

# ***NEW JERSEY LEGISLATIVE DIGEST***

*for March 20, 2003*

## OFFICE OF LEGISLATIVE SERVICES — OFFICE OF PUBLIC INFORMATION

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**Vol. XV No. 17**

**210th Legislature • Second Annual Session**

### ***SENATE ACTION (SESSION)***

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

##### TO BE A JUDGE OF THE SUPERIOR COURT:

Stephen M. Holden, of Cherry Hill.  
James P. Hurley, of Old Bridge.  
Thomas V. Manahan, of Scotch Plains.  
Lourdes I. Santiago, of Jersey City.  
Maureen P. Sogluizzo, of Mahwah.  
Hector R. Velazquez, of Jersey City.  
William P. Gilroy, of Spring Lake.  
Roger W. Daley, of East Brunswick.  
William A. Daniel, of Linden.

##### TO BE A MEMBER OF THE BOAT REGULATION COMMISSION:

Frank A. D'Antonio, of Cranford, to replace Eileen Rzecinski, resigned.

##### TO BE A MEMBER OF THE COMMISSIONERS OF PILOTAGE:

Timothy J. Dacey, of Metuchen, to replace Francesco Musorrafiti.

##### TO BE A MEMBER OF THE DELAWARE RIVER AND BAY AUTHORITY:

Edward W. Dorn, of Pedricktown, to replace John Kugler, resigned.

##### TO BE A MEMBER OF THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COUNCIL:

Debra Bell, of Vineland, to replace Thomas Zarra, resigned.

##### TO BE A MEMBER OF THE MARINE FISHERIES COUNCIL:

Thomas M. Frank, of Eatontown, to replace David Botwinick.

##### TO BE A MEMBER OF THE MOTION PICTURE AND TELEVISION DEVELOPMENT COMMISSION:

Anthony J. Pope, Jr., of North Caldwell, to replace Michael W. Kempner.

##### TO BE A MEMBER OF THE NEW JERSEY HISTORICAL COMMISSION:

B. Michael Zuckerman, Ph.D., of Cape May.

##### TO BE A MEMBER OF THE NEW JERSEY OFFICE ON MINORITY AND MULTICULTURAL HEALTH ADVISORY COUNCIL:

Calvin Bland, of Moorestown, to replace Anthony Stephen, Ph.D., resigned.

##### TO BE A MEMBER OF THE NEW JERSEY PUBLIC BROADCASTING AUTHORITY:

Nina Mitchell Wells, Esq., of Livingston, to replace Edith Parham Melton, resigned.

##### TO BE A MEMBER OF THE NEW JERSEY STATE COUNCIL ON THE ARTS:

Carol A. Herbert, of Milltown, to replace Penelope Lattimer, resigned.  
Honorable Alexander J. Menza, J.S.C. (Ret), of Sparta.  
Sharon Anne Harrington, of Bay Head.

##### TO BE A MEMBER OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY:

Anthony R. Coscia, of North Caldwell, to replace Charles Kushner, resigned.

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

TO BE A MEMBER OF THE STATE AGRICULTURE DEVELOPMENT COMMITTEE:

Andrew Borisuk, Jr., of Vernon.  
Peter Bylone, of Vineland, to replace Noble McNaughton.

TO BE A WORKERS' COMPENSATION JUDGE:

Emille R. Cox, of Voorhees.

TO BE AN ADMINISTRATIVE LAW JUDGE:

Robert S. Miller, of Plainsboro.  
Ken R. Springer, of New Providence.  
Jeff S. Masin, of Cherry Hill.  
Solomon A. Metzger, of Roosevelt.  
Joseph F. Fidler, of Allentown.

**Nominations Received and Referred to SJU:**

TO BE A MEMBER OF THE ADVISORY COUNCIL ON ADOLESCENT PREGNANCY:

Clarisa Romero, of North Brunswick, to replace James Patrick Thompson, M.D.  
Eva S. Goldfarb, Ph.D., of Upper Montclair, to replace Sharon Mallikarjun.  
Byron A. Pugh, of Voorhees, to replace Louise Yohalem.

TO BE A MEMBER OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS:

Frank A. Neary, of Ocean.

TO BE A MEMBER OF THE COUNCIL ON ARMED FORCES AND VETERANS' AFFAIRS:

Victor J. Ferlise, Esq., of Toms River.

TO BE A MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION:

Philip J. Mugavero, of Phillipsburg, to replace Gloria Decker.

TO BE A MEMBER OF THE DEVELOPMENTAL DISABILITIES COUNCIL:

Lorraine D'Sylva-Lee, of Washington, to replace Robert Amos, Jr., resigned.  
Jennifer S. Demauro, of Allentown, to replace Louis Paparozzi, resigned.

TO BE A MEMBER OF THE DOMESTIC COMPANION ANIMAL COUNCIL:

Albert Greco, of Clifton.  
Barbara Wicklund, of Skillman, to replace Diane Rau, resigned.

TO BE A MEMBER OF THE GREENWOOD LAKE COMMISSION:

Sandra E. Lawson, of Haskell.

TO BE A MEMBER OF THE MEDICAL PRACTITIONER REVIEW PANEL:

Jacquelyn A. Degregorio, Esq., of Caldwell, to replace J. Ross Bevis, resigned.

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

William Kersey, of Wharton, to replace Bernard Tyson.

TO BE A MEMBER OF THE NEW JERSEY DEVELOPMENT AUTHORITY FOR SMALL BUSINESSES, MINORITIES, AND WOMEN'S ENTERPRISES:

Maria Efstratiades, of Cherry Hill, to replace Maria Pan, resigned.

TO BE A MEMBER OF THE NEW JERSEY MEADOWLANDS COMMISSION:

Michael J. Gonnelli, of Secaucus.

TO BE A MEMBER OF THE NEW JERSEY STATE BOARD OF COSMETOLOGY AND HAIRSTYLING:

Ronald Jerome Brown, of Irvington, to replace Joseph Stead.

TO BE A MEMBER OF THE NEW JERSEY TOURISM ADVISORY COUNCIL:

Denise Y. Putlock, of Toms River, to replace Patricia Bennett.

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

Walter K. Brown, of East Orange, to replace Marla Smith.

TO BE A MEMBER OF THE NEW JERSEY WORLD TRADE CENTER SCHOLARSHIP FUND - BOARD OF TRUSTEES:

Caren Freyer-Desouza, of West Orange.

TO BE A MEMBER OF THE PALISADES INTERSTATE PARK COMMISSION:

Kevin J. Collins, of Saddle River.

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

TO BE A MEMBER OF THE STATE BOARD OF AGRICULTURE:

Mary Jo Herbert, of Titusville, to replace David Kanach.  
Frank P. Baitinger, III, of Bridgeton, to replace Russell Marino.

TO BE A MEMBER OF THE STATE BOARD OF HUMAN SERVICES:

Velvet G. Miller, Ph.D., of Trenton, to replace Reverend Steven Vlahos, resigned.

TO BE A MEMBER OF THE STATE EMPLOYMENT AND TRAINING COMMISSION:

John Bakum, Ed.D., of Edison, to replace Jervis Cunningham.

TO BE A MEMBER OF THE TEACHERS' PENSION AND ANNUITY FUND BOARD OF TRUSTEES:

H. O'Neil Williams, CPA, of South Orange, to replace Marie Flynn.

TO BE A MEMBER OF THE UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY BOARD OF TRUSTEES:

John J. Petillo, Ph.D., of West Orange, to replace Harvey Holzberg.  
John A. Hoffman, Esq., of Piscataway, to replace Roger Fine, Esq.

TO BE THE HUDSON COUNTY DEPUTY SUPERINTENDENT OF ELECTIONS:

John J. Brzozowski, of Jersey City.

TO BE THE HUDSON COUNTY SUPERINTENDENT OF ELECTIONS:

Marie G. Borace, of North Bergen.

**Nominations Withdrawn:**

TO BE A MEMBER OF THE MERIT SYSTEM BOARD:

Audrey West, of Newark, to replace Alan Dexter Bowman, Esq.

TO BE A MEMBER OF THE UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY BOARD OF TRUSTEES:

Barbara Bell Coleman, of Newark, to replace Roger Fine, Esq.

**Nomination Corrected Copy:**

TO BE A MEMBER OF THE LEGALIZED GAMES OF CHANCE CONTROL COMMISSION:

Christine M. Vanek, of Hackensack, to replace James Lewandowski, deceased \*NOT\* resigned.

**Bills Introduced:**

S2427 Adler,J False Claims Act-estab. REF SJU  
S2428 Bark,M/Kavanaugh,W Mil. svc. persons-concerns rights REF SLP  
S2429 Adler,J Haz. discharge sites, cert.-concerns REF SEN  
S2430 Bark,M Solar photovoltaic panels-concerns REF SEN  
S2431 Bark,M Insur. fraud investigators, addl.;\$500K REF SCM  
S2432 Bark,M Main Street NJ prog.-makes changes REF SCU  
S2433 Smith,B/Singer,R+1 Charitable Registration Act-revises REF SCM  
S2434 Bucco,A Child prot svcs investigation pilot prog REF SHH  
S2435 Littell,R/Kenny,B+4 Bus. emp. incentive prog. grants-fding. REF SBA  
S2436 Vitale,J Cardiac Svcs. Sys.-estab. REF SHH  
S2437 Singer,R Racing comm.-expand duties REF SEG  
S2438 Ciesla,A Diesel trucks, cert.-concerns idling REF STR  
S2439 Ciesla,A Intermodal chassis-req. inspection REF STR  
S2440 Ciesla,A Intermodal container safety prog-creates REF STR  
S2441 Martin,R Uniform Constr. Code Act viol-incr penal REF SCU  
S2442 Rice,R Passaic Valley Sewerage-estab. oversight REF SCU  
S2444 Cardinale,G Rehab. of abandoned prop.-incentives REF SCU  
S2445 Cardinale,G Vet., 100% disab.-prop. tax exemp. elig. REF SCU  
SCR97 Bark,M Fred Rogers-honors life/accomplishments REF SSG  
SCR98 Ciesla,A Motorcycle Awareness Mo.-desig. May 2003 REF SLP  
SR137 Bark,M Mil., serving overseas-Senate support REF SSG  
SR138 Turner,S Motor fuels-investigate price-fixing REF SCM  
SR139 Turner,S Child Abuse Prev. Mo.-desig. April 2003 REF SHH  
SR140 Cardinale,G Cable tv programming options-regulate REF SCM

**Bills On Emergency Resolution:**

A50 AcaScaSa (3R) Roberts,J/Cohen,N+4 Med. Care Access and Responsibility Act (33-0) (Cardinale)

**Motions:**

S63 Scs (SCS) Rice,R Auto insur. rate incr.-req pub of info To Sa (20-20) Lost (Bucco)

**Bills Passed:**

A50 AcaScaSa (3R) Roberts,J/Cohen,N+4 Med. Care Access and Responsibility Act (32-5)  
A75 AcaScaSaAa (4R) Ahearn,M/Van Drew,J+50 Home Loan Prot. Act of 2002 (37-0)  
A2210 AcaSa (2R) McKeon,J+2 Pub. park parking lots-concerns (39-0)  
A2474 Bodine,F/Chatzidakis,L+1 Sch. bond validating act (39-0)  
A2777 AcaSca (2R) Conners,J/Guear,G+3 Civil Air Patrol-study req. (39-0)  
A2925 Eagler,P/Conners,J+2 Bingo-modify cert. ad. restrictions (39-0)  
A3162 Green,J/Fraguela,R+6 Handicapped accessible pub bldgs-concern (33-0)  
A3186 Acs (ACS) Cohen,N/Watson Coleman,B+3 Co.budget cap-concerns (36-3)  
A3284 Gusciora,R/McKeon,J+8 Brownfields Redevel. Task Force-concerns (38-1)  
S63 Scs (SCS) Rice,R Auto insur. rate incr.-req pub of info (28-5)  
S160 Aca (1R) Bagger,R/Guear,G+13 Handgun permit-disqual. cert. juv. (34-1)  
S487 ScaAcaAa (3R) Vitale,J/Martin,R+4 Domestic viol. ed.-concerns (37-0)  
S696 ScaAca (2R) McNamara,H/Smith,B+13 Haz Discharge Site Remediation Fd;\$40M (39-0)  
S795 ScaAcaAca (3R) Turner,S/Palaia,J+12 Sch. bus driv.-screening procedures (39-0)  
S906 Sca (1R) Connors,L/McNamara,H+1 Mun., co., sch. dist. budgets-concerns (24-10)  
S1143 Sca (1R) Allen,D/Buono,B+1 Sexual assault victim-concerns (39-0)  
S1522 ScaSca (2R) Codey,R Occupational disease-workers' comp. (39-0)  
S1631 Sca (1R) Singer,R+4 Mil. leave benef.-penal. for denial (39-0)  
S1687 Furnari,G/Suliga,J Haz. waste fac. siting-revises laws (39-0)  
S1822 ScaSaSa (3R) Bucco,A/Palaia,J+5 Real prop relating to terrorism-concerns (38-0)  
S1854 Sca (1R) Rice,R/Charles,J+15 Inmate Ed. & Voc. Training Study Comm. (37-0)  
S1962 Sa (1R) Codey,R/Charles,J+5 Green Acres fding. req-urban aid mun. (33-3)  
S1969 ScaAa (2R) Palaia,J/Adler,J+5 Dredged material, transport-concerns (38-0)  
S2082 Smith,B/Martin,R Powers of attorney-concerns (39-0)  
S2193 Palaia,J Sch. dist. bonds-concerns (39-0)  
S2208 Kyrillos,J/Codey,R Carnival-Amusement Ride Safety Bd-memb. (37-0)  
S2320 Sacco,N Elected mun. off.-concerns publications (30-2)  
S2352 Scs (SCS) Sacco,N/Ciesla,A+1 Hwy. Auth.-abolish, transfer projects (39-1)  
S2392/2371 Scs (SCS) Inverso,P/Furnari,G+4 Camp. contrib.-concerns (36-0)  
S2402 Sca (1R) Kenny,B/Kyrillos,J+1 Long Term Tax Exemp. Law-makes changes (36-1)  
SR126 Sca (1R) Bark,M/Kenny,B+4 Bus. Emp. Incentive Prog.-not elim. fund (Voice)  
SR130 Turner,S/Bark,M+3 Women's Hist. Mo.-desig. March 2003 (Voice)  
SR131 Bennett,J/Martin,R+16 Reagan, Ronald-recog. 92nd birthday (Voice)

**Bills Passed Concurring w/Amendment by Amendment:**

A2396 ScaAaSa (3R) Tucker,D/Watson Coleman,B+37 NJ-Africa Comm.-estab. To Concur by Sa (33-0) (Cardinale)  
S1685 SaAcaSa (3R) Furnari,G/Impeveduto,A+2 Home Inspection Prof. Lic. Act-revises To Concur by Sa (27-6) (Furnari)

**Bills Returned Second Reading/Amended:**

A50 AcaScaSa (3R) Roberts,J/Cohen,N+4 Med. Care Access and Responsibility Act (36-0) (Matheussen)  
A3226/3290 AcsScaSa (ACS/2R) Burzichelli,J/Guear,G+13 Id theft-upgrade penal. (33-0) (Coniglio)  
S2106 ScaSa (2R) Singer,R/Bennett,J Nonconforming structures-concerns (25-0) (Singer)  
S2187 ScaSa (2R) Cardinale,G Communication tower fac-proh cert areas (28-0) (Cardinale)  
S2239 ScaSa (2R) Rice,R/Connors,L+1 Handicapped accessible pub bldgs-concern (32-0) (Rice)

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

S514 Sa w/GR (2R) Martin,R/Greenstein,L+1 Arbitration procedures-concerns rules (39-0)

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

A2229 AcaSca (2R) Roberts,J/Biondi,P+4 Pub. works contractor-concerns regis. REP/SCA  
A3149 Sca (1R) Sires,A/Weinberg,L+2 Bd. of ed. co. voc. sch dist-incr. memb. REP/SCA  
S2108 Sca (1R) Palaia,J/Kenny,B Co. vocational sch. dist-incr. bd. memb. REP/SCA  
S2399 Sca (1R) Kenny,B/Kyrillos,J Pub. works contractor-concerns regis. REP/SCA

**Bills Substituted:**

A50 AcaScaSa (3R) Roberts,J/Cohen,N+4 Med. Care Access and Responsibility Act SUB FOR S2174/2226 (SCS)  
A2474 Bodine,F/Chatzidakis,L+1 Sch. bond validating act SUB FOR S1658  
A2777 AcaSca (2R) Conners,J/Guear,G+3 Civil Air Patrol-study req. SUB FOR S2310 (1R)  
A2925 Eagler,P/Conners,J+2 Bingo-modify cert. ad. restrictions SUB FOR S821  
A3162 Green,J/Fraguela,R+6 Handicapped accessible pub bldgs-concern SUB FOR S2239 (2R)  
A3186 Acs (ACS) Cohen,N/Watson Coleman,B+3 Co.budget cap-concerns SUB FOR S2244 (SCS)  
A3226/3290 AcsScaSa (ACS/2R) Burzichelli,J/Guear,G+13 Id theft-upgrade penal. SUB FOR S2238 (1R)  
A3284 Gusciora,R/McKeon,J+8 Brownfields Redevel. Task Force-concerns SUB FOR S2122 (1R)  
S821 Lance,L Bingo-modify cert. ad. restrictions SUB BY A2925  
S1570/1571/1572/ 1609/1667/1668/ 1673/1684/1837/ 1850/1902/1976/ 1977/2035/2325 Scs (SCS) Baer,B/Bark,M+2 Med. Care  
Access and Responsibility Act SUB BY S2174/2226 Scs (SCS)  
S1658 Bark,M Sch. bond validating act SUB BY A2474  
S2122 Sca (1R) Adler,J Brownfields Redevel. Task Force-concerns SUB BY A3284  
S2174/2226 Scs (SCS) Vitale,J/Matheusson,J+3 Med. Care Access and Responsibility Act SUB BY A50 (2R)  
S2174/2226 Scs (SCS) Vitale,J/Matheusson,J+3 Med. Care Access and Responsibility Act SUB FOR S1570 (SCS)  
S2238 Sca (1R) Coniglio,J/Sweeney,S+1 ID theft-upgrade penal. SUB BY A3226/3290 (ACS/2R)  
S2239 ScaSa (2R) Rice,R/Conners,L+1 Handicapped accessible pub bldgs-concern SUB BY A3162  
S2244 Scs (SCS) Lesniak,R+2 Co. budget caps-concerns SUB BY A3186 (ACS)  
S2310 Sca (1R) Inverso,P/Allen,D+1 Civil Air Patrol-study req. SUB BY A2777 (2R)

**Co-Sponsors Added:**

S312 (Palaia,J; Allen,D)  
S795 ScaAcaAca (3R) (Sacco,N; Inverso,P)  
S914 Sca (1R) (Baer,B)  
S1134 (Inverso,P; Palaia,J)  
S1143 Sca (1R) (McNamara,H)  
S1408 (Palaia,J; Bucco,A; Allen,D)  
S1434 Sca (1R) (Kenny,B; Littell,R; Suliga,J)  
S1458 (Bucco,A)  
S1550 Scs (SCS) (Allen,D; Palaia,J)  
S1570/1571/1572/ 1609/1667/1668/ 1673/1684/1837/ 1850/1902/1976/ 1977/2035/2325 Scs (SCS) (Inverso,P)  
S1579 Sca (1R) (Girgenti,J; Vitale,J; Rice,R)  
S1618 (Bennett,J)  
S1631 Sca (1R) (Inverso,P; Bucco,A; Palaia,J; Allen,D)  
S1651 Sca (1R) (Allen,D; Palaia,J)  
S1677 (Baer,B)  
SS1834 (Bucco,A)  
S1854 Sca (1R) (Allen,D; James,S)  
S1855 Sca (1R) (Gill,N)  
S1962 Sa (1R) (Gill,N; James,S; Buono,B; Sacco,N; Rice,R)  
S1966 (Palaia,J)  
S2065 (Cafiero,J)  
S2088 Sca (1R) (Allen,D; Palaia,J)  
S2091 (Bucco,A)  
S2174/2226 Scs (SCS) (Inverso,P; Palaia,J)  
S2175 (Cafiero,J)  
S2238 Sca (1R) (Gill,N)  
S2323 Sca (1R) (Cafiero,J)  
S2352 Scs (SCS) (McNamara,H)  
S2392/2371 Scs (SCS) (McNamara,H; Palaia,J; Allen,D)  
S2406 (Cafiero,J)  
S2433 (Coniglio,J)  
S2435 (Bucco,A; Kavanaugh,W; Kean,T; Lance,L)  
SJR43 (Coniglio,J)  
SJR45 Sca (1R) (Singer,R)  
SJR53 (Allen,D)

**Co-Sponsors Added: (cont'd)**

SR105 Sca (1R) (Allen,D)  
SR126 Sca (1R) (Allen,D; Inverso,P; Palaia,J)  
SR130 (Allen,D)

**Co-Sponsors Withdrawn:**

S2310 Sca (1R) (Allen,D)

**Co-Prime Sponsors Added:**

S662 (Bucco,A)  
S2225 (Bark,M)  
S2270 (Bucco,A)  
S2310 Sca (1R) (Allen,D)  
SR115 (McNamara,H)

**Co-Prime Sponsors Withdrawn:**

S2435 (Bark,M)

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

A2474 (Bark,M)  
A2777 AcaSca (2R) (Palaia,J; Allen,D; Inverso,P)  
A2925 (Lance,L)  
A3162 (Lesniak,R; Connors,L; Rice,R)  
A3186 Acs (ACS) (Inverso,P; Turner,S; Lesniak,R)  
A3226/3290 AcsScaSa (ACS/2R) (Gill,N; Sweeney,S; Coniglio,J)  
A3284 (Adler,J)

**The Senate adjourned at 9:02 P.M. to meet on Thursday, May 8, 2003 (QUORUM, Committee Groups "1" and "2" scheduled to meet).**

***ASSEMBLY ACTION***

**The Assembly did not meet. The Assembly will meet on Monday, May 5, 2003 (QUORUM, Committee Groups "A" and "B" scheduled to meet).**

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

A75 AcaScaSaAa (4R) Ahearn,M/Van Drew,J+50 Home Loan Prot. Act of 2002  
A2474 Bodine,F/Chatzidakis,L+1 Sch. bond validating act  
A2925 Eagler,P/Connors,J+2 Bingo-modify cert. ad. restrictions  
A3162 Green,J/Fraguela,R+6 Handicapped accessible pub bldgs-concern  
A3186 Acs (ACS) Cohen,N/Watson Coleman,B+3 Co.budget cap-concerns  
A3284 Gusciora,R/McKeon,J+8 Brownfields Redevel. Task Force-concerns  
S160 Aca (1R) Bagger,R/Guear,G+13 Handgun permit-disqual. cert. juv.  
S487 ScaAcaAa (3R) Vitale,J/Martin,R+4 Domestic viol. ed.-concerns  
S696 ScaAca (2R) McNamara,H/Smith,B+13 Haz Discharge Site Remediation Fd;\$40M  
S795 ScaAcaAca (3R) Turner,S/Palaia,J+12 Sch. bus driv.-screening procedures  
S1969 ScaAa (2R) Palaia,J/Adler,J+5 Dredged material, transport-concerns

**Bills Signed Into Law Since Last Session (3/17/03):**

None