

52:38-7
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 76

NJSA: 52:38-7 (Authorizes political subdivisions to set aside 0.5 percent of public works funds to recruit and train women and minorities and promote local hiring.)

BILL NO: S368 (Substituted for A4817)

SPONSOR(S) Ronald L. Rice and others

DATE INTRODUCED: 1/9/2018

COMMITTEE: **ASSEMBLY:** Labor

SENATE: Community & Urban Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 3/25/2019

SENATE: 4/12/2018

DATE OF APPROVAL: 5/2/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced bill enacted) Yes

S368

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4817

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Gov. Murphy signs bills to recruit women and minorities, require colleges to develop open textbook plan
NJBIZ (New Brunswick, NJ) - May 2, 2019

Also of possible interest to researchers:

Committee meeting of Joint Committee on Economic Justice and Equal Employment Opportunity : the Committee will meet to organize and elect co-chairs; the Committee will hear testimony regarding the implementation of P.L.2009, c.313 (C.52:38-7) and other laws and policies designed to foster opportunities for women and minority group members to advance in the construction industry
[December 11, 2018, Trenton, New Jersey]
Call number: 974.90 L123, 2018f
Available online at <http://hdl.handle.net/10929/50410>

Committee meeting of Joint Committee on Economic Justice and Equal Employment Opportunity : the Committee will hear testimony from invited guests updating the Committee on the State's efforts in fostering opportunities to advance women and minority group members in business
[November 12, 2019, Trenton, New Jersey]
Call number: 974.90 E19, 2019g
Online at: <http://hdl.handle.net/10929/56120>

RWH/JA

P.L. 2019, CHAPTER 76, *approved May 2, 2019*

Senate, No. 368

1 **AN ACT** permitting political subdivisions to set aside funds from
2 public works contracts for programs to recruit and train women
3 and minority group members and promote employment of local
4 residents, and amending P.L.2009, c.313.

5

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

8

9 1. Section 1 of P.L.2009, c.313 (C.52:38-7) is amended to read
10 as follows:

11 1. a. Notwithstanding the provisions of any law or regulation
12 to the contrary, upon entering into any public works contract in
13 excess of \$1,000,000 which is funded, in whole or in part, by funds
14 of a public body, or any public works contract of any size which is
15 funded, in whole or in part, by funds provided to the public body
16 pursuant to the "American Recovery and Reinvestment Act of
17 2009," Pub.L.111-5, the public body entering into the contract shall
18 transfer an amount equal to one half of one percent of the portion of
19 the contract amount funded by funds of the public body, or provided
20 to the public body pursuant to the "American Recovery and
21 Reinvestment Act of 2009," Pub.L.111-5, to the Department of
22 Labor and Workforce Development, except that any Statewide
23 authority which enters into the contract and administers a program
24 which meets the requirements of this section may retain all or a
25 portion of the one half of one percent share of the funds under the
26 contract as is necessary for the operation of the program, but shall
27 transfer to the department any portion of the funds not necessary for
28 the program, and except that funds shall not be transferred or
29 retained pursuant to this section if the transfer or retaining of the
30 funds is contrary to any federal requirement and may result in the
31 loss of federal funds. For a project in which federal and State funds
32 are combined, the entire amount may be transferred or retained
33 from the State portion of the funds if doing so is necessary to
34 prevent any loss of federal funds. A political subdivision may elect,
35 but is not required, to transfer to the department or retain, for any
36 one or more of the purposes indicated in subsection b. of this
37 section or for the purpose of providing incentives or otherwise
38 facilitating a local hiring and employment program, an amount
39 equal to one half of one percent of the portion of any public work
40 contract of the political subdivision.

41 b. The department, political subdivision, or authority shall use
42 the transferred or retained funds to provide on-the-job or off-the-job
43 outreach and training programs for minority group members 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 underlined thus is new matter.

1 women in construction trade occupations or other occupations,
2 including engineering and management occupations, utilized in the
3 performance of public works contracts. The programs funded
4 pursuant to this subsection, shall include, but not be limited to,
5 programs preparing minority group members and women for
6 admission into registered apprenticeships with opportunities for
7 long-term employment in construction trades providing economic
8 self-sufficiency for the minority group members and women, with
9 priority given, with respect to the funds from a contract used for
10 apprenticeship programs or apprenticeship-related programs, to
11 trades utilized in that contract, and shall include programs providing
12 supportive services to help facilitate successful completion of any
13 apprenticeship or other training assisted pursuant to this section.
14 The department, political subdivision, or authority shall use funds
15 transferred or retained pursuant to this section to provide grants to
16 implement such programs to consortia which include those
17 community-based organizations, faith-based organizations, labor
18 organizations, employers, contractors and trade organizations,
19 institutions of higher education, and schools and other local public
20 agencies which the department, political subdivision, or authority
21 determines are best able to facilitate entry and success of minority
22 group members and women into training and long-term trade and
23 professional employment in the construction industry, and may use
24 a portion of the funds for initiatives to prepare minority group
25 members and women for registered apprenticeship programs and
26 related post-secondary education, such as grants to consortia
27 provided pursuant to the "Youth Transitions to Work Partnership
28 Act," P.L.1993, c. 268 (C.34:15E-1 et seq.), and for initiatives, such
29 as those of the NJ PLACE program established pursuant to
30 P.L.2009, c.200 (C.34:15D-24 et al.), to facilitate the coordination
31 and articulation of registered apprenticeship programs with degree
32 programs in institutions of higher education, including initiatives to
33 articulate programs in a manner which may assist in providing
34 transitions from trade occupations to professional occupations
35 utilized in the construction industry. The department, political
36 subdivision, or authority shall seek agreements and commitments
37 from grant participants to provide long-term employment to
38 successful applicants and trainees where possible. The department,
39 political subdivision, or authority shall be reimbursed from the
40 transferred or retained funds for any reasonable and necessary costs
41 incurred by the department, political subdivision, or authority in
42 administering those programs.

43 c. The Department of the Treasury, and the Division of
44 Contract Compliance and Equal Employment Opportunities in
45 Public Contracts in that department, shall provide, and make
46 available to the public on the Internet, an annual report, not later
47 than December 31 of 2010 and each year after that year, which shall
48 list all public works contracts subject to this act and report, for each
49 public works contract, the percentage and amount of funds withheld

1 and provided to programs funded pursuant to this section and the
2 numbers and percentages of apprentices and other workers under
3 each contract who are of minority group members and women. The
4 Department of Labor and Workforce Development shall, not later
5 than December 31 of 2010 and each year after that year, provide an
6 annual report, which shall also be made available to the public on
7 the Internet, on all of the programs funded pursuant to this section,
8 which shall include, for each program, data regarding the
9 performance results of minority group members and women
10 participating in the programs, including outcome measures detailing
11 employment placement, increased earnings and employment
12 retention, as those terms are used in the federal Workforce
13 Investment Act of 1998, Pub.L.105-220 (29 U.S.C. s.2801 et seq.),
14 and shall include data regarding enrollment into registered
15 apprentice programs and results regarding their retention in long-
16 term employment. Public bodies and political subdivisions entering
17 into public works contracts subject to the provisions of this section,
18 including Statewide authorities, and the Department of the Treasury
19 shall provide such information to the Department of Labor and
20 Workforce Development and the Department of the Treasury as the
21 departments deem necessary for the purposes of this section.

22 d. For the purposes of this section: “political subdivision”
23 means any county, municipality, school district or other political
24 subdivision of the State of New Jersey or any instrumentality or
25 agency of the political subdivision; "public body" means the State
26 of New Jersey, **【any of its political subdivisions,】** any authority
27 created by the Legislature of the State of New Jersey and any
28 instrumentality or agency, but not any political subdivision, of the
29 State of New Jersey **【or of any of its political subdivisions】**; "public
30 works contract" means public works contract as defined in section 1
31 of P.L.1975, c.127 (C.10:5-31); "registered apprenticeship" means
32 apprenticeship in a program providing to each trainee combined
33 classroom and on-the-job training under the direct and close
34 supervision of a highly skilled worker in an occupation recognized
35 as an apprenticeable trade, and registered by the Office of
36 Apprenticeship of the United States Department of Labor and
37 meeting the standards established by that office; and "Statewide
38 authority" means any authority created by the Legislature which is
39 authorized by law to enter into contracts for construction at
40 locations throughout the State.

41 (cf: P.L.2009, c.313, s.1)

42

43 2. This act shall take effect immediately.

44

45

46 _____
47 Authorizes political subdivisions to set aside 0.5 percent of
48 public works funds to recruit and train women and minorities and
promote local hiring.

SENATE, No. 368

STATE OF NEW JERSEY
218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

SYNOPSIS

Authorizes political subdivisions to set aside 0.5 percent of public works funds to recruit and train women and minorities and promote local hiring.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S368 RICE

2

1 AN ACT permitting political subdivisions to set aside funds from
2 public works contracts for programs to recruit and train women
3 and minority group members and promote employment of local
4 residents, and amending P.L.2009, c.313.

5

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

8

9 1. Section 1 of P.L.2009, c.313 (C.52:38-7) is amended to read
10 as follows:

11 1. a. Notwithstanding the provisions of any law or regulation
12 to the contrary, upon entering into any public works contract in
13 excess of \$1,000,000 which is funded, in whole or in part, by funds
14 of a public body, or any public works contract of any size which is
15 funded, in whole or in part, by funds provided to the public body
16 pursuant to the "American Recovery and Reinvestment Act of
17 2009," Pub.L.111-5, the public body entering into the contract shall
18 transfer an amount equal to one half of one percent (0.5%) of the
19 portion of the contract amount funded by funds of the public body,
20 or provided to the public body pursuant to the "American Recovery
21 and Reinvestment Act of 2009," Pub.L.111-5, to the Department of
22 Labor and Workforce Development, except that any Statewide
23 authority which enters into the contract and administers a program
24 which meets the requirements of this section may retain all or a
25 portion of the 0.5% share of the funds under the contract as is
26 necessary for the operation of the program, but shall transfer to the
27 department any portion of the funds not necessary for the program,
28 and except that funds shall not be transferred or retained pursuant to
29 this section if the transfer or retaining of the funds is contrary to
30 any federal requirement and may result in the loss of federal funds.
31 For a project in which federal and State funds are combined, the
32 entire amount may be transferred or retained from the State portion
33 of the funds if doing so is necessary to prevent any loss of federal
34 funds. A political subdivision may elect, but is not required, to
35 transfer to the department or retain, for any one or more of the
36 purposes indicated in subsection b. of this section or for the purpose
37 of providing incentives or otherwise facilitating a local hiring and
38 employment program, an amount equal to one half of one percent
39 (0.5%) of the portion of any public work contract of the political
40 subdivision.

41 b. The department, political subdivision, or authority shall use
42 the transferred or retained funds to provide on-the-job or off-the-job
43 outreach and training programs for minority group members and
44 women in construction trade occupations or other occupations,
45 including engineering and management occupations, utilized in the

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.

1 performance of public works contracts. The programs funded
2 pursuant to this subsection, shall include, but not be limited to,
3 programs preparing minority group members and women for
4 admission into registered apprenticeships with opportunities for
5 long-term employment in construction trades providing economic
6 self-sufficiency for the minority group members and women, with
7 priority given, with respect to the funds from a contract used for
8 apprenticeship programs or apprenticeship-related programs, to
9 trades utilized in that contract, and shall include programs providing
10 supportive services to help facilitate successful completion of any
11 apprenticeship or other training assisted pursuant to this section.
12 The department, political subdivision, or authority shall use funds
13 transferred or retained pursuant to this section to provide grants to
14 implement such programs to consortia which include those
15 community-based organizations, faith-based organizations, labor
16 organizations, employers, contractors and trade organizations,
17 institutions of higher education, and schools and other local public
18 agencies which the department, political subdivision, or authority
19 determines are best able to facilitate entry and success of minority
20 group members and women into training and long-term trade and
21 professional employment in the construction industry, and may use
22 a portion of the funds for initiatives to prepare minority group
23 members and women for registered apprenticeship programs and
24 related post-secondary education, such as grants to consortia
25 provided pursuant to the "Youth Transitions to Work Partnership
26 Act," P.L.1993, c. 268 (C.34:15E-1 et seq.), and for initiatives, such
27 as those of the NJ PLACE program established pursuant to
28 P.L.2009, c.200 (C.34:15D-24 et al.), to facilitate the coordination
29 and articulation of registered apprenticeship programs with degree
30 programs in institutions of higher education, including initiatives to
31 articulate programs in a manner which may assist in providing
32 transitions from trade occupations to professional occupations
33 utilized in the construction industry. The department, political
34 subdivision, or authority shall seek agreements and commitments
35 from grant participants to provide long-term employment to
36 successful applicants and trainees where possible. The department,
37 political subdivision, or authority shall be reimbursed from the
38 transferred or retained funds for any reasonable and necessary costs
39 incurred by the department, political subdivision, or authority in
40 administering those programs.

41 c. The Department of the Treasury, and the Division of
42 Contract Compliance and Equal Employment Opportunities in
43 Public Contracts in that department, shall provide, and make
44 available to the public on the Internet, an annual report, not later
45 than December 31 of 2010 and each year after that year, which shall
46 list all public works contracts subject to this act and report, for each
47 public works contract, the percentage and amount of funds withheld
48 and provided to programs funded pursuant to this section and the

1 numbers and percentages of apprentices and other workers under
2 each contract who are of minority group members and women. The
3 Department of Labor and Workforce Development shall, not later
4 than December 31 of 2010 and each year after that year, provide an
5 annual report, which shall also be made available to the public on
6 the Internet, on all of the programs funded pursuant to this section,
7 which shall include, for each program, data regarding the
8 performance results of minority group members and women
9 participating in the programs, including outcome measures detailing
10 employment placement, increased earnings and employment
11 retention, as those terms are used in the federal Workforce
12 Investment Act of 1998, Pub.L.105-220 (29 U.S.C. s.2801 et seq.),
13 and shall include data regarding enrollment into registered
14 apprentice programs and results regarding their retention in long-
15 term employment. Public bodies and political subdivisions entering
16 into public works contracts subject to the provisions of this section,
17 including Statewide authorities, and the Department of the Treasury
18 shall provide such information to the Department of Labor and
19 Workforce Development and the Department of the Treasury as the
20 departments deem necessary for the purposes of this section.

21 d. For the purposes of this section: “political subdivision”
22 means any county, municipality, school district or other political
23 subdivision of the State of New Jersey or any instrumentality or
24 agency of the political subdivision; "public body" means the State
25 of New Jersey, **【any of its political subdivisions,】** any authority
26 created by the Legislature of the State of New Jersey and any
27 instrumentality or agency, but not any political subdivision, of the
28 State of New Jersey **【or of any of its political subdivisions】**; "public
29 works contract" means public works contract as defined in section 1
30 of P.L.1975, c.127 (C.10:5-31); "registered apprenticeship" means
31 apprenticeship in a program providing to each trainee combined
32 classroom and on-the-job training under the direct and close
33 supervision of a highly skilled worker in an occupation recognized
34 as an apprenticeable trade, and registered by the Office of
35 Apprenticeship of the United States Department of Labor and
36 meeting the standards established by that office; and "Statewide
37 authority" means any authority created by the Legislature which is
38 authorized by law to enter into contracts for construction at
39 locations throughout the State.

40 (cf: P.L.2009, c.313, s.1)

41

42 2. This act shall take effect immediately.

43

44

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STATEMENT

46

47 This bill amends section 1 of P.L.2009, c.313 (C.52:38-7) to
48 provide that any political subdivision of the State, including a

S368 RICE

1 school district, may elect, but is not required, to transfer to the
2 Department of Labor and Workforce Development, or retain, an
3 amount equal to one half of one percent (0.5%) of the portion of
4 any public work contract of the political subdivision for the
5 recruitment and training of women and minorities in the
6 construction industry or for the purpose of providing incentives or
7 otherwise facilitating a local hiring and employment program.

8 That law currently requires the set-aside of 0.5% of the value of
9 public work contracts of the State and State authorities for the
10 recruitment and training of women and minorities in the
11 construction industry. This bill extends to political subdivisions the
12 authority to set aside 0.5% of the value of their public works
13 contracts for such recruitment and training programs and other
14 programs to promote local hiring in public works, but gives the
15 political subdivisions full discretion whether or not to have the set-
16 asides and programs.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

SENATE, No. 368

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 2019

The Assembly Labor Committee reports favorably Senate Bill No. 368.

This bill amends section 1 of P.L.2009, c.313 (C.52:38-7) to provide that any political subdivision of the State, including a school district, may elect to retain or transfer to the Department of Labor and Workforce Development an amount equal to one half of one percent of the portion of any public work contract of the political subdivision for the: (1) recruitment and training of women and minorities in the construction industry; or (2) purpose of providing incentives or otherwise facilitating a local hiring and employment program.

Current law provides a set-aside of one half of one percent of the value of public work contracts of the State and State authorities, to be used for the recruitment and training of women and minorities in the construction industry. This bill provides political subdivisions with the authority to use a portion of local public work contracts for a similar purpose. However, the provisions of the bill are elective. Accordingly, political subdivisions would have discretion to implement set-asides and programs, but would not be required to do so.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 368

STATE OF NEW JERSEY

DATED: MARCH 26, 2018

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 368.

This bill amends section 1 of P.L.2009, c.313 (C.52:38-7) to provide that any political subdivision of the State, including a school district, may elect to retain or transfer to the Department of Labor and Workforce Development an amount equal to one half of one percent of the portion of any public work contract of the political subdivision for the: (1) recruitment and training of women and minorities in the construction industry; or (2) purpose of providing incentives or otherwise facilitating a local hiring and employment program.

Current law provides a set-aside of one half of one percent of the value of public work contracts of the State and State authorities, to be used for the recruitment and training of women and minorities in the construction industry. This bill provides political subdivisions with the authority to use a portion of local public work contracts for a similar purpose. However, the provisions of the bill are elective. Accordingly, political subdivisions would have discretion to implement set-asides and programs, but would not be required to do so.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY, No. 4817

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 17, 2018

Sponsored by:

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Tully, DeAngelo, Assemblywomen Murphy, Downey, McKnight, Assemblyman Conaway, Assemblywoman Mosquera, Assemblyman McKeon and Assemblywoman Jasey

SYNOPSIS

Authorizes political subdivisions to set aside 0.5 percent of public works funds to recruit and train women and minorities and promote local hiring.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/26/2019)

1 AN ACT permitting political subdivisions to set aside funds from
2 public works contracts for programs to recruit and train women
3 and minority group members and promote employment of local
4 residents, and amending P.L.2009, c.313.

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

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9 1. Section 1 of P.L.2009, c.313 (C.52:38-7) is amended to read
10 as follows:

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12 to the contrary, upon entering into any public works contract in
13 excess of \$1,000,000 which is funded, in whole or in part, by funds
14 of a public body, or any public works contract of any size which is
15 funded, in whole or in part, by funds provided to the public body
16 pursuant to the "American Recovery and Reinvestment Act of
17 2009," Pub.L.111-5, the public body entering into the contract shall
18 transfer an amount equal to one half of one percent (0.5%) of the
19 portion of the contract amount funded by funds of the public body,
20 or provided to the public body pursuant to the "American Recovery
21 and Reinvestment Act of 2009," Pub.L.111-5, to the Department of
22 Labor and Workforce Development, except that any Statewide
23 authority which enters into the contract and administers a program
24 which meets the requirements of this section may retain all or a
25 portion of the 0.5% share of the funds under the contract as is
26 necessary for the operation of the program, but shall transfer to the
27 department any portion of the funds not necessary for the program,
28 and except that funds shall not be transferred or retained pursuant to
29 this section if the transfer or retaining of the funds is contrary to
30 any federal requirement and may result in the loss of federal funds.
31 For a project in which federal and State funds are combined, the
32 entire amount may be transferred or retained from the State portion
33 of the funds if doing so is necessary to prevent any loss of federal
34 funds. A political subdivision may elect, but is not required, to
35 transfer to the department or retain, for any one or more of the
36 purposes indicated in subsection b. of this section or for the purpose
37 of providing incentives or otherwise facilitating a local hiring and
38 employment program, an amount equal to one half of one percent
39 (0.5%) of the portion of any public work contract of the political
40 subdivision.

41 b. The department, political subdivision, or authority shall use
42 the transferred or retained funds to provide on-the-job or off-the-job
43 outreach and training programs for minority group members and
44 women in construction trade occupations or other occupations,
45 including engineering and management occupations, utilized in the

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2 pursuant to this subsection, shall include, but not be limited to,
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5 long-term employment in construction trades providing economic
6 self-sufficiency for the minority group members and women, with
7 priority given, with respect to the funds from a contract used for
8 apprenticeship programs or apprenticeship-related programs, to
9 trades utilized in that contract, and shall include programs providing
10 supportive services to help facilitate successful completion of any
11 apprenticeship or other training assisted pursuant to this section.
12 The department, political subdivision, or authority shall use funds
13 transferred or retained pursuant to this section to provide grants to
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15 community-based organizations, faith-based organizations, labor
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21 professional employment in the construction industry, and may use
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25 provided pursuant to the "Youth Transitions to Work Partnership
26 Act," P.L.1993, c. 268 (C.34:15E-1 et seq.), and for initiatives, such
27 as those of the NJ PLACE program established pursuant to
28 P.L.2009, c.200 (C.34:15D-24 et al.), to facilitate the coordination
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40 administering those programs.

41 c. The Department of the Treasury, and the Division of
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44 available to the public on the Internet, an annual report, not later
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46 list all public works contracts subject to this act and report, for each
47 public works contract, the percentage and amount of funds withheld
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4 than December 31 of 2010 and each year after that year, provide an
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11 retention, as those terms are used in the federal Workforce
12 Investment Act of 1998, Pub.L.105-220 (29 U.S.C. s.2801 et seq.),
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17 including Statewide authorities, and the Department of the Treasury
18 shall provide such information to the Department of Labor and
19 Workforce Development and the Department of the Treasury as the
20 departments deem necessary for the purposes of this section.

21 d. For the purposes of this section: “political subdivision”
22 means any county, municipality, school district or other political
23 subdivision of the State of New Jersey or any instrumentality or
24 agency of the political subdivision; "public body" means the State
25 of New Jersey, **【**any of its political subdivisions,**】** any authority
26 created by the Legislature of the State of New Jersey and any
27 instrumentality or agency, but not any political subdivision, of the
28 State of New Jersey **【**or of any of its political subdivisions**】**; "public
29 works contract" means public works contract as defined in section 1
30 of P.L.1975, c.127 (C.10:5-31); "registered apprenticeship" means
31 apprenticeship in a program providing to each trainee combined
32 classroom and on-the-job training under the direct and close
33 supervision of a highly skilled worker in an occupation recognized
34 as an apprenticeable trade, and registered by the Office of
35 Apprenticeship of the United States Department of Labor and
36 meeting the standards established by that office; and "Statewide
37 authority" means any authority created by the Legislature which is
38 authorized by law to enter into contracts for construction at
39 locations throughout the State.

40 (cf: P.L.2009, c.313, s.1)

41

42 2. This act shall take effect immediately.

43

44

45

STATEMENT

46

47 This bill amends section 1 of P.L.2009, c.313 (C.52:38-7) to
48 provide that any political subdivision of the State, including a

1 school district, may elect, but is not required, to transfer to the
2 Department of Labor and Workforce Development, or retain, an
3 amount equal to one half of one percent (0.5%) of the portion of
4 any public work contract of the political subdivision for the
5 recruitment and training of women and minorities in the
6 construction industry or for the purpose of providing incentives or
7 otherwise facilitating a local hiring and employment program.

8 That law currently requires the set-aside of 0.5% of the value of
9 public work contracts of the State and State authorities for the
10 recruitment and training of women and minorities in the
11 construction industry. This bill extends to political subdivisions the
12 authority to set aside 0.5% of the value of their public works
13 contracts for such recruitment and training programs and other
14 programs to promote local hiring in public works, but gives the
15 political subdivisions full discretion whether or not to have the set-
16 asides and programs.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4817

STATE OF NEW JERSEY

DATED: FEBRUARY 14, 2019

The Assembly Labor Committee reports favorably Assembly Bill No. 4817.

This bill amends section 1 of P.L.2009, c.313 (C.52:38-7) to provide that any political subdivision of the State, including a school district, may elect to retain or transfer to the Department of Labor and Workforce Development an amount equal to one half of one percent of the portion of any public work contract of the political subdivision for the: (1) recruitment and training of women and minorities in the construction industry; or (2) purpose of providing incentives or otherwise facilitating a local hiring and employment program.

Current law provides a set-aside of one half of one percent of the value of public work contracts of the State and State authorities, to be used for the recruitment and training of women and minorities in the construction industry. This bill provides political subdivisions with the authority to use a portion of local public work contracts for a similar purpose. However, the provisions of the bill are elective. Accordingly, political subdivisions would have discretion to implement set-asides and programs, but would not be required to do so.



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Newark, N.J.

Governor Murphy Takes Action on Legislation

05/2/2019

Trenton – Today, Governor Phil Murphy signed the following bills into law:

S368 (Rice, Turner/Verrelli, Reynolds-Jackson, Swain) – Authorizes political subdivisions to set aside 0.5 percent of public works funds to recruit and train women and minorities and promote local hiring.

S768 (Cunningham, Cruz-Perez/Pinkin, Jasey, DeAngelo, Danielsen, Wimberly, McKnight, Taliaferro) – Requires institutions of higher education to develop open textbook plan.

S1857 (Turner, Diegnan/Pinkin, Jasey, Karabinchak, Holley) – Designates Thomas Alva Edison as State Inventor.

A4897 (Lopez, Benson/O’Scanlon, Singleton) – Permits 20 year ferry boat local public contracts; permits 50 year local public contracts for certain capital improvements and extends prevailing wage requirements to certain work performed under those contracts.

A5159 (Reynolds-Jackson, Verrelli, Karabinchak/Diegnan, Greenstein) – Permits county commissioner of registration and board of elections to use electronic poll books

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