

# ***NEW JERSEY LEGISLATIVE DIGEST***

*for December 3, 2009*

## OFFICE OF LEGISLATIVE SERVICES — OFFICE OF PUBLIC INFORMATION

Legislative Information and Bill Room \$ State House Annex, Room B-01, P.O. Box 068, Trenton, NJ 08625-0068

**(609) 292-4840/ Toll-free in NJ (800) 792-8630**

TDD for the hearing impaired (609) 777-2744/ Toll-free in NJ (800) 257-7490

Web Site: <http://www.njleg.state.nj.us>

---

**Vol. XXI No. 30**

**213th Legislature \$ Second Annual Session**

### ***SENATE ACTION (QUORUM)***

#### **Nominations Notice of Intention Received 11/25/2009:**

TO BE A JUDGE OF THE SUPERIOR COURT:

Thomas Walsh, of Westfield.  
Edward McBride, Jr., of Pennsauken.

#### **Nominations Notice of Intention Received 11/30/2009:**

TO BE A JUDGE OF THE SUPERIOR COURT:

William Nugent, of Northfield.

#### **Nominations Notice of Intention:**

TO BE A JUDGE OF THE SUPERIOR COURT:

John Porto, of Cape May Court House.  
Anthony Massi, of Robbinsville.

#### **Nominations Received and Referred to SJU:**

TO BE CAPE MAY COUNTY PROSECUTOR:

Robert Taylor, of Stone Harbor.

TO BE A JUDGE OF THE SUPERIOR COURT:

Thomas Walsh, of Westfield.  
Edward McBride, Jr., of Pennsauken.

TO BE A MEMBER OF THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL:

Robert F. Holtaway, P.E., of Bedminster, to replace Mikael Salovaara, resigned.

TO BE A WORKERS' COMPENSATION JUDGE:

Joan Burke, of Lumberton.  
Kay Walcott-Henderson, of Pennington.  
Salvatore Martino, of Point Pleasant.

TO BE AN ADMINISTRATIVE LAW JUDGE:

John Russo, Jr., of Toms River.

#### **Nominations Withdrawn:**

TO BE AN ADMINISTRATIVE LAW JUDGE:

Joan Burke, of Lumberton.

**Bills Introduced:**

S3018 Rice,R/Turner,S Persons w/ Disab. Communities Comm. REF SCU  
S3119 Beach,J Stalkers, convicted-e-mail regis. req. REF SJU  
S3020 Scutari,N Judicial Branch emp, PERS-concerns REF SSG  
S3021 Stack,B Save the Hudson Riv. Palisades Act REF SEN  
S3022 Smith,B High Performance Green Bldg. Demo. Proj. REF SEG  
S3023 Whelan,J Auto insur. policies-req. cert. liab coverage REF SCM  
S3024 Baroni,B Govt. records open to pub.-concerns REF SSG  
S3025 Buono,B/Weinberg,L Smoking, pub. parks and beaches-proh. REF SHH  
S3026 Kyrillos,J Beach maintenance-concerns REF SEN  
S3027 Haines,P/Bateman,C+1 Affordable housing-concerns REF SCU  
S3028 Buono,B Prevailing wage-concerns pymt. REF SLA  
S3029 Buono,B Sch. fac. proj.-concerns approval REF SED  
S3030 Buono,B Special ed. costs-concern reimb. REF SED  
S3031 Buono,B Minor and her child-remain together REF SHH  
S3032 Buono,B/Madden,F Tax Preparers Lic. Act REF SCM  
S3033 Turner,S Shared svc. agreement-limit annual incr. REF SCU  
S3034 Turner,S Co. owned prop.-concerns cert. leases REF SCU  
S3035 Turner,S Pub. sch. dist-concerns recess REF SED  
S3036 Turner,S Special Ed, Traumatic Brain Injury REF SED  
S3037 Turner,S Tamrah's Law-crime involving firearms REF SLP  
S3038 Turner,S Smoking in cert. pub. places-proh. REF SHH  
S3043 Van Drew,J Sch. dist.-prov. transp to cert students REF SED  
S3044 Van Drew,J Corrections Officers Day-desig. July 30 REF SLP  
S3045 Sweeney,S Devel. applic.-concern review, approval REF SCU  
S3046 Van Drew,J Unsolicited checks, cert.-proh. REF SCM  
S3047 Madden,F Ultrasound equip-restricts sale or lease REF SCM  
S3048 Turner,S Scenic and Hist. Hwys. Prog.-estab. REF STR  
S3049 Allen,D Sexual assault victims-clarify exam cost REF SJU  
S3051 Whelan,J/Vitale,J+1 Health care svc. firms-concerns REF SHH  
S3052 Weinberg,L/Gordon,R Small emp. health benef. plans-concerns REF SCM  
S3058 Kean,S Fire off. and inspectors-concerns REF SCU  
S3066 Sarlo,P Homebuyer Tax Cred. Prog.-estab. REF SBA  
S3067 Cunningham,S Neighborhood stabilization-concerns REF SBA  
S3069 Codey,R Prepaid debit cards-disclose all fees REF SCM  
S3070 Baroni,B Driv. under influence-concerns REF SLP  
S3071 Sarlo,P/Baroni,B Collective labor negotiations-concerns REF SLA  
S3072 Sacco,N/Stack,B PFRS accidental death benef.-expedite REF SSG  
S3073 Stack,B/Sacco,N PERC arbitrators, cert.-concerns REF SSG  
S3074 Stack,B/Sacco,N Arbitrators-finan. disclosure statements REF SSG  
S3075 Sacco,N/Girgenti,J Viol. arrestees-DNA samples REF SLP  
S3081 Beach,J St. and co. emp.-be NJ residents REF SSG  
S3082 Beach,J Deceased svc. memb. benef.-concerns REF SLP  
S3083 Beach,J DMVA website-req. cert. link REF SLP  
S3084 Beach,J Natl. Guard memb.-tuition asst. REF SED  
S3087 Kean,S Judgments-concerns docketing REF SJU  
S3088 Kean,S Unemp., temp. disab. insur.-concerns REF SLA  
S3089 Kean,S Consumer rebates-concerns REF SCM  
S3090 Kean,S Firemen cert., exemp.-concerns REF SLP  
S3097 Sacco,N Transp. fds., cert.-concerns use REF STR  
S3105 Van Drew,J Solar and wind tech.-incentives REF SEG  
S3106 Van Drew,J Svc. dogs.-estab. new crimes REF SJU  
S3107 Rice,R/Codey,R Amer. Recovery, Reinvestment Act-concern REF SSG  
S3108 Vitale,J Broadband, Elec Health Info Network Auth REF SHH  
S3109 Gordon,R Long-Term care insur partnership-concern REF SHH  
S3116 Lesniak,R Capital City Redevel. Corp.-revises REF SEG  
S3118 Smith,B Site remediation grants-concerns REF SEN  
S3123 Rice,R Wage withholdings, cert.-concerns REF SJU  
SCR157 Van Drew,J Vet. prop. tax deduct.-prov. addl. REF SCU  
SCR158 Van Drew,J St. dedicated revenue-proh. diversion REF SBA  
SCR159 Singer,R/Kean,T US territory resident-health insur. REF SHH  
SCR160 Codey,R Prepaid debit cards-reg. REF SCM  
SJR81 Beach,J Childhood Cancer Awareness Wk. REF SHH  
SJR82 Weinberg,L Pain Awareness Mo.-desig. Sept. REF SHH  
SR136 Kean,S Black sea bass fishing-oppose 6-mo. ban REF SEN

**Bills Reported from Committee/Given 2nd Reading:**

A1255 Aca (1R) Moriarty,P/Cruz-Perez,N+18 Text messaging, unsolicited ads-proh. REP  
A3292 AcaSca (2R) Cryan,J/Giblin,T+2 Motorcycle safety provisions, new-estab. REP/SCA

**Bills Reported from Committee/Given 2nd Reading: (cont'd)**

A3634 AcaAa (2R) Wisniewski,J/Ramos,R+2 Limousine laws-makes sundry changes REP  
AJR56 Aca (1R) Malone,J Thomas Paine Bridge-desig Rt. 295 bridge REP  
S10 Sca (1R) Lesniak,R/Beck,J Monmouth Econ. Revitalization Auth. Act REP/SCA  
S530/1004/1021 ScsSca (SCS/1R) Girgenti,J/Allen,D+1 Natl. Guard memb.-vol income tax contrib REP/SCA  
S814 Sweeney,S DRPA emp.-concerns rights REP  
S1066 ScaSca (2R) Smith,B/Sarlo,P High performance green bldg.-financing REP/SCA  
S1096 Sca (1R) Smith,B/Bateman,C Solar and Wind Energy Comm.-creates REP/SCA  
S1459 Sca (1R) Kean,S/Kyrillos,J Chosin Few Memor. Hwy.-desig. Rt. 35 REP/SCA  
S1501 Kean,S/Vitale,J+1 Text messaging, unsolicited ads-proh. REP  
S1875 Sca (1R) Sarlo,P/Oroho,S+1 Green Acres prog.-extend appraisal date REP/SCA  
S2528 Smith,B/Baroni,B+1 Small wind energy sys. by mun.-prov. reg REP  
S2639 Sca (1R) Karrow,M Highlands transfer devel. prog.-concerns REP/SCA  
S2716 Sca (1R) Madden,F/Van Drew,J Limousine laws-makes sundry changes REP/SCA  
S2755 Sweeney,S Transp. fds., cert.-concerns use REP  
S2977 Connors,C Island Beach St. Park prog-dedicate fees REP  
S3039 Smith,B Haz. Site Remediation Fd-concerns REP  
S3040 Sca (1R) Smith,B/Ciesla,A Site remediations-covenant not to sue REP/SCA  
S3042 Whelan,J/Kean,T Dam restoration proj.-approp. REP  
S3060 Codey,R/Sarlo,P Gov. budget message-concerns REP  
S3062 Sca (1R) Sacco,N Motorcycle safety provisions, new-estab. REP/SCA  
S3064 Cunningham,S+1 Societal benef. charge rev.-concerns REP  
S3091 Sacco,N Commercial driv. lic.-concerns REP

**Bills Referred/SBA:**

A3292 AcaSca (2R) Cryan,J/Giblin,T+2 Motorcycle safety provisions, new-estab.  
S2528 Smith,B/Baroni,B+1 Small wind energy sys. by mun.-prov. reg  
S2977 Connors,C Island Beach St. Park prog-dedicate fees  
S3042 Whelan,J/Kean,T Dam restoration proj.-approp.  
S3062 Sca (1R) Sacco,N Motorcycle safety provisions, new-estab.  
S3064 Cunningham,S+1 Societal benef. charge rev.-concerns

**Bills Recommended:**

S2905 Scs (SCS) Vitale,J/Turner,S Chain restaurants-prov. calorie info. RCM SHH

**Bills Transferred:**

S13 Cunningham,S Crim. penal.-concerns FROM SLP TO SJU  
S2493 Sca (1R) Codey,R/Allen,D St. emp., cert.-concerns drug testing FROM SBA TO SHH

**Co-Sponsors Added:**

S1555 (Van Drew,J) G.I. Bill-prov. higher ed. benef. to vets  
S1875 Sca (1R) (Doherty,M) Green Acres prog.-extend appraisal date  
S3008 (Girgenti,J) Vol. emerg. responders-emp. prot.  
S3027 (Beck,J) Affordable housing-concerns  
S3051 (Singer,R) Health care svc. firms-concerns  
S3064 (Ruiz,M) Societal benef. charge rev.-concerns  
SJR35 (Van Drew,J) American Heroes Day-desig. September 11  
SJR66 (Girgenti,J) Gold Star Mother's Day-last Sunday, Sept

**Co-Prime Sponsors Added:**

S934 (Van Drew,J) Patients in psych. fac.-concerns pymts.  
S1471 (Sarlo,P) Mun. court fines-concerns  
S1525 (Van Drew,J) Disab. vet. allowance-annual adjustment  
S2294 (Sarlo,P) Stalkers-concerns  
S2946 (Bucco,A) False report, law enforcement-incr penal  
S3060 (Sarlo,P) Gov. budget message-concerns  
S3065 (Madden,F) Family temp. disab. leave-concerns  
S3078 (Sweeney,S) Family child care providers-concerns  
S3080 (Codey,R) Community care resid. providers-concerns  
S3092 (Baroni,B) Sch. fac. proj.-concern construction

**The Senate President has made the following appointments:**

**\*Effective November 30, 2009**

**Senate Budget and Appropriations Committee:**

Senator Michael J. Doherty (23).

**Senate Labor Committee:**

Senator Michael J. Doherty (23).

**\*Effective December 1, 2009**

**Governor's Council on Alcoholism and Drug Abuse:**

Robert Zlotnick, of Northfield.

**\*Effective December 3, 2009**

**Criminal Sentencing and Disposition Commission:**

Raymond Brown, Jr., of South Orange.

**The Senate President has made the following reappointments:**

**\*Effective December 3, 2009**

**New Jersey Commission on Italian and Americans of Italian Heritage Cultural and Educational Programs:**

Salvatore A. Davino, of Harding.

**The Amistad Commission:**

Kathy V. Sumter, of Newark.

**State Council for Adult Literacy Education Services:**

Senator Shirley K. Turner (15).

**Note to the 2/09/2009 Digest:**

**Bills Reported from Committee/Given 2nd Reading:**

A2640 Smith,L/Connors,J+11 Interst Compact Ed Opportunity Mil Child REP \*NOT\* REF SBA  
S2297 Allen,D Interst Compact Ed Opportunity Mil Child REP \*NOT\* REF SBA

**The Senate adjourned at 5:45 P.M. to meet again on Monday, December 7, 2009 (QUORUM, Committee Groups "1" and "2" scheduled to meet).**

**ASSEMBLY ACTION (QUORUM)**

**Bills Introduced:**

A4307 Cryan,J St. Bd. of Ed.-concerns responsibilities REF AED  
A4309 Chiusano,G/Rudder,S+2 Dam restoration proj.-approp. REF AEN  
A4310 Dancer,R Lisa's Law-monitoring, domestic viol off REF AJU  
A4311 Conners,J Vet housing-concerns REF AMV  
A4312 Conners,J Debt-Mgmt. Svcs. Act of NJ REF AFI  
A4313 Scalera,F Real prop. assessment-concerns REF AHO  
A4314 Johnson,G Child remain in sch dist-parent deployed REF AMV  
A4315 Johnson,G FF, cert.-concerns emp. REF ALP  
A4316 Jasey,M Neighborhood stabilization-concerns REF AHO  
A4317 Casagrande,C Pub. acct., cert.-concerns contingency REF ASG  
A4318 Wisniewski,J/Amodeo,J Wage withholdings, cert.-concerns REF ATR  
A4319 Diegnan,P Construction Lien Law-revise REF AFI  
A4320 Diegnan,P/Cryan,J Co-op. purch. agreements-concerns REF ASG  
A4321 Diegnan,P Psych., court appt.-concerns immunity REF AJU  
A4322 Watson Coleman,B Capital City Redevel. Corp.-revises org. REF ASG  
A4323 Watson Coleman,B Amer. Recovery, Reinvestment Act-concern REF ASG  
A4324 Lampitt,P Undersheriffs-concerns duties REF ALP  
A4325 Lampitt,P Basic Skills Training Prog. Econ. Growth REF ACE  
A4326 Wisniewski,J/Greenstein,L Zoning variances-concerns REF AHO  
A4327 Lampitt,P NJ PLACE prog.-estab. REF ALA  
AJR130 Greenwald,L/Lampitt,P Childhood Cancer Awareness Wk-3rd wk Jan REF AHE

**Bills Reported from Committee/Given 2nd Reading:**

A931 AcaAcs (ACS) Scalera,F/Quigley,J+2 Vol. emerg. responder's liab.-concerns REP/ACS  
A1900 Chivukula,U/Stender,L Trademark Anti-Counterfeiting Act-revise REP  
A2951 AcaAca (2R) Moriarty,P/Love,S+2 Toxic pollutant exposure-creates crime REP/ACA  
A3042 Acs (ACS) Cryan,J/Rible,D+1 Alco. bev. tastings-concerns REP/ACS  
A3228 Angelini,M/O'Scanlon,D+1 Sch. admin., cert.-concerns contracts REP  
A3339/3439 AcsAcs (ACS) Chivukula,U/Coutinho,A+3 On-site generation fac.-concerns REP/ACS  
A3921 Aca (1R) Moriarty,P/Malone,J+4 Sch. fac.-safe electric partitions REP/ACA  
A3974 Evans,E/Wisniewski,J+1 Underage Drinking, Higher Ed. Task Force REP  
A3990 Aca (1R) Cryan,J Health care svc. firms-concerns REP/ACA  
A4023 Lampitt,P/Diegnan,P Presid. Council-concerns memb. REP  
A4155 Aca (1R) Watson Coleman,B/Gusciora,R MV surcharges-concerns REP/ACA  
A4197 Aca (1R) Watson Coleman,B/Spencer,L+3 Women's and Families Strengthening Act REP/ACA  
A4199 Aca (1R) Evans,E/Watson Coleman,B+1 Correctional fac.-concerns admin. REP/ACA  
A4201 Aca (1R) Coutinho,A/Watson Coleman,B+2 Inmates-prov. prog.. and svcs. REP/ACA  
A4202 Aca (1R) Watson Coleman,B/Jasey,M+2 Inmates, cert.-concerns REP/ACA  
A4203 Aca (1R) Spencer,L/Coutinho,A+1 Crim. penal.-concerns REP/ACA  
A4236 Aca (1R) Wagner,C/Conaway,H Chain restaurants-calorie info. REP/ACA  
A4243 Aca (1R) Wagner,C MVC-concerns REP/ACA  
A4244 Aca (1R) Prieto,V MV equip., inspections-concerns REP/ACA  
A4245 Spencer,L/Schaer,G Med. malpractice liab. insur.-concerns REP  
A4247 Aca (1R) Wisniewski,J/Prieto,V Autocabs-concerns REP/ACA  
A4282 Wisniewski,J Commercial driv. lic.-concerns REP  
A4296/3833 Acs (ACS) Stender,L+1 Palimony-concerns REP/ACS  
A4301 Aca (1R) Johnson,G/Spencer,L Fed. NICS Improvement Act-compliance REP/ACA  
A4302 Acs (ACS) McKeon,J/Wisniewski,J MV, loan suspended driv.-incr. penal. REP/ACS  
A4303 Acs (ACS) McKeon,J/Spencer,L Drunk driv. with suspended lic.-crime REP/ACS  
A4304 Aca (1R) Burzichelli,J/Johnson,G+1 Handgun sales, purch.-concerns REP/ACA  
A4307 Cryan,J St. Bd. of Ed.-concerns responsibilities REP  
A4318 Wisniewski,J/Amodeo,J Wage withholdings, cert.-concerns REP  
ACR134 Aca (1R) Burzichelli,J/Albano,N+6 Emp. benef.-concerns use of cert. contrib REP  
S392 Gill,N/Adler,J+1 Trademark Anti-Counterfeiting Act-revise REP  
S2091 Sca (1R) Scutari,N/Cardinale,G Palimony-concerns REP  
S2098 Scs (SCS) Sarlo,P/Kean,S Alco. bev. tastings-concerns REP  
S2491 Sca (1R) Turner,S/Codey,R Underage Drinking, Higher Ed. Task Force REP  
S2903 Aca (1R) Turner,S/Sweeney,S+1 MV surcharges-concerns REP/ACA  
SCR60 Sca (1R) Sweeney,S/Kean,T+15 Emp. benef.-concerns use of cert. contrib REP

**Bills Reported Referred/AAP:**

A3465 Acs (ACS) Conaway,H/Vainieri Huttle,V+2 Ambulatory care fac.-concerns billing REP/ACS REF AAP  
S2312 ScaSaAca (3R) Gordon,R/Kean,T+1 Ambulatory surgical fac.-concerns billing REP/ACA REF AAP

**Bills Combined:**

A3833 Carroll,M Palimony-concerns COMB/W A4296 (ACS)

**Co-Sponsors Added:**

A791 Aca (1R) (Munoz,N) Historic Prop. Reinvestment Act  
A806 (Munoz,N) Casinos, smoking ban exception-elim.  
A823 AcsAaAa (ACS/2R) (McKeon,J) Snowmobiles, all-terrain veh.-reg.  
A1095 (Bramnick,J) Pub. document-decrease copy fees  
A1628 AcaAa (2R) (Bramnick,J) Multi-family dwellings-water consumption  
A1990 (Wisniewski,J) E-Zpass svc. charge-exempt cert. cit.  
A2046 (Riley,C; Spencer,L) Sr. Cit., Disabled Transp. Prog-concerns  
A3042 Acs (ACS) (Wisniewski,J) Alco. bev. tastings-concerns  
A3228 (Handlin,A) Sch. admin., cert.-concerns contracts  
A3239 Aca (1R) (Vainieri Huttle,V) Forest stewardship-estab.  
A3339/3439 AcsAcs (ACS) (Wisniewski,J) On-site generation fac.-concerns  
A3349 AcaAca (2R) (Handlin,A) Victim of crim. insane-notify of release  
A3434 Aca (1R) (Conners,J) Emerg. med. svcs.-concerns  
A3677 (Spencer,L; Riley,C) Casino Control Comm. emp.-concerns  
A4197 Aca (1R) (Rodriguez,C) Women's and Families Strengthening Act  
A4203 Aca (1R) (Rodriguez,C) Crim. penal.-concerns  
A4257 (Green,J; Scalera,F) Wastewater mgmt. plans-concerns  
A4258 (O'Scanlon,D) Affordable housing-concerns  
A4259 (Caputo,R; Johnson,G; Spencer,L; Tucker,C) PERS-concerns accidental disab. benef.  
A4296/3833 Acs (ACS) (Wisniewski,J) Palimony-concerns  
A4304 Aca (1R) (Rible,D) Handgun sales, purch.-concerns  
A4309 (Munoz,N; McHose,A) Dam restoration proj.-approp.  
ACR130 (DiMaio,J) Pub. elected off.-concerns indictment  
ACR134 Aca (1R) (Diegnan,P) Emp. benef.-concerns use of cert. contrib

**Second Prime Sponsors Added:**

A1284 (DiMaio,J) Pregnant women prog.-estab. lic. plate  
A3042 Acs (ACS) (Rible,D) Alco. bev. tastings-concerns  
A4140 (Giblin,T) Collective bargaining agreements-concern  
A4224 (Riley,C) Mun. court costs-concerns  
A4247 Aca (1R) (Prieto,V) Autocabs-concerns  
A4269 (Cruz-Perez,N) Hispanic communities-representation  
A4270 (Scalera,F) Special Ed, Traumatic Brain Injury  
A4291 Aca (1R) (Egan,J) Prevailing wage req.-concerns  
A4293 (Egan,J) Prevailing wage-concerns pymt.  
A4301 Aca (1R) (Spencer,L) Fed. NICS Improvement Act-compliance  
A4302 Acs (ACS) (Wisniewski,J) MV, loan suspended driv.-incr. penal.  
A4303 Acs (ACS) (Spencer,L) Drunk driv. with suspended lic.-crime

**Second Prime Sponsors Withdrawn:**

A289 Acs (ACS) (Van Pelt,D) Pub. off, emp convicted of crime-concern  
A2185 (Van Pelt,D) Parking spaces-concerns snow removal  
A4296/3833 Acs (ACS) (Vainieri Huttle,V) Palimony-concerns

**Third Prime Sponsors Added:**

A3546 (Wagner,C) Beaches, parks-desig smoke-free sections  
A3609 (Riley,C) Telephone bills-concerns  
A3974 (Angelini,M) Underage Drinking, Higher Ed. Task Force  
A4155 Aca (1R) (Wisniewski,J) MV surcharges-concerns  
A4255 (Casagrande,C) Veh. owned by St. auth.-reg.  
A4259 (Egan,J) PERS-concerns accidental disab. benef.

**Fourth Prime Sponsors Added:**

A791 Aca (1R) (Spencer,L) Historic Prop. Reinvestment Act  
A3842 Aca (1R) (Evans,E) Lung Cancer Research Fd.-estab.  
A4189 (Moriarty,P) Voter regis.-concerns  
A4304 Aca (1R) (Bramnick,J) Handgun sales, purch.-concerns

**Fifth Prime Sponsors Added:**

A4304 Aca (1R) (Wisniewski,J) Handgun sales, purch.-concerns

**Note to the 11/30/2009 Digest:**

**Bills Transferred:**

A3974 Evans,E/Wisniewski,J Underage Drinking, Higher Ed. Task Force FROM AHI TO AED

**The Assembly adjourned at 7:17 P.M. to meet again on Monday, December 7, 2009 (SESSION).**

**Bills Passed Both Houses/Sent To Governor:**

None

**Bills Signed Into Law Since Last Session (11/30/2009):**

None