

40A: 11-18

LEGISLATIVE HISTORY CHECKLIST

(Buy America requirement for materials to construct buildings owned by local government)

NJSA 40A:11-18

LAWS 1982

CHAPTER 107

Bill No. A565

Sponsor(s) Albohn and Van Wagner

Date Introduced Pre-filed

Committee: Assembly Labor

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly March 15, 1982

Senate June 10, 1982

Date of approval Aug. 4, 1982

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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6/22/81 JUL 1983

**CORRECTED COPY
ASSEMBLY, No. 565**

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Assemblymen ALBOHN and VAN WAGNER

AN ACT to amend the "Local Public Contracts Law," approved
June 9, 1971 (P. L. 1971, c. 198).

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

1 1. Section 18 of P. L. 1971, c. 198 (C. 40A:11-18) is amended to
2 read as follows:

3 18. Each local unit shall provide, in the specifications for all
4 contracts for county or municipal work or for work for which it
5 will pay any part of the cost, *or work which by contract or ordinance*
6 *it will ultimately own and maintain*, that only manufactured and
7 farm products of the United States, wherever available, be used in
8 such work.

1 2. This act shall take effect 60 days after enactment.

STATEMENT

This bill expands the "buy American" provision of the "Local Public Contracts Law" to cover those items or materials used in buildings or projects which are constructed by a private contractor but which shortly are turned over to the municipality or county and thereafter owned and maintained by it. "Only manufactured and farm products of the United States, wherever available," must be used in such works.

Matter printed in italics thus is new matter.

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 565

STATE OF NEW JERSEY

DATED: MARCH 8, 1982

This bill would require counties and municipalities to specify that American made manufactured or farm products be used, wherever available, on all work which they will pay for, in whole or in part, or which by contract or ordinance they will ultimately own and maintain.

SENATE COUNTY AND MUNICIPAL
GOVERNMENT COMMITTEE

STATEMENT TO
ASSEMBLY, No. 565

STATE OF NEW JERSEY

DATED: JUNE 3, 1982

Assembly Bill No. 565 would require a local government to include a requirement for use of only United States made products in specifications for contracts for work which the local government will ultimately own and maintain.

The effect is to expand the "buy American" provision of the "Local Public Contracts Law," currently limited to contracts for county or municipal work and work for which the local government pays a portion of the cost, to work performed by a private contractor which is to be turned over to the local government and thereafter owned and maintained by it.

The "buy American" specification would be included in this case in the provisions of the contract providing for the transfer of the property, rather than in the bid specifications or performance contract. The bill is meant to address only those situations where a contract providing for transfer of the property to the local government is entered into prior to construction. The bill would not prohibit local governments from entering into contracts for the purchase of previously constructed property which contains foreign products.