

52:9X-9.1

**LEGISLATIVE HISTORY CHECKLIST**  
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(Biotechnology & other industries)

**NJSA:** 52:9X-9.1

**LAWS OF:** 1995 **CHAPTER:** 277

**BILL NO:** A1635

**SPONSOR(S):** Impreveduto and Felice

**DATE INTRODUCED:** April 25, 1994

**COMMITTEE:** **ASSEMBLY** Economic & Community Development

**SENATE:** ---

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
First reprint enacted denoted by superscript numbers

**DATE OF PASSAGE:** **ASSEMBLY:** September 26, 1994 Re-enacted 6-22-95

**SENATE:** December 15, 1994 Re-enacted 12-7-95

**DATE OF APPROVAL:** December 15, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** No

**FISCAL NOTE:** Yes

**VETO MESSAGE:** Yes

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** Yes

**HEARINGS:** No

974.90 New Jersey. Joint Legislative Task Force on Biotechnology.  
I42 Release of the preliminary report...and the present bills...,  
1994a held 4-11-94, 6-24-94, 8-9-94, 11-4-94 & 12-9-94, Trenton,  
Piscataway, New Brunswick, Princeton, 1994.

974.90 New Jersey. Biotechnology Development Task Force.  
I42 Regulatory environment affecting the biotechnology 1993  
industry..., held 11-16-93, 10-8-93, Trenton, 1993.

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[FIRST REPRINT]  
ASSEMBLY, No. 1635

STATE OF NEW JERSEY

INTRODUCED APRIL 25, 1994

By Assemblymen IMPREVEDUTO and FELICE

1 AN ACT concerning the promotion of biotechnology and other  
2 high technology industries, supplementing P.L.1981, c.122  
3 (C.52:27H-1 et seq.) and making an appropriation.  
4

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

7 1. This act shall be known and may be cited as the "New  
8 Jersey High Technology and Biotechnology Industry Promotion  
9 Act."

10 2. The Legislature finds and declares it to be the policy of this  
11 State that:

12 a. The New Jersey, Philadelphia and New York region contains  
13 the second largest concentration of biotechnology companies in  
14 the country; and

15 b. Nationwide, the biotechnology industry has grown from 100  
16 companies in 1970 to over 1200 companies today, employing  
17 approximately 140,000 people across the country. Biotechnology  
18 industry sales are expected to reach \$50 billion by the year 2000;  
19 and

20 c. The continued growth of New Jersey's biotechnology and  
21 other high technology industries is integral to the creation of  
22 high-skill jobs and the growth of the State's economy in the  
23 1990's and on into the 21st century; and

24 d. The promotion of New Jersey's high technology industry,  
25 including its biotechnology industry, and the attraction to the  
26 State of biotechnology and other high technology companies is  
27 vital and necessary to the people of this State.

28 Therefore, it is necessary and important to the economy of this  
29 State that a program be established to promote biotechnology and  
30 other high technology industries in New Jersey and to attract  
31 biotechnology and other high technology companies to the State.

32 3. The <sup>1</sup>[Commissioner of Commerce and Economic  
33 Development] New Jersey Commission on Science and  
34 Technology<sup>1</sup>, in consultation with the <sup>1</sup>[New Jersey Commission  
35 on Science and Technology] Department of Commerce and  
36 Economic Development<sup>1</sup>, shall establish a program to promote  
37 biotechnology and other high technology industries in the State  
38 and to attract biotechnology and other high technology companies  
39 to the State.

40 The program shall: include research and information on  
41 commercial opportunities in biotechnology and high technology;  
42 provide technical and financial assistance to biotechnology and  
43 high technology companies considering locating in New Jersey;

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:

<sup>1</sup> Assembly amendments adopted in accordance with Governor's  
recommendations June 22, 1995.

1 regularly represent or assist in representing the interests of New  
2 Jersey based firms in the national and international markets for  
3 biotechnology and high technology through conferences and  
4 seminars; provide New Jersey based firms with customized  
5 technical, financial and other assistance; and recruit capital  
6 investment in New Jersey to be applied to the high technology  
7 and biotechnology industries.

8 4. In establishing the program required by this act, the  
9 <sup>1</sup>[Commissioner of Commerce and Economic Development] New  
10 Jersey Commission on Science and Technology<sup>1</sup> shall consult with  
11 the Biotechnology Council of New Jersey and other  
12 representatives of the biotechnology and high technology  
13 industries in this State.

14 5. In order to effectuate the purposes of this act, the  
15 <sup>1</sup>[Commissioner of Commerce and Economic Development and  
16 the]<sup>1</sup> New Jersey Commission on Science and Technology shall  
17 analyze on an ongoing basis the state of the biotechnology and  
18 high technology sectors in New Jersey, including, but not limited  
19 to, their strengths and weaknesses, their opportunities and risks,  
20 their emerging products, processes, and market niches, the  
21 commercialization of their technologies, their capital  
22 availability, their education and training needs and their  
23 infrastructure development.

24 <sup>1</sup>[6. There is appropriated \$75,000 from the General Fund to  
25 the Department of Commerce and Economic Development to  
26 effectuate the purposes of this act.]<sup>1</sup>

27 <sup>1</sup>[7.] 6.<sup>1</sup> This act shall take effect immediately.

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32 Establishes a program to promote and attract biotechnology and  
33 other high technology industries.

1 technical, financial, and other assistance; and recruit capital  
2 investment in New Jersey to be applied to the high technology  
3 and biotechnology industries.

4 4. In establishing the program required by this act, the  
5 Commissioner of Commerce and Economic Development shall  
6 consult with the Biotechnology Council of New Jersey and other  
7 representatives of the biotechnology and high technology  
8 industries in this State.

9 5. In order to effectuate the purposes of this act, the  
10 Commissioner of Commerce and Economic Development and the  
11 New Jersey Commission on Science and Technology shall analyze  
12 on an ongoing basis the state of the biotechnology and high  
13 technology sectors in New Jersey, including, but not limited to,  
14 their strengths and weaknesses, their opportunities and risks,  
15 their emerging products, processes, and market niches, the  
16 commercialization of their technologies, their capital  
17 availability, their education and training needs and their  
18 infrastructure development

19 6. There is appropriated \$75,000 from the General Fund to the  
20 Department of Commerce and Economic Development to  
21 effectuate the purposes of this act.

22 7. This act shall take effect immediately.

#### 23 24 25 STATEMENT

26  
27 This bill requires the Commissioner of the Department of  
28 Commerce and Economic Development, in consultation with the  
29 New Jersey Commission on Science and Technology, to establish  
30 a program to promote biotechnology and other high technology  
31 industries in the State and to attract biotechnology and other  
32 high technology companies to the State. The bill also requires  
33 the commissioner to consult with the Biotechnology Council of  
34 New Jersey and other representatives of the biotechnology and  
35 high technology industries in this State. In order to effectuate  
36 the purposes of the bill, the commissioner is directed to analyze  
37 on an ongoing basis the state of the high technology and  
38 biotechnology sectors in New Jersey.

39 The bill appropriates \$75,000 to the Department of Commerce  
40 and Economic Development for the creation of the program.

41 The New Jersey, Philadelphia and New York region contains  
42 the second largest concentration of biotechnology companies in  
43 the country. It is very important to the growth of New Jersey's  
44 economy and the creation of high skill jobs that these and other  
45 high technology companies remain in the State and that new high  
46 technology and biotechnology companies continue to locate in the  
47 State.

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52 Establishes a program to promote and attract biotechnology and  
53 other high technology industries.

ASSEMBLY ECONOMIC AND COMMUNITY DEVELOPMENT,  
AGRICULTURE AND TOURISM COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1635

STATE OF NEW JERSEY

DATED: June 13, 1994

The Assembly Economic and Community Development, Agriculture and Tourism Committee reports favorably Assembly Bill No. 1635.

As reported, this bill requires the Commissioner of the Department of Commerce and Economic Development, in consultation with the New Jersey Commission on Science and Technology, to establish a program to promote biotechnology and other high technology industries in the State and to attract biotechnology and other high technology companies to the State. The bill also requires the commissioner to consult with the Biotechnology Council of New Jersey and other representatives of the biotechnology and high technology industries in this State. In order to effectuate the purposes of the bill, the commissioner is directed to analyze on an ongoing basis the state of the high technology and biotechnology sectors in New Jersey.

The bill appropriates \$75,000 to the Department of Commerce and Economic Development for the creation of the program.

The New Jersey, Philadelphia and New York region contains the second largest concentration of biotechnology companies in the country. It is very important to the growth of New Jersey's economy and the creation of high skill jobs that these and other high technology companies remain in the State and that new high technology and biotechnology companies continue to locate in the State.

FISCAL NOTE TO  
ASSEMBLY, No. 1635  
STATE OF NEW JERSEY

DATED: July 12, 1994

Assembly Bill No. 1635 of 1994 requires the Commissioner of the Department of Commerce and Economic Development, in consultation with the New Jersey Commission on Science and Technology (CST), to establish a program to promote biotechnology and other high technology industries in the State. In doing so, the bill requires the commissioner to consult with the Biotechnology Council of New Jersey and other representatives of the State's biotechnology and high technology industries. In addition, the commissioner is directed to analyze on an ongoing basis the state of the high technology and biotechnology sectors in New Jersey. An appropriation of \$75,000 is included to help the department carry out the bill's objectives.

The department states that it would work with the CST to incorporate this program into its advertising and promotion activities and, accordingly, utilize the \$75,000 appropriation toward these types of functions. It also estimates that an additional \$75,000 would be needed in both the second and third years of the program.

The Office of Legislative Services (OLS) does not concur with the department's statements because they address the disposition of the bill's appropriation rather than the estimated costs the department may accrue in effectively implementing this program. In lieu of such an analysis, the OLS estimates that, given the bill-related program resources and activities that already exist in the department, the CST and the participating industries cited above, the bill's objectives could probably be realized using the one-time appropriation provided herein. Any additional funding would ultimately depend on future program needs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY BILL NO. 1635

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1635 with my recommendations for reconsideration.

A. Summary of Bill

This bill requires the Commissioner of Commerce and Economic Development, in consultation with the New Jersey Commission on Science and Technology, to establish a program to promote biotechnology and other high technology industries in New Jersey and to attract biotechnology and other high technology companies to the State. The bill appropriates \$75,000 from the General Fund to the Department of Commerce and Economic Development to fund this program.

B. Recommended Action

While I support the objectives of this bill, I am advised that the New Jersey Commission on Science and Technology is the more appropriate agency to implement a specialized program which promotes biotechnology and other high technology industries. Assignment of this program to the Department of Commerce and Economic Development would require that additional funds be committed to hiring staff with expertise in the area of biotechnology. The Commission on Science and Technology currently has the resources and expertise to implement such a program. I therefore recommend that the bill be amended to allow the New Jersey Commission on Science and Technology to have primary responsibility for administering this program. To maximize the benefits of this program, the Department of Commerce and Economic Development, which already has as its mission the promotion and

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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attraction of business in New Jersey, will provide such assistance and expertise to the New Jersey Commission on Science and Technology as the Department deems appropriate. Because the New Jersey Commission on Science and Technology already has the resources to implement this program, I am recommending the elimination of the \$75,000 appropriation.

For these reasons, I herewith return Assembly Bill No. 1635 and recommend that it be amended as follows:

- Page 1, Section 3, Lines 32-33: Delete "Commissioner of Commerce and Economic Development" and insert "New Jersey Commission on Science and Technology"
- Page 1, Section 3, Lines 33-34: Delete "New Jersey Commission on Science and Technology" and insert "Department of Commerce and Economic Development"
- Page 2, Section 4, Line 5: Delete "Commissioner of Commerce and Economic Development" and insert "New Jersey Commission on Science and Technology"
- Page 2, Section 5, Line 10: Delete "Commissioner of Commerce and Economic Development and the"
- Page 2, Section 6, Lines 19-21: After "6." delete in entirety
- Page 3, Section 7, Line 22: Delete "7."

Respectfully,

/s/ Christine Todd Whitman

GOVERNOR

[seal]

Attest:

/s/ Peter Verniero

Chief Counsel to the Governor