



## OFFICE OF THE GOVERNOR

### NEWS RELEASE

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## Gov. Christie Whitman Signs Legislation

Gov. Christie Whitman today signed the following pieces of legislation:

**A-4**, sponsored by Assembly Speaker Jack Collins (R- Salem/Cumberland/Gloucester) and Assembly Minority Leader Joseph V. Doria (D-Hudson) and Senate President Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Senate Assistant Minority Leader Richard J. Codey (D-Essex), provides for the Senate and General Assembly to meet in joint session for the Governor's inaugural ceremony at the New Jersey Performing Arts Center in Newark on January 20, 1998. Under current law, all sessions of the Legislature are required to be held in Trenton, unless they are held for ceremonial or commemorative purposes. The bill also allows the General Assembly to organize for the first annual session of the 208th Legislature at the College of New Jersey on January 13, 1998.

**A-68**, sponsored by Assembly Members Walter J. Kavanaugh (R- Morris/Somerset) and Neil M. Cohen (D-Union) and Senators James S. Cafiero (R-Cape May/Atlantic/ Cumberland) and John H. Ewing (R-Morris/Somerset), revises the current divorce/ custody statutes by changing the term "visitation" throughout the statutes to "parenting time" where appropriate. The bill embodies a recommendation of the 1995 report of the Commission to Study the Law of Divorce.

**A-73**, sponsored by Assembly Member Walter J. Kavanaugh (R- Morris/Somerset) and Senators Wynona M. Lipman (D- Essex/Union) and John O. Bennett (R-Monmouth), provides sanctions for parties who fail to comply with a visitation order. The bill establishes a series of specific civil remedies available to judges who hear cases alleging violations of visitation orders. The remedies which the judge may choose are: award of counsel fees against the party violating the visitation order; community service; award of time with the child for the non-violating party; award of monetary compensation for additional costs incurred by the non-violating party when a parent fails to appear for scheduled visitation, and other economic sanctions to be decided on a case-by-case basis. The bill implements a recommendation of the 1995 report of the Commission to Study the Law of Divorce.

**A-79**, sponsored by Assembly Members Walter J. Kavanaugh (R- Morris/Somerset) and Marion Crecco (R- Essex/Passaic) and Senator Robert J. Martin (R-Essex/Morris/Passaic), requires a party receiving permanent alimony who remarries to promptly notify the ex-spouse paying the alimony and any collecting agency. Pursuant to current law, permanent alimony terminates upon marriage. The bill implements a recommendation of the 1995 report of the Commission to Study the Laws of Divorce.

**A-81**, sponsored by Assembly Members Walter Kavanaugh (R- Morris/Somerset) and Marion Crecco (R- Essex/Passaic) and Senators James Cafiero (R-Cape May/Atlantic/Cumberland) and Robert Martin (R- Essex/Morris/Passaic), amends equitable distribution statute to clarify that court must consider both parents' responsibilities for the children when awarding alimony.

**A-547**, sponsored by Assembly Members Shirley Turner (D- Mercer) and Anthony Imprevaduto (D- Bergen/Hudson) and Senators John Ewing (R-Morris/Somerset) and Jack Sinagra (R- Middlesex), authorizes the Public Health Council to regulate sanitary conditions in tattoo parlors.

**A-582**, sponsored by Former Assembly Member Monroe Lustbader (R-Essex/Union) and Assembly Member Paul Kramer (R- Mercer/Middlesex), changes the minimum number of persons required to serve on the board of directors of a state chartered savings and loan association from six to five. The bill makes the number consistent with the minimum number required for state chartered banks and savings banks.

**A-661**, sponsored by Assembly Member Richard H. Bagger (R- Middlesex/Morris/ Somerset/Union) and Senator C. Louis Bassano (R-Essex/Union), eliminates state rate setting for payments by health service corporations for services provided by health care facilities other than acute care hospitals. The deregulation achieved through this bill is intended to save health care dollars and improve access to higher quality services.

**A-994**, sponsored by Assembly Members Jeffrey W. Moran (R- Atlantic/Burlington/ Ocean) and Anthony Imprevaduto (D- Bergen/Hudson) and Senator James S. Cafiero (R-Cape May/Atlantic/Cumberland), provides for the licensing and regulation of locksmiths, burglar alarms, fire alarms, and electronic security businesses by the Board of Examiners of Electrical Contractors and a 15-member Fire Alarm, Burglar Alarm and Locksmith Advisory Committee.

**A-1119**, sponsored by Assembly Members Leonard Lance (R- Warren/Hunterdon/Mercer) and John A. Rocco (R-Camden), establishes procedures to ensure that persons who win state lottery prizes in excess of \$1,000 and who have failed to make scheduled payments to the Office of Student Assistance (OSA) on any student loan or note held by OSA will have the proceeds of their lottery winnings automatically applied against the outstanding balance of their defaulted student loans.

**A-1169**, sponsored by Assembly Members Neil M. Cohen (D- Union) and Carol J. Murphy (R- Essex/Morris/Passaic) and Senator Henry P. McNamara (R-Bergen/Passaic), amends the Toxic Packaging and Reduction Act to bring it into conformity with the recommendations of the Coalition of Northeast Governors.

**A-1783**, sponsored by Assembly Members George Geist (R- Camden/Gloucester) and Marion Crecco (R- Essex/Passaic), expands park police jurisdiction to provide county park police with statewide arrest power, consistent with the power of other law enforcement officers in the state.

**A-1788**, sponsored by Assembly Member Alan Augustine (R- Middlesex/Morris/ Somerset / Union), provides that the Railroad Immunity Act governs all cases involving railroad- related injuries sustained by persons who trespass on railroad facilities. The law will preclude recovery against a railroad for injuries incurred by a trespasser on the grounds that the trespasser can be deemed guilty of contributory negligence. The bill would not provide immunity for railroads against those persons injured who are under the age of 18.

**A-1831**, sponsored by Assembly Members Jack Gibson (R-Cape May/Cumberland) and Nicholas Asselta (R- Cape May/Cumberland) and Senators James Cafiero (R-Cape May/Cumberland) and Leonard Connors (R- Atlantic/Burlington/Ocean), changes the definition of "seasonal use or rental" for purpose of security deposits.

**A-1842**, sponsored by Assembly Members David W. Wolfe (R- Monmouth/Ocean) and John V. Kelly (R-Bergen/Essex/Passaic), exempts certain condominiums, cooperatives and mutual housing corporations that are occupied entirely by the owners of the units or shareholders of the cooperative or condominium from the requirements of the Hotel and Multiple Dwelling Law (HMDL). The HMDL provides for the regulation of the construction and maintenance of hotels and multiple dwellings by the Department of Community Affairs.

**A-2020**, sponsored by Assembly Members Connie Myers (R- Warren/Hunterdon/Mercer) and Jack Gibson (R-Cape May/Atlantic/Cumberland), revises method of appointment of additional delegates to the state agricultural convention to allow the State Board of Agriculture greater authority over the selection process.

**A-2057**, sponsored by Assembly Members Alex DeCroce (R- Essex/Morris/Passaic) and Anthony Bucco (R-Morris), increases the legal speed limit for certain commercial vehicles from 30 to 45 miles per hour.

**A-2160**, sponsored by Assembly Members Alfred Steele (D- Passaic) and Francis Bodine (R-Atlantic/Burlington/Camden) and Senators John Scott (R-Bergen/Essex/Passaic) and Lou Kosco (R-Bergen), requires suppliers of water to notify customers of required water test results annually.

**A-2229**, sponsored by Assembly Members Kip Bateman (R- Morris/Somerset) and Alan Augustine (R-Middlesex/Morris/Somerset/Union) and Senator Peter Inverso (R-Mercer/ Middlesex), adds the Commissioner of Commerce as an ex officio member to the Community Financial Services Advisory Board.

**A-2269**, sponsored by Assembly Member Jack Gibson (R-Cape May/Atlantic/ Cumberland) and former Assembly Member Martha Bark (R-Atlantic/Burlington/ Camden), designates certain birds, including ostrich and emu, as agricultural livestock, subject to regulations by the Departments of Agriculture and Health and Senior Services.

**A-2297**, sponsored by Assembly Members Alex DeCroce (R- Essex/Morris/Passaic) and Walter Kavanaugh (R-Morris/Somerset), limits municipal authority to regulate leases to commercial and residential real property leases that are shorter than 125 days in duration.

**A-2407**, sponsored by Assembly Member Rose Heck (R-Bergen) and Senator Joe Kyrillos (R-Middlesex/Monmouth), implements the Electrology Practice Act, providing for the licensing of electrologists and electrology instructors. It establishes a 5-member Electrologists' Advisory Committee in the Division of Consumer Affairs under the jurisdiction of the state Board of Medical Examiners.

**A-2462**, sponsored by Former Assembly Member Roma (R-Bergen) and Assembly Member George Geist (R-Camden/Gloucester) provides for repayment by a claimant for certain TDI benefit overpayments, even in cases where benefits were not obtained by fraud. Repayment will not be required in cases where an individual did not knowingly misrepresent material facts and the individual is not notified of the overpayment within four years.

**A-2484**, sponsored by Assembly Members Alfred Steele (D- Passaic) and Arline Friscia (D-Middlesex), prohibits the use and possession of a device intended to thwart any antisholifting or inventory control measures. The law makes it a disorderly persons offense to possess such a device in a store or retail establishment. The crime is punishable by a term of up to six months in prison or a maximum fine of \$1,000 or both.

**A-2654**, sponsored by Assembly Member Nilsa Cruz-Perez (D- Camden/Gloucester) and Senator Gordon MacInnes (D-Morris), deletes an offensive reference to an ethnic group from a statute that provides for municipal regulations and ordinances. The statute inappropriately included the term "gypsies" to refer to Roma and Sinti ethnic groups (Eastern European Jews).

**A-2667**, sponsored by Assembly Members James Holzapfel (R- Monmouth/Ocean) and David Wolfe (R-Monmouth/Ocean) and Senators Andrew Ciesla (R-Monmouth/Ocean) and Leonard Connors (R-Atlantic/Burlington/Ocean), extends the statute of limitations for certain environmental criminal offenses from five years to ten years following the discovery of the crime.

**A-2773**, sponsored by Assembly Members Wilfredo Carabello (D- Essex) and Michael Carroll (R-Middlesex) and Senator Robert Martin (R-Essex/Morris/Passaic), amends zoning law to add certain community residences for hospice care as permitted use. The legislation brings the New Jersey Municipal Land Use Law in compliance with federal law.

**A-2874**, sponsored by Assembly Member Paul Kramer (R- Mercer/Middlesex) and Senator Peter Inverso (R-Mercer/Middlesex), provides for the regulation and licensing of fraternal benefit societies for the sale of annuities and life and health insurance to members.

**A-3014**, sponsored by Assembly Members Anthony Imprevaduto (D- Bergen/Hudson) and Jeffrey Moran (R-Atlantic/Burlington/Ocean) and Senator Robert Martin (Essex/ Morris/Passaic), enacts the Home Inspection Professional Licensing Act. The law creates a five-member Home Inspection Advisory Committee and specifies the eligibility criteria for home inspections licensing.

**A-1321**, sponsored by Assembly Members Louis Romano (D- Hudson) and Rudy Garcia (D-Hudson), amends and clarifies law permitting municipal licensing of premises for rooming and boarding homes. The bill clarifies the roles and responsibilities of municipalities and DCA with respect to the regulation of rooming and boarding houses.

**S-275**, sponsored by Senators Gerald Cardinale (R-Bergen) and Hank McNamara (R-Bergen/ Passaic) and Assembly Members Diane Allen and Carmine DeSopo (R-Burlingotn/Camden), provides for expedited permit procedures for certain stream cleaning activities and for other planning functions to prevent flooding.

**S-282**, sponsored by Sen. John H. Ewing (R-Morris/Somerset) and Assembly Members Christopher "Kip" Bateman (R- Morris/Somerset) and Michael J. Arnone (R-Monmouth), provides that one who engages in equine activities assumes the risks involved in those activities. Under the bill, notwithstanding the provisions of New Jersey's comparative negligence law, a participant is completely barred from suing an operator for injuries when the participant failed to conduct him or herself within the limits of his or her abilities. The bill is based upon the understanding that certain equine activities involve risks which are essentially impossible or impractical for an operator to eliminate. The bill includes a number of exceptions to the limitation of liability for operators.

**S-407**, sponsored by Sen. Wayne R. Bryant (D- Camden/Gloucester), amends the Local Public Contracts Law by increasing the number of years a municipality may lease fire equipment from seven to ten years, while retaining the option to purchase requirement.

**S-493**, sponsored by Senator John Bennett (R-Monmouth) and Assembly Member Joseph Azzolina (R-Middlesex/Monmouth), increases penalty for making impounded animals available for experimentation. The selling or otherwise making available of an impounded animal for experimentation will be an offense of the fourth degree, carrying a maximum prison sentence of 18 months and a maximum fine of \$7,500. Previously, the crime was considered a disorderly persons offense, carrying maximum prison term of six months and a maximum fine of \$1,000.

**S-685**, sponsored by Senators Robert W. Singer (R- Burlington/Monmouth/Ocean) and Edward T. O'Connor, Jr. (D- Hudson) and Assembly Members Melvin Cottrell (R- Burlington/Monmouth/Ocean) and Joseph R. Malone (R- Burlington/Monmouth/ Ocean), establishes the Alcohol and Drug Counselor Licensing Act. The law provides for the licensing of clinical alcohol and drug counselors and the certification of alcohol and drug counselors by the State Board of Marriage and Family Therapy Counselors. Only licensed clinical alcohol and drug counselors may engage in the independent practice of alcohol and drug counseling for a fee. Certified alcohol and drug counselors may practice under the supervision of licensed clinical alcohol and drug counselors. The Governor signed a line-item veto to eliminate a \$95,000 appropriation included in the bill. The licensing fees should adequately cover the cost of the licensing agency from its inception.

**S-696**, sponsored by Sen. Peter A. Inverso (R- Mercer/Middlesex) and Assembly Member Paul Kramer (R-Mercer/Middlesex) , permits members of the United States Submarine Veterans to affix a twin dolphin emblem on the license issued to a submarine veteran, signifying that the owner is a qualified submarine sailor. The bill

also permits a surviving spouse to display the emblem on the license plate of a vehicle owned by the veteran's spouse.

**S-928**, sponsored by Senator Joe Bubba (R-Essex/Passaic) and Assembly Members Alan Augustine (R-Middlesex/Morris/Somerset/Union) and Kip Bateman (R-Morris/ Somerset), requires the use of "good funds" for proceeds of real estate mortgage loans. The bill requires lenders to disburse loan funds to the purchaser of real estate property only by: certified check, cashier's check, teller's check, bank check, electronic transfer or cash.

**S-1032**, sponsored by Senator Bill Gormley (R-Atlantic) and Raymond Zane (D-Salem/ Cumberland/Gloucester), revises law regulating sale or purchase of wildlife and wildlife products or parts. The bill prohibits the sale or purchase of wildlife except as authorized in statute or by the regulations of the Division of Fish, Game and Wildlife. The bill also updates fish and game law and provides for enhanced penalties for violating laws governing purchase or sale of wildlife.

**S-1114**, sponsored by Senator John Ewing (R-Morris/Somerset) and Assembly Member John Rocco (R-Camden), raises the state college bidding threshold from \$7,500 to \$17,700. The threshold, last raised in 1985, applies to any purchase, contract or agreement for the performance of any work or the furnishings of materials or supplies to a state college authorized by the resolution of the college's board of trustees. As long as the amount of the expenditure does not exceed \$17,700, the state college will not have to publicly advertise for bids and implement a complete bidding process.

**S-1248**, sponsored by Senator Raymond Zane (D- Salem/Cumberland/Gloucester) and Assembly Members Ken LeFevre and Francis Blee (R-Atlantic), exempts tangible personal property used primarily on farms from "Sales and Use Tax Act." The bill exempts from sales tax personal property used by farmers for use and consumption in the production of agricultural and horticultural commodities. The bill clarifies and changes current law so that personal property used primarily for farming but occasionally for incidental private use will be exempted as appropriate.

**S-1563**, sponsored by Senators Andrew R. Cielsa (R- Monmouth/Ocean) and Robert W. Singer (R-Burlington/Monmouth/Ocean) and Assembly Members David W. Wolfe (R-Monmouth and Ocean) and James W. Holzapfel (R- Monmouth/Ocean), authorizes county clerks and surrogates to display the Great Seal of the State of New Jersey on motor vehicle license plants.

**S-1573**, sponsored by Senators Joseph M. Kyrillos (R- Middlesex/Monmouth) and John H. Adler (D-Camden) and Assembly Members Joseph Azzolina (R-Middlesex/ Monmouth) and Louis A. Romano (D-Hudson), prohibits the sale of food products intended for consumption by infants, non- prescription drugs subject to federal expiration dating requirements, and cosmetics at flea markets or other venues utilized by itinerant vendors. The bill supplements the Consumer Fraud Act and mandates that the penalties and sanctions of that act apply to the provisions of this bill, including the penalties of up to \$7,500 for the first offense and up to \$15,000 for the second and subsequent offenses.

**S-2051**, sponsored by Senators Louis Bassano (R-Essex/Union) and Winona Lipman (D-Essex/Union) and Assembly Members Charolotte Vandervalk (R-Bergen) and Francis Blee (R- Atlantic), authorizes PACE and Pre-PACE programs to contract with the Department of Health and Senior Services. PACE programs provide comprehensive health and social services to the elderly. The bill will allow for the establishment of limited purpose managed care organizations for operation of PACE or Pre-PACE programs. Currently, because of a gap in federal law, PACE programs are unable to operate in New Jersey. This law will address this problem until the subsequent passage of federal law.

**S-2274**, sponsored by Senators Andrew R. Ciesla (R- Monmouth/Ocean) and Leonard T. Connors, Jr. (R- Atlantic/Burlington/Ocean) and Assembly Members Steve Corodemus (R-Monmouth) and John C. Gibson (R-Cape May/Atlantic/Cumberland), appropriates \$3.8 million from the 1996 Dredging and Containment Facility Fund established pursuant to the Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake

Restoration and Delaware Bay Area Economic Bond Act of 1996 for various navigation dredging projects in Atlantic, Ocean, Monmouth and Cape May Counties.

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