ASSEMBLY, No. 4337

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED NOVEMBER 21, 2011

Sponsored by:
Assemblyman ALBERT COUTINHO
District 29 (Essex and Union)
Assemblyman TROY SINGLETON
District 7 (Burlington and Camden)

Co-Sponsored by:
Assemblyman Benson, Senators Madden, Oroho and Greenstein

SYNOPSIS

Creates New Jersey Business Action Center; requires center to provide competitive intelligence information to certain businesses.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 1/10/2012)
AN ACT creating the New Jersey Business Action Center, amending P.L.1974, c.80 (C.34:1B-1 et seq.) and supplementing Title 52 of the Revised Statutes.

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

1. (New section) As used in sections 1 through 10 of P.L. ,
c. (C. ) (pending before the Legislature as this bill):
   “Authority” means the New Jersey Economic Development Authority established by P.L.1974, c.80 (C.34:1B-1 et seq.).
   “Division” means the Division of Business Assistance, Marketing, and International Trade established by P.L.2008, c.27 (c.34:1B-210 et al.), also known as the Business Retention and Attraction Division or BRAD.
   “Center” means the New Jersey Business Action Center established by section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill).

2. (New section) a. In order to improve efficiency, achieve savings, and enhance the productivity of the State’s interaction with the private sector, there is hereby established the New Jersey Business Action Center in the Department of State.
   b. The center shall act as the State’s liaison to the business community and provide information and guidance, to the extent that is feasible and that it is capable, on the following subject areas:
      (1) State financial and incentive programs;
      (2) State taxes incurred by New Jersey businesses;
      (3) Permits, licenses, certificates, and other governmental-approvals needed by a business that is issued by any New Jersey municipality or county, the State, or federal government;
      (4) State regulations;
      (5) Real property available for purchase or lease for commercial purposes;
      (6) International trade;
      (7) Staffing, training, and available customized workforce development programs offered;
      (8) Construction projects within New Jersey and the surrounding states; and
      (9) Any other subject that the center determines would be valuable to businesses.
   c. (1) The center, upon request and free of charge, shall provide individualized competitive intelligence information to businesses that have fewer than 100 employees and are located within the State. The center may partner with organizations in the

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
State to provide individualized competitive intelligence information.

(2) The information provided shall be based upon the needs of the requesting business and may include, but shall not be limited to, information about competitors and their strategies, industry trends and forecasts, market size and sales, financial analysis, business planning, strategic planning, market demographics and psychographics, market research reports, potential market niches, prospective partners and resources, and marketing lists and leads. Information addressing the needs of requesting businesses may be provided in the form of personalized counseling or management consulting.

(3) All requests for competitive intelligence information made to the center shall be considered confidential and the center, or any organization that is partnered with the center to provide competitive intelligence information, shall not disclose any non-public proprietary information about the requesting business obtained while assisting that business to any other business or private entity. Both the center and any organization that is partnered with the center to provide competitive intelligence information shall not provide any non-public proprietary information to businesses requesting competitive intelligence information. No action may be brought against the State, or any agency or instrumentality thereof, for relief in connection with the center’s provision of competitive intelligence information under this section.

(4) The center may develop an internship program to assist in providing requesting businesses with competitive intelligence information. Whenever possible, the center may hire interns that have a bachelor or greater degree in business or a related field, which may include, but not be limited to, finance, accounting, economics, and any other field deemed related by the Executive Director of the center.

d. The center shall work in conjunction with in-State academic institutions and local and State agencies or non-profit entities to develop and promote training programs and seminars designed to support the growth and expansion of New Jersey businesses.

e. The center shall be under the supervision of an Executive Director, appointed by the Secretary of State, who shall report to the Secretary of State. The Executive Director shall be a person qualified by training and experience to direct the work of the center. The Executive Director shall serve at the pleasure of the Secretary of State and shall receive such compensation as may be provided by law.

3. (New section) a. The Division of Business Assistance, Marketing and International Trade in the authority is abolished, and all of its functions, powers, and duties, except as otherwise provided in P.L. , c. (C. ) (pending before the Legislature as
this bill), are continued and transferred to the center in the
Department of State.

b. Except as otherwise provided in P.L. , c. (C. )
(pending before the Legislature as this bill), whenever, in any law, rule, regulation, order, reorganization plan, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the division, the same shall mean and refer to the center.

4. (New section) a. The office of the director of the division is abolished and the term of that office shall terminate on the effective date of P.L. , c. (C. ) (pending before the Legislature as this bill).

b. Employees of the division who are employed by the authority on the date of enactment of P.L. , c. (pending before the Legislature as this bill) are continued and transferred to the center. Such transfers shall be consistent with the “State Agency Transfer Act.” P.L.1971, c.375 (C.52:14D-1 et seq.).

c. Nothing contained in P.L. , c. (pending before the Legislature as this bill) shall be construed to alter the representation status, bargaining rights, and bargained-for items and conditions of employment, or lack thereof, of any division employee in office or employment on the effective date of P.L. , c. (pending before the Legislature as this bill), nor shall the establishment of the center and its placement in the Department of State alter such conditions for employees of the division in office or employment on that effective date, except as specifically provided herein.

5. (New section) a. The functions, powers, and duties of the director of the division, except as otherwise provided, are continued and transferred to the executive director of the center.

b. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the director of the division, the same shall mean and refer to the executive director of the center.

6. (New section) a. The functions, powers, and duties of the division to serve as a member of the board of agencies and to provide administrative assistance to agencies are continued and are transferred to the center unless otherwise provided by P.L. , c. (pending before the Legislature as this bill).

b. Notwithstanding the provisions of any law, rule, regulation, or order to the contrary, the functions, powers, and duties of the division and director of the division except as otherwise provided in P.L. , c. (pending before the Legislature as this bill), are transferred to the center and the executive director of the center respectively, with regard to the council, commission, committee, task force, or other organization established by executive order.
7. Section 5 of P.L.1974, c.80 (C.34:1B-5) is amended to read as follows:
5. The authority shall have the following powers:
   a. To adopt bylaws for the regulation of its affairs and the conduct of its business;
   b. To adopt and have a seal and to alter the same at pleasure;
   c. To sue and be sued;
   d. To acquire in the name of the authority by purchase or otherwise, on such terms and conditions and such manner as it may deem proper, or by the exercise of the power of eminent domain in the manner provided by the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), any lands or interests therein or other property which it may determine is reasonably necessary for any project; provided, however, that the authority in connection with any project shall not take by exercise of the power of eminent domain any real property except upon consent thereto given by resolution of the governing body of the municipality in which such real property is located; and provided further that the authority shall be limited in its exercise of the power of eminent domain in connection with any project in qualifying municipalities as defined under the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.), or to municipalities which had a population, according to the latest federal decennial census, in excess of 10,000;
   e. To enter into contracts with a person upon such terms and conditions as the authority shall determine to be reasonable, including, but not limited to, reimbursement for the planning, designing, financing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of the project and to pay or compromise any claims arising therefrom;
   f. To establish and maintain reserve and insurance funds with respect to the financing of the project or the school facilities project and any project financed pursuant to the "Municipal Rehabilitation and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.);
   g. To sell, convey or lease to any person all or any portion of a project for such consideration and upon such terms as the authority may determine to be reasonable;
   h. To mortgage, pledge or assign or otherwise encumber all or any portion of a project, or revenues, whenever it shall find such action to be in furtherance of the purposes of this act, P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.);
   i. To grant options to purchase or renew a lease for any of its projects on such terms as the authority may determine to be reasonable;
j. To contract for and to accept any gifts or grants or loans of funds or property or financial or other aid in any form from the United States of America or any agency or instrumentality thereof, or from the State or any agency, instrumentality or political subdivision thereof, or from any other source and to comply, subject to the provisions of P.L.1974, c.80 (C.34:1B-1 et seq.), section 6 of P.L.2001, c.401 (C.34:1B-4.1), P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), and P.L.2007, c.137 (C.52:18A-235 et al.), with the terms and conditions thereof;
k. In connection with any action undertaken by the authority in the performance of its duties and any application for assistance or commitments therefore and modifications thereof, to require and collect such fees and charges as the authority shall determine to be reasonable, including but not limited to fees and charges for the authority's administrative, organizational, insurance, operating, legal, and other expenses;
m. To acquire, purchase, manage and operate, hold and dispose of real and personal property or interests therein, take assignments of rentals and leases and make and enter into all contracts, leases, agreements and arrangements necessary or incidental to the performance of its duties;
n. To purchase, acquire and take assignments of notes, mortgages and other forms of security and evidences of indebtedness;
q. To extend credit or make loans to any person for the planning, designing, acquiring, constructing, reconstructing, improving, equipping and furnishing of a project or school facilities project, which credits or loans may be secured by loan and security agreements, mortgages, leases and any other instruments, upon such terms and conditions as the authority shall deem reasonable, including provision for the establishment and maintenance of reserve and insurance funds, and to require the inclusion in any mortgage, lease, contract, loan and security agreement or other instrument, of such provisions for the construction, use, operation and maintenance and financing of a project or school facilities project as the authority may deem necessary or desirable;

r. To guarantee up to 90% of the amount of a loan to a person, if the proceeds of the loan are to be applied to the purchase and installation, in a building devoted to industrial or commercial purposes, or in an office building, of an energy improvement system;

s. To employ consulting engineers, architects, attorneys, real estate counselors, appraisers, and such other consultants and employees as may be required in the judgment of the redevelopment utility to carry out the purposes of P.L.1974, c.80 (C.34:1B-1 et seq.), section 6 of P.L.2001, c.401 (C.34:1B-4.1), P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.), and to fix and pay their compensation from funds available to the redevelopment utility therefor, all without regard to the provisions of Title 11A of the New Jersey Statutes;


u. To procure insurance against any losses in connection with its property, operations or assets in such amounts and from such insurers as it deems desirable;

w. To construct, reconstruct, rehabilitate, improve, alter, equip, maintain or repair or provide for the construction, reconstruction, improvement, alteration, equipping or maintenance or repair of any development property and lot, award and enter into construction contracts, purchase orders and other contracts with respect thereto, upon such terms and conditions as the authority shall determine to be reasonable, including, but not limited to, reimbursement for the planning, designing, financing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of any such development property and the settlement of any claims arising there from and the establishment and maintenance of reserve funds with respect to the financing of such development property;

x. When authorized by the governing body of a municipality exercising jurisdiction over an urban growth zone, to construct, cause to be constructed or to provide financial assistance to projects in an urban growth zone which shall be exempt from the terms and requirements of the land use ordinances and regulations, including, but not limited to, the master plan and zoning ordinances, of such municipality;

y. To enter into business employment incentive agreements as provided in the "Business Employment Incentive Program Act," P.L.1996, c.26 (C.34:1B-124 et al.);

z. To enter into agreements or contracts, execute instruments, and do and perform all acts or things necessary, convenient or desirable for the purposes of the redevelopment utility to carry out any power expressly provided pursuant to P.L.1974, c.80 (C.34:1B-1 et seq.), P.L.2000, c.72 (C.18A:7G-1 et al.), and P.L.2007, c.137 (C.52:18A-235 et al.), including, but not limited to, entering into contracts with the State Treasurer, the Commissioner of Education, districts, the New Jersey Schools Development Authority, and any other entity which may be required in order to carry out the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.);

aa. (Deleted by amendment, P.L.2007, c.137);

bb. To make and contract to make loans to local units to finance the cost of school facilities projects and to acquire and contract to acquire bonds, notes or other obligations issued or to be issued by local units to evidence the loans, all in accordance with the provisions of P.L.2000, c.72 (C.18A:7G-1 et al.), and P.L.2007, c.137 (C.52:18A-235 et al.);

cc. Subject to any agreement with holders of its bonds issued to finance a project or school facilities project, obtain as security or to provide liquidity for payment of all or any part of the principal of and interest and premium on the bonds of the authority or for the purchase upon tender or otherwise of the bonds, lines of credit, letters of credit, reimbursement agreements, interest rate exchange agreements, currency exchange agreements, interest rate floors or
caps, options, puts or calls to hedge payment, currency, rate, spread
or similar exposure or similar agreements, float agreements,
forward agreements, insurance contract, surety bond, commitment
to purchase or sell bonds, purchase or sale agreement, or
commitments or other contracts or agreements, and other security
agreements or instruments in any amounts and upon any terms as
the authority may determine and pay any fees and expenses required
in connection therewith;

dd. To charge to and collect from local units, the State and any
other person, any fees and charges in connection with the
authority's actions undertaken with respect to school facilities
projects, including, but not limited to, fees and charges for the
authority's administrative, organization, insurance, operating and
other expenses incident to the financing of school facilities projects;

e. To make loans to refinance solid waste facility bonds
through the issuance of bonds or other obligations and the execution
of any agreements with counties or public authorities to effect the
refunding or rescheduling of solid waste facility bonds, or otherwise
provide for the payment of all or a portion of any series of solid
waste facility bonds. Any county or public authority refunding or
rescheduling its solid waste facility bonds pursuant to this
subsection shall provide for the payment of not less than fifty
percent of the aggregate debt service for the refunded or
rescheduled debt of the particular county or public authority for the
duration of the loan; except that, whenever the solid waste facility
bonds to be refinanced were issued by a public authority and the
county solid waste facility was utilized as a regional county solid
waste facility, as designated in the respective adopted district solid
waste management plans of the participating counties as approved
by the department prior to November 10, 1997, and the utilization
of the facility was established pursuant to tonnage obligations set
forth in their respective interdistrict agreements, the public
authority refunding or rescheduling its solid waste facility bonds
pursuant to this subsection shall provide for the payment of a
percentage of the aggregate debt service for the refunded or
rescheduled debt of the public authority not to exceed the
percentage of the specified tonnage obligation of the host county for
the duration of the loan. Whenever the solid waste facility bonds
are the obligation of a public authority, the relevant county shall
execute a deficiency agreement with the authority, which shall
provide that the county pledges to cover any shortfall and to pay
deficiencies in scheduled repayment obligations of the public
authority. All costs associated with the issuance of bonds pursuant
to this subsection may be paid by the authority from the proceeds of
these bonds. Any county or public authority is hereby authorized to
enter into any agreement with the authority necessary, desirable or
convenient to effectuate the provisions of this subsection.
The authority shall not issue bonds or other obligations to effect the refunding or rescheduling of solid waste facility bonds after December 31, 2002. The authority may refund its own bonds issued for the purposes herein at any time;

ff. To pool loans for any local government units that are refunding bonds and do and perform any and all acts or things necessary, convenient or desirable for the purpose of the authority to achieve more favorable interest rates and terms for those local governmental units;

gg. To finance projects approved by the board, provide staff support to the board, oversee and monitor progress on the part of the board in carrying out the revitalization, economic development and restoration projects authorized pursuant to the "Municipal Rehabilitation and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.) and otherwise fulfilling its responsibilities pursuant thereto;

hh. To offer financial assistance to qualified film production companies as provided in the "New Jersey Film Production Assistance Act," P.L.2003, c.182 (C.34:1B-178 et al.);[ and ]

ii. To finance or develop private or public parking facilities or structures, which may include the use of solar photovoltaic equipment, in municipalities qualified to receive State aid pursuant to the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.) and municipalities that contain areas designated pursuant to P.L.1985, c.398 (C.52:18A-196 et al.) as Planning Area 1 (Metropolitan), Planning Area 2 (Suburban), or a town center, and to provide appropriate assistance, including but not limited to, extensions of credit, loans, and guarantees, to municipalities qualified to receive State aid pursuant to the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.) and municipalities that contain areas designated pursuant to P.L.1985, c.398 (C.52:18A-196 et seq.) as Planning Area 1 (Metropolitan), Planning Area 2 (Suburban), or a town center, and their agencies and instrumentalities or to private entities whose projects are located in those municipalities, in order to facilitate the financing and development of parking facilities or structures in such municipalities. The authority may serve as the issuing agent of bonds to finance the undertaking of a project for the purposes of this subsection; and

jj. To enter into partnerships, limited liability companies, or joint ventures with private developers, banks, or any other public entity, for the purpose of economic development.

(cf: P.L.2010, c.28, s.3)

8. Section 14 of P.L.2008, c.27 (C.34:1B-223) is amended to read as follows:

(C.34:1B-140 through 34:1B-143), and section 31 of P.L.1998, c.44
(C.52:27C-91), except as otherwise provided, are continued and are
transferred to the [Division of Business Assistance, Marketing, and
International Trade] authority.

b. Whenever, in any law, rule, regulation, order, contract, reorganization plan, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the New Jersey Economic Development Site Program in the New Jersey Commerce Commission, the same shall mean and refer to the [division]
authority.
(cf: P.L.2008, c.27, s.14)

9. Section 19 of P.L.2008, c.27 (C.34:1B-228) is amended to read as follows:

19. a. The functions, powers, and duties of the New Jersey Commerce Commission to appoint executive [directors] director of the New Jersey Economic Development Authority, established pursuant to P.L.1974, c.80 (C.34:1B-1 et seq.), and the New Jersey Commission on Science and Technology, established pursuant to P.L.1985, c.102 (C.52:9X-1 et seq.) are continued and [are] is transferred to the Governor. [Each such] The executive director shall be employed by and report to the board of the respective agency and shall receive such compensation as shall be fixed by the board of the respective agency.

b. The functions, powers, and duties of the New Jersey Commerce Commission to serve as a member of the board of agencies and to provide administrative assistance to agencies are transferred to the [Division of Business Assistance, Marketing, and International Trade] authority unless otherwise provided by this act.

c. Notwithstanding the provisions of any law, rule, regulation, or order to the contrary, the functions, powers, and duties of the New Jersey Commerce Commission and the executive director of the New Jersey Commerce Commission are transferred to the [New Jersey Economic Development Authority] Business Action Center and the Executive Director of the [New Jersey Economic Development Authority] Business Action Center, respectively, with regard to the following statutorily established boards, councils, commissions, authorities, and other organizations:

(1) State Employment and Training Commission, established pursuant to section 5 of P.L.1989, c.293 (C.34:15C-2);
(2) State Council for Adult Literacy Education Services, established pursuant to section 2 of P.L.1999, c.107 (C.34:15C-18);
(3) Council on Armed Forces and Veterans’ Affairs, established pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) and transferred to and established in the Department of Military and Veterans’ Affairs, pursuant to section 2 of P.L.1992, c.86 (C.38A:3-16);
(4) The Foundation for Technology Advancement, authorized to be established pursuant to section 1 of P.L.2005, c.373 (C.52:27C-96);

(5) The Main Street New Jersey Advisory Board, established pursuant to section 5 of P.L.2001, c.238 (C.52:27D-456);

(6) The Brownfields Redevelopment Task Force, established pursuant to section 5 of P.L.1997, c.278 (C.58:10B-23);

(7) The Fort Monmouth Economic Revitalization Planning Authority, established pursuant to section 4 of P.L.2006, c.16 (C.52:27I-4); [Deleted by amendment, P.L. , c. ] (pending before the Legislature as this bill)

(8) The South Jersey Transportation Authority, established pursuant to section 4 of P.L.1991, c.252 (C.27:25A-4);

(9) The Aquaculture Advisory Council, established pursuant to section 5 of P.L.1997, c.236 (C.4:27-5);

(10) The Clean Air Council, established pursuant to section 3 of P.L.1967, c.106 (C.26:2C-3.2);

(11) The Community Financial Services Advisory Board, established pursuant to section 3 of P.L.1991, c.294 (C.17:16Q-3); and


d. Notwithstanding the provisions of any law, rule, regulation, or order to the contrary, the functions, powers, and duties of the New Jersey Commerce Commission and the executive director of the New Jersey Commerce Commission, except as otherwise provided in this act, are transferred to the [Division authority and the Executive Director of the [Division authority, respectively, with regard to any council, commission, committee, task force, or other organization established by executive order.

(cf: P.L.2008, c.27, s.19)

10. Section 22 of P.L.2008, c.27 (C.34:1B-231) is amended to read as follows:

22. a. The Dredging Project Facilitation Task Force, established pursuant to section 3 of P.L.1997, c.97 (C.12:6B-3) in, but not of, the Department of the Treasury, is abolished and all of its functions, powers, and duties are continued and transferred to the [Division of Business Assistance, Marketing, and International Trade authority.

b. Except as otherwise provided in this act, whenever in any law, rule, regulation, order, reorganization plan, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the Dredging Project Facilitation Task Force, established pursuant to section 3 of P.L.1997, c.97 (C.12:6B-3) in, but not of, the Department of the Treasury, the same shall mean and refer to the [division authority.

(cf: P.L.2008, c.27, s.22)
11. Section 24 of P.L.2008, c.27 (C.34:1B-233) is amended to read as follows:

24. a. The Motion Picture and Television Development Commission, established pursuant to section 3 of P.L.1977, c.44 (C.34:1B-24), is transferred in, but not of, the Division of Business Assistance, Marketing, and International Trade in the New Jersey Economic Development Authority Department of State, but notwithstanding this transfer, the Motion Picture and Television Development Commission shall be independent of any supervision and control by the authority Department of State or by any board or officer thereof.

b. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding or otherwise, reference is made to the Motion Picture and Television Development Commission, the same shall mean and refer to the Division of Business Assistance, Marketing, and International Trade Business Action Center shall provide staff services necessary to support the functions of the Motion Picture and Television Development Commission.

c. The Division of Business Assistance, Marketing, and International Trade Business Action Center shall provide staff services necessary to support the functions of the Motion Picture and Television Development Commission.

12. This act shall take effect immediately.

STATEMENT

This bill creates the New Jersey Business Action Center within the Department of State and abolishes the Division of Business Assistance, Marketing, and International Trade established by P.L.2008, c.27, also known as the Business Retention and Attraction Division. The bill sets forth that the Business Action Center (BAC) will act as the State’s liaison to the business community and provide information on: State financial and incentive programs; State taxes; permits, licenses, certificates, other governmental-approvals; State regulations; available commercial real estate, and international trade. The bill also requires the BAC to provide, upon request and free of charge, businesses within the State that have fewer than 99 employees with individualized competitive intelligence information. The BAC may partner with organizations in the State to provide to such small businesses individualized competitive intelligence information. The BAC is required to keep all requests for competitive intelligence information confidential and they, as well as any partner organization, are directed not to disclose any non-public proprietary information about a requesting business that it obtains to any other
business or private entity. The bill prohibits the BAC and organizations that the BAC refers to small businesses from providing non-public proprietary information to businesses requesting competitive intelligence information. The bill provides that no action may be brought against the State based upon the BAC’s provision of such information. Further, the BAC is authorized to develop an internship program to help facilitate providing businesses with individualized competitive intelligence information.

The bill transfers all the powers, functions and responsibilities of the Business Retention and Attraction Division to the New Jersey BAC, except the Dredging Project Facilitation Task Force and the New Jersey Economic Development Site Program, which are to remain under the auspices of the New Jersey Economic Development Authority (EDA). Also, the bill provides for the transfer of several functions, powers and duties of the EDA and the Executive Director of the EDA to the New Jersey BAC, including the State Employment and Training Commission, the State Council for Adult Literacy and Education Services, the Council on Armed Forces and Veterans’ Affairs, the Foundation of Technology Advancement, the Main Street New Jersey Advisory Board, the Brownfields Redevelopment Task Force, the South Jersey Transportation Authority, the Aquaculture Advisory Council, the Clean Air Council, and the Community Financial Services Advisory Board. The bill also transfers the Motion Picture and Television Development Commission to the Department of State. Finally, the bill authorizes the EDA to enter into partnerships, limited liability companies or joint ventures with private developers, banks or any other public entity, for the purpose of economic development.