

**ASSEMBLY BILL NO. 965**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 965 with my recommendations for reconsideration.

This bill proposes to expand the Public Works Contractor Registration Act to include construction work on public utilities as an additional class of contracts. Not that long ago, in a law enacted in 2007, the Legislature chose not to subject construction work on public utilities to these same requirements. As the Legislature recognized then, heaping additional obligations on public utility contracts will inevitably reduce the pool of available contractors and thereby increase costs. New Jersey businesses already confront too much red tape and regulation; adding to those burdens without a clearer understanding of the need would be imprudent.

Therefore, I recommend that the Commissioner of the Department of Labor and Workforce Development review construction work on public utilities and assess whether there are failures requiring change. Specifically, the Commissioner should examine whether the current statutory structure affords the tools necessary to ensure compliance with the law. Those findings would inform whether there are any shortcomings that would justify the regulatory expansion proposed by this bill. The Commissioner should report such findings and recommendations directly to me no later than twelve months after the enactment of this bill.

Accordingly, I herewith return Assembly Bill No. 965 and recommend that it be amended as follows:

Page 2, Title, Lines 1-2:

Delete "concerning construction work on a public utility and amending P.L.1999, c.238." and insert

"requiring a review of construction work on a public utility."

Page 2, Section 1, Lines 7-21:

Delete in their entirety and insert "1. The Commissioner of Labor and Workforce Development shall undertake a review of construction work on a public utility as defined in section 16 of P.L.1946, c.38 (34:13B-16) and shall report any findings and recommendations directly to the Governor no later than twelve months from the date of enactment of this act. Specifically, the Commissioner shall examine whether the current statutory framework concerning construction work on a public utility enables the Commissioner sufficiently to enforce compliance with the laws governing that work."

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Christopher S. Porrino

Chief Counsel to the Governor