



## OFFICE OF THE GOVERNOR

### NEWS RELEASE

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### GOVERNOR ENACTS 65 MPH SPEED LIMIT, SIGNS ADDITIONAL BILLS

Gov. Christie Whitman today signed legislation increasing the speed limit to 65 miles per hour on approximately 400 miles of eligible state highways for an 18-month study period. The Department of Transportation will submit a report making recommendations for improvement in the law within three months of the end of the study period. The recommendations would take effect unless disapproved by the Legislature within 60 days.

The bill signed by the Governor also doubles the monetary fine for aggressive driving offenses and speeding 10 miles per hour over the speed limit in a 65 miles per hour zone and speeding 20 miles per hour over the speed limit in any other speed zone.

The bill, **A-731**, was sponsored by Assembly Members Guy Gregg (R-Sussex/ Hunterdon/Morris) and Michael Carroll (R-Morris) and former Senator Dick LaRossa (R-Mercer).

The Governor also signed the following legislation:

**S-391**, sponsored by Senators Wynona M. Lipman (D-Essex/Union), Joseph L. Bubba (R-Essex/Passaic) and John O. Bennett (R-Monmouth) and Assembly Members Diane Allen (R-Burlington/Camden), Marion Crecco (R-Essex/Passaic), Carmine DeSopo (R-Burlington/Camden) and Gary W. Stuhltrager (R-Salem/Cumberland/Gloucester), creates the "Address Confidentiality Program" to assist victims of domestic violence who are attempting to relocate in order to escape from their abusers. Under the program, a participant will use an address designated by the Secretary of State as his or her mailing address. The Secretary will forward the mail to the participant's actual address. Any state or local agency is to use the address designated by the Secretary for the participant, unless the agency can demonstrate that it has a valid reason for needing to know the real address of the participant and does not disclose it to any other person or agency. The Secretary can disclose the address to law enforcement officers.

SCS for **S-2082**, sponsored by Senators John Bennett (R-Monmouth) and Robert Martin (R-Essex/Morris/Passaic) and Assembly Members Joel Weingarten (R-Essex/Union) and Kevin O'Toole (R-Essex/Union), which imposes a 10 percent Victims of Crime Compensation Board surcharge on prison inmates' commissary purchases.

**S-2316**, sponsored by Senator Leonard Connors (R- Atlantic/Burlington/Ocean) and Assembly Members Jeffrey Moran (R- Atlantic/Burlington/Ocean) and Anthony Impreveduto (D- Bergen/Hudson), which revises various provisions of the Real Estate Appraisers Act. The bill requires criminal background checks for applicants and current licensees. The bill includes the Governor's recommendation that licensed and certified appraisers bear the cost of the background checks, instead of having the state absorb the cost.

**S-1547**, sponsored by Senators Robert Martin (R- Essex/Morris/Passaic) and Lou Bassano (R-Essex/Union), former Assembly Members Anthony Bucco (R-Morris) and Carole Murphy (R- Essex/Morris/Passaic), which permits voluntary HIV testing for persons admitted to psychiatric facilities and requires that employees use universal precautions when dealing with all patients. The bill excludes children from testing.

**A-364**, sponsored by Assembly Member James Holzapfel (R- Monmouth/Ocean) and Francis Blee (R-Atlantic) and Senators Andrew Ciesla (R-Monmouth/Ocean) and Nicholas Sacco (D-Bergen/Hudson), which increases penalties for committing serious offenses while released on bail. The bill would impose a mandatory extended term of imprisonment and double the fines normally applicable for serious offenses.

AS for **SCS-537** and **475**, sponsored by Senators Lou Bassano (R- Essex/Union) and John Girgenti(D-Passaic), requires roller skaters and skateboarders under the age of 14 to wear helmets. The bill would require the parents of violators to pay a \$25 fine for a first offense and up to \$100 for subsequent fines.

ACS for **A-671**, sponsored by Assembly Members Richard H. Bagger (R- Middlesex/Morris/Somerset/Union) and Charlotte Vandervalk (R- Bergen) and former Assembly Member Patrick J. Roma (R-Bergen), establishes New Jersey gross income tax advantages for employer or employee contributions to medical savings accounts. Medical savings accounts are trusts created exclusively for paying the eligible medical expenses of an account holder and the account holder's dependents. Funds withdrawn to pay eligible medical expenses remain excluded from taxation. This bill provides that, for state income tax purposes, a taxpayer may deduct from his or her gross income an amount equal to the contributions to a medical savings account that he or she is allowed as a deduction for federal income tax purposes.

**A-1032**, sponsored by Assembly Members Paul DiGaetano (R- Bergen/Essex/Hudson) and John Kelly (R- Bergen/Essex/Passaic), Senator Peter Inverso (R-Mercer/Middlesex, former Senator Dick LaRossa (R-Mercer) and Senator John Matheussen (R-Camden/ Gloucester), which permits paid and unpaid leave of absence for state employees who are certified disaster service volunteers of the American Red Cross to participate in disaster relief efforts. the leave is contingent upon the request of the Red Cross and approval of employees appointing authority.

ACS for **A-1526**, sponsored by Assembly Members Marion Crecco (R- Essex/Passaic) and Barnes (D-Middlesex) and Senator John Matheussen (R-Camden/Gloucester), which directs the Commissioner of Corrections to transfer certain ADTC inmates into the general prison population and specifies restrictions for inmates transferred for refusing treatment. The bill allows the commissioner to transfer inmates serving life sentences without parole who refuse to cooperate in sex offender treatment to other state correctional facilities.

**A-1779**, sponsored by Assembly Members Joseph Azzolina (R- Middlesex/ Monmouth) and Marion Crecco (R-Essex/Passaic), prohibits the receipt, distribution and exhibition of "sexually oriented material" in the Adult Diagnostic and Treatment Center, the state's correctional facility for the incarceration and treatment of sexual offenders.

**A-3011**, sponsored by Assembly Members David Wolfe (R- Monmouth/Ocean) and John Rocco (R-Camden), former Senator Jack Ewing ( R-Morris/Somerset) and Baer (D-Bergen), which provides for an alternative program for monitoring and evaluation of school districts. The bill would apply to school districts which, based

upon performance, are subject to the lowest level of monitoring. The alternative programs are intended to encourage greater involvement in schools by parents, community members and businesses.

**A-3149**, sponsored by Assembly members Nick Felice (R- Bergen/Passaic) and Charlotte Vandervalk (R- Bergen) and Senators Peter Inverso (R-Mercer/Middlesex) and Henry McNamara (R- Bergen/Passaic), which extends the range of health care organizations and projects eligible for financing from the New Jersey Health Care Facilities Financing Authority.

**S-62**, sponsored by Senators Cafiero (R-Cape May/Atlantic/Cumberland) and Louis Kosco (R-Bergen) and Assembly Members Gibson and Nicholas Asselta (both R-Cape May/Atlantic/Cumberland), ensures the confidentiality of information provided by a public or private secondary school pupil during a counseling session in a school-based drug and alcohol abuse counseling program. The bill expands the protection already provided under federal regulations with respect to the pupil's own substance abuse. This bill makes confidential any information revealed by a pupil who indicated that a pupil's family member is abusing alcohol or drugs. Federal regulations do not require this information to be kept confidential. The Governor conditionally vetoed this bill to permit disclosure of confidential information to a law enforcement agency limited to incidents of suspected child abuse and/or neglect.

**S-196**, sponsored by Senator Robert Singer (R- Burlington/Monmouth/Ocean), authorizes the state Board of Agriculture to establish and charge reasonable fees for animal disease diagnostic and testing services and animal health tests deemed necessary by the Board.

**S-1074**, sponsored by Senator Jack Sinagra (R-Middlesex), clarifies cigarette tax licensing requirements for officers and employees of chain drug stores.

**S-1330**, sponsored by Senators Joseph Bubba (R-Essex/Passaic) and John Girgenti (D-Passaic) and Assembly Members Joseph Azzolina (R- Middlesex/Monmouth) and George Geist (R-Camden/Gloucester), establishes certain options for students attending New Jersey public institutions of higher education who are mobilized for state or federal active duty. The bill provides that higher education students in public institutions who are unable to complete a course because they are called for State Guard or Reserve mobilization will be entitled with certain options concerning their course grade.

**S-1336**, sponsored by Senator James Cafiero (R-Cape May/Atlantic/ Cumberland) and Assembly Members Nicholas Asselta and John Gibson (R-Cape May/Atlantic/Cumberland), changes the designation of "mental incompetent" to "incapacitated person" in order to provide a more respectful terminology to describe persons, usually elderly, who suffer from senile dementia, Alzheimer's disease and other mental illnesses.

**S-1473**, sponsored by Senator Robert Martin (R- Essex/Morris/Passaic) and Assembly Speaker Jack Collins (R- Salem/Cumberland/Gloucester) and Assembly Member Joseph Doria (D- Hudson), appropriates \$340,250 from the: "Jobs, Education and Competitiveness Bond Fund" to the Commission on Higher Education for construction and renovation projects. Under the bill, Caldwell College will receive \$50,250, Rider University will receive \$73,000, Monmouth University will receive \$73,000, Fairleigh Dickenson University will receive \$80,000 and Drew University will receive \$64,000.

**S-1569**, sponsored by Senator Edward O'Connor (D-Hudson) and Assembly Members Leonard Lance (R- Warren/Hunterdon/Mercer) and Richard Bagger (R-Middlesex/Morris/Somerset/Union), provides that a violation of a municipal curfew ordinance shall not be considered an act of juvenile delinquency, allowing curfew violations to be heard in municipal courts, rather than family courts, where they can be handled more expeditiously. The bill requires that a copy of any conviction record is to be forwarded to the Family Part intake service and any detention or imprisonment imposed is to be served in a juvenile institution.

**S-1932**, sponsored by Senator John Ewing (R-Morris/Somerset) requires the New Jersey Highway Authority to implement open and competitive procedures for contracts for towing and storage services. The bill requires the authority to set maximum towing and storage fees and to establish objective criteria to be considered in awarding a contract. The Governor conditionally vetoed this bill to eliminate language prohibiting the authority

from considering price in awarding the contracts and recommended that the authority consider, when evaluating companies, whether they had implemented adequate safeguards to protect the personal safety of customers.

**S-1961**, sponsored by Senator John Lynch (D- Middlesex/Somerset/Union), eliminates the requirement that copies of certain records be kept on microfilm. Current law requires county recording officers to maintain copies of certain records on microfilm as a backup.

**S-2169**, sponsored by Senators Louis Bassano (R-Essex/Union) and John Scott (R-Bergen/Essex) and Assembly Members Joel Weingarten and Kevin O'Toole (both R-Essex/Union), postpones Essex County's repayment of a \$12 million debt owed to the state in connection with maintenance costs for indigent mentally ill and developmentally disabled patients residing in state institutions. Prior to the Governor's conditional veto of this bill, it required that the debt be waived.

**S-2194**, sponsored by Senators Robert Martin (R- Essex/Morris/Passaic) and Andrew Ciesla (R- Monmouth/Ocean) and Assembly Members Paul DiGaetano (R-Bergen/Essex/Passaic) and Nicholas Felice (R-Bergen/Passaic), provides a uniform standard of procedures for the qualification and awarding of professional service state contracts for architecture, engineering and land surveying. The bill is intended to ensure that contracts for such services are negotiated on the basis of demonstrated competence and qualifications at a fair and reasonable price. The procurement process outlined by the bill requires 1) all interested firms to file a statement of qualifications and the agency ranks the top three firms deemed to be the most qualified, 2) that all contracts must be publicly advertised prior to the solicitation of proposals, 3) that the agency negotiate a contract with the most qualified firm. The Governor conditionally vetoed this bill to allow for price competition among the professional firms.

**S-2335**, sponsored by Senators Robert Litell (R- Sussex/Hunterdon/Morris) and Robert Singer (R- Burlington/Monmouth/Ocean) and Assembly Members Guy Gregg (R- Sussex/Hunterdon/Morris) and Connie Myers (R-Warren/Hunterdon/ Mercer), which enacts the Northeast Interstate Dairy Compact Act. The bill is intended to strengthen New Jersey's dairy industry. The interstate compact commission will set a minimum price paid by dairy processors to dairy farmers in the region. The compact will regulate the price of milk used for fluid consumption in the compact region, regardless of where the milk originates. New Jersey's participation in the pact is contingent upon entry of the state of New York into the compact and federal approval.

**S-2362**, sponsored by Senator John Bennett (R-Monmouth), authorizes early retirement for certain state employees of Department of Human Services institutions and provides paid State Health Benefits Plan benefits for such retirees.

**A-66**, sponsored by Assembly Members Walter Kavanaugh (R- Morris/Somerset) and Neil Cohen (D-Union), requires parties in a divorce action to maintain certain insurance coverage.

**A-601**, sponsored by former Assembly Member Monroe Jay Lustbader (R- Essex/Union), adopts the Uniform Federal Lien Registration Act. This bill requires federal liens to be filed at the county level, where other liens are filed, eliminating the need to search the federal system, amends the law concerning filing fees and requires county filing officers to make all notices of liens received available for inspection.

**A-1888**, sponsored by Assembly Members Weingarten and O'Toole (both R-Essex/Union), clarifies that a law enforcement officer will not be liable for injuries arising from the officer's pursuit of a person. This immunity will also apply to public entities. The Governor conditionally vetoed this bill to restrict the scope of the exemption so that it would not apply to criminal, fraudulent or malicious conduct, as well as willful misconduct.

ACS for **A-1933**, sponsored by Assembly Members Nicholas Asselta (R- Cape May/Atlantic/Cumberland) and Francis Bodine (R- Atlantic/Burlington/Camden), expands conditions allowed for use of bait when hunting deer in certain counties. In counties of the first class (Bergen/Essex/Hudson), the hunting of deer with bait is permitted only in game management zones specified by the Division of Fish, Game and Wildlife. The bill requires the Department of Environmental Protection to report on the effect of deer baiting on managing the

excess deer general population and other wildlife, and on the health, safety and welfare of the population within one year of the effective date of the bill. The provisions of the bill sunset within 18 months of its effective date.

**A-2323**, sponsored by Assembly Members Alan Augustine (R- Middlesex/Morris/Somerset/Union) and Kip Bateman (R- Morris/Somerset), amends the law concerning the priority of modified mortgage loans.

**A-2588**, sponsored by Assembly Members Michael Carroll (R-Morris) and John Kelly (R-Bergen/Essex/Passaic), permits the display of certain holiday vegetation. As conditionally vetoed by the Governor, the bill permits the use of natural cut trees if they are protected by an approved automatic sprinkler system or meet the flame-retardant requirements of the Uniform Fire Code and are watered daily. Living trees in a balled condition are permitted if they are maintained in a fresh conditional and not allowed to become dry. Wreaths are permitted if they do not exceed 10 percent of the aggregate wall area of a room.

**A-72**, sponsored by former Assembly Members Walter Kavanaugh (R- Morris/Somerset), and Assembly Member Neil Cohen (D-Union), Senator Robert Martin (R-Essex/Morris/ Passaic) and former Senator Jack Ewing (R-Morris/Somerset), which provides parents with access to children's records in accordance with recommendation made by the Commission to Study the Laws of Divorce.

**A-82**, sponsored by Assembly Member Walter Kavanaugh (R- Morris/Somerset), Senator Robert Martin (R-Essex/Morris/ Passaic) and former Senator Jack Ewing (R-Morris/ Somerset), which adds a new factor to equitable distribution statute concerning deferral of career goals. This bill ensures that during distribution of assets, the court considers the scenario where one of the parents remains home to care for the children and thus defers career goals. This bill was included in recommendations made by the Commission to Study the Laws of Divorce.

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