

# ***NEW JERSEY LEGISLATIVE DIGEST***

*for October 14, 2004*

## **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 persons with hearing loss (609) 777-2744/ Toll-free in NJ (800) 257-7490

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

---

**Vol. XVI No. 39**

**211th Legislature • First Annual Session**

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

#### **Nominations Notice of Intention Received 10/5/2004:**

TO BE A JUDGE OF THE SUPERIOR COURT:

Douglas M. Fasciale, of Westfield.

#### **Nominations Notice of Intention Received 10/7/2004:**

TO BE A JUDGE OF THE SUPERIOR COURT:

Thomas J. LaConte, of Wayne.

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

TO BE A JUDGE OF THE SUPERIOR COURT:

Patricia B. Roe, of Seaside Park.  
Robert B. Reed, of Flemington.  
Douglas M. Fasciale, of Westfield.  
James M. Blaney, of Toms River.

TO BE A MEMBER OF THE STATE PLANNING COMMISSION:

Christiana Foglio, of Trenton, to replace Timothy Touhey.

TO BE A WORKERS' COMPENSATION JUDGE:

Arnold B. Goldman, of Lakewood.

TO BE AN ADMINISTRATIVE LAW JUDGE:

Margaret M. Monaco, of Westfield.

TO BE THE ADMINISTRATOR OF VETERANS' AFFAIRS:

Colonel Stephen (RET.) G. Abel, of Washington Crossing, PA, to replace Colonel Emil H. Philibosian, resigned.

TO BE THE BRIGADIER GENERAL OF THE LINE OF THE NEW JERSEY ARMY NATIONAL GUARD:

Colonel Charles A. Harvey, Jr., of Brick.  
Colonel (P) Steven L. Bell, of Bordentown.

#### **Nomination Received Not Referred:**

TO BE A MEMBER OF THE RUTGERS UNIVERSITY - BOARD OF GOVERNORS:

George R. Zoffinger, of Skillman, to replace Frederick DeSanti.

**Nominations Reported from Committee:**

TO BE A JUDGE OF THE SUPERIOR COURT:

Douglas M. Fasciale, of Westfield.  
James M. Blaney, of Toms River.  
Patricia B. Roe, of Seaside Park.  
Robert B. Reed, of Flemington.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON SOLID WASTE MANAGEMENT:

Joseph Ferrante, Jr., of Ridgewood, to replace George Farrand.  
John J. Pislor, of Glen Rock, to replace George Luciano.  
Jack Whitman, of Milltown, to replace Paul Matacera.

TO BE A MEMBER OF THE CATASTROPHIC ILLNESS IN CHILDREN RELIEF FUND COMMISSION:

Virginia G. Hammer, of Sicklerville, to replace Deborah Tedesco.

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

Freeholder Lois A. Cuccinello, of Hawthorne.  
Councilwoman Janice L. Kovach, of Clinton Town.  
Freeholder Glen Vitrano, of Hampton.  
Tracy C. Carluccio, of Ringoes.  
Deborah A. Pasquarelli, of Stewartsville.  
Mayor Eileen Swan, of Lebanon Township.  
Mikael Salovaara, of Bernardsville.

TO BE A MEMBER OF THE LOCAL FINANCE BOARD:

James P. Fox, of Lambertville, to replace James Harkness, Esq.

TO BE A MEMBER OF THE NEW JERSEY COMMISSION ON HIGHER EDUCATION:

Norman Samuels, Ph.D., of West Orange, to replace John Kelly, resigned.

TO BE A MEMBER OF THE NEW JERSEY CULTURAL TRUST BOARD OF TRUSTEES:

Thomas Eastwick Carroll, of Cape May, to replace Curtis J. Bashaw, resigned.

TO BE A MEMBER OF THE NEW JERSEY HISTORICAL COMMISSION:

Joseph Simpson Weisberg, Ed.D., of Parsippany.  
Joseph E. Salvatore, M.D., of Cape May.

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

Michael Maggiano, of Fort Lee, to replace Liz Thomas.

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

Sheryl J. Oliver, of Jackson.

TO BE A MEMBER OF THE SOUTH JERSEY TRANSPORTATION AUTHORITY:

Ernest D. Coursey, of Atlantic City, to replace Reverend James Washington.

TO BE A MEMBER OF THE STATE LIBRARY ADVISORY COUNCIL:

Kenia Nunez, of Hammonton, to replace Susie Boyce.

TO BE AN ADMINISTRATIVE LAW JUDGE:

Stephanie Wauters, of Toms River.

TO BE THE CHIEF EXECUTIVE OFFICER AND SECRETARY OF THE NEW JERSEY COMMERCE AND ECONOMIC GROWTH COMMISSION BOARD OF DIRECTORS:

Virginia S. Bauer, of Rumson, to replace Reverend Dr. William D. Watley, resigned.

**Nominations Withdrawn:**

TO BE A MEMBER OF THE ADULT DIAGNOSTIC AND TREATMENT CENTER - BOARD OF TRUSTEES:

William H. Thomas, of Toms River.  
Ivette Ramos Alvarez, of Livingston, to replace Clarisa Gonzales-Lenahan.  
Reverend Linda G.S. Ellerbe, of Passaic, to replace Dorothea Lee.  
Dr. Elton T. Byrd, of Willingboro, to replace Duncan Ellsworth, Jr.  
Julian G. Bash, of Englewood.

TO BE A MEMBER OF THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE:

Daniel J. Kenny, of Succasunna.

**Nominations Withdrawn: (cont'd)**

TO BE A MEMBER OF THE NEW JERSEY CEMETERY BOARD:  
Robert Guzman, of Union City, to replace Stephen Hehl, Esq.

TO BE A MEMBER OF THE NEW JERSEY SMALL EMPLOYER HEALTH BENEFITS PROGRAM BOARD OF DIRECTORS:  
Frank A. Briglia, M.D., of Voorhees, to replace Stephen Fischl, resigned.

TO BE A MEMBER OF THE PAROLE ADVISORY COUNCIL:  
Jacob C. Toporek, Esq., of Edison, to replace James O'Brien.

**Bills Introduced:**

S1925 Vitale,J Syringes w/out prescription-limited sale REF SHH  
S1926 Adler,J/Vitale,J Smoke-Free Air Act REF SHH  
S1927 Bryant,W Polling place hrs.-changes REF SSG  
S1928 Bryant,W Higher Ed. Fac. Trust Fd.-concerns REF SED  
S1929 Codey,R Sex offenders; high risk-concerns;\$2M REF SLP  
S1930 Bryant,W Child support, overdue-concerns REF SHH  
S1931 Bryant,W Work First NJ-renames Family Devel Prog REF SHH  
S1932 Doria,J Plenary winery lic.-concerns REF SLP  
S1933 Doria,J PAAD recipients-allow choice of pharmacy REF SHH  
S1934 Doria,J Pharmaceutical Asst. Study Comm.-estab. REF SHH  
S1935 Doria,J Nursing Student Support Prog.-estab. REF SHH  
S1936 Doria,J Workplace viol.-develop prevent prog. REF SLA  
S1937 Doria,J Contract bidding req.-concerns REF SSG  
S1938 Doria,J Pub. transp, sr cit/disab-concerns fares REF STR  
S1939 Singer,R Ambulatory care fac.-concerns tax REF SHH  
S1941 Bark,M Emerg. bldg. inspectors-concerns REF SCU  
S1942 Bark,M Sch. day extension-concerns REF SED  
S1943 Bucco,A Prescription dispensing-concerns REF SCM  
S1944 Sweeney,S Minority Teacher Recruitment Off.-estab. REF SED  
S1945 Adler,J Sch. transp-concerns courtesy busing REF SED  
S1946 Asselta,N Correctional fac-aid prog. for cert. mun REF SCU  
S1947 Connors,L Elections, cert.-concerns REF SSG  
S1948 Connors,L Driv. w/out lic.-concerns REF SLP  
S1949 Connors,L/Asselta,N Greenhead flies-control population;\$250K REF SCU  
S1953 Sarlo,P/Sacco,N+2 Meadowlands Comm.-concerns contracts REF SCU  
S1954 Bark,M/Bucco,A High-Hazard Potential dams-concerns REF SEN  
S1955 Bark,M/Bucco,A Dam safety-concerns REF SEN  
S1956 Sweeney,S Crim. trespass-concerns REF SJU  
S1957 Sweeney,S Natural resources-concerns damage pymt. REF SEN  
S1958 Bryant,W/Buono,B Streamlined Sales and Use Tax-conforms REF SBA  
S1959 McNamara,H Homestead rebate-proh printed SS numbers REF SBA  
S1960 Ciesla,A Realty transfer fees-exemp. sr. cit. REF SCU  
S1961 Ciesla,A Real prop transfer fees, cert-terminates REF SCU  
S1962 Turner,S Radon testing in pub. sch.-concerns REF SED  
S1963 Singer,R/Gill,N Fire safety in high-rises-concerns REF SCU  
S1964 Bucco,A/Bark,M+8 Pub. fd. investment, cert.-proh. REF SSG  
S1965 Kyrillos,J Homestead prop. tax rebate-revise elig. REF SCU  
SCR103 Singer,R Enhanced Community Option waiver-concern REF SHH  
SCR104 Connors,L Lieutenant Gov. Off.-estab. REF SSG  
SCR105 McNamara,H/Ciesla,A+4 Sch. funding-amends NJ Constit. REF SED  
SJR52 Singer,R/Buono,B Leukemia Lymphoma Awareness Mo.-Sept. REF SHH  
SR74 Singer,R/Karcher,E Alco. Ed, Rehab & Enforcement Fd-concern REF SHH  
SR75 Kenny,B+1 Passaic Riv. Restoration Initiative REF SEN

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

A729 AcaSca (2R) Bodine,F/Chatzidakis,L+1 Fireworks-proh. in cert. bldgs REP/SCA  
A1985 Aca (1R) Weinberg,L/Vandervalk,C+1 Physician asst.-concerns prescriptions REP  
A2566 AcaSca (2R) Barnes,P/Johnson,G+1 Private investigators-revise law REP/SCA without recommendation  
A2754 Sca (1R) Van Drew,J/Gibson,J+1 Tourism lodging-amends definition REP/SCA  
A3088 Aca (1R) Cohen,N+1 Admin. law judges-concerns retir. REP  
S256 Palaia,J/Allen,D+2 Zero Tolerance for Guns Act-concerns REP  
S496 Turner,S/James,S Pupil absences-sch. dist. report to DYFS REP  
S580 Sweeney,S/Bryant,W Voc & Special Svc sch dist-consolidate REP  
S611 Allen,D Work First NJ recipient-complete cert ed REP

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

S685 Sca (1R) Vitale,J/Karcher,E Physician asst.-concerns prescriptions REP/SCA  
S735 Turner,S Prop. owned by co.-concern cert. leases REP without recommendation  
S791 Sca (1R) Allen,D CDS-concerns distrib. in pub. place REP/SCA  
S801 Allen,D Search/rescue dogs, kill, injure-penal. REP  
S1061 Sca (1R) Kean,T Alan Augustine Colon Cancer Research Fd. REP/SCA  
S1428 Sca (1R) Sarlo,P Prescription legend drugs-concerns REP/SCA  
S1598 Scs (SCS) Codey,R/Coniglio,J+6 Community svc. by high sch. sr.-concerns REP/SCS  
S1642 Sca (1R) Connors,L Mun. auth. over cert. emp.-concerns REP/SCA  
S1653 Coniglio,J Felician Coll.;\$50K REP  
S1668 Scs (SCS) Turner,S/Vitale,J Emerg. contraception-sex assault victim REP/SCS  
S1671 Sca (1R) Smith,B/Martin,R Admin. law judges-concerns retir. REP/SCA  
S1684 Codey,R Sudden death in infancy-concern research REP  
S1707 ScaSca (1R) Bucco,A/Girgenti,J+3 Mattresses-concern flammability standard  
S1723 Asselta,N/Doria,J Special improvement dist.-concerns REP  
S1727 Sca (1R) Asselta,N Tourism lodging-amends definition REP/SCA  
S1803 Sca (1R) Vitale,J/Rice,R+1 AIDS Drug Distrib. Prog.;\$10M REP/SCA  
S1857 Adler,J Notices to cert. emp.-concerns language REP  
S1886 Sweeney,S Emp fraudulent practices-emp rights REP  
S1894 Gormley,W/Buono,B Casino gambling reg.-concerns REP  
S1896 Buono,B/Gormley,W CRDA-concerns expansion proj. REP  
S1912 Vitale,J Small emp. health benf coverage-concerns REP  
S1922 Adler,J/Girgenti,J+3 Counter-Terrorism Off.-estab. REP  
SR60 Singer,R Continuing Care Advis Council-reactivate REP  
SR72 Coniglio,J/Sweeney,S Overtime prot.-repeal changes that deny REP

**Bills Referred/SBA:**

A2754 Sca (1R) Van Drew,J/Gibson,J+1 Tourism lodging-amends definition  
S611 Allen,D Work First NJ recipient-complete cert ed  
S1061 Sca (1R) Kean,T Alan Augustine Colon Cancer Research Fd.  
S1727 Sca (1R) Asselta,N Tourism lodging-amends definition  
S1803 Sca (1R) Vitale,J/Rice,R+1 AIDS Drug Distrib. Prog.;\$10M

**Bills Transferred:**

S1862 Smith,B Cancer Institute of NJ;\$6M FROM SHH TO SBA  
S1924 Sacco,N/Ciesla,A Emission control equip.-dealer disclose FROM SCM TO STR

**Bills Withdrawn From The Files:**

S156 Bryant,W Bail-concerns sufficiency hearings FROM SJU

**Bills Received from Assembly/Concurrence w/Assembly Amendments/Given Second Reading:**

A2425 ScaAa (2R) Greenwald,L/Conaway,H+8 Health Care Worker Pension Policy Comm.  
S559 Aca (1R) Adler,J/Asselta,N+2 Masonry-proh. dry cutting and grinding  
S963 Aca (1R) Singer,R/Allen,D+1 Small emp. health benf.-concerns  
S1247 ScaAca (2R) Bucco,A/O'Toole,K Equestrians-req. motorist reduce speed

**Bills Received from Assembly/Referred to Committee:**

A396 Van Drew,J/Fisher,D+4 Sch. buses-concerns REF SED  
A662 Aca (1R) Blee,F/Wolfe,D+7 Sch. personnel, cert.-liab. immunity REF SED  
A873 Barnes,P/Van Drew,J Backpack safety-concerns REF SED  
A1486 Aca (1R) Wisniewski,J/Barnes,P+2 Alco. bev. w/gelatin-concerns labeling REF SLP  
A1912 Weinberg,L/Chivukula,U+3 Children Palliative Care Network;\$170K REF SHH  
A1923 Aca (1R) Weinberg,L/Cohen,N Higher ed.-divorced parents obligation REF SJU  
A1965 Cohen,N/Greenstein,L+5 Sex offenders-bars positions, youth org. REF SLP  
A2091 Barnes,P/Diegnan,P Children's protective eyewear-concerns REF SED  
A2247 Wisniewski,J/Scalera,F+4 Firefighter training, St.-accredited REF SLP  
A2730 Acs (ACS) Stender,L/Cohen,N+4 Human trafficking-concerns victims REF SJU

**Bills Received from Assembly/Referred to Committee: (cont'd)**

A2865 Scalera,F/Vas,J+4 Higher ed. instit.-fire safety info. REF SED  
A3010 Mayer,D/Smith,R+1 Yo-Yo Waterballs-bans sale REF SCM  
A3256 Aca (1R) Roberts,J/Blee,F+2 Bloodborne Disease Harm Reduction Act REF SHH  
A3257 Sires,A/Caraballo,W+2 Syringes w/out prescription-limited sale REF SHH  
ACR81 Rumpf,B/Connors,C Safe Neighborhoods Act-Cong enact REF SLP  
AJR64 Johnson,G/Diegnan,P+17 American Heros Day-desig. September 11 REF SSG

**Bills Received from Assembly/Without Reference/Given Second Reading:**

A2864 Scalera,F/Greenstein,L+1 Luring or enticing another-crime  
A3150 Roberts,J/Pou,N+10 Land-recreation & conserv purpose;\$70.6M  
A3197 Sires,A/DeCrocce,A+6 Northern NJ-park devel.;\$22.468M  
A3198 Greenstein,L/Gusciora,R+6 Central NJ-park devel.;\$16.181M  
A3199 Van Drew,J/Greenwald,L+5 Southern NJ-park devel.;\$17.623M  
A3200 Aca (1R) Watson Coleman,B/Burzichelli,J Land-recreation & conserv. purpose;\$75M  
A3201 Scalera,F/Gordon,R+3 Nonprofit entities-devel. land;\$22.9M  
A3202 Sires,A/Stack,B+1 Save Ellis Island, Inc.;\$120K  
A3203 Mayer,D/Smith,R+16 Farmland preserv. purposes;\$39.8M  
A3204 Greenwald,L/Previte,M+5 Farmland preserv.-pinelands;\$8M  
A3205 Fisher,D/Burzichelli,J+16 Farmland preserv. purposes;\$25M  
A3206 Greenstein,L/Watson Coleman,B+5 Nonprofit org.-farmland preserv.;\$2.5M  
A3207 Burzichelli,J/Fisher,D+14 Farmland preserv. purposes;\$52.4M  
A3214 Aca (1R) Roberts,J/Van Drew,J+2 Casino gambling reg.-concerns  
A3217 Aca (1R) Van Drew,J+3 CRDA admin. prog.-revise elig. criteria  
A3258 Imprevuduto,A/Cohen,N+3 Contractors' Regis. Act-delay

**Co-Sponsors Added:**

S1139 (Buono,B)  
S1803 Sca (1R) (Kean,T)  
S1816 (Madden,F)  
S1823 (Singer,R)  
S1825 (Singer,R)  
S1827 (Singer,R)  
S1903 (Sweeney,S)  
S1922 (6Kean,T Sarlo,P; Kyrillos,J)  
S1953 (Coniglio,J; Doria,J)  
S1964 (Kean,T; Ciesla,A; Connors,L; Inverso,P; Palaia,J; Sacco,N; Scutari,N; Rice,R)  
SCR105 (Bark,M; Bucco,A; Cardinale,G; Singer,R)  
SR75 (Coniglio,J)

**Prime Sponsors Added:**

S1816 (Bryant,W)

**Co-Prime Sponsors Added:**

S580 (Bryant,W)  
S1217 (Sarlo,P)  
S1219 (Sarlo,P)  
S1222 (Sarlo,P)  
S1431 (Kean,T)  
S1821 (Bryant,W)  
S1824 (Bryant,W)  
S1825 (Bryant,W)  
S1826 (Bryant,W)  
S1827 (Sweeney,S)  
S1829 (Gormley,W)  
S1835 (Ciesla,A)  
S1924 (Ciesla,A)

**Prime Sponsors Withdrawn:**

S1816 (Madden,F)

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

\* Effective October 14, 2004

**New Jersey Office on Minority and Multicultural Health Advisory Commission:**

Robert E. Fullilove, of Teaneck.

**The Senate Republican Leader has made the following re-appointment:**

\* Effective October 12, 2004

**Joint Legislative Committee on Ethical Standards:**

Honorable James M. Coleman, of Red Bank.

**Notes to the 10/04/2004 Digest:**

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

\* Effective October 4, 2004

**New Jersey Collaborative Center for Nursing:**

Linda Cuoco, R.N., of Ridgewood.

**Advisory Commission on Alternatively Accredited Medical School Clinical Clerkships:**

Dr. Jonathan Metsch, of Jersey City.

Marie Celestine Trontell, of Whitehouse Station.

**The Senate adjourned at 6:03 P.M. to meet again on Monday, October 18, 2004 (QUORUM, Committee Groups "3" and "4" scheduled to meet).**

***ASSEMBLY ACTION***

**The Assembly did not meet. The Assembly will meet on Monday, October 18, 2004 (QUORUM, Committee Groups "C" and "D" scheduled to meet).**

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

None

**Bills Signed Into Law Since Last Session (10/7/04):**

None