



<b>SPONSORS STATEMENT:</b> (Begins on page 2 of original bill)	Yes
<b>COMMITTEE STATEMENT:</b>	<b>ASSEMBLY:</b> No
	<b>SENATE:</b> No
<b>FLOOR AMENDMENT STATEMENTS:</b>	No
<b>LEGISLATIVE FISCAL ESTIMATE:</b>	No
<b>VETO MESSAGE:</b>	No
<b>GOVERNOR'S PRESS RELEASE ON SIGNING:</b>	Yes

**FOLLOWING WERE PRINTED:**

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<b>REPORTS:</b>	No
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<b>HEARINGS:</b>	No
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<b>NEWSPAPER ARTICLES:</b>	No
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See : California statute mentioned in statements (Cal. Business and Professions Code, sec. 24045.15)

**SENATE, No. 647**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Permits nonprofit organizations to auction alcoholic beverages.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the auctioning of alcoholic beverages and  
2 supplementing Title 33 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. The director may issue a special auction permit to any  
8 nonprofit organization operating solely for civic, religious,  
9 educational, charitable, fraternal, social or recreational purposes. The  
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction  
12 alcoholic beverages donated to the organization. Alcoholic beverage  
13 licensees may donate alcoholic beverages to a nonprofit organization  
14 which has been issued a permit under this section, provided such  
15 donations are not made in connection with a sale of an alcoholic  
16 beverage.

17 c. The permit shall be valid only for the date specified. Only one  
18 such permit shall be issued to a nonprofit organization in any 12-  
19 month period.

20 d. Pursuant to the provisions of the "Administrative Procedure  
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall  
22 promulgate regulations to effectuate the provisions of this act.

23

24 2. This act shall take effect on the first day of the third month after  
25 enactment; provided however, the Director of the Division of  
26 Alcoholic Beverage Control in the Department of Law and Public  
27 Safety may take such anticipatory action as needed to effectuate the  
28 act's provisions.

29

30

STATEMENT

31

32 Under the provisions of this bill, the Director of the Division of  
33 Alcoholic Beverage Control may issue a special auction permit to any  
34 nonprofit organization operating solely for civic, religious,  
35 educational, charitable, fraternal, social or recreational purposes. The  
36 fee for the license would be \$100.

37 The permit would entitle the organization to sell at auction  
38 alcoholic beverages donated to it by a licensee. Alcoholic beverage  
39 licensees would be permitted to donate alcoholic beverages to a  
40 nonprofit organization which has been issued a permit under the bill,  
41 provided such donations are not made in connection with the sale of  
42 alcoholic beverages.

43 The bill provides that the permit would be valid only for the date  
44 specified. Only one such permit could be issued to a nonprofit  
45 organization in any 12-month period.

46 This bill is modeled on a California statute that permits nonprofit  
47 organizations to auction alcoholic beverages.

# SENATE LAW AND PUBLIC SAFETY COMMITTEE

## STATEMENT TO

### **SENATE, No. 647**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 20, 2000

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 647.

Under the provisions of this bill, the Director of the Division of Alcoholic Beverage Control may issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license would be \$100.

The permit would entitle the organization to sell at auction alcoholic beverages donated to it by a licensee. New Jersey alcoholic beverage licensees would be permitted to donate alcoholic beverages to a nonprofit organization which has been issued a permit under the bill, provided such donations are not made in connection with the sale of alcoholic beverages.

The bill provides that the permit would be valid only for the date specified. Only one such permit could be issued to a nonprofit organization in any calendar year.

This bill is modeled on a California statute that permits nonprofit organizations to auction alcoholic beverages.

The committee amendments are technical in nature.

[First Reprint]

**SENATE, No. 647**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Permits nonprofit organizations to auction alcoholic beverages.

**CURRENT VERSION OF TEXT**

As reported by the Senate Law and Public Safety Committee on March 20, 2000, with amendments.



S647 [1R] KYRILLOS

2

1 AN ACT concerning the auctioning of alcoholic beverages and  
2 supplementing Title 33 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. The director may issue a special auction permit to any  
8 nonprofit organization operating solely for civic, religious,  
9 educational, charitable, fraternal, social or recreational purposes. The  
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction  
12 alcoholic beverages donated to the organization. <sup>1</sup>[Alcoholic  
13 beverage licensees] A person licensed under Title 33 of the Revised  
14 Statutes<sup>1</sup> may donate alcoholic beverages to a nonprofit organization  
15 which has been issued a permit under this section, provided such  
16 donations are not made in connection with a sale of an alcoholic  
17 beverage.

18 c. The permit shall be valid only for the date specified. Only one  
19 such permit shall be issued to a nonprofit organization in any  
20 <sup>1</sup>[12-month period] calender year<sup>1</sup>.

21 d. Pursuant to the provisions of the "Administrative Procedure  
22 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall  
23 promulgate regulations to effectuate the provisions of this act.

24

25 2. This act shall take effect on the first day of the third month after  
26 enactment; provided however, the Director of the Division of  
27 Alcoholic Beverage Control in the Department of Law and Public  
28 Safety may take such anticipatory action as needed to effectuate the  
29 act's provisions.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SLP committee amendments adopted March 20, 2000.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 647**

with Assembly Floor Amendments  
(Proposed By Assemblyman THOMPSON)

ADOPTED: MARCH 26, 2001

Senate Bill No. 647 (1R) authorizes the Director of the Division of Alcoholic Beverage Control to issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license would be \$100.

Under this Senate amendment, alcoholic beverage licensees would be limited to donating alcoholic beverages to a maximum of three nonprofit organizations in any calendar year.

[Second Reprint]

**SENATE, No. 647**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Permits nonprofit organizations to auction alcoholic beverages.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on March 26, 2001.



1 AN ACT concerning the auctioning of alcoholic beverages and  
2 supplementing Title 33 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. The director may issue a special auction permit to any  
8 nonprofit organization operating solely for civic, religious,  
9 educational, charitable, fraternal, social or recreational purposes. The  
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction  
12 alcoholic beverages donated to the organization. <sup>1</sup>[Alcoholic  
13 beverage licensees] A person licensed under Title 33 of the Revised  
14 Statutes<sup>1</sup> may <sup>2</sup>in any calendar year<sup>2</sup> donate alcoholic beverages to a  
15 <sup>2</sup>maximum of three<sup>2</sup> nonprofit <sup>2</sup>[organization] organizations<sup>2</sup> which  
16 <sup>2</sup>[has] have<sup>2</sup> been issued a permit under this section, provided such  
17 donations are not made in connection with a sale of an alcoholic  
18 beverage.

19 c. The permit shall be valid only for the date specified. Only one  
20 such permit shall be issued to a nonprofit organization in any  
21 <sup>1</sup>[12-month period] calender year<sup>1</sup>.

22 d. Pursuant to the provisions of the "Administrative Procedure  
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall  
24 promulgate regulations to effectuate the provisions of this act.

25

26 2. This act shall take effect on the first day of the third month after  
27 enactment; provided however, the Director of the Division of  
28 Alcoholic Beverage Control in the Department of Law and Public  
29 Safety may take such anticipatory action as needed to effectuate the  
30 act's provisions.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SLP committee amendments adopted March 20, 2000.

<sup>2</sup> Assembly floor amendments adopted March 26, 2001.

**ASSEMBLY, No. 2977**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED NOVEMBER 13, 2000

**Sponsored by:**

**Assemblyman JOSEPH AZZOLINA**

**District 13 (Middlesex and Monmouth)**

**Assemblyman GUY R. GREGG**

**District 24 (Sussex, Hunterdon and Morris)**

**SYNOPSIS**

Permits nonprofit organizations to auction alcoholic beverages.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the auctioning of alcoholic beverages and  
2 supplementing Title 33 of the Revised Statutes.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. a. The director may issue a special auction permit to any  
8 nonprofit organization operating solely for civic, religious,  
9 educational, charitable, fraternal, social or recreational purposes. The  
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction  
12 alcoholic beverages donated to the organization. A person licensed  
13 under Title 33 of the Revised Statutes may donate alcoholic beverages  
14 to a nonprofit organization which has been issued a permit under this  
15 section, provided such donations are not made in connection with a  
16 sale of an alcoholic beverage.

17 c. The permit shall be valid only for the date specified. Only one  
18 such permit shall be issued to a nonprofit organization in any calender  
19 year.

20 d. Pursuant to the provisions of the "Administrative Procedure  
21 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall  
22 promulgate regulations to effectuate the provisions of this act.

23  
24 2. This act shall take effect on the first day of the third month after  
25 enactment; provided however, the Director of the Division of  
26 Alcoholic Beverage Control in the Department of Law and Public  
27 Safety may take such anticipatory action as needed to effectuate the  
28 act's provisions.

29  
30 STATEMENT

31  
32 Under the provisions of this bill, the Director of the Division of  
33 Alcoholic Beverage Control may issue a special auction permit to any  
34 nonprofit organization operating solely for civic, religious,  
35 educational, charitable, fraternal, social or recreational purposes. The  
36 fee for the license would be \$100.

37 The permit would entitle the organization to sell at auction  
38 alcoholic beverages donated to it by a licensee. New Jersey alcoholic  
39 beverage licensees would be permitted to donate alcoholic beverages  
40 to a nonprofit organization which has been issued a permit under the  
41 bill, provided such donations are not made in connection with the sale  
42 of alcoholic beverages.

43 The bill provides that the permit would be valid only for the date  
44 specified. Only one such permit could be issued to a nonprofit  
45 organization in any calender year.

46 This bill is modeled on a California statute that permits nonprofit  
47 organizations to auction alcoholic beverages.

P.L. 2001, CHAPTER 115, *approved June 26, 2001*  
Senate Bill No. 647 (*Second Reprint*)

1 AN ACT concerning the auctioning of alcoholic beverages and  
2 supplementing Title 33 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. The director may issue a special auction permit to any  
8 nonprofit organization operating solely for civic, religious,  
9 educational, charitable, fraternal, social or recreational purposes. The  
10 fee for the license shall be \$100.

11 b. The permit shall only entitle the permittee to sell at auction  
12 alcoholic beverages donated to the organization. <sup>1</sup>[Alcoholic  
13 beverage licensees] A person licensed under Title 33 of the Revised  
14 Statutes<sup>1</sup> may <sup>2</sup>in any calendar year<sup>2</sup> donate alcoholic beverages to a  
15 <sup>2</sup>maximum of three<sup>2</sup> nonprofit <sup>2</sup>[organization] organizations<sup>2</sup> which  
16 <sup>2</sup>[has] have<sup>2</sup> been issued a permit under this section, provided such  
17 donations are not made in connection with a sale of an alcoholic  
18 beverage.

19 c. The permit shall be valid only for the date specified. Only one  
20 such permit shall be issued to a nonprofit organization in any  
21 <sup>1</sup>[12-month period] calender year<sup>1</sup>.

22 d. Pursuant to the provisions of the "Administrative Procedure  
23 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall  
24 promulgate regulations to effectuate the provisions of this act.

25

26 2. This act shall take effect on the first day of the third month after  
27 enactment; provided however, the Director of the Division of  
28 Alcoholic Beverage Control in the Department of Law and Public  
29 Safety may take such anticipatory action as needed to effectuate the  
30 act's provisions.

31

32

33

34

35 Permits nonprofit organizations to auction alcoholic beverages.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SLP committee amendments adopted March 20, 2000.

<sup>2</sup> Assembly floor amendments adopted March 26, 2001.

## CHAPTER 115

**AN ACT** concerning the auctioning of alcoholic beverages and supplementing Title 33 of the Revised Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.33:1-97 Special auction permit to nonprofit organization; fee, duration.

1. a. The director may issue a special auction permit to any nonprofit organization operating solely for civic, religious, educational, charitable, fraternal, social or recreational purposes. The fee for the license shall be \$100.

b. The permit shall only entitle the permittee to sell at auction alcoholic beverages donated to the organization. A person licensed under Title 33 of the Revised Statutes may in any calendar year donate alcoholic beverages to a maximum of three nonprofit organizations which have been issued a permit under this section, provided such donations are not made in connection with a sale of an alcoholic beverage.

c. The permit shall be valid only for the date specified. Only one such permit shall be issued to a nonprofit organization in any calendar year.

d. Pursuant to the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the director shall promulgate regulations to effectuate the provisions of this act.

2. This act shall take effect on the first day of the third month after enactment; provided however, the Director of the Division of Alcoholic Beverage Control in the Department of Law and Public Safety may take such anticipatory action as needed to effectuate the act's provisions.

Approved June 26, 2001.

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Rae Hutton  
609-777-2600

RELEASE: June 27 , 2001

Acting Governor Donald T. DiFrancesco has signed the following legislation:

**S-621**, sponsored by Senators John Matheussen (R-Camden/Gloucester), Norman Robertson (Essex/Passaic) and Anthony Bucco (R-Morris) and Assemblymembers John Kelly (R-Bergen/Essex/Passaic) and Arline Friscia (D-Middlesex), allows parents, children, spouses and siblings of illegal drug users, as well as employers of illegal drug users, medical facilities, insurers and persons injured by the drug users' actions to sue drug dealers for civil damages.

**S-647**, sponsored by Senator Joseph Kyriillos (R-Middlesex/Monmouth) and Assemblyman Joseph Azzolina (R-Middlesex/Monmouth) and Guy Gregg (R-Sussex/Hunterdon/Morris) permits the Director of the Division of Alcoholic Beverage Control to issue a special auction permit to a nonprofit organization operating solely for civic, religious, education, charitable, fraternal, social or recreational purposes.

The permit will cost \$100 and would entitle the nonprofit organization to sell at auction alcoholic beverages donated to it by a licensee.

**S-1382**, sponsored by Senator Robert Martin (R-Essex/Morris/Passaic) and Assemblymen Wilfredo Caraballo (D-Essex) and Kip Bateman (R-Morris/Somerset), revises rules concerning secured transactions by replacing Chapter 9 of the Uniform Commercial Code (UCC) with revised Chapter 9, as well as, conforming amendments to Chapters 1,2,2A,4,5,7 and 8 of the UCC.

**S-2123**, sponsored by Senator Raymond Lesniak (D-Union) and Assemblymen Neil Cohen(D-Union) and Joseph Impreveduto (D-Bergen/Hudson), increases the term of office of the mayor and the members of council from two years to four years in municipalities. Provides for a transitional three-year term of office for the mayor and members of council elected at the 2002 general election.

This bill also alters the term of office of mayor and member so council from three years to four years in towns.

**A-1325**, sponsored by Senator William Schluter (R-Warren/Hunterdon/Mercer) and Assemblymembers Richard Bagger (R-Middlesex/Morris/Somerset/Union) and the late Alan Augustine (R-Middlesex/Morris/Somerset/Union), allows a municipality or county to install pedestrian crossing right-of-way signs at a marked or unmarked crosswalk or at an intersection.

**A-1342**, sponsored by late Assemblyman Alan Augustine (R-Middlesex/Morris/Somerset/Union), provides that, as a fifth option, a Teachers' Pension and Annuity Fund (TPAF) or Public Employees' Retirement System (PERS) member may choose a retirement allowance actuarially reduced to provide to a beneficiary an allowance equivalent to the full amount, three-quarters, one-half or one-quarter of that reduced allowance, but if the beneficiary dies before the retiree, the retiree's allowance will increase to a maximum amount.

**A-2185**, sponsored by Senator Louis Bassano (R-Essex/Union) and John Singer (R-Burlington/Monmouth/Ocean) and Assemblymembers Leonard Lance (R-Warren/Hunterdon/Mercer) and Rose Maria Heck (R-Bergen), appropriates \$28,695,000 from the Developmental Disabilities' Waiting List Reduction and Human Services Facilities Construction Fund for the Department of Human Services. This money will be used for various projects within the divisions, including reducing the community services waiting list.

**A-2209**, sponsored by Senators Jack Sinagra (R-Middlesex) and Joseph Vitale (D-Middlesex) and Assemblymembers Carol Murphy (R-Essex/Morris/Passaic) and Samuel Thompson (R-Middlesex/Monmouth), provides that the period for which eligibility for Medicaid and KidCare benefits is determined shall be the maximum permitted under federal law, currently 12 months.

**A-2449**, sponsored by Assemblymen Michael Arnone (R-Monmouth) and Joseph Azzolina (R-Middlesex/Monmouth), permits sewerage authority or a utilities authority to rename itself as a "water reclamation authority" to more accurately reflect its activities and purposes.

**A-2523**, sponsored by Senators William Gormley (R-Atlantic) and Edward O'Connor (D-Hudson) and Assemblymen James Holzapfel (R-Monmouth/Ocean) and Peter Barnes (D-Middlesex), increases the penalty for persons who produce and sell false motor vehicle identification cards from a crime of the fourth degree to a crime of the third degree which is punishable by imprisonment for three to five years, a fine of up to \$15,000, or both.

**A-3622**, sponsored by Senators Walter Kavanaugh (R-Morris/Somerset) and Raymond Lesniak (D-Union) and Assemblymen John Wisniewski (D-Middlesex) and Samuel Thompson (R-Middlesex/Monmouth), provides that for the year 2001, 1) the day on which members of the State, county or municipal committee of a political party will take office, and the day on which the terms of members previously elected to each such committee will terminate, will be the day immediately following the day of the primary election for the general election and 2) the holding of the annual meeting of the State, county and municipal committees of a political party will occur no earlier than the day immediately following the day of the primary election and no later than the 21st day following such election.