

CHAPTER 78

AN ACT concerning construction contracts undertaken in connection with financial assistance from the New Jersey Commerce and Economic Growth Commission or the New Jersey Economic Development Authority, amending P.L.1979, c.303 and supplementing P.L.1998, c.44 (C.52:27C-61 et seq.).

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

1. Section 1 of P.L.1979, c.303 (C.34:1B-5.1) is amended to read as follows:

C.34:1B-5.1 Rules, regulations relative to payment of prevailing wage rate; "authority financial assistance" defined.

1. The New Jersey Economic Development Authority shall adopt rules and regulations requiring that not less than the prevailing wage rate be paid to workers employed in the performance of any construction contract undertaken in connection with any of its projects , those projects which it undertakes pursuant to P.L.2002, c.43 (C.52:27BBB-1 et al.) or school facilities projects or undertaken to fulfill any condition of receiving authority financial assistance. The prevailing wage rate shall be the rate determined by the Commissioner of Labor pursuant to the provisions of P.L.1963, c.150 (C.34:11-56.25 et seq.). For the purposes of this section, "authority financial assistance" means any loan, loan guarantee, grant, incentive, tax exemption or other financial assistance approved, funded, authorized, administered or provided by the authority to any entity, including but not limited to, all authority financial assistance received by the entity pursuant to P.L.1996, c.26 (C.34:1B-124 et seq.) that enables the entity to engage in a construction contract, but this shall not be construed as requiring the payment of the prevailing wage for construction commencing more than two years after the assistance is received.

2. Section 2 of P.L.1979, c.303 (C.34:1B-5.2) is amended to read as follows:

C.34:1B-5.2 Administration and enforcement of rules and regulations.

2. The rules and regulations adopted under section 1 of this act shall provide for the proper and appropriate administration and enforcement of such regulations.

C.52:27C-73.1 Rules, regulations relative to payment of prevailing wage rate; "commission financial assistance" defined.

3. The commission shall adopt rules and regulations requiring that not less than the prevailing wage rate be paid to workers employed in the performance of any construction contract undertaken in connection with commission financial assistance or undertaken to fulfill any condition of receiving commission financial assistance. The prevailing wage rate shall be the rate determined by the Commissioner of Labor pursuant to the provisions of P.L.1963, c.150 (C.34:11-56.25 et seq.). For the purposes of this section, "commission financial assistance" means any loan, loan guarantee, grant, incentive, tax exemption or other financial assistance approved, funded, authorized, administered or provided by the commission to any entity, including but not limited to, all commission financial assistance received by the entity pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.) that enables the entity to engage in a construction contract, but this shall not be construed as requiring the payment of the prevailing wage for construction commencing more than two years after the assistance is received

4. This act shall take effect immediately.

Approved September 5, 2002.