, the pilot
24 program shall require that for each highway project constructed by
25 the authority, contracts shall be awarded such that not less than 20
26 percent of the projected labor hours per project are awarded to
27 contractors registered with the Helmets to Hardhats Program.

28
29 3. The authority shall conduct the pilot program established
30 pursuant to section 2 of this act for a period of 18 months from the
31 effective date of this act.

32
33 4. The authority shall evaluate the pilot program established
34 pursuant to section 2 of this act to determine what impact, if any,
35 the program had in connecting former military personnel with jobs
36 in the construction industry and on the cost of highway projects
37 constructed by the authority. The authority shall report the findings
38 of that evaluation to the Governor and, pursuant to section 2 of
39 P.L.1991, c.164 (C.52:14-19.1), to the Legislature, within 24
40 months after the effective date of this act.

41
42 5. This act shall take effect on the first day of the seventh
43 month next following enactment, but the authority may take such
44 anticipatory administrative action in advance thereof as shall be
45 necessary for the implementation of this act.

STATEMENT

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This bill requires the New Jersey Turnpike Authority (“authority”) to establish a pilot program to aid former military personnel in finding employment in the construction industry. The pilot program will require that for each highway project constructed by the authority, at least 20 percent of the projected labor hours are awarded to contractors registered with the Helmets to Hardhats Program.

The Helmets to Hardhats Program is a national program established in 2003 that connects National Guard, Reserve, and transitioning active-duty military members with quality career training and employment opportunities in the construction industry. The program is administered by the non-profit Center for Military Recruitment, Assessment, and Veterans Employment (CMRAVE). To participate in the program, employers must register with CMRAVE which approves employers for participation in the program. The employer must participate in proven apprenticeship training programs and seek to ensure that transitioning veterans are provided with wages and benefits that allow them to maintain an appropriate standard of living in the community where the position is located.

The bill directs the authority to conduct the pilot program for a period of 18 months and to evaluate the pilot program to determine what impact, if any, the program has in connecting former military personnel with jobs in the construction industry and on the cost of highway projects constructed by the authority. The authority is directed to report the findings of that evaluation to the Governor and the Legislature within 24 months after the bill’s effective date.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 1415

STATE OF NEW JERSEY

DATED: SEPTEMBER 20, 2012

The Senate Transportation Committee reports without recommendation Senate Bill No. 1415.

As reported, this bill requires the New Jersey Turnpike Authority (“authority”) to establish a pilot program to aid former military personnel in finding employment in the construction industry. The pilot program will require that for each highway project constructed by the authority, at least 20 percent of the projected labor hours are awarded to contractors registered with the Helmets to Hardhats Program.

The Helmets to Hardhats Program is a national program established in 2003 that connects National Guard, Reserve, and transitioning active-duty military members with quality career training and employment opportunities in the construction industry. The program is administered by the non-profit Center for Military Recruitment, Assessment, and Veterans Employment (CMRAVE). To participate in the program, employers must register with CMRAVE which approves employers for participation in the program.

The bill directs the authority to conduct the pilot program for a period of 18 months and to evaluate the pilot program to determine what impact, if any, the program has in connecting former military personnel with jobs in the construction industry and on the cost of highway projects constructed by the authority. The authority is directed to report the findings of that evaluation to the Governor and the Legislature within 24 months after the bill’s effective date.

STATEMENT TO
SENATE, No. 1415

with Senate Floor Amendments
(Proposed by Senator WHELAN)

ADOPTED: OCTOBER 25, 2012

These Senate floor amendments make the bill identical to Assembly Bill No. 2014, as amended and reported by the Assembly Military and Veterans' Affairs Committee on October 15, 2012.

The amendments provide definitions for certain industry terms of art and re-allocate the program from the non-profit Center for Military Recruitment, Assessment, and Veterans Employment to the New Jersey State Building and Construction Trades Council. The amendments require that contracts be awarded such that not less than five percent or more than 20 percent of the projected labor hours per project will be awarded to the contractors who employ workers from the Helmets to Hardhats program. The amendments also require compliance with the New Jersey Prevailing Wage Act.

ASSEMBLY, No. 2014

STATE OF NEW JERSEY

215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

Sponsored by:

Assemblyman TROY SINGLETON
District 7 (Burlington)
Assemblyman THOMAS P. GIBLIN
District 34 (Essex and Passaic)
Assemblyman DANIEL R. BENSON
District 14 (Mercer and Middlesex)
Assemblyman JOHN F. AMODEO
District 2 (Atlantic)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

Co-Sponsored by:

Assemblymen Wilson, Johnson, Assemblywoman Lampitt, Assemblymen DeAngelo, C.A.Brown, Assemblywomen Tucker, Gove and Assemblyman C.J.Brown

SYNOPSIS

Establishes Helmets to Hardhats pilot program in New Jersey Turnpike Authority.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/16/2012)

1 AN ACT establishing a pilot program in the New Jersey Turnpike
2 Authority to aid military personnel in finding employment in the
3 construction industry.
4

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

7
8 1. As used in this act:

9 "Authority" means the New Jersey Turnpike Authority
10 established by section 3 of P.L.1948, c.454 (C.27:23-3) or its
11 successor.

12 "Helmets to Hardhats Program" means the program administered
13 by the non-profit Center for Military Recruitment, Assessment, and
14 Veterans Employment that connects National Guard, Reserve, and
15 transitioning active-duty military personnel with jobs in the
16 construction industry.

17 "Highway project" shall have the meaning ascribed to that term
18 in section 4 of P.L.1948, c.454 (C.27:23-4).
19

20 2. The authority shall establish a pilot program to aid former
21 military personnel in finding employment in the construction
22 industry. Notwithstanding the provisions of section 18 of P.L.1968,
23 c.461 (C.27:23-6.1) or any other law to the contrary, the pilot
24 program shall require that for each highway project constructed by
25 the authority, contracts shall be awarded such that not less than 20
26 percent of the projected labor hours per project are awarded to
27 contractors registered with the Helmets to Hardhats Program.
28

29 3. The authority shall conduct the pilot program established
30 pursuant to section 2 of this act for a period of 18 months from the
31 effective date of this act.
32

33 4. The authority shall evaluate the pilot program established
34 pursuant to section 2 of this act to determine what impact, if any,
35 the program had in connecting former military personnel with jobs
36 in the construction industry and on the cost of highway projects
37 constructed by the authority. The authority shall report the findings
38 of that evaluation to the Governor and, pursuant to section 2 of
39 P.L.1991, c.164 (C.52:14-19.1), to the Legislature, within 24
40 months after the effective date of this act.
41

42 5. This act shall take effect on the first day of the seventh
43 month next following enactment, but the authority may take such
44 anticipatory administrative action in advance thereof as shall be
45 necessary for the implementation of this act.

1 STATEMENT

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3 This bill requires the New Jersey Turnpike Authority
4 (“authority”) to establish a pilot program to aid former military
5 personnel in finding employment in the construction industry. The
6 pilot program will require that for each highway project constructed
7 by the authority, at least 20 percent of the projected labor hours are
8 awarded to contractors registered with the Helmets to Hardhats
9 Program.

10 The Helmets to Hardhats Program is a national program
11 established in 2003 that connects National Guard, Reserve, and
12 transitioning active-duty military members with quality career
13 training and employment opportunities in the construction industry.
14 The program is administered by the non-profit Center for Military
15 Recruitment, Assessment, and Veterans Employment (CMRAVE).
16 To participate in the program, employers must register with
17 CMRAVE which approves employers for participation in the
18 program. The employer must participate in proven apprenticeship
19 training programs and seek to ensure that transitioning veterans are
20 provided with wages and benefits that allow them to maintain an
21 appropriate standard of living in the community where the position
22 is located.

23 The bill directs the authority to conduct the pilot program for a
24 period of 18 months and to evaluate the pilot program to determine
25 what impact, if any, the program has in connecting former military
26 personnel with jobs in the construction industry and on the cost of
27 highway projects constructed by the authority. The authority is
28 directed to report the findings of that evaluation to the Governor
29 and the Legislature within 24 months after the bill’s effective date.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2014

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 15, 2012

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 2014.

As amended, this bill requires the New Jersey Turnpike Authority to establish a pilot program to aid former military personnel in finding employment in the construction industry. The pilot program will require that for each highway project constructed by the authority, not less than five percent or more than 20 percent of the projected labor hours per project will be awarded to the contractors registered with the Helmets to Hardhats Program. The bill also requires compliance with the New Jersey Prevailing Wage Act.

The Helmets to Hardhats Program is a national program established in 2003 that connects National Guard, Reserve, and transitioning active-duty military members with quality career training and employment opportunities in the construction industry. The program will be administered by the New Jersey State Building and Construction Trades Council. To participate in the program, employers must register with the council, which approves employers for participation in the program. The employer must participate in proven apprenticeship training programs and seek to ensure that transitioning veterans are provided with wages and benefits that allow them to maintain an appropriate standard of living in the community where the position is located.

The bill directs the authority to conduct the pilot program for a period of 18 months and to evaluate the pilot program to determine what impact, if any, the program has in connecting former military personnel with jobs in the construction industry and on the cost of highway projects constructed by the authority. The authority is directed to report the findings of that evaluation to the Governor and the Legislature within 24 months after the bill's effective date.

COMMITTEE AMENDMENTS

The committee amended the bill to provide definitions for certain trade language and to move the program from the non-profit Center for Military Recruitment, Assessment, and Veterans Employment to the New Jersey State Building and Construction Trades Council. The amendments also required that contracts would be awarded such that not less than five percent or more than 20 percent of the projected labor hours per project will be awarded to the contractors who employ workers from the Helmets to Hardhats program. The amendments also required compliance with the New Jersey Prevailing Wage Act.

SENATE BILL NO. 1415
(First Reprint)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1415 (First Reprint) with my recommendations for reconsideration.

This bill would establish a New Jersey Turnpike Authority (the "Authority") pilot program to aid former military personnel in finding employment in the construction industry. The bill would require that, for each highway project constructed by the Authority during the pilot program, not less than five percent or more than 20 percent of the projected labor hours per project must be awarded to the contractors registered with the Helmets to Hardhats Program.

I commend the sponsors for their efforts to increase economic opportunities for the veterans who have honorably served our State and our Nation. My administration remains committed to ensuring that veterans continue to play a key role in all aspects of New Jersey's growth and expansion, with particular emphasis on adding veterans to New Jersey's economic recovery. The Helmets to Hardhats program is a valuable resource that provides opportunities for quality career training and employment opportunities in the construction industry for our veterans. My administration has supported the State Helmets to Hardhats Program through grants from the Department of Labor and Workforce Development.

While I support the pilot program the bill would establish, I am concerned that in its current form the bill does not go far enough to ensure that veterans are given every opportunity to pursue meaningful employment with the State. Significantly, the bill as currently drafted does not directly increase veteran employment, and may actually have the unintended consequence of limiting veteran opportunities. Whether on the job building our

State's highways, or in the office of a State contractor, we should make every effort to help transition our Nation's heroes into our Country's workers. Therefore, I am recommending that the bill be amended to require that the Authority establish benchmarks for veteran hiring and retention by all contractors working with the Authority, as well as attainable targets for veteran Helmet to Hardhats participant labor hours for each highway project constructed by the Authority during the pilot program.

Let me take this opportunity to once again thank our veterans for their service to New Jersey and the Nation and reaffirm my commitment to assisting veterans as they transition back to civilian life.

I herewith return Senate Bill No. 1415 (First Reprint) and recommend that it be amended as follows:

Page 2, Section 2, Line 43:

After "2." Insert "a."

Page 3, Section 2, Line 13:

After "(C.34:11-56.25 et seq.)." insert "b. The authority shall develop goals to increase employment opportunities for all veterans during the pilot program period, including, but not limited to, goals for labor hours both in the administrative and construction areas related to highway projects."

Page 3, Section 4, Line 23:

After "the authority." insert "The authority shall review its efforts to comply with the goals established pursuant to subsection b. of section 2 of this act and the impact of those goals on employment opportunities for veterans."

Respectfully,

/s/Chris Christie

[seal]

Governor

Attest:

/s/Charles B. McKenna

Chief Counsel to the Governor