

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

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](tel:6092782640))

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/JA

Title 52.
Subtitle 5.
Chapter 39A.
(New)
Development
Projects
§§1-5 -
C.52:39A-1 to
52:39A-5

P.L. 2019, CHAPTER 438, *approved January 21, 2020*
Senate, No. 3923 (*First Reprint*)

1 **AN ACT** regarding labor harmony agreements in connection with
2 hospitality projects, and supplementing Title 52 of the Revised
3 Statutes.

4

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

7

8 1. The Legislature hereby finds and declares that:

9 a. the State, through its investment in development projects has
10 a significant and ongoing economic interest in the financial viability
11 and competitiveness of those projects;

12 b. development projects that include hospitality establishments
13 provide essential services and jobs for local residents, stimulate
14 local economies, are a vital economic engine that provides revenue
15 for our communities and promotes vibrant downtowns and financial
16 stability, and have a direct impact on the reputation of New Jersey
17 as a viable tourism market;

18 c. there are labor organizations in New Jersey that currently
19 represent thousands of hospitality workers, and actively engage in
20 organizing activities to unionize additional hospitality
21 establishments in the State which may include strikes, pickets,
22 boycotts, and other economic activity during labor disputes;

23 d. New Jersey and other public bodies in the State have a
24 compelling interest in preventing disruptive labor disputes in
25 connection with projects in which the public bodies have
26 proprietary interests as investors, owners or financiers; and

27 e. labor harmony agreements make possible legally enforceable
28 guarantees that projects will be carried out in an orderly and timely
29 manner, without strikes, lock-outs, or slowdowns, thus protecting
30 the State's interest in these projects by promoting harmonious and
31 productive work environments.

32

33 2. As used in this act:

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 SLA committee amendments adopted June 17, 2019.

1 "Contractor" means a business entering into a contract or
2 agreement to undertake a covered hospitality project, or to serve as
3 the owner or operator of any facility, including but not limited to a
4 hospitality establishment that is part of a covered hospitality
5 project, or to provide services integral to the operations of the
6 covered hospitality project or the facilities.

7 "Commissioner" means the Commissioner of Labor and
8 Workforce Development.

9 "Covered hospitality project" or "covered project" means a
10 project undertaken pursuant to an agreement entered into after the
11 effective date of this act between a public body and a contractor in
12 which:

13 (1) one or more hospitality establishments are part of the
14 project;

15 (2) the public body has a proprietary interest in the project or in
16 a hospitality establishment in the project; and

17 (3) the project includes not less than one hospitality
18 establishment which will have more than 10 employees.

19 "Labor harmony agreement" means an agreement between a
20 contractor and one or more labor organizations which represent
21 hospitality employees, which requires, for the duration of the
22 agreement: that any participating labor organization which
23 represents hospitality employees and its members agree to refrain
24 from picketing, work stoppages, boycotts, or other economic
25 interference against the contractor.

26 "Labor organization which represents hospitality employees"
27 means a labor organization that is the collective bargaining agent
28 for employees at any hospitality establishment within a 50-mile
29 radius of the covered hospitality project and is the collective
30 bargaining agent for not less than 1,000 employees at hospitality
31 establishments in the State of New Jersey, or if no such
32 organization exists, any labor organization that is the collective
33 bargaining agent for not less than 1,000 employees at hospitality
34 establishments in the State of New Jersey.

35 "Proprietary interest" means an economic and non-regulatory
36 interest of a public body in the economic or financial success of a
37 covered hospitality project, or the success of any facility in the
38 project, including a hospitality establishment, that could be
39 adversely affected by labor-management conflict, including, but not
40 limited to, the proprietary interest of the public body as a financier,
41 investor, lessee, lessor, operator, or owner of the project, facility, or
42 property on which the project or facility is located, or as the
43 provider or facilitator of financial assistance to or for the project,
44 facility, or property, whether by direct loan or grant, or by a
45 guarantee, subsidy, deposit, credit enhancement or similar method,
46 and any interest of a public body derived from the ongoing receipt
47 by the public body of revenues from the project or facilities of the
48 project.

1 "Public body" means the State of New Jersey, any of its political
2 subdivisions, and any authority, instrumentality, or agency of the
3 State of New Jersey or of any of its political subdivisions, or any
4 other entity authorized to conduct economic development activity
5 on behalf of a public body.

6
7 3. a. Except as provided in subsection c. of this section, no
8 public body shall enter into any contract or agreement under which
9 the public body has a proprietary interest in a covered project unless
10 the contract or agreement includes a precondition that the contractor
11 and all subcontractors of the contractor enter into a labor harmony
12 agreement with a labor organization which represents hospitality
13 employees. The public body shall, prior to entering into the
14 contract or agreement, provide written disclosure to the contractor
15 and any subcontractors of all requirements of this act relevant to the
16 contract or agreement. If it is required that contractors submit bids
17 or other proposals to be considered for the agreement or contract,
18 the public body shall provide the written disclosure to each
19 prospective bidder or other contractor as part of the specifications
20 for bidding or otherwise seeking the contract or agreement for the
21 project. The contractor or subcontractor shall incorporate the terms
22 of the labor harmony agreement in any contract, subcontract, lease,
23 sublease, operating agreement, concessionaire agreement, franchise
24 agreement or other agreement or instrument giving a right to any
25 person or entity to own or operate a hospitality establishment in the
26 covered project.

27 b. The duration of the labor harmony agreement shall be a
28 period of not less than five years from the date on which the
29 covered project becomes fully operational. The requirement to
30 include a labor harmony agreement shall apply to any successor
31 contractor, or any of its subcontractors, who takes the place of an
32 initial contractor or subcontractor if the replacement occurs during
33 the time in which a public body continues to have a proprietary
34 interest in the project, and duration of the labor harmony agreement
35 with the replacement contractor or subcontractor shall be a period
36 of not less than five years commencing with the date of replacement
37 or the date on which the covered project becomes fully operational,
38 whichever is later.

39 c. A public body may enter into a contract or agreement with a
40 contractor without entering into a labor harmony agreement only if
41 the public body determines that the covered project would not be
42 able to go forward if a labor harmony agreement is required. Such
43 determination shall only be made after soliciting input from any
44 labor organizations with which a labor ¹~~peace~~ harmony¹
45 agreement would ¹otherwise¹ be required ¹~~hereunder~~¹. The
46 determination shall be supported by a written finding by the public
47 body which provides documentation of the specific basis for the
48 determination. The written determination shall be submitted to the

1 commissioner, who shall review the determination and make public
2 a finding on the determination within not more than 15 business
3 days after the submission. If the commissioner approves the
4 determination, the determination shall be, together with the
5 commissioner's statement of approval, included in any public
6 materials provided to any board or agency official in connection
7 with the covered project and maintained and made available to the
8 public by the public body. If the commissioner does not approve
9 the determination, the contract or agreement shall be subject to the
10 requirement of subsection a. of this section to include a
11 precondition that the contractor and all subcontractors of the
12 contractor enter into a labor harmony agreement.

13 d. The requirements of this act regarding the inclusion of a
14 labor harmony agreement in any agreement or contract for a
15 contractor to undertake a covered project shall not be deemed to
16 unduly restrict competition, and any bidder refusing to comply with
17 the requirements of this act regarding labor harmony agreements
18 shall not be regarded as a responsible bidder. No agreement or
19 contract to undertake a covered hospitality project entered into after
20 the effective date of this act between a public body and a contractor
21 shall be valid or enforceable if it does not comply with the
22 requirements of this act regarding the inclusion of labor harmony
23 agreements.

24 f. Labor harmony agreements shall not be required by this act
25 with respect to any construction work undertaken in connection
26 with a covered project.

27
28 4. Each public body which enters into a contract which is
29 subject to the provisions of this act regarding labor harmony
30 agreements shall submit to the commissioner evidence of an
31 executed labor harmony agreement, and, if the public body
32 determines that a labor harmony agreement will prevent a project
33 from going forward, a copy of the determination and documentation
34 supporting the finding. The public body shall provide, in a timely
35 manner as required by the commissioner, up to date information
36 regarding any changes in the information submitted. The
37 commissioner shall make information submitted pursuant to this
38 section available to the public, and shall provide to the Legislature,
39 and make public, an annual report of all covered hospitality
40 projects, and all instances of public bodies determining not to
41 require labor harmony agreements.

42
43 5. The commissioner shall adopt rules and regulations pursuant
44 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
45 1 et seq.) to effectuate the purposes of this act. These rules and
46 regulations shall provide a model labor harmony agreement, and
47 shall provide remedies and procedures for public bodies to enforce
48 compliance with the provisions of this act and any labor harmony

1 agreement entered into pursuant to this act, including provisions for
2 reimbursement of any costs or damages incurred by the public body
3 in connection with any noncompliance with the provisions of this
4 act or the agreements.

5

6 6. This act shall take effect on the 90th day after enactment.

7

8

9

10

11 _____
Concerns labor harmony agreements for hospitality projects.

SENATE, No. 3923

STATE OF NEW JERSEY

218th LEGISLATURE

INTRODUCED JUNE 10, 2019

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

SYNOPSIS

Concerns labor harmony agreements for hospitality projects.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT regarding labor harmony agreements in connection with
2 hospitality projects, and supplementing Title 52 of the Revised
3 Statutes.

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

7
8 1. The Legislature hereby finds and declares that:

9 a. the State, through its investment in development projects has
10 a significant and ongoing economic interest in the financial viability
11 and competitiveness of those projects;

12 b. development projects that include hospitality establishments
13 provide essential services and jobs for local residents, stimulate
14 local economies, are a vital economic engine that provides revenue
15 for our communities and promotes vibrant downtowns and financial
16 stability, and have a direct impact on the reputation of New Jersey
17 as a viable tourism market;

18 c. there are labor organizations in New Jersey that currently
19 represent thousands of hospitality workers, and actively engage in
20 organizing activities to unionize additional hospitality
21 establishments in the State which may include strikes, pickets,
22 boycotts, and other economic activity during labor disputes;

23 d. New Jersey and other public bodies in the State have a
24 compelling interest in preventing disruptive labor disputes in
25 connection with projects in which the public bodies have
26 proprietary interests as investors, owners or financiers; and

27 e. labor harmony agreements make possible legally enforceable
28 guarantees that projects will be carried out in an orderly and timely
29 manner, without strikes, lock-outs, or slowdowns, thus protecting
30 the State's interest in these projects by promoting harmonious and
31 productive work environments.

32
33 2. As used in this act:

34 "Contractor" means a business entering into a contract or
35 agreement to undertake a covered hospitality project, or to serve as
36 the owner or operator of any facility, including but not limited to a
37 hospitality establishment that is part of a covered hospitality
38 project, or to provide services integral to the operations of the
39 covered hospitality project or the facilities.

40 "Commissioner" means the Commissioner of Labor and
41 Workforce Development.

42 "Covered hospitality project" or "covered project" means a
43 project undertaken pursuant to an agreement entered into after the
44 effective date of this act between a public body and a contractor in
45 which:

46 (1) one or more hospitality establishments are part of the
47 project;

1 (2) the public body has a proprietary interest in the project or in
2 a hospitality establishment in the project; and

3 (3) the project includes not less than one hospitality
4 establishment which will have more than 10 employees.

5 "Labor harmony agreement" means an agreement between a
6 contractor and one or more labor organizations which represent
7 hospitality employees, which requires, for the duration of the
8 agreement: that any participating labor organization which
9 represents hospitality employees and its members agree to refrain
10 from picketing, work stoppages, boycotts, or other economic
11 interference against the contractor.

12 "Labor organization which represents hospitality employees"
13 means a labor organization that is the collective bargaining agent
14 for employees at any hospitality establishment within a 50-mile
15 radius of the covered hospitality project and is the collective
16 bargaining agent for not less than 1,000 employees at hospitality
17 establishments in the State of New Jersey, or if no such
18 organization exists, any labor organization that is the collective
19 bargaining agent for not less than 1,000 employees at hospitality
20 establishments in the State of New Jersey.

21 "Proprietary interest" means an economic and non-regulatory
22 interest of a public body in the economic or financial success of a
23 covered hospitality project, or the success of any facility in the
24 project, including a hospitality establishment, that could be
25 adversely affected by labor-management conflict, including, but not
26 limited to, the proprietary interest of the public body as a financier,
27 investor, lessee, lessor, operator, or owner of the project, facility, or
28 property on which the project or facility is located, or as the
29 provider or facilitator of financial assistance to or for the project,
30 facility, or property, whether by direct loan or grant, or by a
31 guarantee, subsidy, deposit, credit enhancement or similar method,
32 and any interest of a public body derived from the ongoing receipt
33 by the public body of revenues from the project or facilities of the
34 project.

35 "Public body" means the State of New Jersey, any of its political
36 subdivisions, and any authority, instrumentality, or agency of the
37 State of New Jersey or of any of its political subdivisions, or any
38 other entity authorized to conduct economic development activity
39 on behalf of a public body.

40
41 3. a. Except as provided in subsection c. of this section, no
42 public body shall enter into any contract or agreement under which
43 the public body has a proprietary interest in a covered project unless
44 the contract or agreement includes a precondition that the contractor
45 and all subcontractors of the contractor enter into a labor harmony
46 agreement with a labor organization which represents hospitality
47 employees. The public body shall, prior to entering into the
48 contract or agreement, provide written disclosure to the contractor

1 and any subcontractors of all requirements of this act relevant to the
2 contract or agreement. If it is required that contractors submit bids
3 or other proposals to be considered for the agreement or contract,
4 the public body shall provide the written disclosure to each
5 prospective bidder or other contractor as part of the specifications
6 for bidding or otherwise seeking the contract or agreement for the
7 project. The contractor or subcontractor shall incorporate the terms
8 of the labor harmony agreement in any contract, subcontract, lease,
9 sublease, operating agreement, concessionaire agreement, franchise
10 agreement or other agreement or instrument giving a right to any
11 person or entity to own or operate a hospitality establishment in the
12 covered project.

13 b. The duration of the labor harmony agreement shall be a
14 period of not less than five years from the date on which the
15 covered project becomes fully operational. The requirement to
16 include a labor harmony agreement shall apply to any successor
17 contractor, or any of its subcontractors, who takes the place of an
18 initial contractor or subcontractor if the replacement occurs during
19 the time in which a public body continues to have a proprietary
20 interest in the project, and duration of the labor harmony agreement
21 with the replacement contractor or subcontractor shall be a period
22 of not less than five years commencing with the date of replacement
23 or the date on which the covered project becomes fully operational,
24 whichever is later.

25 c. A public body may enter into a contract or agreement with a
26 contractor without entering into a labor harmony agreement only if
27 the public body determines that the covered project would not be
28 able to go forward if a labor harmony agreement is required. Such
29 determination shall only be made after soliciting input from any
30 labor organizations with which a labor peace agreement would be
31 required hereunder. The determination shall be supported by a
32 written finding by the public body which provides documentation of
33 the specific basis for the determination. The written determination
34 shall be submitted to the commissioner, who shall review the
35 determination and make public a finding on the determination
36 within not more than 15 business days after the submission. If the
37 commissioner approves the determination, the determination shall
38 be, together with the commissioner's statement of approval,
39 included in any public materials provided to any board or agency
40 official in connection with the covered project and maintained and
41 made available to the public by the public body. If the
42 commissioner does not approve the determination, the contract or
43 agreement shall be subject to the requirement of subsection a. of
44 this section to include a precondition that the contractor and all
45 subcontractors of the contractor enter into a labor harmony
46 agreement.

47 d. The requirements of this act regarding the inclusion of a
48 labor harmony agreement in any agreement or contract for a

1 contractor to undertake a covered project shall not be deemed to
2 unduly restrict competition, and any bidder refusing to comply with
3 the requirements of this act regarding labor harmony agreements
4 shall not be regarded as a responsible bidder. No agreement or
5 contract to undertake a covered hospitality project entered into after
6 the effective date of this act between a public body and a contractor
7 shall be valid or enforceable if it does not comply with the
8 requirements of this act regarding the inclusion of labor harmony
9 agreements.

10 f. Labor harmony agreements shall not be required by this act
11 with respect to any construction work undertaken in connection
12 with a covered project.

13
14 4. Each public body which enters into a contract which is
15 subject to the provisions of this act regarding labor harmony
16 agreements shall submit to the commissioner evidence of an
17 executed labor harmony agreement, and, if the public body
18 determines that a labor harmony agreement will prevent a project
19 from going forward, a copy of the determination and documentation
20 supporting the finding. The public body shall provide, in a timely
21 manner as required by the commissioner, up to date information
22 regarding any changes in the information submitted. The
23 commissioner shall make information submitted pursuant to this
24 section available to the public, and shall provide to the Legislature,
25 and make public, an annual report of all covered hospitality
26 projects, and all instances of public bodies determining not to
27 require labor harmony agreements.

28
29 5. The commissioner shall adopt rules and regulations pursuant
30 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
31 1 et seq.) to effectuate the purposes of this act. These rules and
32 regulations shall provide a model labor harmony agreement, and
33 shall provide remedies and procedures for public bodies to enforce
34 compliance with the provisions of this act and any labor harmony
35 agreement entered into pursuant to this act, including provisions for
36 reimbursement of any costs or damages incurred by the public body
37 in connection with any noncompliance with the provisions of this
38 act or the agreements.

39
40 6. This act shall take effect on the 90th day after enactment.

41
42
43
44

STATEMENT

45 This bill requires the State, or any other public body, to include a
46 labor harmony agreement as part of any contract it enters with a
47 contractor in connection with a hospitality project in which a public
48 body has a proprietary interest as a financier, investor, lessee,

1 lessor, operator, or owner of the project or its property or facilities
2 of the project, as a provider of financial assistance for the project or
3 facilities, or as a receipt of revenues from the project or facilities of
4 the project.

5 The bill defines a contractor as a business that enters into a
6 contract to undertake a covered hospitality project, serve as the
7 operator of any facility that is part of a covered project, or provide
8 services integral to project operations.

9 A labor harmony agreement is defined as an agreement between
10 a contractor and a labor organization, which requires, for the
11 duration of the agreement, that the labor organization and its
12 members agree to refrain from picketing, work stoppages, boycotts,
13 or other economic actions against the contractor.

14 A labor harmony agreement would apply for not less than five
15 years after the contract is entered into and, apply, also for a period
16 of not less than five years, to successor contractors who take the
17 place of initial contractors during the time in which public bodies
18 continue to have a proprietary interest in the project.

19 A public body would be allowed to enter into a contract without
20 a labor harmony agreement only if it issues a written public
21 statement documenting the basis of its determination that the labor
22 harmony agreement would prevent the project from going forward,
23 subject to the review and approval of the Commissioner of Labor
24 and Workforce Development. The bill also directs public bodies to
25 submit to the commissioner up to date information regarding
26 covered projects, labor harmony agreements, and any collective
27 bargaining agreement entered into in connection with the labor
28 harmony agreements, and directs the commissioner to provide
29 annual reports of that information.

30 The commissioner is directed to adopt regulations which include
31 the provision of remedies and procedures for public bodies to
32 enforce compliance with the provisions of the bill and labor
33 harmony agreements entered into under the bill.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 3923

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Assembly Labor Committee reports Senate Bill No. 3923 (1R).

This bill requires the State, or any other public body, to include a labor harmony agreement as part of any contract it enters with a contractor in connection with a hospitality project in which a public body has a proprietary interest as a financier, investor, lessee, lessor, operator, or owner of the project or its property or facilities of the project, as a provider of financial assistance for the project or facilities, or as a receipt of revenues from the project or facilities of the project.

The bill defines a contractor as a business that enters into a contract to undertake a covered hospitality project, serve as the operator of any facility that is part of a covered project, or provide services integral to project operations.

A labor harmony agreement is defined as an agreement between a contractor and a labor organization representing hospitality employees, which requires, for the duration of the agreement, that the labor organization and its members agree to refrain from picketing, work stoppages, boycotts, or other economic actions against the contractor.

A labor harmony agreement would apply for not less than five years after the covered project becomes fully operational and, apply, also for a period of not less than five years, to successor contractors who take the place of initial contractors during the time in which public bodies continue to have a proprietary interest in the project.

A public body would be allowed to enter into a contract without a labor harmony agreement only if it issues a written public statement documenting the basis of its determination that the labor harmony agreement would prevent the project from going forward, subject to the review and approval of the Commissioner of Labor and Workforce Development. The bill also directs public bodies to submit to the commissioner evidence of a labor harmony agreement and up to date information regarding and changes in submitted information. The commissioner is directed to make the submitted information public in an annual report of all covered projects and all instances of public bodies not requiring labor harmony agreements.

The commissioner is directed to adopt regulations which include the provision of remedies and procedures for public bodies to enforce compliance with the provisions of the bill and labor harmony agreements entered into under the bill.

As reported, this bill is identical to Assembly Bill No. 5680 (1R) as also amended and reported by the committee.

SENATE LABOR COMMITTEE

STATEMENT TO

SENATE, No. 3923

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Senate Labor Committee reports favorably, and with committee amendments, Senate Bill No. 3923.

As amended by the committee, this bill requires the State, or any other public body, to include a labor harmony agreement as part of any contract it enters with a contractor in connection with a hospitality project in which a public body has a proprietary interest as a financier, investor, lessee, lessor, operator, or owner of the project or its property or facilities of the project, as a provider of financial assistance for the project or facilities, or as a receipt of revenues from the project or facilities of the project.

The bill defines a contractor as a business that enters into a contract to undertake a covered hospitality project, serve as the operator of any facility that is part of a covered project, or provide services integral to project operations.

A labor harmony agreement is defined as an agreement between a contractor and a labor organization representing hospitality employees, which requires, for the duration of the agreement, that the labor organization and its members agree to refrain from picketing, work stoppages, boycotts, or other economic actions against the contractor.

A labor harmony agreement would apply for not less than five years after the covered project becomes fully operational and, apply, also for a period of not less than five years, to successor contractors who take the place of initial contractors during the time in which public bodies continue to have a proprietary interest in the project.

A public body would be allowed to enter into a contract without a labor harmony agreement only if it issues a written public statement documenting the basis of its determination that the labor harmony agreement would prevent the project from going forward, subject to the review and approval of the Commissioner of Labor and Workforce Development. The bill also directs public bodies to submit to the commissioner evidence of a labor harmony agreement and up to date information regarding and changes in submitted information. The commissioner is directed to make the submitted information public in an annual report of all covered projects and all instances of public bodies not requiring labor harmony agreements.

The commissioner is directed to adopt regulations which include the provision of remedies and procedures for public bodies to enforce compliance with the provisions of the bill and labor harmony agreements entered into under the bill.

Committee Amendments:

The amendments adopted by the committee are technical in nature.

ASSEMBLY, No. 5680

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED JUNE 24, 2019

Sponsored by:

Assemblyman THOMAS P. GIBLIN

District 34 (Essex and Passaic)

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Co-Sponsored by:

Assemblywoman Tucker, Assemblymen Tully and Caputo

SYNOPSIS

Concerns labor harmony agreements for hospitality projects.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT regarding labor harmony agreements in connection with
2 hospitality projects, and supplementing Title 52 of the Revised
3 Statutes.

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

7
8 1. The Legislature hereby finds and declares that:

9 a. the State, through its investment in development projects has
10 a significant and ongoing economic interest in the financial viability
11 and competitiveness of those projects;

12 b. development projects that include hospitality establishments
13 provide essential services and jobs for local residents, stimulate
14 local economies, are a vital economic engine that provides revenue
15 for our communities and promotes vibrant downtowns and financial
16 stability, and have a direct impact on the reputation of New Jersey
17 as a viable tourism market;

18 c. there are labor organizations in New Jersey that currently
19 represent thousands of hospitality workers, and actively engage in
20 organizing activities to unionize additional hospitality
21 establishments in the State which may include strikes, pickets,
22 boycotts, and other economic activity during labor disputes;

23 d. New Jersey and other public bodies in the State have a
24 compelling interest in preventing disruptive labor disputes in
25 connection with projects in which the public bodies have
26 proprietary interests as investors, owners or financiers; and

27 e. labor harmony agreements make possible legally enforceable
28 guarantees that projects will be carried out in an orderly and timely
29 manner, without strikes, lock-outs, or slowdowns, thus protecting
30 the State's interest in these projects by promoting harmonious and
31 productive work environments.

32

33 2. As used in this act:

34 "Contractor" means a business entering into a contract or
35 agreement to undertake a covered hospitality project, or to serve as
36 the owner or operator of any facility, including but not limited to a
37 hospitality establishment that is part of a covered hospitality
38 project, or to provide services integral to the operations of the
39 covered hospitality project or the facilities.

40 "Commissioner" means the Commissioner of Labor and
41 Workforce Development.

42 "Covered hospitality project" or "covered project" means a
43 project undertaken pursuant to an agreement entered into after the
44 effective date of this act between a public body and a contractor in
45 which:

46 (1) one or more hospitality establishments are part of the
47 project;

1 (2) the public body has a proprietary interest in the project or in
2 a hospitality establishment in the project; and

3 (3) the project includes not less than one hospitality
4 establishment which will have more than 10 employees.

5 "Labor harmony agreement" means an agreement between a
6 contractor and one or more labor organizations which represent
7 hospitality employees, which requires, for the duration of the
8 agreement: that any participating labor organization which
9 represents hospitality employees and its members agree to refrain
10 from picketing, work stoppages, boycotts, or other economic
11 interference against the contractor.

12 "Labor organization which represents hospitality employees"
13 means a labor organization that is the collective bargaining agent
14 for employees at any hospitality establishment within a 50-mile
15 radius of the covered hospitality project and is the collective
16 bargaining agent for not less than 1,000 employees at hospitality
17 establishments in the State of New Jersey, or if no such
18 organization exists, any labor organization that is the collective
19 bargaining agent for not less than 1,000 employees at hospitality
20 establishments in the State of New Jersey.

21 "Proprietary interest" means an economic and non-regulatory
22 interest of a public body in the economic or financial success of a
23 covered hospitality project, or the success of any facility in the
24 project, including a hospitality establishment, that could be
25 adversely affected by labor-management conflict, including, but not
26 limited to, the proprietary interest of the public body as a financier,
27 investor, lessee, lessor, operator, or owner of the project, facility, or
28 property on which the project or facility is located, or as the
29 provider or facilitator of financial assistance to or for the project,
30 facility, or property, whether by direct loan or grant, or by a
31 guarantee, subsidy, deposit, credit enhancement or similar method,
32 and any interest of a public body derived from the ongoing receipt
33 by the public body of revenues from the project or facilities of the
34 project.

35 "Public body" means the State of New Jersey, any of its political
36 subdivisions, and any authority, instrumentality, or agency of the
37 State of New Jersey or of any of its political subdivisions, or any
38 other entity authorized to conduct economic development activity
39 on behalf of a public body.
40

41 3. a. Except as provided in subsection c. of this section, no
42 public body shall enter into any contract or agreement under which
43 the public body has a proprietary interest in a covered project unless
44 the contract or agreement includes a precondition that the contractor
45 and all subcontractors of the contractor enter into a labor harmony
46 agreement with a labor organization which represents hospitality
47 employees. The public body shall, prior to entering into the
48 contract or agreement, provide written disclosure to the contractor

1 and any subcontractors of all requirements of this act relevant to the
2 contract or agreement. If it is required that contractors submit bids
3 or other proposals to be considered for the agreement or contract,
4 the public body shall provide the written disclosure to each
5 prospective bidder or other contractor as part of the specifications
6 for bidding or otherwise seeking the contract or agreement for the
7 project. The contractor or subcontractor shall incorporate the terms
8 of the labor harmony agreement in any contract, subcontract, lease,
9 sublease, operating agreement, concessionaire agreement, franchise
10 agreement or other agreement or instrument giving a right to any
11 person or entity to own or operate a hospitality establishment in the
12 covered project.

13 b. The duration of the labor harmony agreement shall be a
14 period of not less than five years from the date on which the
15 covered project becomes fully operational. The requirement to
16 include a labor harmony agreement shall apply to any successor
17 contractor, or any of its subcontractors, who takes the place of an
18 initial contractor or subcontractor if the replacement occurs during
19 the time in which a public body continues to have a proprietary
20 interest in the project, and duration of the labor harmony agreement
21 with the replacement contractor or subcontractor shall be a period
22 of not less than five years commencing with the date of replacement
23 or the date on which the covered project becomes fully operational,
24 whichever is later.

25 c. A public body may enter into a contract or agreement with a
26 contractor without entering into a labor harmony agreement only if
27 the public body determines that the covered project would not be
28 able to go forward if a labor harmony agreement is required. Such
29 determination shall only be made after soliciting input from any
30 labor organizations with which a labor peace agreement would be
31 required hereunder. The determination shall be supported by a
32 written finding by the public body which provides documentation of
33 the specific basis for the determination. The written determination
34 shall be submitted to the commissioner, who shall review the
35 determination and make public a finding on the determination
36 within not more than 15 business days after the submission. If the
37 commissioner approves the determination, the determination shall
38 be, together with the commissioner's statement of approval,
39 included in any public materials provided to any board or agency
40 official in connection with the covered project and maintained and
41 made available to the public by the public body. If the
42 commissioner does not approve the determination, the contract or
43 agreement shall be subject to the requirement of subsection a. of
44 this section to include a precondition that the contractor and all
45 subcontractors of the contractor enter into a labor harmony
46 agreement.

47 d. The requirements of this act regarding the inclusion of a
48 labor harmony agreement in any agreement or contract for a

1 contractor to undertake a covered project shall not be deemed to
2 unduly restrict competition, and any bidder refusing to comply with
3 the requirements of this act regarding labor harmony agreements
4 shall not be regarded as a responsible bidder. No agreement or
5 contract to undertake a covered hospitality project entered into after
6 the effective date of this act between a public body and a contractor
7 shall be valid or enforceable if it does not comply with the
8 requirements of this act regarding the inclusion of labor harmony
9 agreements.

10 e. Labor harmony agreements shall not be required by this act
11 with respect to any construction work undertaken in connection
12 with a covered project.

13

14 4. Each public body which enters into a contract which is
15 subject to the provisions of this act regarding labor harmony
16 agreements shall submit to the commissioner evidence of an
17 executed labor harmony agreement, and, if the public body
18 determines that a labor harmony agreement will prevent a project
19 from going forward, a copy of the determination and documentation
20 supporting the finding. The public body shall provide, in a timely
21 manner as required by the commissioner, up to date information
22 regarding any changes in the information submitted. The
23 commissioner shall make information submitted pursuant to this
24 section available to the public, and shall provide to the Legislature,
25 and make public, an annual report of all covered hospitality
26 projects, and all instances of public bodies determining not to
27 require labor harmony agreements.

28

29 5. The commissioner shall adopt rules and regulations pursuant
30 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
31 1 et seq.) to effectuate the purposes of this act. These rules and
32 regulations shall provide a model labor harmony agreement, and
33 shall provide remedies and procedures for public bodies to enforce
34 compliance with the provisions of this act and any labor harmony
35 agreement entered into pursuant to this act, including provisions for
36 reimbursement of any costs or damages incurred by the public body
37 in connection with any noncompliance with the provisions of this
38 act or the agreements.

39

40 6. This act shall take effect on the 90th day after enactment.

41

42

43

STATEMENT

44

45 This bill requires the State, or any other public body, to include a
46 labor harmony agreement as part of any contract it enters with a
47 contractor in connection with a hospitality project in which a public
48 body has a proprietary interest as a financier, investor, lessee,

1 lessor, operator, or owner of the project or its property or facilities
2 of the project, as a provider of financial assistance for the project or
3 facilities, or as a receipt of revenues from the project or facilities of
4 the project.

5 The bill defines a contractor as a business that enters into a
6 contract to undertake a covered hospitality project, serve as the
7 operator of any facility that is part of a covered project, or provide
8 services integral to project operations.

9 A labor harmony agreement is defined as an agreement between
10 a contractor and a labor organization, which requires, for the
11 duration of the agreement, that the labor organization and its
12 members agree to refrain from picketing, work stoppages, boycotts,
13 or other economic actions against the contractor.

14 A labor harmony agreement would apply for not less than five
15 years after the contract is entered into and, apply, also for a period
16 of not less than five years, to successor contractors who take the
17 place of initial contractors during the time in which public bodies
18 continue to have a proprietary interest in the project.

19 A public body would be allowed to enter into a contract without
20 a labor harmony agreement only if it issues a written public
21 statement documenting the basis of its determination that the labor
22 harmony agreement would prevent the project from going forward,
23 subject to the review and approval of the Commissioner of Labor
24 and Workforce Development. The bill also directs public bodies to
25 submit to the commissioner up to date information regarding
26 covered projects, labor harmony agreements, and any collective
27 bargaining agreement entered into in connection with the labor
28 harmony agreements, and directs the commissioner to provide
29 annual reports of that information.

30 The commissioner is directed to adopt regulations which include
31 the provision of remedies and procedures for public bodies to
32 enforce compliance with the provisions of the bill and labor
33 harmony agreements entered into under the bill.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5680

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 9, 2019

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 5680.

As amended, this bill requires the State, or any other public body, to include a labor harmony agreement as part of any contract it enters with a contractor in connection with a hospitality project in which a public body has a proprietary interest as a financier, investor, lessee, lessor, operator, or owner of the project or its property or facilities of the project, as a provider of financial assistance for the project or facilities, or as a receipt of revenues from the project or facilities of the project.

The bill defines a contractor as a business that enters into a contract to undertake a covered hospitality project, serve as the operator of any facility that is part of a covered project, or provide services integral to project operations.

A labor harmony agreement is defined as an agreement between a contractor and a labor organization representing hospitality employees, which requires, for the duration of the agreement, that the labor organization and its members agree to refrain from picketing, work stoppages, boycotts, or other economic actions against the contractor.

A labor harmony agreement would apply for not less than five years after the covered project becomes fully operational and, apply, also for a period of not less than five years, to successor contractors who take the place of initial contractors during the time in which public bodies continue to have a proprietary interest in the project.

A public body would be allowed to enter into a contract without a labor harmony agreement only if it issues a written public statement documenting the basis of its determination that the labor harmony agreement would prevent the project from going forward, subject to the review and approval of the Commissioner of Labor and Workforce Development. The bill also directs public bodies to submit to the commissioner evidence of a labor harmony agreement and up to date information regarding and changes in submitted information. The commissioner is directed to make the submitted information public in an annual report of all covered projects and all instances of public bodies not requiring labor harmony agreements.

The commissioner is directed to adopt regulations which include the provision of remedies and procedures for public bodies to enforce compliance with the provisions of the bill and labor harmony agreements entered into under the bill.

As amended, this bill is identical to Senate Bill No. 3923 (1R) of the 2018-2019 session.

COMMITTEE AMENDMENTS:

The amendments adopted by the committee are technical in nature, and make this bill identical to Senate Bill No. 3923 (1R) of the 2018-2019 session.

Governor Murphy Takes Action on Legislation

01/21/2020

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

S-62/A-2478 (Singleton, Oroho/DeAngelo, Houghtaling, Space) – Requires certain contractors to register under "The Public Works Contractor Registration Act"

S-358/A-4587 (Rice/Sumter, Reynolds-Jackson) – Establishes database with certain information about individuals elected to public office in this State

S-376/A-3839 (Madden, Gopal/Moriarty, Lagana, Mukherji, Murphy) – Eliminates eligibility time limit on tuition benefits for spouses of certain public safety workers killed in performance of their duties

S-497/A-4626 (Vitale, Madden/Mosquera, McKnight, Vainieri Huttle) – Allows certain prior statements by children to be admitted into evidence in child abuse and termination of parental rights cases

S-498/ACS for A-3391 (Vitale, Oroho/DeCroce, Johnson, DiMaso) – Makes various changes to "Criminal Injuries Compensation Act of 1971"

S-521/A-4378 (T. Kean, C.A. Brown, Pou, Ruiz/Caputo, Mukherji, Vainieri Huttle) – Requires NJ State Council on Arts to establish "Artist District" designation and select certain municipalities or areas within municipalities for such designation

S-589/ACS for A-422 (Weinberg/Mosquera, Jones, Moriarty) – Requires Secretary of State to establish secure Internet website for online voter registration; authorizes use of digitized signatures from New Jersey Motor Vehicle Commission's database

S-700/A-3836 (Ruiz, Cunningham/Schaer, Mukherji, Jasey) – "Higher Education Citizenship Equality Act"; defines domicile for dependent students for purpose of eligibility for State student grants and scholarships, and resident tuition rate

S-721/A-1751 (Greenstein, Cunningham, Diegnan/Quijano, Benson) – Authorizes use of certain electric school buses

S-758/A-1987 (Cunningham, Cruz-Perez/Sumter, Mukherji, Quijano) – Requires incarcerated individual from State to be counted at residential address for legislative redistricting purposes

S-765/A-541 (Cunningham, T. Kean, Ruiz/Mazzeo, Jasey, Vainieri Huttle, Sumter, Benson) – Prohibits Higher Education Student Assistance Authority from referring defaulted loans under New Jersey College Loans to Assist State Students (NJCLASS) Loan Program for certain actions if authority and borrower have entered into settlement agreement

S-782/A-1110 (Sarlo, Scutari/Downey, Houghtaling, Dancer) – Increases workers' compensation for loss of hand or foot

S-834 wGR/A-4186 (Scutari, Greenstein/Jones, Pintor Marin) – Prohibits resale of non-prescription diabetes test devices by pharmacists

S-939/A-3331 (Pou/Vainieri Huttle, Lopez, McKnight) – Requires forms and materials for individuals with developmental disabilities to be available in languages other than English

S-974/A-3040 (Singleton, T. Kean/Vainieri Huttle, Timberlake, Mosquera) – Requires newborn infants be screened for spinal muscular atrophy

- S-1032/A-2389 (Vitale, Gopal/Schaer, Benson, Verrelli)** – Concerns expansion of services provided by DHS mental health screening services
- S-1146/A-2365 (Codey, Rice/Vainieri Huttle, Mukherji, Downey)** – Requires hospital patient's medical record to include notation if patient is at increased risk of confusion, agitation, behavioral problems, and wandering due to dementia related disorder
- S-1298/ACS for A-2972 (A.M. Bucco, Singleton/Mazzeo, Dunn, Space)** – Permits municipalities to provide information on property tax bills concerning amount of local tax dollars saved through shared services
- S-1318/A-3156 (Ruiz, Scutari/Lampitt, Mosquera)** – Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence, and their family members
- S-1505/A-1707 (Vitale/Vainieri Huttle, Lampitt, Benson, Mosquera)** – Expands membership of NJ Task Force on Child Abuse and Neglect
- S-1647/A-3181 (Diegnan, Codey/Conaway, Vainieri Huttle, Benson, Murphy)** – Prohibits use of coupons, price rebates, and price reduction promotions in sales of tobacco and vapor products
- S-1683/A-4267 (Smith, Greenstein/McKeon, Space, Wirths)** – Concerns regulation of solid waste, hazardous waste, and soil and fill recycling industries
- S-1703/A-715 (Connors, Holzapfel/Gove, Rumpf, DiMaso)** – Exempts disabled veterans from beach buggy permit fees
- S-1791/A-3414 (Weinberg/Johnson, Vainieri Huttle, Houghtaling)** – Requires employers to disclose certain wage information to employees
- S-1796/A-4693 (Addiego, Sweeney/Murphy)** – Permits school district of residence to provide aid in-lieu-of transportation to pupil attending Marine Academy of Science and Technology provided certain conditions are met
- S-1832/A-211 (Ruiz, Sarlo/Chiaravalloti, Zwicker, Pintor Marin)** – Establishes loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics
- S-2267/A-3616 (Sweeney, Corrado/Burzichelli, Holley, Calabrese)** – Gives State lottery winners option of remaining anonymous indefinitely
- S-2303/A-4843 (Sweeney, Ruiz, Cunningham/Wimberly, Karabinchak, Calabrese)** – Requires establishment of Work and Learn Consortiums by certain educational institutions to establish certificate and degree programs identified in high labor-demand industries
- S-2389 wGR/A-5449 (Singleton/Quijano, Downey, Houghtaling, Moriarty)** – Requires New Jersey State Board of Pharmacy to establish prescription drug pricing disclosure website and certain pharmaceutical manufacturing companies to provide prescription drug price information
- S-2428/A-4965 (Scutari/Quijano, Vainieri Huttle)** – Requires that massage and bodywork therapists and employers carry professional liability insurance
- S-2469/A-3745 (Singleton, Oroho/Wirths, Mazzeo, Space)** – Prohibits person from contracting for public work if person is federally debarred from receiving federal contract
- S-2511/A-4020 (Madden/Mazzeo, Murphy, Johnson)** – Changes title of DEP "conservation officer" to "conservation police officer"
- S-2521/A-4087 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Requires reporting of inmate abuse by employees of State correctional facilities and establishes reporting and investigation program
- S-2522/A-4090 (Cryan, Greenstein/Vainieri Huttle, Lopez, Timberlake)** – Limits cross gender strip searches in

State correctional facilities

S-2532/A-4086 (Greenstein, Cruz-Perez/Vainieri Huttle, Lopez, Timberlake) – Requires correctional police officers receive 20 hours in-service training, including four hours in prevention of sexual misconduct, non-fraternization, and manipulation

S-2555/A-3990 (Gopal, Ruiz/Mukherji, Benson, Karabinchak) – Allows dependent students whose parents or guardians hold H-1B visas to qualify for in-State tuition at public institutions of higher education provided they meet certain criteria

S-2564/A-3519 (Turner, Singleton/Benson, McKnight, Jasey) – Establishes "Restorative Justice in Education Pilot Program" in Department of Education

SCS for S-2599/ACS for A-1268 (Bateman, Beach/Tucker, Conaway, Lampitt, Quijano) – Authorizes veterans' property tax exemption and veterans' property tax deduction for honorably discharged veterans of United States Armed Forces who did not serve in time of war or other emergency

S-2826/A-3274 (Greenstein/Vainieri Huttle, Dancer, Benson) – Requires institutions of higher education to offer cats and dogs no longer used for educational, research, or scientific purposes for adoption; designated the "Homes for Animal Heroes Act"

S-2849/A-4590 (A.M. Bucco/DiMaio, Caputo, Dunn) – Designates Seeing Eye® dog as State Dog

S-3036/A-1697 (Lagana, Scutari/Dancer, Downey) – Prohibits medical providers from reporting certain workers' compensation medical charges to collection and credit reporting agencies

S-3061/A-4603 (Ruiz, Greenstein/Lampitt, Mukherji, Benson) – Provides corporation business tax and gross income tax credits for businesses that participate in DOL registered apprenticeship programs; establishes grant program for tax-exempt organizations participating in DOL registered apprenticeship programs

S-3065/A-4657 (Ruiz, Singleton/Armato, Benson, Timberlake) – Establishes youth apprenticeship pilot program in Department of Education

S-3067/A-4602 (Ruiz, Singleton/Lampitt, Reynolds-Jackson, Sumter) – Establishes five year Apprentice Assistance and Support Services Pilot Program

S-3116/A-4683 (Ruiz/Speight, Munoz, Tucker) – Requires certain medical facilities to undertake end-of-life planning and training

S-3117/A-4685 (Ruiz/Speight, Pinkin, Munoz) – Requires emergency departments to take certain measures concerning palliative care for patients

S-3126/A-4107 (Gopal/Benson, DeCroce, Chiaravalloti) – Requires drivers to stop at railroad crossing when on-track equipment is approaching railroad crossing

S-3170/A-5145 (Cryan, Pou/Quijano, Milam, Land) – Increases prenotification time and requires severance pay in certain plant closings, transfers, and mass layoffs

S-3227/A-5261 (Gopal/Tully, Pinkin, Swain) – Requires restaurants to post signs advising customers to notify servers of food allergies; requires restaurant managers to complete food allergen training

S-3265/A-3178 (Turner, Codey, Vitale/Conaway, Murphy, Vainieri Huttle) – Prohibits sale or distribution of flavored vapor products

[Copy of Statement](#)

S-3330 wGR/A-5066 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) – Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria

S-3422/A-6056 (Singer, T. Kean/Houghtaling, Downey, Vainieri Huttle) – Requires declaration of Code Blue

alert when National Weather Service predicts temperatures of 32 degrees Fahrenheit or lower

S-3468/A-5105 (Sweeney, Singleton/Murphy, Karabinchak, Vainieri Huttle) – Establishes Task Force on Maximizing Employment for People with Disabilities

S-3511/A-5298 (Singer, T. Kean/Mukherji, Vainieri Huttle, Downey) – Authorizes certain health care and social service resources to be made available during Code Blue alert

S-3581/A-5963 (Singleton/Lopez, Quijano) – Prohibits certain business financing contracts that contain judgment by confession provisions

S-3685/A-5345 (Sarlo, Singleton/Mukherji, Conaway, McKnight) – Establishes program to increase participation of underrepresented students in New Jersey's science and engineering workforce

S-3756/A-6115 (Ruiz, Sarlo, O'Scanlon/Jasey, Jones, Wirths) – Requires limited purpose regional school districts to coordinate with constituent districts regarding school calendar and curriculum

S-3763/A-6116 (Addiego, Bateman, Sarlo/DeAngelo, Dancer, Space) – Renames joint meetings as regional service agencies; grandfathers existing joint meetings

S-3869/A-5561 (Sarlo/Burzichelli, Houghtaling) – Prohibits local governments from imposing fines on alarm companies in certain circumstances

S-3871/A-5427 (Bateman, Scutari/DePhillips, McKeon) – Adds member from Retired Judges Association of New Jersey to State Investment Council

SCS for S-3878/ACS for A-5394 (Ruiz, Weinberg, Cunningham/Moriarty, McKnight, Pinkin) – Reaffirms and clarifies that Attorney General and Division on Civil Rights may initiate actions in Superior Court to enforce "Law Against Discrimination"

S-3920 wGR/A-5552 (Pou/Wimberly, Sumter) – Concerns provision of energy to certain manufacturing facilities by providing exemptions to certain energy related taxes

S-3923/A-5680 (Madden, Singleton/Giblin, Timberlake, Murphy) – Concerns labor harmony agreements for hospitality projects

SCS for S-3939 and 3944/ACS for A-5681 and 5682 (Smith, Greenstein, Bateman, Codey/Pinkin, Lopez, McKeon) – Establishes Recycling Market Development Council

S-3985/A-5663 (Smith/McKeon, Pinkin, Vainieri Huttle) – Amends "Electric Discount and Energy Competition Act" to add definition of "open access offshore wind transmission facility" and revises law concerning "qualified offshore wind projects"

S-4025/A-5695 (Pou/Wimberly, Sumter) – Makes FY 2020 language allocation of \$1,000,000 appropriated to Grants for Urban Parks to Hinchliffe Stadium in Paterson

S-4162/A-6014 (Smith, Greenstein/Vainieri Huttle, Pinkin, Houghtaling) – Establishes NJ Climate Change Resource Center at Rutgers University; appropriates up to \$500,000

S-4165/A-4364 (Rice/Giblin, Caputo, Tucker) – Expands University Hospital board of directors membership from 11 to 13 members

S-4188/A-6075 (Beach/Murphy, Dancer, Lampitt) – "Lindsay's Law"; provides tax benefits to organ and bone marrow donors and their employers, and provides paid time off to donors who are State or local government employees

S-4200/A-5855 (Ruiz, Turner/Coughlin, Lampitt, Holley) – Requires State to pay difference between federal allocation and total cost of reduced price breakfast or lunch; appropriates \$4.5 million

S-4247/A-6049 (Gopal, O'Scanlon/Conaway, Houghtaling, Downey) – Establishes criteria for distribution of Fiscal Year 2020 funding to Community Food Bank of New Jersey and partner organizations

S-4264/A-5962 (Pou/Wimberly, Sumter, Calabrese) – Designates State Highway Route 19 as "William J. Pascrell Jr. Highway"

S-4275/A-6088 (Smith, Greenstein/Burzichelli) – Allows BPU to increase cost to customers of Class I renewable energy requirement for energy years 2022 through 2024, under certain conditions

S-4276/A-6109 (Corrado, Bateman/Armato, Calabrese, Land) – Appropriates \$32,153,936 to State Agriculture Development Committee, and amends 2017 appropriations for stewardship activities, for farmland preservation purposes

S-4277/A-6112 (Greenstein, Bateman/Freiman, Danielsen, Downey) – Appropriates \$5,000,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for municipal planning incentive grants for farmland preservation purposes

S-4278/A-6108 (Greenstein, Bateman/Taliaferro, Karabinchak, Kennedy) – Appropriates \$21 million from constitutionally dedicated CBT revenues to State Agriculture Development Committee for county planning incentive grants for farmland preservation purposes

S-4279/A-6106 (Smith, Bateman/Houghtaling, Reynolds-Jackson, Pinkin) – Appropriates \$1,350,000 from constitutionally dedicated CBT revenues to State Agriculture Development Committee for grants to certain nonprofit organizations for farmland preservation purposes

S-4286/A-5890 (Vitale/Swain, Jones) – Clarifies procedures concerning collection of child support on behalf of child over age 19 when court has ordered such support

S-4309/A-6107 (Turner, Cruz-Perez/Mejia, Vainieri Huttie, Zwicker) – Appropriates \$13,902,723 from constitutionally dedicated CBT revenues to NJ Historic Trust for grants for certain historic preservation projects and associated administrative expenses

S-4310/A-6114 (Codey, Bateman/Carter, Murphy, Lopez) – Appropriates \$8,872,682 to DEP from constitutionally dedicated CBT revenues for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes

S-4311/A-6113 (Greenstein, Bateman/Speight, Mukherji, Verrelli) – Appropriates \$77,450,448 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects

S-4312/A-6111 (Smith, Bateman/Giblin, Mazzeo, Land) – Appropriates \$36.143 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects

S-4313/A-6110 (Corrado, Bateman/Moriarty, McKeon, Swain) – Appropriates \$33.915 million from constitutionally dedicated CBT revenues to DEP for State acquisition of lands for recreation and conservation purposes, including Blue Acres projects

SCS for S-4315/ACS for A-6063 (Beach, Turner/Jones, Zwicker) – Creates fund to reimburse local units of government for cost of certain mail-in ballot procedures; appropriates \$3,000,000

SJR-51/AJR-189 (Rice, Turner/Verrelli, Reynolds-Jackson, Sumter) – Establishes the "New Jersey State Commission on Urban Violence"

SJR-65/AJR-90 (Weinberg, Addiego/DiMaso, Vainieri Huttie, Schepisi) – Designates March 19th "Women in Public Office Day" in New Jersey

SJR-80/AJR-121 (Lagana, Weinberg/Jones, Benson, Chiaravalloti, DeCroce) – Urges federal government to adhere to commitment to improve Northeast Corridor rail infrastructure by providing funding to complete Gateway Program

SJR-125/AJR-169 (Gopal, Codey/Wolfe, Pinkin) – Designates the second week of October of each year as "Obesity Care Week" in NJ

- A-344/S-1575 (Murphy, McKeon, Timberlake/Cruz-Perez, Singleton)** – Revises certain aspects of the New Jersey Individual Development Account Program
- A-1040/S-3928 (Houghtaling, Taliaferro/Andrzejczak)** – Establishes NJ "Landowner of the Year" award program
- A-1146/S-4330 (Wimberly, Holley/Pou, Singleton)** – Establishes "New Jersey Investing in You Promise Neighborhood Commission"
- A-1277/S-2629 (Tucker, Holley, Lopez/Singleton, Gopal)** – Requires hospitals and homeless shelters to provide information on services and resources to individuals who are homeless or military veterans
- A-1449/S-3168 (Benson, DeAngelo/Greenstein, Turner)** – Provides job security to certain organ and bone marrow donors
- A-1477/S-3228 (Chaparro, Vainieri Huttle, Benson, Jimenez, Mukherji, Downey/Gopal, Scutari)** – Establishes Statewide Hit and Run Advisory Program to facilitate apprehension of persons fleeing motor vehicle accident scene; designated as "Zackhary's Law"
- A-1478/S-1648 (Chaparro, Vainieri Huttle/Diegnan, T. Kean)** – Revises law governing theater liquor licenses
- A-1604/S-2734 (Conaway, Murphy, Jimenez/Singleton)** – "Recreational Therapists Licensing Act"
- A-1796/S-2609 (McKeon, Downey/Lagana, Gopal)** – Prevents criminal defendant from asserting "gay and transgender panic" defense to murder charge in order to reduce charge to manslaughter committed in heat of passion
- A-1924/S-2930 (Mukherji, A.M. Bucco, DeAngelo, DeCroce/Beach)** – Exempts certain honorably discharged United States military veterans from initial insurance producer licensing fee
- A-1992/S-1780 (Sumter, Benson, Vainieri Huttle, Houghtaling, Wimberly/Diegnan, Turner)** – "New Jersey Call Center Jobs Act"
- A-2183/S-1687 (Land, Johnson/Cruz-Perez, Andrzejczak)** – "Music Therapist Licensing Act"
- ACS for A-2431 wGR/SCS for S-1865 (Benson, Jimenez, DeCroce/Weinberg, T. Kean)** – Requires health insurers to provide plans that limit patient cost-sharing concerning certain prescription drug coverage
- ACS for A-2444 and S-2656/S-2081 (Benson, Lampitt, Pinkin, Mukherji/Turner, Singleton)** – Provides for coverage of comprehensive tobacco cessation benefits in Medicaid
- A-2767/S-2924 (Greenwald, Mosquera, McKnight/Greenstein, Singleton)** – Amends certain provisions of sexual assault statute to clarify elements necessary for conviction
- A-3312/S-1972 (Murphy, Lagana, Downey, Sumter/Gopal, Corrado)** – Requires Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy once every two years
- A-3670/S-995 (Benson, Giblin, Murphy/Vitale, Weinberg)** – Provides for designation of acute stroke ready hospitals, establishes Stroke Care Advisory Panel and Statewide stroke database, and requires development of emergency medical services stroke care protocols
- ACS for A-4136/SCS for S-2675 (Land, Milam/Andrzejczak, Van Drew)** – Establishes Possession In Excess of Daily Limit Vessel License for black sea bass and summer flounder; dedicates fees therefrom to marine fisheries programs
- A-4147/S-2744 (Lampitt, Houghtaling, Zwicker/Ruiz, Corrado)** – Requires school districts and nonpublic schools to conduct audit of security features of buildings, grounds, and communication systems and to submit audit to NJ Office of Homeland Security and Preparedness and DOE

- A-4150/S-2742 (Lampitt, Jones, Timberlake/Ruiz, Corrado)** – Requires meeting between student and appropriate school personnel after multiple suspensions or proposed expulsion from public school to identify behavior or health difficulties
- A-4151/S-2745 (Swain, Tully, Jasey/Ruiz, Corrado)** – Requires school security training for persons employed by public and nonpublic schools in substitute capacity and for employees and volunteers of youth programs operated in school buildings
- A-4260/S-4335 (Timberlake, Giblin, Tucker, Caputo/Pou, Scutari)** – Prohibits sale of certain toy guns and imitation firearms
- A-4370/S-2919 (Carroll/A.M. Bucco)** – Increases membership of board of trustees of Washington Association of New Jersey
- A-4377/S-2934 (Benson, Land, DeCroce/Greenstein)** – Requires DOT and OIT to develop materials concerning capabilities of airports in NJ and establishes "Public Use Airports Task Force"
- A-4517/S-4341 (Wimberly, Speight, Reynolds-Jackson/Singleton, Cunningham)** – Establishes "New Jersey Eviction Crisis Task Force"
- A-4529/S-3191 (Mazzeo, Armato/Gopal, Andrezejczak)** – Concerns reimbursements to Superstorm Sandy-impacted homeowners subjected to contractor fraud
- A-4563/S-3096 (Zwicker, Benson/Greenstein, Gill)** – Prohibits use of bots to deceive person about origin and content of communication for certain commercial or election purposes
- A-4564/S-3087 (Zwicker, Freiman/Greenstein)** – Establishes "Voting Precinct Transparency Act;" requires filing of election district, county district, and municipal ward boundary data with Secretary of State for posting and download on official website with matching election results data
- A-4699/S-2938 (Moriarty, Burzichelli, Bramnick/Turner)** – Regulates annual report filing services
- A-4803/S-4211 (Greenwald, Johnson, Pintor Marin/Cryan, Vitale)** – Authorizes certain entities to directly bill Victims of Crime Compensation Office for counseling services provided to victims of firearm and stabbing crimes
- A-4822/S-3408 (Wimberly, Tully, Swain/Singleton, Greenstein)** – Permits municipalities to lease vacant municipal land for tiny home occupancy; directs DCA to enhance regulatory guidance on acceptable tiny home construction and use
- A-4904 wGR/S-3347 (Mukherji, Quijano, Mazzeo/Cryan, Sweeney)** – Concerns property taxes due and owing on real property owned by certain federal employees or contractors under certain circumstances
- A-4954/S-3368 (Quijano, Murphy, Carter/Singleton, Greenstein)** – Revises requirements for provision of counseling and support services to emergency services personnel
- ACS for A-4972/SCS for S-1490 (Moriarty/Beach, Scutari)** – Establishes certain consumer protections related to arbitration organizations
- A-4978 wGR/S-3498 (Timberlake, Zwicker, Vainieri Huttle/Greenstein, Cryan)** – Prohibits online education services from using and disclosing certain information, engaging in targeted advertising, and requires deletion of certain information in certain circumstances
- A-5023/S-3467 (McKnight, Mukherji, Chaparro, Chiaravalloti/Cunningham)** – Exempts from DOT permitting requirements certain signs not located in protected areas that have been approved by municipality
- A-5028/S-3523 (Mukherji, Conaway, Pintor Marin/Vitale, Diegnan)** – Establishes "James Nicholas Rentas's Law," revises "New Jersey SmokeFree Air Act"
- A-5029/S-3522 (Sumter, Reynolds-Jackson, Johnson/Rice, T. Kean)** – Requires New Jersey Office on Minority and Multicultural Health to study racial disparities on sexual and reproductive health of African-American women

A-5031/S-3455 (Speight, McKnight, Timberlake/Ruiz) – Requires hospital emergency departments to ask person of childbearing age about recent pregnancy history

A-5314/S-3692 (Zwicker, Milam, Mazzeo/Cryan, Ruiz) – Requires DHS to study social isolation occurring in certain population groups

A-5344/S-3833 (Mukherji, Vainieri Huttel, Milam/Gopal, Corrado) – Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs

A-5388/S-3895 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires specialized in-service training regarding crime victims for police departments in certain high-crime areas

A-5389/S-3896 (Speight, Pintor Marin, Greenwald/Greenstein, Ruiz) – Requires training or experience in crime victims' rights for certain members of Victims of Crime Compensation Review Board

A-5432/S-3796 (Milam, Land/Andrzejczak) – Requires DEP Commissioner to establish individual transferable quota system for menhaden purse seine fishery

A-5445/S-3909 (Swain, Tully, Spearman/T. Kean, Corrado) – Requires AG to establish program to detect fentanyl in State's illegal drug supply and make information related to presence of fentanyl available in database accessible by law enforcement

A-5511/S-1852 (Spearman, Jones, Reynolds-Jackson/Turner, Cruz-Perez) – Revises certain penalties for illegal operation of snowmobile, all-terrain vehicle, or dirt bike

A-5580/S-3842 (Johnson, Moriarty, Greenwald/Weinberg, Sarlo) – Extends availability period for tax credits for certain expenses incurred for production of certain film and digital media content, raises annual cap related to film production, and provides for annual administration of film tax credits

A-5583/S-3919 (Pinkin, Lopez, Mukherji/Smith, Bateman) – Prohibits sale, lease, rent, or installation of certain equipment or products containing hydrofluorocarbons or other greenhouse gases

A-5630/S-3981 (Pintor Marin, Munoz, Reynolds-Jackson/Weinberg, Corrado) – Requires Civil Service Commission to establish and maintain hotline for State employees to submit reports of workplace discrimination and harassment

[Copy of Statement](#)

A-5667/S-3933 (Mukherji, Vainieri Huttel, Armato, DeCroce, Karabinchak/Singer, Scutari) – "Charlie's Law"; requires pharmacy practice sites and hospice programs to furnish patients with information and means to safely dispose of unused prescription drugs and medications

A-5801/S-4064 (Coughlin, Houghtaling, Verrelli/Singleton, Sweeney) – Concerns responsibility of contractors for wage claims against subcontractors

A-5817/S-4263 (Mazzeo, Armato/Cunningham, Sweeney, C.A. Brown) – Allows certain persons to qualify for casino key employee license and casino employee registration

A-5916/S-4255 (Chiaravalloti, McKnight, Karabinchak/Cunningham, Weinberg) – Authorizes DOH to notify elected officials of financial distress of certain hospitals

A-5918/SCS for S-3741 and 4253 (Chiaravalloti, McKnight/Weinberg, Cunningham, Vitale) – Expands hospital reporting requirements

A-5970/S-4201 (Lopez, Speight, Chaparro/Codey) – Amends list of environmental infrastructure projects approved for long-term funding for FY2020 to include new projects, remove certain projects, and modify estimated loan amounts for certain projects

A-5971/S-4202 (Mukherji, Pintor Marin, Spearman/Bateman, Corrado) – Authorizes NJ Infrastructure Bank to expend additional sums to make loans for environmental infrastructure projects for FY2020

A-5972/S-4203 (Pinkin, Benson, Zwicker/Greenstein, Singleton) – Makes changes to New Jersey Infrastructure Bank's enabling act

A-5977/S-4282 (Greenwald, Downey, Vainieri Huttie/Vitale, Singleton) – Provides for establishment of Regional Health Hub Program as replacement to Accountable Care Organization Demonstration Project, and designates existing accountable care organizations and look-alike organizations as Regional Health Hubs

A-6119/S-4336 (Egan, Houghtaling/Madden) – Revises "The Public Works Contractor Registration Act" and amends definition of registered apprenticeship program

AJR-35/SJR-159 (McKnight, Chaparro, Chiaravalloti, DeCroce/Cunningham, Greenstein) – Designates third full week in March as "Domestic Violence Services Awareness Week" to bring awareness of services available to domestic violence victims

AJR-103/SJR-70 (Rooney, DePhillips, Murphy/Corrado) – Permanently designates January as "NUT Carcinoma Awareness Month" in New Jersey

AJR-118/SJR-157 (McKnight, Timberlake, McKeon/Pou, Madden) – Designates April of each year as "Financial Literacy Month" in New Jersey

AJR-180/SJR-112 (DeAngelo, McKnight, Murphy/Singleton, Corrado) – Designates February in each year as "Career and Technical Education Month" in New Jersey

Governor Murphy declined to sign the following bills, meaning they expire without becoming law:

S-691/A-657 (Ruiz, Pou/Jasey, Caputo, Pintor Marin, Sumter, Wimberly) – Requires that if a school district satisfies 80% or more of the required NJ Quality Single Accountability Continuum standards in an area of district effectiveness under State intervention, the State must return that area to local control

S-1083/A-544 (Cruz-Perez, Gopal/Mazzeo, Houghtaling, Holley, Dancer) – Establishes loan program and provides corporation business tax and gross income tax credits for establishment of new vineyards and wineries

S-2421/A-1030 (Smith, Bateman/Johnson, Kennedy, Benson, DeAngelo) – Concerns installation of electric vehicle charging stations in common interest communities

S-2425/A-3851 (Singleton, Andrzejczak/Conaway) – Revises law relating to common interest communities

S-2429/A-4028 (Scutari, Pou/Bramnick, Downey) – Requires automobile insurers to disclose policy limits upon request by an attorney under certain circumstances

S-2835/A-3926 (Singleton, Ruiz/Conaway, Lampitt, Murphy) – Requires public schools to administer written screenings for depression for students in certain grades

S-2897/A-1433 (Madden, Singer/Benson, Wimberly, Carter) – Requires DCA to establish procedures for inspection and abatement of mold hazards in residential buildings and school facilities, and certification programs for mold inspectors and mold hazard abatement workers

S-2957/A-4712 (Stack/Mukherji, Chaparro) – Establishes five-year moratorium on conversions of certain residential rental premises in qualified counties

S-2958/A-4535 (Sarlo, Oroho/Zwicker, DePhillips, DeCroce) – Establishes the "Energy Infrastructure Public-Private Partnership Act"

S-3062/A-2049 (Ruiz, Greenstein/Howarth, Benson, Murphy) – Provides corporation business tax and gross income tax credits for businesses that employ apprentices in DOL registered apprenticeships

S-3063/A-4655 (Ruiz/Armato, Vainieri Huttie, DeAngelo) – Provides tuition fee waiver apprenticeship courses

S-3137/A-1308 (Sweeney, Oroho, Singleton/Greenwald, Milam, Land) – The "Electronic Construction Procurement Act"

S-3252/A-4713 (Greenstein, Stack/DeAngelo, Quijano) – "New Townhouse Fire Safety Act"; requires automatic fire sprinkler systems in new townhomes

S-3263/A-4837 (T. Kean, Diegnan/Vainieri Huttie, Chiaravalloti, McKnight) – Revises and updates membership and purpose of Advisory Council on the Deaf and Hard of Hearing in DHS

S-3270/A-5095 (Pou/McKeon, Freiman, DeCroce) – Establishes certain requirements for stop loss insurance offered to small employers

S-3393/ACS for A-5384 and 5157 (Sarlo, Addiego/Mazzeo, Murphy, Houghtaling, Calabrese, Armato, Dancer) – Allows certain preserved farms to hold 14 special occasion events per year; imposes further event restrictions on residentially-exposed preserved farms

S-3770/A-6118 (Sarlo, Oroho, Sweeney/Greenwald, Jones) – Establishes "New Jersey Economic and Fiscal Policy Review Commission" to provide ongoing review of State and local tax structure, economic conditions, and related fiscal issues

S-3888/A-5585 (Ruiz/Dancer, Pintor Marin) – Extends document submission deadlines under Economic Redevelopment and Growth Grant program and Urban Transit Hub Tax Credit program

S-4035/A-5702 (Pou, Singleton/Wimberly, Reynolds-Jackson, Sumter) – Makes Fiscal Year 2020 supplemental appropriation of \$1,700,000 for Thomas Edison State University

S-4281/A-6094 (Smith, Diegnan/Danielsen, Pinkin) – Requires State to sell and convey to Educational Services Commission of New Jersey certain land and improvements known as Piscataway Regional Day School

S-4331/A-4727 (Diegnan, Madden/Karabinchak, Holley, Jones) – Requires person taking written examination for permit to watch video of rights and responsibilities of driver stopped by law enforcement; requires testing on rights and responsibilities of driver stopped by law enforcement

A-491/S-4340 (Jimenez/Sacco, Stack) – Enhances PFRS accidental death pension for surviving spouse by providing for minimum of \$50,000 annually

A-1044/S-1441 (Houghtaling, Downey, DiMaio, Space/Doherty, Madden) – Requires Director of Division of Taxation to examine feasibility of centralized property tax information system to verify property taxes paid by homestead property tax reimbursement claimants

A-1045/S-2856 (Houghtaling, Downey, Dancer/Gopal, Oroho) – Clarifies sales tax collection responsibilities of horse-boarding businesses in New Jersey

A-1526/S-1048 (Zwicker, Johnson/Vitale) – Concerns payment of independent contractors

A-2731/S-3407 (Taliaferro, Space/Sweeney, Oroho) – Removes statutory limitation on number of permits that may be issued by Division of Fish and Wildlife for the taking of beaver

A-4382/S-2815 (Pinkin, Lopez, Kennedy/Beach, Smith) – Requires paint producers to implement or participate in paint stewardship program

A-4463/S-3927 (Freiman, Egan, Karabinchak/Oroho, Andrzejczak) – Establishes "Electronic Permit Processing Review System"

A-4788/S-3880 (Karabinchak, Freiman, Calabrese/Diegnan) – Establishes expedited construction inspection program

A-5072/S-3496 (Karabinchak, Johnson, Mukherji/Greenstein, Cryan) – "Defense Against Porch Pirates Act"; creates new category of theft, with penalties including mandatory restitution and community service, for taking package delivered to residence by cargo carrier

A-5446/S-3907 (Land, Reynolds-Jackson, Verrelli/T. Kean, Lagana) – Requires reporting of opioid deaths

A-5629/S-3980 (Pintor Marin, Munoz/Weinberg, Corrado) – Clarifies provisions concerning disclosure of existence and content of discrimination or harassment complaints; requires certain disclosures to person against whom complaint is made

[Copy of Statement](#)

ACS for A-5922 and 5923/SCS for S-4223 and 4224 (Conaway, Vainieri Huttle, Lopez, Pinkin/Vitale, Sweeney) – Revises requirements for sale of tobacco and vapor products; increases penalties for prohibited sales; increases fees for cigarette and vapor business licensure

[Copy of Statement](#)