

# NEW JERSEY LEGISLATIVE DIGEST

for March 3, 2011

## OFFICE OF LEGISLATIVE SERVICES — OFFICE OF PUBLIC INFORMATION

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214th Legislature \$ Second Annual Session

### SENATE ACTION (SESSION)

#### Nominations Notice of Intention:

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

Michael Carroll, of Morris Plains.

Edward Neafsey, of Avon-By-The-Sea.

Philip Mizzone, Jr., of the Borough of Woodland Park.

#### Bills Introduced:

S2751 Vitale,J FamilyCare-restore elig. to parents REF SHH  
S2752 Codey,R Birthing fac.-screen for heart defects REF SHH  
S2755 Madden,F Driv, cert-enroll in agressive driv prog REF STR  
S2756 Beach,J/Lesniak,R Mail-in-ballots-receive automatically REF SSG

#### Motions:

S2220 Sca (1R) Sarlo,P/Lampitt,P+2 Unused sick/vacation leave, cert.-limits To Make Order of the Day (Kyrillos)  
S2220 Sca (1R) Sarlo,P/Lampitt,P+2 Unused sick/vacation leave, cert.-limits To Table (22-16) (Buono)  
S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies To Sa (Kyrillos)  
S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies To Table (23-15) (Buono)  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation To Sa (Kyrillos)  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation To Table (22-16) (Buono)

#### Bills Lost:

S690 Sca (1R) Sarlo,P/Kean,T+30 Garden St. Film & Digital Media Jobs Act AVOR (23-15) (Buono)  
S1216 Weinberg,L/Greenstein,L+21 Small, women, minority-owned bus-concern AVOR (23-16) (Sarlo)  
S2345 Sweeney,S/Madden,F+22 Qual. tax payers-expand tax excl. AVOR (23-16) (Madden)  
S2398 Madden,F/Sarlo,P+29 Higher ed. and bus. partnerships-promote AVOR (22-16) (Madden)  
S2454 Madden,F/Sarlo,P+26 Angel Investor Tax Cred. Act AVOR (23-16) (Madden)

#### Bills Passed:

S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies (39-0)  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation (39-0)

#### Bills Received from Governor/Absolute Veto:

S490 ScaScaAca (3R) Lesniak,R/Kyrillos,J+3 Internet waging-permit, AC casinos

#### Bills Received from Governor/Conditional Veto:

S483 AcaAa (2R) Lesniak,R/Coutinho,A+12 Smart Growth areas-concerns devel. plans  
S2065 Norcross,D/Greenstein,L+19 Bulletin NJ, bidding emp data base-devel  
S2126 ScaAca (2R) Whelan,J/Haines,P+6 Solar/wind fac.-permitted on landfills

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

A359 AaSca (2R) Schaer,G/Burzichelli,J+24 Foreclosure Rescue Fraud Prev. Act REP/SCA  
A2530 DeCroce,A/Malone,J Emerg Evacuation Rtes/Procedures Council REP  
A3267 Quijano,A/Ramos,R+2 Boys and Girls Club of NJ-vol. contrib. REP  
S161 Gill,N/Bateman,C Driv. lic. renewal-persons 70 and older REP  
S508 Girgenti,J/Sacco,N+1 Youth mentoring prog.-estab. grant prog. REP  
S516 Weinberg,L/Stack,B+3 Central mun. courts-concerns cases REP  
S773 Sca (1R) Sweeney,S/Singer,R Resid. Prop. Lease-Purch. Act REP/SCA  
S946 Bateman,C MV viol. complaint-prov. time period REP  
S1466 Doherty,M+1 St. Police-revise distrib. of fines REP without recommendation  
S1651 Scs (SCS) Turner,S Foreclosure Rescue Fraud Prev. Act REP/SCS  
S2060 Sca (1R) Scutari,N/Vitale,J+4 Amer. Red Cross-NJ Fd.-tax contrib. REP/SCA  
S2443 ScaSca (2R) Vitale,J/Whelan,J+3 Medicaid Acct. Care Org. Demo Proj-estab REP/SCA  
S2609 Sca (1R) Turner,S/Madden,F Taxes, paid into St. disab benf. fd-adj. REP  
S2614 Scs (SCS) Lesniak,R/Cunningham,S+4 Earn Your Way Out, Prison Recovery Prog. REP/SCS  
S2671 Van Drew,J/Cunningham,S+1 Breathalyzer refusal-clarify conviction REP  
S2675 Buono,B/Ruiz,M+2 Boys and Girls Club of NJ-vol. contrib. REP  
S2691 Greenstein,L Pleasant T. Macon Hwy-desig portion Rt.1 REP  
S2704/2693 Scs (SCS) Lesniak,R/Kyrillos,J+1 Franchise Practices Act-makes changes REP/SCS  
S2731 Girgenti,J+1 Police training certification-last 5 yrs REP  
SJR49 Sca (1R) Van Drew,J/Girgenti,J American Heroes Day-desig. September 11 REP/SCA

**Bills Combined:**

S2693 Bucco,A MV franchises-revises provisions COMB/W S2704 (SCS)

**Bills Referred/SBA:**

S1466 Doherty,M+1 St. Police-revise distrib. of fines  
S2614 Scs (SCS) Lesniak,R/Cunningham,S+4 Earn Your Way Out, Prison Recovery Prog.

**Bills Transferred:**

S2681 Sarlo,P Unclaimed prop.-concerns FROM SCM TO SBA

**Bills Withdrawn From The Files:**

S2215 Weinberg,L Dental prostheses, cert.-notify patient FROM SHH  
S2470 Ciesla,A Save Barnegat Bay Act-estab. fd. FROM SEN

**Co-Sponsors Added:**

S539 (Lesniak,R) Dog fighting-estab. crime  
S1772 (Bateman,C) Earth Day wk.-desig. each year  
S2313 (Oroho,S) Seasonal rentals-exemp. bulk sale req.  
S2404 (Cardinale,G) Atty. fee awards, cert.-caps  
S2614 Scs (SCS) (Ciesla,A; Girgenti,J; Sacco,N) Earn Your Way Out, Prison Recovery Prog.  
S2664 ScaSa (2R) (Ciesla,A) Market Competition, Consumer Choice Act  
S2704/2693 Scs (SCS) (Bucco,A) Franchise Practices Act-makes changes  
S2731 (Bateman,C) Police training certification-last 5 yrs  
S2734 (Doherty,M) Home-baked goods-concerns sale  
S2753 (Sarlo,P) Corp. bus. tax formula-modifies  
S2754 (Sarlo,P) Income tax-estab. alt. bus. calculation

**Co-Sponsors Withdrawn:**

S2597 (Vitale,J) Healthcare Exchange Act

**Co-Prime Sponsors Added:**

S98 (Greenstein,L) Crim. & juv delinquency records-concerns  
S565 (Ruiz,M) Amistad Comm.-concerns  
S2451 (Van Drew,J) Lobsters-changes law reg. size limits  
S2576 (Greenstein,L) Hydraulic fracturing-proh. technique  
S2597 (Vitale,J) Healthcare Exchange Act

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

S2707 (Vitale,J) Advanced practice nurse-death certificate  
S2730 (Doherty,M) Emp. UI tax rates-modify  
SJR49 Sca (1R) (Girgenti,J) American Heroes Day-desig. September 11

**Third Prime Sponsors Added:**

S2753 (Oroho,S) Corp. bus. tax formula-modifies  
S2754 (Oroho,S) Income tax-estab. alt. bus. calculation

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

\*Effective February 10, 2011

**Parole Advisory Board:**

Senator Sandra B. Cunningham (31).

**New Jersey Human Relations Council – Executive Committee:**

Senator M. Teresa Ruiz (29).

**Public Safety Communications Commission:**

Senator Brian P. Stack (33).

\*Effective February 24, 2011

**The Amistad Commission:**

Senator Linda R. Greenstein (14).

**Casino Revenue Fund Advisory Commission:**

Senator Jim Whelan (2).

\*Effective March 3, 2011

**New Jersey Veterans' Hospital Task Force:**

Senator Christopher J. Connors (9).

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

\*Effective February 10, 2011

**State Beach Erosion Commission:**

Senator Paul A. Sarlo (36).  
Senator Jim Whelan (2).

\*Effective February 22, 2011

**State Commission of Investigation:**

Robert J. Martin, Esq.

**Notes to the 2/22/2011 Digest:**

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

S2753 Whelan,J/Madden,F Corp. bus. tax formula-modifies  
S2754 Buono,B/Greenstein,L Income tax-estab. alt. bus. calculation

**Co-Prime Sponsor Added:**

S2718 (Beck,J) Pub emp health care plans-estab criteria

**The Senate adjourned the February 22, 2011 Session at 4:06 P.M. on February 23, 2011.**

**The Senate adjourned at 6:16 PM to meet again on Thursday, March 10, 2011 (QUORUM, Committee Groups "3" and "4" scheduled to meet).**

***ASSEMBLY ACTION (SESSION)***

**Bills Introduced:**

A3865 Ramos,R/DeAngelo,W+1 Asst. living resid units-emerg cords req REF AHE  
A3866 Barnes,P/Chiusano,G Independent St. auth. memb.-disclose emp REF ATR  
A3867 Russo,D Wheelchair, secure-paratransit veh. req. REF ATR  
AR145 Giblin,T/Stender,L St. emp. union rep.-urges bargaining REF ASG

**Bills Lost:**

A2215 McKeon,J/Chivukula,U+36 Green bldg. loan-qualifications AVOR (44-32-0) (McKeon)  
A3353 Aca (1R) Coutinho,A/Watson Coleman,B+23 Econ. devel. proj.-estab. closing fd. AVOR (45-32-0) (Coutinho)  
A3513 Aca (1R) Oliver,S/Greenwald,L+22 Workforce Shortage Loan Redemption Prog. AVOR (44-32-0) (Greenwald)  
A3584 AcaAa (2R) Oliver,S/Cryan,J+31 Back to Work NJ Prog.-creates AVOR (45-32-0) (Cryan)

**Motions:**

A3869 Greenwald,L/Milam,M+2 Corp. bus. tax formula-modifies To Aa (O'Scanlon)  
A3869 Greenwald,L/Milam,M+2 Corp. bus. tax formula-modifies To Table (45-32-0) (Cryan)  
A3870 Greenwald,L/Barnes,P+2 Income tax-estab. alt. bus. calculation To Aa (O'Scanlon)  
A3870 Greenwald,L/Barnes,P+2 Income tax-estab. alt. bus. calculation To Table (44-32-0) (Cryan)

**Bills Passed:**

S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies (77-0-0)  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation (77-0-0)

**Bills Substituted:**

A3869 Greenwald,L/Milam,M+2 Corp. bus. tax formula-modifies SUB BY S2753  
A3870 Greenwald,L/Barnes,P+2 Income tax-estab. alt. bus. calculation SUB BY S2754  
S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies SUB FOR A3869  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation SUB FOR A3870

**Bills Received from Governor/Conditional Veto:**

A2529 AcsAaAcaScaSa (ACS/4R) Chivukula,U/Quijano,A+6 Energy-efficiency, renewable req.  
A3195 Greenstein,L/DeAngelo,W+25 Small bus. finan asst application-create

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

S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies  
S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation

**Bills Returned Second Reading/Amended:**

A743 Aa (1R) DiMaio,J/Wagner,C+3 Raw milk permit prog.-estab. (DiMaio)  
A3205 AcsAaAa (ACS/2R) Burzichelli,J Cats and dogs-concerns sterilization (Burzichelli)  
A3304 AaAa (2R) Conaway,H+1 False Claims Act-clarify effective date (Conaway)  
S1643 ScsSaAcaAaAa (SCS/4R) Sweeney,S/Van Drew,J Cats and dogs-concerns sterilization (Burzichelli)

**Bills Withdrawn From The Files:**

A3538 Holzapfel,J/Wolfe,D Save Barnegat Bay Act-estab. fd. FROM AEN

**Co-Sponsors Added:**

A1088 (Quigley,J) Syringes w/out prescription-limited sale  
A1532 (Holzapfel,J) Bisphenol A used in packaging food-proh  
A1693 (DeAngelo,W) Historic mv-concerns  
A2506 (DiCicco,D) Joan's Law-murder of a minor, no parole  
A2810 Aca (1R) (Chiusano,G) Opportunity Scholarship Act-estab. prog.  
A3052 (Biondi,P) Minor, unauth. use of image-penal.  
A3074 (O'Donnell,J; Casagrande,C) Physical therapy svcs.-insur. claim pymt  
A3088 (Vandervalk,C) Auth. dissolution-loc. unit modify req.  
A3147 (Delany,P) Global Warming Response Act-repeal  
A3172 (Coutinho,A) Personal audio players-contain warning  
A3210 (DeCroce,A) Kyleigh's Law decal req.-repeals  
A3226 (DeCroce,A; Bucco,A) Dusty's Law-concern cert. animal attacks  
A3313 (Conners,J) Hydraulic fracturing-proh. technique  
A3314 (Conners,J) Hydraulic fracturing-proh. memb. support  
A3327 (Biondi,P) Sex offender-satellite-based monitoring  
A3462 (Moriarty,P) K9 Veterans Day-desig. March 13  
A3513 Aca (1R) (Conaway,H) Workforce Shortage Loan Redemption Prog.  
A3523 (O'Scanlon,D) Vol. driv.-charitable immunity statute  
A3579 (Rible,D) Auto insur. fraud prev. measures-estab.  
A3603 (Coutinho,A) Mun. adjusted tax levy-calculation  
A3636 (Handlin,A; Wagner,C; Angelini,M) Medicaid Acct. Care Org. Demo Proj-estab  
A3655 (Conners,J) Electronic prescribing sys.-standards  
A3658 (Greenwald,L) Estate tax-incr. filing threshold  
A3659 (Diegnan,P; DeAngelo,W; Benson,D; Ramos,R; DeCroce,A; Green,J; Giblin,T; Schroeder,R; Caputo,R; Pou,N; Bucco,A; Fuentes,A; Conners,J) Youth suicide prev. plan-DCF devel.  
A3722 Aa (1R) (Peterson,E) MV franchises-revises provisions  
A3736 (Fuentes,A; Spencer,L; Conners,J) Tolls, finan. ARC Tunnel proj.-reduce  
A3744 (Mainor,C; Coutinho,A; Diegnan,P; Benson,D; DeCroce,A) Birthing fac.-screen for heart defects  
A3869 (Conaway,H; Conners,J) Corp. bus. tax formula-modifies  
A3870 (Conners,J; Conaway,H) Income tax-estab. alt. bus. calculation  
ACR109 (Delany,P) Health care coverage-proh St/Fed law reg  
AJR69 (Angelini,M; Munoz,N) Coptic Orthodox Christian-condemn attack  
AR112 (Conners,J; Conaway,H) Fracturing Respon. Awareness Act-enact

**Second Prime Sponsors Added:**

A2183 (Vainieri Huttle,V) Crim. street gang recruiting-crime  
A2644 (Albano,N) Cannabis-like substance-add to CDS list  
A3172 (O'Donnell,J) Personal audio players-contain warning  
A3371 (Ramos,R) Retail food estab.-uniform standards req  
A3788 (Munoz,N) Govt. records-submit request for access  
A3828 (Coutinho,A) Real estate purch-excl. gains on sales  
A3831 (Johnson,G) Wineries-create new lic.  
A3868 (Vainieri Huttle,V) Drugs, off-label-individual insur. cover

**Third Prime Sponsors Added:**

A2299 (Ramos,R) Beach access-concerns  
A2643 (Coutinho,A) Flavored malt bev.-create tax category  
A3140 (Coutinho,A) Student body mass-bd. of ed. calculate  
A3172 (Wagner,C) Personal audio players-contain warning  
A3763 (Coutinho,A) Katie's Law-DNA database, incl arrestees  
A3780 (Vainieri Huttle,V) Electric veh charging sys-prop tax exemp  
A3822 (Vainieri Huttle,V) Higher ed.-prov. mental health care prog  
A3868 (Conners,J) Drugs, off-label-individual insur. cover

**Third Prime Sponsors Added: (cont'd)**

ACR170 (Bucco,A) Fed. law. repeal-reg. 2/3 vote, St. Leg.  
AR145 (DeAngelo,W) St. emp. union rep.-urges bargaining

**Fourth Prime Sponsors Added:**

A1788 (Rumana,S) Mil. monuments-concerns desecration  
A2594 (Coutinho,A) DNA samples-incl. viol. arrestees  
A3172 (Spencer,L) Personal audio players-contain warning  
A3636 (Riley,C) Medicaid Acct. Care Org. Demo Proj-estab  
A3688 Aca (1R) (Vainieri Huttie,V) NJ Fresh Mobiles Act

**Fifth Prime Sponsors Added:**

A3172 (McHose,A) Personal audio players-contain warning

**Prime Sponsors Added to Bills Substituted:**

S2753 (Greenwald,L) Corp. bus. tax formula-modifies  
S2754 (Greenwald,L) Income tax-estab. alt. bus. calculation

**Second Prime Sponsors Added to Bills Substituted:**

S2753 (Milam,M) Corp. bus. tax formula-modifies  
S2754 (Barnes,P) Income tax-estab. alt. bus. calculation

**Third Prime Sponsors Added to Bills Substituted:**

S2753 (Spencer,L) Corp. bus. tax formula-modifies  
S2754 (Johnson,G) Income tax-estab. alt. bus. calculation

**Fourth Prime Sponsors Added to Bills Substituted:**

S2753 (Pou,N) Corp. bus. tax formula-modifies  
S2754 (Pou,N) Income tax-estab. alt. bus. calculation

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

S2753 (Conaway,H; Conners,J) Corp. bus. tax formula-modifies  
S2754 (Conners,J; Conaway,H) Income tax-estab. alt. bus. calculation

**The Assembly Speaker has made the following appointments:**

**\*Effective February 24, 2011**

**Council on Local Mandates:**

**Timothy Q. Karcher, of Jersey City.**

**\*Effective February 28, 2011**

**New Jersey Aphasia Study Commission:**

**Nancy King, of Glen Ridge.  
Jessica Dionne Welsh, of Maywood.**

**New Jersey State Council for Interstate Adult Offender Supervision:**

**Assemblywoman L. Grace Spencer (29).**

**The Assembly Speaker has made the following appointments: (cont'd)**

\*Effective February 28, 2011

**Statewide Public Safety Communications Commission:**

Assemblyman Kevin J. Ryan (36).

Assemblyman David P. Rible (11).

**Notes to the 2/22/2011 Digest:**

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

A3869 Greenwald,L/Milam,M Corp. bus. tax formula-modifies

A3870 Greenwald,L/Barnes,P Income tax-estab. alt. bus. calculation

**Co-Sponsors Added:**

A3659 (Coyle,D; Wagner,C; Handlin,A; Gove,D; Spencer,L) Youth suicide prev. plan-DCF devel.

**The Assembly adjourned the February 22, 2011 Session at 5:51 P.M. on February 23, 2011.**

**The Assembly adjourned at 5:16 P.M. to meet again on Monday, March 7, 2011 (QUORUM, Committees at the Call of the Speaker).**

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

S2753 Whelan,J/Madden,F+3 Corp. bus. tax formula-modifies

S2754 Buono,B/Greenstein,L+3 Income tax-estab. alt. bus. calculation

**Bills Signed Into Law Since Last Session (2/22/2011):**

P.L.2011, c.26. A1705 AcaSca w/GR (3R) Burzichelli,J/Dancer,R+5 2/23/2011 Off-track wagering-concerns

P.L.2011, c.27. S914 Sca (1R) Gill,N/Scutari,N+1 3/1/2011 Corp. alt. name-allows use

P.L.2011, c.28. A1559 Scs (SCS) Lampitt,P/Coutinho,A+12 3/1/2011 UEZ qual. bus.-elim rebate use procedure

P.L.2011, c.29. S1923 ScaSaAca (3R) Norcross,D/Gusciora,R+21 3/1/2011 Motorcycles-permits sale on Sunday

P.L.2011, c.30. S2170 Ruiz,M/Kean,T+14 3/1/2011 Benf. corp.-create

P.L.2011, c.31. S2493 Sarlo,P/Gill,N+15 3/1/2011 Corp. off.-indemnification rights

P.L.2011, c.32. S2498 ScaSa (2R) Greenstein,L/Beach,J+34 3/1/2011 Unemp. beneficiary-allow access to claim

P.L.2011, c.33. A2720 Aca (1R) Burzichelli,J/Rumana,S+16 3/1/2011 Admin. Procedure Act-estab new procedure

P.L.2011, c.34. A2853 Aca (1R) Burzichelli,J/Milam,M+28 3/1/2011 Bus. permits, econ devel proj-streamline

P.L.2011, c.35. A2859 AcaAa (2R) Quijano,A/Burzichelli,J+24 3/1/2011 Prop, not needed pub. purpose-auth. sale

P.L.2011, c.36. A3253 Aca (1R) Diegnan,P/Wisniewski,J+13 3/1/2011 Corp opportunity doctrine-renounce right

P.L.2011, c.37. S923 AaAaAa (3R) Whelan,J/OToole,K+5 3/2/2011 Mail-in ballots-change transmission date