

Utility & Transportation Contractors Association



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LEGISLATIVE NEWS *November 2013*

Recap of Election 2013

Republican Governor Chris Christie easily defeated Democratic State Senator Barbara Buono 60.5% to 38% in his bid for reelection. Little changed in the State Legislature despite this enormous victory. Democrats will maintain their majority in the State Senate (24-16) and their majority in the General Assembly.

The Democrats lost one Assembly seat in the 1st District with the defeat of incumbent Assemblyman Nelson Albano and stand to lose one more seat in the 38th District where incumbent Assemblyman Tim Eustace currently trails by only a few hundred votes. Republicans in the Assembly are also in danger of losing a seat held by Assemblyman John Amodeo in District 2 where votes are still being counted.

The public question relative to an increase in the minimum wage passed 61% to 39%. This Constitutional Amendment will establish two minimum wage increases in 2014 including a \$1 increase on January 1st to \$8.25 per hour and another on September 30th, and every September 30th thereafter, by an amount tied to the Consumer Price Index (CPI).

U.S. House Approves WRRDA

The United States House of Representatives recently passed the Water Resources Reform and Development Act (WRRDA) by a vote of 417-3. This legislation authorizes funding for water-related capital projects carried out by the Army Corps of Engineers. Many important projects in New Jersey are funded this way including dams, waterway improvements, flood mitigation, and other similar construction.

Overall, the bill will provide \$10 billion in funding over five years and is intended to make several reforms that will propel projects to approval, funding, and completion much more quickly. Representatives from UTCA have met

with Congressmen as well as key Congressional staff in charge of authoring the legislation throughout the past year, including a trip to D.C. in early June and late August specifically to get a progress report and to add specific language in the House bill.

Since the Senate already passed its own version, Senate and House staff members will meet in coming weeks to begin the Senate/House conference negotiations on the bill. In the meantime, the House Transportation and Infrastructure Committee plans to markup its version of the WIFIA bill and pass the measure in November. This action will allow the House conference negotiators to use the Committee's WIFIA bill as the House position concerning this segment of the Senate legislation.

UTCA and Clean Water Construction Coalition representatives will continue to focus their efforts to gain several key policy changes in the House WIFIA bill. These changes include the removal of the \$20 million minimum project size that was required by the Senate WIFIA bill, the uncoupling of project financing rates to Treasury prevailing interest rates, and to allow projects to be eligible for 100% federal funding.



UTCA Legislative Committee is pictured at a recent meeting at the association conference room

UTCA Secures Key Amendments to “Responsible Contractor” Bill

Legislation initiated and supported by the New Jersey State Building Trades has been modified in several key areas to increase fairness for contractors. Association representatives met with bill sponsors on several occasions to craft compromise language as it relates to several worrisome provisions, most important of which dealt with apprenticeship requirements that had to be met in order to bid public work. UTCA’s compromise language appropriately ties the definition of apprenticeship to the United States Department of Labor’s definition and provides a mechanism for contractors that do not employ apprentices, as defined by USDOL, to still compete in the marketplace.

Working with other industry groups, further provisions that could have locked certain contractors out of public work for small OSHA violations or accidental violations of State wage, benefit, or tax laws, for example, were stripped from the bill. The compromise legislation (A-3359/S2604) passed the Senate Labor committee this week with the compromise intact. A full vote by the Senate is expected.

UTCA Bills Poised for Lame Duck Action

Association representatives will be pushing for final legislative action on two key priorities in the lame duck session. A-683, pertaining to financial statements, is de-

signed to protect a company’s private financial information and its ability to take part in the bidding process at the local level. A-3177/S-2143 will establish a State Transportation Infrastructure Bank so that New Jersey will be prepared to receive federal money earmarked for such programs and in the most efficient way possible by utilizing the expertise of the Environmental Infrastructure Trust for a relatively turn-key operation.

UTCA PAC Club Needs Your Support!

UTCA continues to represent the utility and transportation construction industry vigorously before our governmental decision-makers. Over the past several years, the Association has been responsible for developing, drafting, and securing final passage of laws that have directly impacted our members. Each week, UTCA staff monitors thousands of existing and newly introduced legislative initiatives and energetically opposes any measure that would be harmful to our industry and your business.

In this effort, Association staff conducts numerous meetings throughout the year with members of the Legislature, their staff, and representatives of the Administration. PAC Club funds allow UTCA representatives to attend legislative fundraisers and other special events which provide an opportunity to discuss industry issues with key leaders.

Whether your firm is large or small, UTCA’s PAC Club program has a membership level designed to fit your financial capabilities. There are 8 different PAC Club memberships. UTCA urges you to please use the 2013 PAC Contribution Form that is attached and return it to the association office with your firm’s financial support.

**Help Us Represent The Industry In
The Legislature!**

Support UTCA's PAC Club

CONSTRUCTORS FOR GOOD GOVERNMENT