

30:4-165.8 & 30:4-165.7
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2015 **CHAPTER:** 132

NJSA: 30:4-165.8 & 30:4-165.7 (Requires complaint for guardianship of person receiving services from Division of Developmental Disabilities to include one of the documents identified in bill.)

BILL NO: A2936 (Substituted for S1957 (3R))

SPONSOR(S) Mosquera, Gabriela M., and others

DATE INTRODUCED: March 24, 2014

COMMITTEE: **ASSEMBLY:** Human Services

SENATE: ---

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 3/9/2015

SENATE: 5/18/2015

DATE OF APPROVAL: November 9, 2015

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second Reprint enacted)	Yes
A2936	
INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	
ASSEMBLY:	Yes
SENATE:	No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes
LEGISLATIVE FISCAL ESTIMATE:	No
S1957 (3R)	
INTRODUCED BILL: (Includes sponsor(s) statement)	Yes
COMMITTEE STATEMENT:	
ASSEMBLY:	No
SENATE:	Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes 10/23/2014
5/18/2015

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

end

P.L.2015, CHAPTER 132, *approved November 9, 2015*
Assembly, No. 2936 (*Second Reprint*)

1 AN ACT concerning the appointment of a guardian for a person
2 receiving services from the Division of Developmental
3 Disabilities and amending P.L.1970, c.289.

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

7
8 1. Section 2 of P.L.1970, c.289 (C.30:4-165.8) is amended to
9 read as follows:

10 2. ¹a. ¹The moving papers shall include ¹: (1) ¹a verified
11 complaint ¹ **[,]** ¹ **[an affidavit from a practicing physician or a**
12 **psychologist licensed pursuant to P.L.1966, c.282 (C.45:14B-1 et**
13 **seq.)]** ¹ **[a copy of the person's individualized education program,]** ;
14 (2) an affidavit from a practicing physician or a psychologist
15 licensed pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.) who has
16 made a personal examination of the alleged incapacitated person not
17 more than six months prior to the filing of the verified complaint;¹
18 and (3) one of the following documents: (a)¹ an affidavit from the
19 chief executive officer, medical director, or other officer having
20 administrative control over the program from which the individual
21 is receiving functional or other services provided by the Division of
22 Developmental Disabilities ¹; (b) an affidavit from a designee of
23 the Division of Developmental Disabilities having personal
24 knowledge of the functional capacity of the individual who is the
25 subject of the guardianship action; (c) a second affidavit from a
26 practicing physician or psychologist licensed pursuant to P.L.1966,
27 c.282 (C.45:14B-1 et seq.); (d) a copy of the Individualized
28 Education Program ², including any medical or other reports,² for
29 the individual who is subject to the guardianship action, which shall
30 have been prepared no more than two years prior to the filing of the
31 verified complaint; or (e) an affidavit from a licensed care
32 professional having personal knowledge of the functional capacity
33 of the individual who is the subject of the guardianship action¹.
34 The **[affidavits]** ¹ **[copy of the person's individualized education**
35 **program and the affidavit]** documents described in paragraphs (2)
36 and (3) of this subsection¹ shall set forth with particularity the facts
37 supporting the **[affiant's]** belief that the alleged incapacitated
38 person suffers from a significant chronic functional impairment to
39 such a degree that the person either lacks the cognitive capacity to

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHU committee amendments adopted December 11, 2014.

²Assembly floor amendments adopted January 29, 2015.

1 make decisions for himself or to communicate, in any way,
2 decisions to others. **【For the purposes of】**

3 ¹b. As used in this section ¹【, "significant chronic functional
4 impairment" includes, but is not limited to, a lack of comprehension
5 of concepts related to personal care, health care, or medical
6 treatment.

7 As used in this section, "individualized】:

8 "Designee of the Division of Developmental Disabilities" means
9 an evaluator, care manager, case manager, or other employee or
10 contractor affiliated with the Division of Developmental
11 Disabilities, whether or not such person has administrative control
12 over the program from which the individual is receiving functional
13 or other services.

14 "Individualized¹ education program" means a written plan which
15 sets forth present levels of academic achievement and functional
16 performance, measurable annual goals, and short-term objectives or
17 benchmarks, and describes an integrated, sequential program of
18 individually designed instructional activities and related services
19 necessary to achieve the stated goals and objectives.

20 ¹"Licensed care professional" means a duly certified or licensed
21 advanced practice nurse, board certified assistant behavior analyst,
22 board certified behavior analyst, clinical nurse practitioner, licensed
23 practical nurse, family counselor, nurse, occupational therapist,
24 physical therapist, physician assistant, professional counselor,
25 registered nurse, social worker, or speech language pathologist.

26 "Significant chronic functional impairment" includes, but is not
27 limited to, a lack of comprehension of concepts related to personal
28 care, health care, or medical treatment.¹

29 (cf: P.L.2010, c.50, s.50)

30
31 ¹2. Section 1 of P.L.1970, c.289 (C.30:4-165.7) is amended to
32 read as follows:

33 1. The commissioner or any parent, spouse, relative, or
34 interested party, on behalf of an alleged incapacitated person who is
35 receiving functional or other services and is over 18 years of age,
36 may file a complaint upon notice to the alleged incapacitated person
37 with the Superior Court in the county furnishing the services or in
38 which such parent, spouse, relative, or interested party resides, for a
39 judgment designating a guardian. The county of settlement shall be
40 served with a copy of the moving papers, however, the county may
41 waive service of the moving papers if it has no reason to oppose the
42 action. If the county elects to oppose the action it shall do so within
43 30 days after being served with a copy of the moving papers.
44 Unless filed by the commissioner, a complaint shall be served by
45 the filing party upon the Division of Developmental Disabilities, to
46 the attention of the Regional Director for the region in which the
47 alleged incapacitated person is receiving functional or other

1 services. The filing party shall likewise serve upon the Regional
2 Director a copy of the Order Fixing Hearing Date and Appointing
3 Attorney for Alleged Incapacitated Person, as well as a copy of any
4 Judgment of Incapacity and Order Appointing Guardian.¹

5 (cf: P.L.1997, c.379, s.4)

6

7 ¹~~2.~~ 3.¹ This act shall take effect ¹~~immediately~~ on the first
8 day of the third month next following the date of enactment¹

9

10

11

12

13 Requires complaint for guardianship of person receiving services
14 from Division of Developmental Disabilities to include one of
15 documents identified in bill.

ASSEMBLY, No. 2936

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 24, 2014

Sponsored by:

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

SYNOPSIS

Requires a complaint for guardianship of a person receiving services from Division of Developmental Disabilities to include the person's individualized education program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the appointment of a guardian for a person
2 receiving services from the Division of Developmental
3 Disabilities and amending P.L.1970, c.289.

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

7
8 1. Section 2 of P.L.1970, c.289 (C.30:4-165.8) is amended to
9 read as follows:

10 2. The moving papers shall include a verified complaint, [an
11 affidavit from a practicing physician or a psychologist licensed
12 pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.)] a copy of the
13 person's individualized education program, and an affidavit from
14 the chief executive officer, medical director, or other officer having
15 administrative control over the program from which the individual
16 is receiving functional or other services provided by the Division of
17 Developmental Disabilities. The [affidavits] copy of the person's
18 individualized education program and the affidavit shall set forth
19 with particularity the facts supporting the [affiant's] belief that the
20 alleged incapacitated person suffers from a significant chronic
21 functional impairment to such a degree that the person either lacks
22 the cognitive capacity to make decisions for himself or to
23 communicate, in any way, decisions to others. [For the purposes
24 of] As used in this section, "significant chronic functional
25 impairment" includes, but is not limited to, a lack of comprehension
26 of concepts related to personal care, health care, or medical
27 treatment.

28 As used in this section, "individualized education program"
29 means a written plan which sets forth present levels of academic
30 achievement and functional performance, measurable annual goals,
31 and short-term objectives or benchmarks, and describes an
32 integrated, sequential program of individually designed
33 instructional activities and related services necessary to achieve the
34 stated goals and objectives.

35 (cf: P.L.2010, c.50, s.50)

36
37 2. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill amends section 2 of P.L.1970, c.289 (C.30:4-165.8) to
43 require that when the Commissioner of Human Services, a parent,
44 guardian, or other interested party files a complaint for guardianship
45 of person receiving services from the Division of Developmental

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

Matter underlined thus is new matter.

1 Disabilities (DDD), the required papers filed with the court would
2 include a copy of the person's individualized education program.

3 Currently, the papers required to file a complaint for
4 guardianship of a person receiving services from DDD include the
5 complaint for guardianship, an a affidavit from a practicing
6 physician or a licensed psychologist, and an affidavit from the chief
7 executive officer, medical director, or other officer having
8 administrative control over the program from which the individual
9 is receiving functional or other services provided by DDD. Under
10 the provisions of the bill, a copy of the individualized education
11 program would replace the affidavit from a physician or licensed
12 psychologist.

13 As defined in the bill, "individualized education program" means
14 a written plan which sets forth present levels of academic
15 achievement and functional performance, measurable annual goals,
16 and short-term objectives or benchmarks, and describes an
17 integrated, sequential program of individually designed
18 instructional activities and related services necessary to achieve the
19 stated goals and objectives.

ASSEMBLY HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2936

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2014

The Assembly Human Services Committee reports favorably and with amendments Assembly Bill No. 2936.

As amended by the committee, this bill would require a person applying for guardianship of an individual receiving services from the Division of Developmental Disabilities (DDD) to submit the following documents, in addition to, and in conjunction with, the submission of a verified complaint for guardianship: (1) an affidavit from a practicing physician or licensed psychologist who has made a personal examination of the alleged incapacitated person not more than six months prior to the filing of the complaint; and (2) one of the following:

- an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program from which the individual is receiving functional or other services provided by DDD;

- an affidavit from a designee of DDD who has personal knowledge of the functional capacity of the individual who is the subject of the guardianship action;

- a second affidavit from a practicing physician or psychologist licensed pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.);

- a copy of the Individualized Education Program (IEP) for the individual who is subject to the guardianship action, which must have been prepared no more than two years prior to the date of the verified complaint; or

- an affidavit from a licensed care professional who has personal knowledge of the functional capacity of the individual who is the subject of the guardianship action.

The original bill would have required the filing party to submit, in addition to the verified complaint, a copy of the individual's IEP, as well as the current statutory requirement to submit an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program from which the individual is receiving functional or other services provided by DDD.

Additionally, the bill, as amended, specifies that in cases where a guardianship complaint is not filed by the commissioner, the

complaint, as well as the Order Fixing Hearing Date and Appointing Attorney for Alleged Incapacitated Person, and a copy of any Judgment of Incapacity and Order Appointing Guardian, are to be served by the filing party upon DDD, to the attention of the Regional Director for the region in which the alleged incapacitated person is receiving functional or other services.

COMMITTEE AMENDMENTS

The committee amendments:

-- specify that, in addition to the submission of a verified complaint for guardianship and an affidavit from a physician or licensed psychologist who has made a personal examination of the alleged incapacitated person not more than six months prior to the filing of the complaint, one of the following documents is to be submitted: 1) an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program or services provided by the Division of Developmental Disabilities (DDD) to the individual; 2) an affidavit from a designee of DDD who has personal knowledge of the functional capacity of the individual; 3) a second affidavit from a practicing physician or licensed psychologist; 4) a copy of the individual's IEP, which is to have been prepared no more than two years prior to the date of the verified complaint; or 5) an affidavit from a licensed care professional who has personal knowledge of the functional capacity of the individual;

-- define: "licensed care professional" as "a duly certified or licensed advanced practice nurse, board certified assistant behavior analyst, board certified behavior analyst, clinical nurse practitioner, licensed practical nurse, family counselor, nurse, occupational therapist, physical therapist, physician assistant, professional counselor, registered nurse, social worker, or speech language pathologist"; and "designee" of DDD as an evaluator, care manager, case manager, or other employee or contractor affiliated with DDD, whether or not the person has administrative control over the program from which the individual is receiving functional or other services;

-- provide that if the complaint is not filed by the commissioner, the complaint, as well as the Order Fixing Hearing Date and Appointing Attorney for Alleged Incapacitated Person, and a copy of any Judgment of Incapacity and Order Appointing Guardian, are to be served upon DDD, to the attention of the appropriate Regional Director; and

-- extend the bill's effective date to the first day of the third month next following the date of enactment.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2936

with Assembly Floor Amendments
(Proposed by Assemblywoman MOSQUERA)

ADOPTED: JANUARY 29, 2015

This floor amendment provides that a copy of an Individualized Education Program, which is one of the documents listed in the bill that may be submitted when filing a complaint for guardianship, would include any medical or other reports for the individual who is subject to the guardianship action.

SENATE, No. 1957

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED APRIL 28, 2014

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Monmouth and Ocean)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Requires a complaint for guardianship of a person receiving services from Division of Developmental Disabilities to include the person's individualized education program.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the appointment of a guardian for a person
2 receiving services from the Division of Developmental
3 Disabilities and amending P.L.1970, c.289.

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

7
8 1. Section 2 of P.L.1970, c.289 (C.30:4-165.8) is amended to
9 read as follows:

10 2. The moving papers shall include a verified complaint, [an
11 affidavit from a practicing physician or a psychologist licensed
12 pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.)] a copy of the
13 person's individualized education program, and an affidavit from
14 the chief executive officer, medical director, or other officer having
15 administrative control over the program from which the individual
16 is receiving functional or other services provided by the Division of
17 Developmental Disabilities. The [affidavits] copy of the person's
18 individualized education program and the affidavit shall set forth
19 with particularity the facts supporting the [affiant's] belief that the
20 alleged incapacitated person suffers from a significant chronic
21 functional impairment to such a degree that the person either lacks
22 the cognitive capacity to make decisions for himself or to
23 communicate, in any way, decisions to others. [For the purposes
24 of] As used in this section, "significant chronic functional
25 impairment" includes, but is not limited to, a lack of comprehension
26 of concepts related to personal care, health care, or medical
27 treatment.

28 As used in this section, "individualized education program"
29 means a written plan which sets forth present levels of academic
30 achievement and functional performance, measurable annual goals,
31 and short-term objectives or benchmarks, and describes an
32 integrated, sequential program of individually designed
33 instructional activities and related services necessary to achieve the
34 stated goals and objectives.

35 (cf: P.L.2010, c.50, s.50)

36
37 2. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill amends section 2 of P.L.1970, c.289 (C.30:4-165.8) to
43 require that when the Commissioner of Human Services, a parent,
44 guardian, or other interested party files a complaint for guardianship
45 of person receiving services from the Division of Developmental

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

Matter underlined thus is new matter.

1 Disabilities (DDD), the required papers filed with the court would
2 include a copy of the person's individualized education program.

3 Currently, the papers required to file a complaint for
4 guardianship of a person receiving services from DDD include the
5 complaint for guardianship, an a affidavit from a practicing
6 physician or a licensed psychologist, and an affidavit from the chief
7 executive officer, medical director, or other officer having
8 administrative control over the program from which the individual
9 is receiving functional or other services provided by DDD. Under
10 the provisions of the bill, a copy of the individualized education
11 program would replace the affidavit from a physician or licensed
12 psychologist.

13 As defined in the bill, "individualized education program" means
14 a written plan which sets forth present levels of academic
15 achievement and functional performance, measurable annual goals,
16 and short-term objectives or benchmarks, and describes an
17 integrated, sequential program of individually designed
18 instructional activities and related services necessary to achieve the
19 stated goals and objectives.

SENATE HEALTH, HUMAN SERVICES AND SENIOR
CITIZENS COMMITTEE

STATEMENT TO

SENATE, No. 1957

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 2014

The Senate Health, Human Services and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 1957.

As amended by the committee, this bill provides that when the Commissioner of Human Services, a parent, guardian, or other interested party files a complaint for guardianship of a person who is receiving services from the Division of Developmental Disabilities (DDD), the papers to be filed with the court may include either a copy of the person's individualized education program or an affidavit from a practicing physician or a licensed psychologist.

Currently, the papers that must be filed in association with a complaint for guardianship of a person receiving services from DDD include the complaint itself, an affidavit from a practicing physician or a licensed psychologist, and an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program from which the individual is receiving functional or other services provided by DDD. Under the provisions of the bill, a copy of the person's individualized education program could be submitted as an alternative to an affidavit from a physician or licensed psychologist.

As defined in the bill, "individualized education program" means a written plan which sets forth present levels of academic achievement and functional performance, measurable annual goals, and short-term objectives or benchmarks, and describes an integrated, sequential program of individually designed instructional activities and related services necessary to achieve the stated goals and objectives.

The committee amended the bill to:

- specify that a copy of a person's individualized education program may be submitted as an alternative to an affidavit from a practicing physician or licensed psychologist;
- subdivide the section into logical subsections and paragraphs, for ease in reading; and

- make technical and clarifying corrections to remove repetitive and redundant language, and alphabetize terms defined in the section.

STATEMENT TO
[First Reprint]
SENATE, No. 1957

with Senate Floor Amendments
(Proposed by Senator SINGER)

ADOPTED: OCTOBER 23, 2014

These floor amendments would require a person applying for guardianship to submit the following documents, in addition to, and in conjuncture with, the submission of a verified complaint for guardianship: (1) an affidavit from a practicing physician or licensed psychologist who has made a personal examination of the alleged incapacitated person not more than six months prior to the filing of the complaint; and (2) one of the following:

- an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program from which the individual is receiving functional or other services provided by the Division of Developmental Disabilities;

- an affidavit from a designee of the Division of Developmental Disabilities who has personal knowledge of the functional capacity of the individual who is the subject of the guardianship action;

- a second affidavit from a practicing physician or psychologist licensed pursuant to P.L.1966, c.282 (C.45:14B-1 et seq.);

- a copy of the Individualized Education Program (IEP) for the individual who is subject to the guardianship action, which must have been prepared no more than two years prior to the date of the verified complaint; or

- an affidavit from a licensed care professional who has personal knowledge of the functional capacity of the individual who is the subject of the guardianship action.

By contrast, the first reprint of the bill would have required the filing party to submit, in addition to the verified complaint, an affidavit from the chief executive officer, medical director, or other officer having administrative control over the program from which the individual is receiving functional or other services; and either a copy of the IEP or an affidavit from a physician or psychologist.

The amendments would define “licensed care professional” to mean “a duly certified or licensed advanced practice nurse, board certified assistant behavior analyst, board certified behavior analyst, clinical nurse practitioner, licensed practical nurse, family counselor, nurse, occupational therapist, physical therapist, physician assistant, professional counselor, registered nurse, social worker, or speech language pathologist.” The amendments would further define a “designee of the Division of Developmental Disabilities” to mean “an evaluator, care manager, case manager, or other employee or

contractor affiliated with the Division of Developmental Disabilities, whether or not such person has administrative control over the program from which the individual is receiving functional or other services.”

The amendments would additionally specify that, in cases where a guardianship complaint is not filed by the commissioner, the complaint, as well as the Order Fixing Hearing Date and Appointing Attorney for Alleged Incapacitated Person, and a copy of any Judgment of Incapacity and Order Appointing Guardian, must be served by the filing party upon the Division of Developmental Disabilities, to the attention of the Regional Director for the region in which the alleged incapacitated person is receiving functional or other services.

Finally, the amendments would make a technical correction to clarify wording used in the bill, and would extend the bill’s effective date to the first day of the third month next following the date of enactment.

STATEMENT TO
[Second Reprint]
SENATE, No. 1957

with Senate Floor Amendments
(Proposed by Senator SINGER)

ADOPTED: MAY 18, 2015

These floor amendments would: (1) change the bill synopsis so that it is identical to the synopsis in A-2936(2R); and (2) specify that an Individualized Education Program, which is submitted for the individual who is subject to guardianship action, may include any medical or other reports.

These amendments would make the bill identical to A-2936(2R) (Mosquera/Lampitt/Singleton/Wimberly).

Governor Christie Takes Action On Pending Legislation

Monday, November 9, 2015 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today took action on legislation, including a package of five bills intended to address the fiscal stability of Atlantic City.

Understanding both the immediate and long-term obstacles facing Atlantic City and its stabilization, the Governor has consistently highlighted the need for comprehensive reform efforts to confront the city's challenges – both from State and local leaders. The Governor remains committed to bringing about the necessary reforms to stabilize Atlantic City and continue an effective long-term transition to an economy that is diversified beyond its traditional gaming industry.

Continuing in that effort, Governor Christie conditionally vetoed A-3981, establishing a payment-in-lieu-of-taxes (PILOT) program for casinos operating in the City, A-3984, reallocating revenue derived from the casino investment alternative tax from the Casino Reinvestment Development Authority to the City to pay debt service on municipal bonds, and A-3985, repealing the Atlantic City Alliance.

"While I commend the Legislature for attempting to devise measures to stabilize the City's budget and finances, I am concerned that the bills, in their present form, fail to recognize the true path to economic revitalization and fiscal stability in the City," Governor Christie said. "While these bills represent the bipartisan efforts of many to provide important, near-term support to the City's immediate challenges, I do not believe they meet the goal of setting a course toward renewed, long-term prosperity and economic growth. To achieve these goals, we must continue our work and go further to ensure that the next step leads to that economically vibrant future for Atlantic City."

In addition, the Governor signed A- 3983, authorizing supplemental school aid to the Atlantic City school district, and vetoed the fifth bill, A-3982, which would add a costly and unjustified new mandate for casino business operation in the City by requiring each casino, as a condition of licensure, to provide to its full time employees "suitable" health care benefits and "suitable" retirement benefits.

"A-3982 would do nothing to enhance the financial condition of Atlantic City," Governor Christie wrote. "To be sure, this bill would make it more costly for casinos to operate in Atlantic City, thereby impeding the industry's ability to grow and expand."

Governor Christie also vetoed legislation designed to revise certain laws concerning domestic violence and firearms. The Christie Administration has made protecting our most vulnerable residents one of its main priorities and has enacted some of the toughest measures to combat domestic violence. Governor Christie has supported a comprehensive approach to addressing the level of violence within our society and recently signed legislation to further penalize aggravated assault perpetuated against domestic violence victims. This legislation, A-4218 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez), substantially restates New Jersey's existing laws that govern firearms and domestic violence and does not offer new and sensible improvements to those current laws. For that reason, rather than restate existing laws, the Governor is proposing significant amendments that will meaningfully deter future acts of violence.

• **Enhanced Penalties For Domestic Violence.** Governor Christie is proposing enhanced criminal penalties imposed against those who are convicted of domestic violence. To demonstrate society's unconditional condemnation of this conduct, perpetrators would receive the maximum available prison sentence under New Jersey law.

• **Tighter Restrictions On Parole Eligibility For Perpetrators Of Domestic Violence.** The Governor's recommended changes will strengthen penalties for perpetrators of domestic abuse by lengthening periods of parole

ineligibility.

- **Prioritizing Victims Who Seek Firearms For Protection.** The Governor is also recommending an immediate codification in statute of new rules currently being processed, giving expedited processing of firearm license applications for victims of domestic violence so that the victims may better defend themselves against future instances of abuse.

"I urge the Legislature to join with me in a bipartisan manner to broaden this bill's approach to reducing domestic violence while simultaneously empowering victims to protect themselves through lawful means," Governor Christie said. "Together, we can enact a more comprehensive approach and reduce the harm that domestic violence inflicts on victims, families, and our society."

The Governor also took the following action on other pending legislation:

BILL SIGNINGS:

S-2174/A-3364 (Barnes, Holzapfel/Quijano, Mainor, Pinkin) - Prohibits manufacture, sale, or installation of counterfeit or nonfunctional air bags in motor vehicles

A-815/S-852 (Coughlin, Ciattarelli, Diegnan, Pinkin, Giblin/Vitale) - Requires municipalities which license peddlers and solicitors to accept certain background check results from other municipalities

A-1029/S-274 (Benson, Vainieri Huttie, Jasey, Tucker, Wimberly/Greenstein, Ruiz) - Requires training program for school bus drivers and school bus aides on interacting with students with special needs, and requires development and use of student information cards

A-1041/S-2676 (Schaer, Johnson, Vainieri Huttie, Eustace, Mazzeo/Rumana, Gordon, Weinberg) - Exempts Holocaust reparations payments from legal process, and from estate recovery under Medicaid program

A-1102/S-1145 (Vainieri Huttie, Sumter, Spencer, Schaer, Wimberly/Weinberg, Cruz-Perez) - Provides for licensure of dementia care homes by DOH

ACS for A-1662/S-2856 (Johnson, Lagana, Wimberly/Weinberg) - Authorizes the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft

AS for A-1678/SS for S-1365 (Johnson, Mainor, O'Scanlon, Wilson, Wimberly/Weinberg) - Authorizes court to order submission of DNA evidence to national database to determine whether evidence matches known individual or DNA profile from an unsolved crime

AS for ACS for A-2073/SCS for S-712 (Handlin, Space, Garcia, Pintor Marin/Cruz-Perez, Kyrillos, Lesniak) - Exempts certain offers and sales of securities from registration

A-2385/S-944 (McKeon, Diegnan, Jasey, Andrzejczak/Smith, Codey) - Authorizes rural electric cooperative and certain municipalities to establish municipal shared services authority

ACS for A-2477/SCS for S-1705 (Lampitt, Conaway, Benson, Sumter, Munoz, Pinkin/Vitale, Singer) - Establishes requirements for pharmacists to dispense biological products

A-2714/S-1993 (Giblin, Sumter/Barnes) - Requires continuing education for licensed practicing psychologists

A-2936/S-1957 (Mosquera, Lampitt, Singleton, Wimberly/Singer, Connors) - Requires complaint for guardianship of person receiving services from Division of Developmental Disabilities to include one of documents identified in bill

A-3012/S-2296 (Ciattarelli, Dancer/Bateman) - Criminalizes bestiality

A-3079/S-2766 (Jasey, Diegnan, Mainor, Wimberly, Oliver, DeCroce/Turner, Ruiz) - Prohibits administration of standardized assessments in kindergarten through second grade

A-3153/S-2415 (DeAngelo, Mosquera/Madden, Beach) - Requires UI employer contribution reports and remittances be submitted to the Division of Revenue

A-3248/S-2459 (Conaway, Sumter, Pintor Marin/Singer) - Establishes the Task Force on Chronic Obstructive Pulmonary Disease in DOH

A-3580/S-2846 (Moriarty, Dancer, Coughlin, Mainor, Pinkin, Munoz, Daniels, Wimberly/Madden, Turner) - Prohibits sale of powdered alcohol

A-3636/SCS for S-2393, 2408, 2411 (McKeon, Lagana, Spencer/Scutari, O'Toole, Holzapfel) - Establishes crime-fraud exception to marital and civil union partnership privilege

A-3669/S-2655 (Mazzeo, Burzichelli/Whelan) - Prohibits eligibility for certain sign programs from being conditioned on availability of free drinking water or public telephone

A-3807/S-2619 (Eustace, Greenwald/Whelan) - Permits educational research and services corporations to act as lead procurement agencies for local units and publically supported educational institutions; permits Council of County Colleges to act as lead procurement agency for county colleges

A-3841/S-2540 (Munoz, Gusciora, Angelini, DeCroce/O'Toole, Weinberg) – Upgrades violation of a stalking restraining order to a crime of the third degree

A-3843/S-2735 (Caputo, Giblin, Tucker, Johnson, Mainor, Sumter/Rice) - Permits municipality to enact ordinance allowing voluntary registration of private outdoor video surveillance cameras

A-3983/S-2574 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan) - Authorizes supplemental State aid to school districts in municipality with significant decrease in commercial property valuation; makes appropriation

A-4008/SCS for S-2334 (Singleton, Mukherji, Pintor Marin, Wimberly, Sumter/Cunningham, Ruiz) - Requires DOC to make reports containing information concerning treatment and reentry initiative participation; requires AOC to establish program that collects recidivism data and make reports concerning adults sentenced to period of probation

A-4013/S-2497 (Greenwald, Lagana, Coughlin/Oroho) - Eliminates mortgage guaranty insurance coverage cap of 25% of outstanding balance of insured loan

A-4073/S-2687 (Schaer, Prieto, Caride, Lagana, Giblin, Wimberly, Rumana/Sarlo, Gill) - Requires installation of carbon monoxide detectors in certain structures; designated as "Korman and Park's Law"

A-4078/S-2686 (Vainieri Huttie, Mosquera, McKeon, Munoz, Benson, Sumter/Pou, Beck) - "Sexual Assault Survivor Protection Act of 2015"; authorizes the court to issue protective orders for victims of certain nonconsensual sexual conduct

A-4089/S-2693 (Coughlin, Ciattarelli/Beach, Singer) - Revises certain provisions of dental service corporation law

A-4143/S-2514 (Lagana, Spencer, Mukherji, Johnson, Rumana, Rodriguez-Gregg, Gusciora, Mazzeo/Barnes, Addiego) - Permits holders of certain alcoholic beverage licenses to be issued amusement game license and updates definition of recognized amusement park

A-4144/S-2755 (Pintor Marin, Spencer, Caride, Quijano, Mukherji/Ruiz, Stack) – Requires insurance producer licensing examination and registration materials to be offered in English and Spanish, and examination instructional materials to be available in Spanish

A-4167/S-2751 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes) - Requires DHS to notify enrollees in Programs of All-Inclusive Care for the Elderly of Medicare eligibility

A-4168/S-2750 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes) - Requires providers to submit to DHS expenditure details of enrollees in Program of All-Inclusive Care for the Elderly

A-4169/S-2752 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes) - Requires DHS to monitor utilization and billing of services for Medicaid home and community-based long-term care

A-4333/S-3020 (Singleton, Gill) - Exempts certain activities of alarm businesses from statutes governing practice of locksmithing

A-4361/S-2891 (Johnson, A.M. Bucco, Garcia, S. Kean/Barnes, A.R. Bucco) - Revises definition of all-terrain vehicles

A-4375/S-3011 (Moriarty, Andrzejczak, Mazzeo, Mosquera, Quijano, Ciattarelli, Wimberly/Van Drew, Bateman) - Upgrades crimes of false public alarm under certain circumstances and establishes reporting requirements concerning crime

A-4485/S-2881 (Diegnan, Jasey, Wimberly, McKeon, Lagana/Gill, Turner) - Prohibits withholding of State school aid based on student participation rate on State assessments

A-4587/S-3049 (Greenwald, Lampitt, McKeon, Holley/Scutari, Cruz-Perez) – Requires facilities providing services to persons with developmental disabilities and schools to adopt policies permitting administration of medical marijuana to qualifying patients

AJR-64/SJR-82 (Schaer, Eustace, Lagana, Spencer, Caride, Mukherji/Pou, Ruiz) - Declares August 16 of each year as "Dominican Restoration Day" in New Jersey

BILLS VETOED:

S-929/A-1908 (Sweeney, Madden/Burzichelli, Riley, Moriarty) – **ABSOLUTE** -Concerns certain workers' compensation supplemental benefits

A-801/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco) - **CONDITIONAL** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas

A-947/S-2216 (Singleton, Lagana, Diegnan/Pennacchio, Rice) – **CONDITIONAL** - Requires release of bid list prior to bid date under "Local Public Contracts Law"

A-1468/S-2513 (Diegnan, Lampitt, Caride/Barnes, Ruiz) – **CONDITIONAL** -Establishes Task Force on Engineering Curriculum and Instruction

A-1726/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon) – **CONDITIONAL** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and

floodplains

A-2579/S-1510 (Mukherji, Pintor Marin, Eustace/Smith, Bateman) – CONDITIONAL - Authorizes municipalities to facilitate private financing of water conservation, storm shelter construction, and flood and hurricane resistance projects through use of voluntary special assessments

A-2771/S-452 (Johnson, Burzichelli, Pintor Marin, Mosquera/Ruiz, Cruz-Perez) – CONDITIONAL - "The New Jersey Social Innovation Act"; establishes social innovation loan pilot program and study commission within EDA

A-2906/S-2926 (Stender, Pinkin, Mazzeo/Whelan, Scutari) – ABSOLUTE - Excludes from gross income compensation paid to members of district boards of election for services rendered in elections

A-3223/S-2056 (Singleton, Lampitt, Quijano, Pintor Marin, Wimberly/Sarlo, Ruiz) – CONDITIONAL - Requires Division of Local Government Services to include certain property tax information on division's web page

A-3393/S-2167 (Spencer, Pintor Marin, Caputo, Tucker/Rice, Ruiz) – CONDITIONAL - Permits Newark to use rental car tax proceeds over three-year period to help reduce its "cash deficit for preceding year" appropriation and operational deficit

A-3421/S-2220 (Dancer, Mukherji/Singer) – CONDITIONAL - Revises the "Self-Funded Multiple Employer Welfare Arrangement Regulation Act"

A-3435/S-2503 (Garcia, Mukherji, Vainieri Huttie, Mainor, Eustace, Mosquera/Stack, Gordon) - CONDITIONAL - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

A-3500/S-1973 (Andrzejczak, Pinkin, Quijano/Van Drew, Beach) – ABSOLUTE - Requires local recreation departments and youth serving organizations to have defibrillators for youth athletic events

A-3954/S-2981 (Conaway, Singleton, Spencer, McKeon/Greenstein) – CONDITIONAL - Requires maximum contaminant level to be established for 1,2,3-trichloropropane in drinking water

A-3981/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) - CONDITIONAL - "Casino Property Taxation Stabilization Act"

A-3982/S-2573 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) – ABSOLUTE - Requires holder of casino license to provide certain employees with certain health care and retirement benefits

A-3984/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan) – CONDITIONAL - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

A-3985/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan) – CONDITIONAL - Removes provisions of law relating to Atlantic City Alliance

A-4018/S-2843 (Burzichelli, Caputo, Mazzeo/Sarlo, Whelan) – ABSOLUTE - Authorizes operation of lottery courier services

A-4218/S-2786 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez) - CONDITIONAL - Revises certain laws concerning domestic violence and firearms

A-4265/S-2783 (McKeon, Pintor Marin, Jasey, Caputo, Giblin, Tucker, Spencer, Oliver, Gusciora, Danielson/Codey, Ruiz, Rice) – ABSOLUTE - Permits municipal, county, and regional police and fire forces to establish five-year residency requirement for police officers and firefighters; allows exceptions to requirement under certain circumstances

A-4337/S-3008 (Schaer, Danielsen, Dancer, Sumter/Barnes) – ABSOLUTE - Expands eligibility of inmates for medical parole and requires inmate's enrollment in Medicaid under certain circumstances

A-4476/S-2876 (Conaway/Codey) - CONDITIONAL - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State

A-4607/S-3106 (Pintor Marin, Schaer, Oliver, Lagana, Johnson, Singleton/Ruiz, Cunningham) – ABSOLUTE - Makes FY 2016 supplemental appropriations of \$6,500,000 and adds language provision

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