

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

March 3, 2011

ASSEMBLY BILL NO. 3195

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3195 with my recommendations for reconsideration.

This legislation directs the Department of the Treasury to create a uniform application allowing small businesses to apply for eligibility under any State financial assistance program. I applaud the sponsors' efforts to streamline the process for small businesses to apply for financial assistance from the State, which has been a major priority of my Administration.

The sponsors' goals are consistent with the efforts already undertaken by my Administration to assist the business community. I have consolidated all State economic development activities under the leadership of the Lieutenant Governor, which has resulted in the creation of the New Jersey Business Action Center in the Department of State. The New Jersey Business Action Center serves as a "one-stop shop" for business and plays a key role in helping grow, retain, and attract business to the State. Specifically, the New Jersey Business Action Center provides counseling services to businesses to identify all of the specific financial assistance programs that a business may be eligible to receive and to identify what resources may best serve their individual needs. Accordingly, given the significant role the Department of State is playing in economic development under the leadership of the Lieutenant Governor, I believe the legislation should be amended to allocate its responsibilities to the Department of State.

I am also concerned that this legislation is unworkable in its current form. While the idea of a single uniform

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application sounds appealing, I do not believe that a uniform application that would allow for a determination of eligibility for all of the State's financial assistance programs will improve the application process for small businesses.

The State maintains more than 50 grant and incentive programs. Each of these programs has different criteria. In order to allow a business to apply for eligibility under any financial assistance program in a single application, the application would need to gather information to cover the requirements in every program. Given the major differences in criteria in these grant and incentive programs, the information required for one program varies widely from the information required under another program. As a result, I am concerned that any effort to combine all of these divergent requirements into a single uniform application for purposes of determining eligibility to all of the State's programs would likely be counterproductive to the sponsors' goals and result in an unnecessarily long and burdensome application. Therefore, I am also returning this legislation with my recommendation that the contemplated uniform application gather only basic operational and financial information, which shall be utilized to provide guidance on potential eligibility for financial assistance programs, rather than as a final determination of eligibility for all of the State's financial assistance programs.

Accordingly, I herewith return Assembly Bill No. 3195 and recommend that it be amended as follows:

Page 2, Section 1, Line 9: Delete "the Treasury" and insert "State"

Page 2, Section 2, Line 26: After "Authority," insert "establish and maintain a program to assist small

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businesses in identifying financial assistance programs, offered by any State agency, for which the business may be eligible. The department shall"

Page 2, Section 2, Lines 26-27:

Delete "update, and maintain" and insert "and update, as necessary,"

Page 2, Section 2, Lines 27-32:

Delete "allowing a small business to apply for eligibility under any financial assistance program offered to any small business by any State agency in a manner that shall be used by every State agency when considering a small business's eligibility to receive any grant or loan administered by any State agency" and insert "gathering operational and financial information, and any additional information as deemed necessary by the department, from small businesses under seeking assistance under this program"

Page 2, Section 2, Line 33:

Delete "updated, and maintained" and insert "and updated, as necessary,"

Page 2, Section 2, Lines 35-38:

Delete "while enabling the small business to apply under more than one program and reducing any and redundancies and duplication of effort by those businesses seeking to apply for eligibility to any such financial assistance program"

Page 2, Section 3, Line 40:

Delete "shall" and insert "may"

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Page 2, Section 3, Lines 42-46:

Delete "which shall allow  
the department to require a  
small business to provide a  
minimum amount of basic  
operational and financial  
information about the  
business on the application  
form and any additional  
information as deemed  
necessary by the  
department"

Respectfully,

/s/ Chris Christie

Governor

[seal]

Attest:

/s/ Jeffrey S. Chiesa

Chief Counsel to the Governor