

# *NEW JERSEY LEGISLATIVE DIGEST*

*for December 1, 1997*

## OFFICE OF LEGISLATIVE SERVICES — OFFICE OF PUBLIC INFORMATION

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**Vol. IX No. 31**

**207th Legislature • Second Annual Session**

### *SENATE ACTION (SESSION)*

#### **Nominations Advise and Consent:**

TO BE A JUDGE OF THE SUPERIOR COURT:  
Philip B. Cummis, of North Caldwell.

TO BE A MEMBER OF THE ADVISORY COMMISSION ON HISPANIC AFFAIRS:  
Glenda E. Gracia, of Trenton.

TO BE A MEMBER OF THE ADVISORY COMMITTEE OF THE AIRPORT DIVISION:  
Paul T. Chan, Esq., of Egg Harbor Township.

TO BE A MEMBER OF THE ADVISORY COUNCIL OF THE STATE MUSEUM:  
Theodore L. Boyer, of Princeton, to replace Leslie A. Vial, resigned.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON SOLID WASTE MANAGEMENT:  
George A. Farrand, of Newfoundland.  
Murray E. Bevan, Esq., of Bridgewater, to replace Edmund A. Abramovitz.

TO BE A MEMBER OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS:  
Edward H. O'Hara, of Verona.

TO BE A MEMBER OF THE CASINO CONTROL COMMISSION:  
Honorable James R. Hurley, of Millville.

TO BE A MEMBER OF THE COLLEGE OF NEW JERSEY - BOARD OF TRUSTEES:  
Jeffrey F. Perlman, of Lawrenceville, to replace Haskell Rhett.  
Patricia A. Rado, of Annandale, to replace Eleanor V. Horne.

TO BE A MEMBER OF THE DELAWARE AND RARITAN CANAL COMMISSION:  
Martin D. Jessen, of Metuchen.

TO BE A MEMBER OF THE DOMESTIC COMPANION ANIMAL COUNCIL:  
Steven C. Levinson, of Lake Hopatcong.  
Charles F. Gerofsky, of Trenton.

TO BE A MEMBER OF THE FISH AND GAME COUNCIL:  
Madelyn Picone, of Cedar Knolls.

TO BE A MEMBER OF THE HACKENSACK MEADOWLANDS DEVELOPMENT COMMISSION:  
Harry K. Parsons, of Kearny, to replace Gerald B. Sheehan.  
Michael J. Gonelli, of Secaucus, to replace Nicholas Sacco, resigned.

TO BE A MEMBER OF THE HEALTH CARE ADMINISTRATION BOARD:  
David Valentine Habif, Jr., M.D., of Tenafly.

TO BE A MEMBER OF THE MERCER COUNTY BOARD OF TAXATION:  
H. Rick Kline, of Robbinsville.

**Nominations Advise and Consent: (cont'd)**

TO BE A MEMBER OF THE MONMOUTH COUNTY BOARD OF TAXATION:

Hope G. Brodsky, Esq., of Atlantic Highlands, to replace Beverly Bova Scarano.

TO BE A MEMBER OF THE NEW JERSEY AUTOMOBILE INSURANCE RISK EXCHANGE BOARD:

Richard A. Hubschman, Jr., Esq., of Cresskill, to replace Jerome L. Yesko, Esq..

TO BE A MEMBER OF THE NEW JERSEY COMMISSION ON AGING:

Lennie-Marie P. Tolliver, Ph.D., of Ewing, to replace Rosabel S. Koss, Ed.D..

TO BE A MEMBER OF THE NEW JERSEY HEALTH CARE FACILITIES FINANCING AUTHORITY:

Shing-Fu Hsueh, Ph.D., of Princeton Junction, to replace Thomas S. Higgins, Esq..

TO BE A MEMBER OF THE NEW JERSEY HISTORIC TRUST:

Emily Croll, of Princeton.

Carol W. Greene, of Mahwah, to replace Nancy B. Gay.

TO BE A MEMBER OF THE NEW JERSEY HISTORICAL COMMISSION:

Carol Selman, of West Orange.

Charles A. Poekel, Jr., Esq., of Essex Fells, to replace Dennis James Starr, Ph.D..

Jan Ellen Lewis, Ph.D., of Maplewood.

TO BE A MEMBER OF THE NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION APPEALS BOARD:

Catherine Frank-White, of Skillman, to replace William L. Noto.

TO BE A MEMBER OF THE NEW JERSEY URBAN ENTERPRISE ZONE AUTHORITY:

Neil W. Norton, of Basking Ridge.

TO BE A MEMBER OF THE NORTH JERSEY TRANSIT CORPORATION ADVISORY COMMITTEE:

John D. Del Colle, of Franklin Lakes.

TO BE A MEMBER OF THE POLICE AND FIREMEN'S RETIREMENT SYSTEM OF NEW JERSEY BOARD OF TRUSTEES:

Joseph M. Boucher, of North Bergen, to replace Joachim A. Mancino.

TO BE A MEMBER OF THE RAMAPO COLLEGE OF NEW JERSEY - BOARD OF TRUSTEES:

Ruth E. Spellman, of Pompton Plains.

TO BE A MEMBER OF THE STATE BOARD OF PHYSICAL THERAPY:

Mary E. Jonas, of Brick Township.

TO BE A MEMBER OF THE STATE BOARD OF SHORTHAND REPORTING:

Brenda C. Sherman, of Nutley, to replace Susan L. Methfessel, resigned.

TO BE A MEMBER OF THE STATE SCHOOL FOR THE ARTS BOARD OF TRUSTEES:

Margaret C. Nicolais, R.N., of Chatham Borough, to replace Richard Bilotti, resigned.

Sallie Paris, of Haddon Township.

TO BE A MEMBER OF THE THOMAS A. EDISON STATE COLLEGE - BOARD OF TRUSTEES:

Christopher J. Daggett, Ed.D., of Basking Ridge, to replace Wendy B. Logan.

**Nominations Received and Referred to SJU:**

TO BE A JUDGE OF THE SUPERIOR COURT:

Thomas W. Cavanagh, Jr., of Oceanport.

Marie P. Simonelli, of Roseland.

TO BE EXECUTIVE DIRECTOR OF THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE:

Mary Lou Powner, of Brick, to replace Carolyn E. Bronson, R.N., resigned.

**Bills Introduced/Without Reference/Given Second Reading:**

SCR137 DiFrancesco,D/Codey,R Auto Insur. Reform Jt. Comm.-creates

SJR58 Bassano,C Hepatitis C Awareness Mo.-desig. March

**Bills Introduced:**

S2277 Matheussen,J No-fault insur. repeal-voter approve;\$5K REF SCM  
S2278 Matheussen,J/Kosco,L Murder of mentally defective-life term REF SJU  
S2279 Matheussen,J Emerg. Svcs. Vol Length of Svc Award Act REF SCO  
S2280 Ciesla,A Thrift Savings contrib, fed emp-excl tax REF SBA  
S2282 Ciesla,A+1 Lottery prizes-clarifies assignment REF SSG  
S2283 Ciesla,A Hwys, transp. sys.-reg. traffic/parking REF STR  
S2284 Bark,M Sch. dist, cert.-suppl stabilization aid REF SED  
S2285 Bark,M Pub. Sch. Fac. Bond Act;\$360M bonds REF SED  
S2286 Bark,M Sch. funding 1998-99-enrollment growth REF SED  
S2287 Bark,M Regionalization, tax incr.-suppl St. aid REF SED  
S2288 Bark,M Sch. report cards-release May 1 REF SED  
S2289 Bark,M Sch. fac.-fds. for constr., renovation REF SED  
S2290 Palaia,J/Codey,R Backstretch emp., adtl.-workers comp. REF SEG  
S2291 MacInnes,G PIP med. expense benef.-prov. review REF SCM  
S2292 Singer,R Septic sys., resid-elim. maintenance tax REF SBA  
S2293 Singer,R Sr. Prop. Tax Voucher Work Prog. REF SCO  
S2294 Singer,R Speed limit desig., mun.-permits REF STR  
S2295 Singer,R/Kyrillos,J Religious Freedom Restoration Act-create REF SJU  
S2296 Palaia,J Sch. bus. admin.-shared only by two dist REF SED  
S2297 Palaia,J Sch. superintendent-proh. as bus. admin. REF SED  
S2298 Inverso,P Car washes, cert.-exemp. sales/use tax REF SBA  
S2299 Codey,R Foster Grandparents Prog.;\$400K REF SBA  
S2300 Bassano,C Hosp. charity care subsidy fds.-1998-99 REF SBA  
S2302 Lipman,W/Bryant,W NJT Bd.-adds 2 adtl. pub. memb. REF STR  
S2303 Lipman,W Unemp. benef.-concerns disqualification REF SCM  
S2304 Cafiero,J Deer fencing, DEP;\$100K REF SEN  
S2305 Cafiero,J Pregnant women-HIV testing req. REF SHH  
S2306 Cafiero,J Workers' comp. fraud-concerns REF SCM  
S2307 Kyrillos,J Devel. improvements-standardized forms REF SCO  
S2308 McGreevey,J Auto. insur. rates-req. 10% reduction REF SCM  
S2310 Kyrillos,J Auto insur.-revises REF SCM  
S2311 Casey,J Burlington Island-modifies charter REF SCO  
S2312 Ewing,J Sch. dist.-alternative monitoring prog. REF SED  
S2330 Sinagra,J Individual Health Coverage Prog.-revises REF SHH  
S2331 DiFrancesco,D Waterfront Comm of NY-longshoremen regis REF SCM  
S2332 DiFrancesco,D Stevedores-extends lic. duration REF SCM  
S2334 Kyrillos,J/Kenny,B PFRS, PERS retir.-SHBP managed care plan REF SBA  
S2335 Littell,R/Singer,R+6 Northeast Interstate Dairy Compact Act REF SBA  
S2336 Singer,R/Adler,J Interior designers-concerns REF SCM  
SCR135 Schluter,W Admiral John D Bulkeley-name Navy vessel REF SSV  
SCR136 DiFrancesco,D/Lynch,J Constit., NJ-commemorates 50th anniv. REF SSG  
SR103 Bark,M Fourth grade test-respond to complaints REF SED  
SR104 Connors,L/Kosco,L+1 Telemarketing Fraud Prev. Act-enact REF SSG  
SR105 Connors,L/Bassano,C Fishing vessels, large-estab. moratorium REF SEN  
SR106 Martin,R Highlands Natl. Forest Preserve-memor. REF SEN  
SR107 Kyrillos,J/Cafiero,J Coastal Heritage Trail-Cong. reauth. REF SEG

**Bills Passed:**

A136 Sa (1R) Jones,L Notaries pub.-clarifies obligations (30-4)  
A364 ScaSa (2R) Holzapfel,J/Blee,F+1 Bail-commit crime on release, incr penal (35-0)  
A678 Bagger,R+1 Handicapped parking-mil. doctor certify (35-0)  
A1140 Murphy,C/Blee,F+2 Venison donation prog.-estab. in DOH (36-0)  
A1169 Aca (1R) Cohen,N/Murphy,C+3 Toxic Packaging Reduction Act-amends (35-0)  
A1217 Augustine,A/Suliga,J+2 Emerg mgt equip-exemp commercial lic req (37-1)  
A1510 Bucco,A/Murphy,C+4 PERS co. emp. widow-death benef. (33-1)  
A1783 Geist,G/Crecco,M+3 Park police-expands jurisdiction (32-2)  
A2313 Garcia,R/Garrett,E+2 Auto insurers-deny PIP benef. (37-0)  
A2588 Carroll,M/Kelly,J Holiday vegetation-concerns display (28-8)  
A2884 Vandervalk,C/Heck,R+3 Individual health benef-waive cert limits (37-0)  
A2962 AcsSca (ACS/1R) Moran,J/Connors,C+8 Nurse aide, health aide-crim. hist check (37-0)  
S51 SaAcaAa (3R) O'Connor,E Housing auth. emp.-crim. hist. check (37-0)  
S282 Sca (1R) Ewing,J Equestrian area operators-estab. rights (30-4)  
S852 ScaAsSa (AS/1R) Cardinale,G/Martin,R+2 Sch. bd.-disqual bidder w/neg experience (37-2)

## **Page 4. December 1, 1997**

S968 Sinagra,J Mercury advis.-notify pregnant women (35-0)  
S1336 Sca (1R) Cafiero,J Mental incompetent-change designation (34-0)  
S1573 Sca (1R) Kyrillos,J/Adler,J+4 Itinerant vendors-proh sale of baby food (34-0)  
S1762 ScaSa (2R) Kyrillos,J/Palaia,J+10 Raffles-changes laws governing conduct (34-2)

### **Bills Passed: (cont'd)**

S2007 Sca (1R) Littell,R Fish, Game/Wildlife Div-use cert weapons (36-0)  
S2082 Scs (SCS) Bennett,J/Martin,R VCCB surcharge-inmates commissary purch. (35-0)  
S2170 Bassano,C+1 Medicaid elig. req.-revise, legal aliens (34-0)  
SCR137 DiFrancesco,D/Codey,R Auto Insur. Reform Jt. Comm.-creates (32-6)  
SR50 Schluter,W Truck traffic-exemp., fed. req. (Voice)

### **Bills Laid Over:**

A1267 Russo,D/Doria,J+4 Judicial Retir. Sys.-incr. death benef.

### **Bills On Emergency Resolution:**

S1928 ScaSca SaSa (3R) Singer,R/Sacco,N+1 Econ. growth areas, devel.-issue bonds (34-4)

### **Bills Returned Second Reading/Amended:**

A98 AcaSa (2R) Rooney,J/Bucco,A Subcontractor's work-pub. bidder specify (33-0)(Ciesla)  
S486 ScaSaSa (3R) Ewing,J/Lynch,J Pub. emp. salary increments-exemp. (31-0)(Ewing)  
S913 Sa (1R) Kyrillos,J Constr. contract disputes-arbitration (34-0)(Kyrillos)  
S1859 Sa (1R) Casey,J/Bryant,W+1 RR lines-NJT devel. emerg. plan (33-0)(Cardinale)  
S1928 ScaSca SaSa (3R) Singer,R/Sacco,N+1 Econ. growth areas, devel.-issue bonds (33-3)(Bryant)  
S1928 ScaSca SaSa (3R) Singer,R/Sacco,N+1 Econ. growth areas, devel.-issue bonds (34-1)(Sacco)  
S2028 ScaSa (2R) Inverso,P Letters of cred.-revises law (36-0)(Inverso)

### **Motions:**

S1928 ScaSca SaSa (3R) Singer,R/Sacco,N+1 Econ. growth areas, devel.-issue bonds Reconsider Sa Lost (17-19)(Singer)  
SCR137 DiFrancesco,D/Codey,R Auto Insur. Reform Jt. Comm.-creates To Sa Lost (15-23)(Rice)

### **Bills Substituted:**

A867 Sca (1R) Malone,J/Arnone,M+2 Tort Claims Act-clarify cert. immunities SUB FOR S1172  
A1140 Murphy,C/Blee,F+2 Venison donation prog.-estab. in DOH SUB FOR S1577  
A1169 Aca (1R) Cohen,N/Murphy,C+3 Toxic Packaging Reduction Act-amends SUB FOR S2268  
A1217 Augustine,A/Suliga,J+2 Emerg mgt equip-exemp commercial lic req SUB FOR S2124  
A1267 Russo,D/Doria,J+4 Judicial Retir. Sys.-incr. death benef. SUB FOR S644  
A1510 Bucco,A/Murphy,C+4 PERS co. emp. widow-death benef. SUB FOR S687  
A2884 Vandervalk,C/Heck,R+3 Individual health benef-waive cert limits SUB FOR S1895  
A2962 AcsSca (ACS/1R) Moran,J/Connors,C+8 Nurse aide, health aide-crim. hist check SUB FOR S2105 (SCS)  
S644 Cafiero,J/Lynch,J Judicial Retir. Sys.-incr. benef. SUB BY A1267  
S687 Martin,R PERS co. emp. widow-death benef. SUB BY A1510  
S1172 Connors,L/Singer,R Tort Claims Act-clarify cert. immunities SUB BY A867 (1R)  
S1577 Gormley,W/Zane,R Venison donation prog.-estab. in DOH SUB BY A1140  
S1895 Rice,R/Sinagra,J+1 Individual health benef-waive cert limits SUB BY A2884  
S2105 Scs (SCS) Bubba,J/Connors,L Nurse aide, health aide-crim. hist check SUB BY A2962 (ACS/1R)  
S2124 Kosco,L Emerg mgt equip-exemp commercial lic req SUB BY A1217  
S2268 McNamara,H Toxic Packaging Reduction Act-amends SUB BY A1169 (1R)

### **Bills Referred/SBA:**

A697 Aa (1R) Zisa,C/Roma,P+1 Resisting arrest-upgrades penal.  
S2137 Sca (1R) Kyrillos,J/Bennett,J+2 Co. Coll. Capital Proj. Fd. Act  
S2193 Sca (1R) Bassano,C Rt. 24-repave w/ open graded asphalt

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

A1788 AcaAcs (ACS) Augustine,A RR related injuries, cert.-RR immunity REP  
A1924 Bateman,C/DeCroce,A Sch. bus, defective grab handle-no svc. REP  
A2057 DeCroce,A/Bucco,A+1 Commercial veh., cert.-incr. speed limit REP

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

A2219 Charles,J/Doria,J Autocab-revise definition REP  
A2281 AcaAaSca (3R) Moran,J/Imprevuduto,A Pub. movers/warehousemen-revise lic. req REP/SCA  
A2349 Sca (1R) Russo,D+1 Bus. location-proh. misrepresentation REP/SCA  
A2407 Aca (1R) Heck,R Electrology Practice Act REP  
A2457 Bagger,R/Cohen,N+2 Consumer fraud, cert.-AG recover cost REP  
A2821 Aa (1R) Rocco,J/DeSopo,C+1 Hepatitis B immunization-req. for sch. REP  
A2990 AcaSca (2R) Bateman,C/Bagger,R Uniform Securities Law of 1997-enacts REP/SCA  
AJR54 Acs (ACS) Asselta,N/Corodemus,S+1 Availability of Homeowners Insur. REP  
S1596 Sca (1R) Ewing,J Bus. location-proh. misrepresentation REP/SCA  
S1682 Sca (1R) Singer,R/Adler,J Pub. movers/warehousemen-revise lic. req REP/SCA  
S1698 Kyrillos,J/Sinagra,J Consumer fraud, cert.-AG recover cost REP  
S1719 Sca (1R) Kyrillos,J Electrology Practice Act REP/SCA  
S1869 Rice,R Late student denied access to sch.-proh. REP  
S2004 Cardinale,G Workers' comp. law-exemp. direct sellers REP  
S2005 Sca (1R) Inverso,P Fraternal benf society-life/health insur REP/SCA  
S2137 Sca (1R) Kyrillos,J/Bennett,J+2 Co. Coll. Capital Proj. Fd. Act REP/SCA  
S2193 Sca (1R) Bassano,C Rt. 24-repave w/ open graded asphalt REP/SCA  
S2217 Sca (1R) Palaia,J Diabetes and the Schs. Task Force-estab. REP/SCA  
S2229 O'Connor,E Autocab-revise definition REP  
S2312 Ewing,J Sch. dist.-alternative monitoring prog. REP  
SJR51 Kyrillos,J/Connors,L Availability of Homeowners Insur. REP

**Bills Transferred:**

S2225 Cafiero,J/Bennett,J+5 Shore prot. proj., FY98;\$5M TRANS FROM SEG TO SBA  
S2272 Bark,M Pineland Devel Cred Bank-extend exp date TRANS FROM SEN TO SBA

**Bills Given Second Reading w/Governor's Recommendation:**

S1683 ScaAcaAca w/GR (4R) Cafiero,J/Gormley,W+6 Tourism receipts-incr cert loc tax share (34-0)  
S2169 w/GR (1R) Bassano,C/Scott,J+6 Mentally ill-waives co. repayment (35-0)

**Co-Sponsors Added:**

S287 (Kosco,L; Codey,R)  
S1622 (Cafiero,J)  
S1878 Sca (1R) (Inverso,P; Cafiero,J)  
S1939 (Cafiero,J)  
S2137 Sca (1R) (Rice,R)  
S2243 (Cafiero,J)  
S2269 (Matheussen,J)  
S2282 (Kosco,L)  
SR104 (Bassano, C)

**Co-Sponsors Withdrawn:**

S1928 ScaSca SaSa (3R) (Bryant,W)

**Co-Prime Sponsors Added:**

S2226 (McNamara,H)  
S2269 (Sinagra,J)

**Co-Sponsors Added to Bills Passed Both Houses:**

A1140 (Zane,R; Gormley,W)  
A1169 Aca (1R) (McNamara,H)  
A1217 (Kosco,L)  
A2884 (Codey,R; Sinagra,J; Rice,R)

**Co-Sponsors Added to Bills Substituted:**

A867 Sca (1R) (Singer,R; Connors,L)  
A1267 (Lynch,J; Cafiero,J)  
A1510 (Martin,R)  
A2962 AcsSca (ACS/1R) (Connors,L; Bubba,J)

**The Senate adjourned at 8:30 P.M. to meet on Thursday, December 11, 1997 (SESSION, and Select Committees to meet at the call of the Senate President).**

**The Assembly did not meet. The Assembly will meet on Thursday, December 4, 1997 (SESSION)**

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

A678 Bagger,R+1 Handicapped parking-mil. doctor certify  
A1140 Murphy,C/Blee,F+2 Venison donation prog.-estab. in DOH  
A1169 Aca (1R) Cohen,N/Murphy,C+3 Toxic Packaging Reduction Act-amends  
A1217 Augustine,A/Suliga,J+2 Emerg mgt equip-exemp commercial lic req  
A1510 Bucco,A/Murphy,C+4 PERS co. emp. widow-death benef.  
A1783 Geist,G/Crecco,M+3 Park police-expands jurisdiction  
A2313 Garcia,R/Garrett,E+2 Auto insurers-deny PIP benef.  
A2588 Carroll,M/Kelly,J Holiday vegetation-concerns display  
A2884 Vandervalk,C/Heck,R+3 Individual health benef-waive cert limits  
S51 SaAcaAa (3R) O'Connor,E Housing auth. emp.-crim. hist. check

**Bills Signed Into Law Since Last Session (11/17/97):**

None