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Governor Signs Legislation Into Law

Governor Corzine signed legislation that promotes alternative energy systems, and nearly two dozen other bills. Among them, legislation that will reduce the amount of unemployment tax employers need to pay when the state's benefits fund gets back up above a certain level. Other bills make it illegal to sell and distribute novelty lighters in New Jersey, allow doctors to write several prescriptions at once for certain drugs, require police must now tell school principals when students commit certain crimes.

Below is a complete listing of the legislation:

- S-562/A-1503 (Sweeney, Sarlo/Burzichelli, Albano) - Provides triggers for reductions of employer unemployment insurance taxes
- S-1220/A-836 (Weinberg, Turner/Chivukula, Watson Coleman, Johnson, Vainieri Huttle, Cruz-Perez, N. Munoz) - Renames the Primary Care Physician and Dentist Loan Redemption Program and makes various other changes to the program
- S-1303/A-3062 (B. Smith, Baroni/McKeon, Chivukula, Coutinho, Greenstein) - Defines "inherently beneficial use" for purposes of zoning variance and specifically includes facilities and structures that supply electrical energy produced from wind, solar or photovoltaic technologies
- S-1816/A-828 (Lesniak, Haines/Chivukula, Karrow) - Authorizes counties and municipalities to acquire real property, and to resell or lease it with agricultural deed restrictions attached, for farmland preservation purposes
- S-1927/A-3003 (Buono/Love, Lampitt, Wagner, Evans) - Regulates solicitation of credit cards on college campuses
- S-2372/A-3464 (Sarlo/Scalera, Prieto) w/Statement - Permits revenue received by municipality as payments in lieu of taxes to increase cap base upon which permissible increases to final appropriations are calculated under local cap law
- S-2552/A-3817 (Sweeney, O'Toole/Schaer, Gusciora) - Extends range of investment vehicles in which Director of the Division of Investment and State Investment Council may invest moneys in the State of New Jersey Cash Management Fund and State pension funds
- SJR-15/AJR-83 (Sacco/Prieto, Wisniewski) - Designates May 24th as "Aviation Maintenance Technician Day"
- A-370/S-101 (Diegnan, Voss/Weinberg) - Requires facility where patient dies to provide medical examiner with contact information for next-of-kin so medical examiner may obtain additional information about death
- A-1942/S-1813 (Chivukula/Sarlo) - Requires owners and employees of international labor matching or matchmaking organization to undergo background check and these organizations' recruits be given domestic violence information
- A-1943/S-2211 (Schaer, Lampitt, Coutinho, Vas/Sweeney Bateman) - Establishes pilot program in Department of Education to provide instruction in personal finance to high school seniors
- A-2038/S-1808 (Gusciora, Oliver, Cruz-Perez/T. Kean, Vitale) - Denies public access to extinguished psychiatric liens
- A-2406/S-1356 (Rodriguez, Prieto, Evans/Madden, Oroho) - Clarifies obligation of cemeteries to hold consumer prepayments for cemetery services in trust accounts
- A-2653/S-2472 (Cruz-Perez, Gusciora, Love/Van Drew, Cunningham) - Requires disclosure when selling certain clothing apparel containing fur
- A-2655/S-1809 (Burzichelli, Rible, Love, Lampitt, Greenstein/Sweeney, Van Drew) - Requires law enforcement agency to inform school principal of certain crimes committed by students
- A-2884/S-2283 (Albano, DeAngelo, Love, Diegnan, Vas, Watson Coleman, Lampitt/Van Drew) - Expands scope of unincorporated entities permitted to merge or consolidate with domestic corporations
- A-2885/S-2245 (Milam, Love, Albano, Diegnan, Vas, Watson Coleman, Lampitt/Gill, Sarlo) - Allows officers of corporation to grant employees and officers of corporation shares of stock, rights or options

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This Issue's Headlines:

- Governor Signs Legislation Into Law
- New Jersey Budget Getting Worse, Christie Says
- DUI, School Choice Measures to be Considered
- Firearms Task Force Releases First Report
- Pension Reform Bill to be Introduced

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- A-2889/S-1986 (Burzichelli, Malone, Fisher, Karrow, Vas/Ruiz, Vitale) - Makes revisions to personal assistance services program in DHS
- A-2949/S-2494 (Oliver, Lampitt, Greenwald, Love, Cruz-Perez/Codey, Singer) - Requires DHS to report physical assaults and deaths at State psychiatric hospitals on its website and report deaths to Public Advocate
- A-3181/SCS for S-1240 (Moriarty, Rodriguez, Greenwald, Ramos, H. Smith/Kyrillos, Stack) - Revises cosmetology and hairstyling statutes
- A-3207, 3267/S-2151 (Wisniewski, Quigley, Scalera, Prieto, Cruz-Perez/Bucco, Stack) - Prohibits sale and distribution of novelty lighters
- A-3541/S-2609 (Doherty, McKeon/Karrow, Oroho) - Extends deadline for municipal certified recycling coordinator requirements
- A-3799/S-2550 (Conaway, Stender, Cruz-Perez, Evans/Weinberg, Codey) - Permits physicians to issue multiple prescriptions for total of up to 90-day supply of Schedule II drugs
- A-3317/S-2427 (Prieto, Biondi/Sarlo, S. Kean) - CONDITIONAL VETO - Revises conditions to qualify for exemptions from electrical contracting permit requirements for electrical installation, repair and maintenance work done by public employees on public property.

New Jersey Budget Getting Worse, Christie Says

The budget deficits for this fiscal year and the next one are getting bigger, governor elect Christopher J. Christie said after meeting with top officials in Gov. Corzine's Treasury Department, according to a story in the Philadelphia Inquirer.

Christie and his budget advisers said revenues in the current fiscal year have continued to slip, and the shortfall next year will likely be larger than the \$8 billion projected by nonpartisan analysts.

Christie said voters had chosen him to make the difficult choices needed to balance the budget, cut taxes, and repair state finances for the long term, according to the Inquirer report.

Making his first extended comments on the budget since his election, he called New Jersey's finances the "most serious" problem the state faced and pledged to attack them "like a one-term governor."

"We are going to make decisions that put this state on the long-term path to fiscal health, no matter what the ramifications of that are," Christie said.

He said he expected to have the state back to "fiscal health" by the end of his first term, though he said that would involve much pain.

He gave no specifics when it came to what spending he might cut or how the growing shortfall might affect his pledge to slash taxes.

DUI, School Choice Measures to be Considered

On Monday, November 23, six Senate Committees will meet to discuss issues ranging from strengthening New Jersey's driving while under the influence (DUI) laws, to school choice, to streamlining the property tax reassessment process in New Jersey, to posting nutritional information of food available in chain restaurants.

The Senate Law and Public Safety and Veterans' Affairs Committee will meet at 2:30 PM in Committee Room 4 to consider a package of bills sponsored by Senate President Richard J. Codey, D-Essex, that would crack down hard on motorists repeatedly caught driving under the influence or driving with a suspended license. The bills would also impose stiff new penalties on those caught lending their vehicle to someone with a suspended or revoked license, in an effort to deter those who enable repeat offenders.

The Senate Education Committee will meet in Committee Room 6 at 10:00 AM to

discuss a bill sponsored by the Committee Chairwoman, Senator Shirley K. Turner, D-Mercer, which would establish a permanent "Interdistrict Public School Choice Program" in the State Department of Education. The program, which is modeled on a five-year pilot program established in 2000, would permit local and regional school districts to opt to become "choice" districts, and establish agreements with sending districts to allow students from the sending district to transfer in.

Senator Fred H. Madden, D-Gloucester and Camden, will preside over a Senate Labor Committee meeting at 2:30 PM in Committee Room 10 on the impact of the current recession on New Jersey workers. The Committee will hear from the Commissioner of Labor and Workforce Development, Commissioner David Socolow, and will review the effectiveness of State, federal and local programs to assist workers and their families, including job training and unemployment insurance.

The Senate Community and Urban Affairs Committee is scheduled to meet at 10:00 AM in Committee Room 7, and will consider a bill sponsored by Senator Paul A. Sarlo, D-Bergen, Essex and Passaic, to streamline the property tax reassessment process. The bill would create an easier, simpler and quicker system for local tax assessors to reassess a homeowner's property value. At a time when property values are at an all-time low, Senator Sarlo hopes this measure will allow hard-hit New Jersey taxpayers to realize some measure of property tax relief.

The Senate Health, Human Services and Senior Citizens Committee will meet at 2:30 PM to review a number of legislative initiatives, including S-1799, sponsored by Senators Bob Gordon and Loretta Weinberg, both D-Bergen, which would create a reporting system whenever a vulnerable adult is suspected of being abused, neglected or exploited, and S-2905, sponsored by Health Committee Chairman, Senator Joseph F. Vitale, D-Middlesex, and Senator Shirley Turner, which would require chain restaurants to provide certain nutritional information for food and beverage items offered for sale in their restaurants.

In addition to the Senate's scheduled Committee meetings, the full Senate will convene at noon for a quorum call in order to swear in Senators Jim Beach, D-Camden, and Michael Doherty, R-Warren and Hunterdon, both of whom won special elections to fill out the remainder of the Senate term.

Firearms Task Force Releases First Report

The Firearms Task Force created in concert with New Jersey's so-called "one-handgun-a-month" law has issued its first report, which includes recommendations to address concerns of firearms collectors and competitive and recreational firearms users.

The task force is recommending changes that include clarifying the intent of the law with regard to multiple handgun transfers involving retail dealers, identifying a limited number of exemptions to the one handgun limitation and strengthening criminal laws to deter potential "straw purchasers" who fraudulently seek to qualify for an exemption by making false statements in the application process.

"Our task force heard from a wide range of people who brought to our attention what they felt were potential problems in the new one-handgun-a-month law," said Sen. Fred Madden (D-Camden and Gloucester), who served as Vice Chairman on the Firearms Task Force. "The adjustments proposed in our first report address those problems and are consistent with the new law's intent. They in no way compromise its effectiveness."

Sen. Sandra Cunningham (D-Hudson) a prime sponsor of the one-handgun-a-month law and a member of the task force, said the proposed changes will ensure that New

Jersey's streets are kept safer while satisfying the needs of firearms retailers and collectors who were concerned they would be inadvertently affected by the law.

"The primary purpose of the original legislation was to deter 'straw purchases' of multiple handguns – purchases made by people for the purpose of selling or transferring those guns to others who otherwise could not lawfully obtain handguns," Sen. Cunningham said. "The law remains true to that intent, but the changes the task force is proposing will make sure firearms businesses and people who have a legitimate need for an exception to the law are not adversely affected by the limitations."

The task force's report makes four recommendations:

- The Superintendent of State Police should be authorized to issue exemptions if the applicant demonstrates to the Superintendent that specific, special circumstances apply to the transaction. These circumstances pertain to inherited handguns, special collections and shooting competitions.
- The criminal laws regarding violations of the firearm purchase requirements should be amended to include a new offense for those who fraudulently attempt to qualify for an exemption to the one-handgun law by intentionally making materially false statements in the application process or otherwise.
- Enactment of an amendment to clarify the one-handgun limitation does not apply to otherwise lawful transactions between licensed retail dealers, registered wholesale dealers, and registered manufacturers, or to transfers of handguns from a private individual to a licensed retail dealer, a registered wholesale dealer, or a registered manufacturer.
- The one-handgun limitation should not apply to a transaction where a person purchases a handgun from a dealer and returns it to the dealer in an exchange for another handgun, all within a 30-day period.
- The Firearms Task Force was created by an executive order issued by Gov. Jon S. Corzine on June 25, 2009, the day the one-handgun-a-month law was approved by the Legislature. The task force began its work July 27, 2009. The executive order directed that the initial report be submitted with 90 days of the task force's first meeting to allow any recommended legislative changes to be enacted during the current legislative session.

Pension Reform Bill to be Introduced

Senator Bill Baroni (R-14) has drafted pension reform legislation that is designed to prevent excessive government payouts from state pension funds to those who continue in post-retirement public service employment. The legislation would help shore up distressed state pension funds by preventing individuals who work in full-time positions from collecting both a paycheck for public employment and a pension check simultaneously.

Under current law, retirees are generally allowed to accept public employment that provides a full-time salary, while still receiving their full pension checks, if their post-retirement employment is in a position covered by a pension system that is different from the one that provides their pension checks. Those who accept employment in a post-retirement position covered by the same pension system that provides their retirement benefits, such as PERS, are already subject to restrictions that prevent the collection of both a full-time paycheck and a pension check at the same time.

The legislation being drafted by Baroni would extend restrictions similar to those that already apply to PERS retirees to all public retirees, requiring that public pension payments cease upon the acceptance of any post-retirement position that provides a full-time public salary. Pension payments would resume once that employment is concluded. This legislation will also allow government entities to appeal to the Attorney General's Office for a waiver under extraordinary circumstances.

"The state has a massive unfunded pension obligation that's in the tens of billions of dollars," said Baroni. "Until we address some of the excesses that undermine the whole system, the financial security of all retired public employees remains at risk. By enacting common-sense pension reforms, we can put our pension funds back on

solid ground and ensure that we are able to meet the promises that were made to those who dedicated themselves to public service.”

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