ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3261

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 11, 2024

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 3261.

As amended, this bill reconciles certain provisions of P.L.2009, c.313 (C.52:38-7) and P.L.2009, c.335 (C.52:40-1 et seq.). Specifically, the bill modifies the language used in section 6 of P.L.2009, c.335 (C.52:40-6) to describe the use of 0.5% of construction project funds set aside for women and minority group members to make it conform to P.L.2009, c.313. The bill amends the law to read that the Division of Public Contracts Equal Employment Opportunity Compliance is required to determine whether public bodies and political subdivisions that it monitors have properly allocated and used the 0.5% of funds required by P.L.2009, c.313 to provide on-the-job or off-the-job outreach and training programs for minorities and women for employment in construction trade occupations or other occupations utilized in the performance of public works contracts.

Current law requires the Division of Public Contracts Equal Employment Opportunity Compliance to determine whether State entities under its oversight have properly allocated and used the 0.5% of funds required by P.L.2009, c.313 to train minorities and women for employment in construction trades. As amended, this bill conforms the language in P.L.2009, c.335 to the language in P.L.2009, c.313 with respect to the activities to be used by the 0.5% of public works contracts being allocated by public bodies, and the bill adds political subdivisions to the oversight of the division. Current law makes it permissive for political subdivisions to allocate 0.5% of public works contracts for the purposes of P.L.2009. c.313, and while this bill does not alter that provision, it does provide that political subdivisions will be subject to monitoring by the division if political subdivisions opt to allocate and use funds for these purposes.

The bill requires the division to include a summary of its determinations made pursuant to its provisions in each annual report provided pursuant to P.L.2009, c.313.

This bill was prefiled for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to include political subdivisions under the oversight of the Division of Public Contracts Equal Employment Opportunity Compliance and to make technical corrections and statutory updates.