



**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

end

P.L.2015, CHAPTER 189, *approved January 11, 2016*  
Senate, No. 3004 (*First Reprint*)

1 AN ACT concerning municipal eligibility for certain redevelopment  
2 and rehabilitation loan programs and amending P.L.1998, c.115.

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

6  
7 1. Section 2 of P.L.1998, c.115 (C.40:56-71.2) is amended to read  
8 as follows:

9 2. **[**With the exception of a municipality in which an urban  
10 enterprise zone has been designated, any**]** Any municipality which has  
11 adopted or adopts an ordinance authorizing the establishment of a  
12 special improvement district pursuant to section 7 of P.L.1972, c.134  
13 (C.40:56-71) may, by ordinance, designate all or any portion of that  
14 district which contains primarily businesses providing retail goods and  
15 services as a "downtown business improvement zone

16 **[.]** ," notwithstanding that the designated zone is located within an  
17 urban enterprise zone.

18 <sup>1</sup>**[**Within 10 business days of the adoption of an ordinance  
19 pursuant to this section, the municipal clerk shall forward a copy of the  
20 ordinance to the Director of the Division of Local Government  
21 Services in the Department of Community Affairs.**]**<sup>1</sup>  
22 (cf: P.L.2015, c.95, s.9)

23  
24 2. This act shall take effect immediately.

25  
26  
27 \_\_\_\_\_  
28  
29 Permits municipality with UEZ to participate in Downtown  
30 Business Improvement Zone Loan Fund.

**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:

<sup>1</sup>Assembly ACE committee amendments adopted November 9, 2015.

# SENATE, No. 3004

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JUNE 8, 2015

**Sponsored by:**

**Senator SANDRA B. CUNNINGHAM**

**District 31 (Hudson)**

**Senator JEFF VAN DREW**

**District 1 (Atlantic, Cape May and Cumberland)**

**Co-Sponsored by:**

**Senators Ruiz and Stack**

**SYNOPSIS**

Permits municipality with UEZ to participate in Downtown Business Improvement Zone Loan Fund.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/26/2015)**

1 AN ACT concerning municipal eligibility for certain redevelopment  
2 and rehabilitation loan programs and amending P.L.1998, c.115.

3

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

6

7 1. Section 2 of P.L.1998, c.115 (C.40:56-71.2) is amended to  
8 read as follows:

9 2. **【**With the exception of a municipality in which an urban  
10 enterprise zone has been designated, any**】** Any municipality which  
11 has adopted or adopts an ordinance authorizing the establishment of  
12 a special improvement district pursuant to section 7 of P.L.1972,  
13 c.134 (C.40:56-71) may, by ordinance, designate all or any portion  
14 of that district which contains primarily businesses providing retail  
15 goods and services as a "downtown business improvement zone  
16 **【.**】," notwithstanding that the designated zone is located within an  
17 urban enterprise zone.

18 Within 10 business days of the adoption of an ordinance pursuant  
19 to this section, the municipal clerk shall forward a copy of the  
20 ordinance to the Director of the Division of Local Government  
21 Services in the Department of Community Affairs.  
22 (cf: P.L.1998, c.115,s.2)

23

24 2. This act shall take effect immediately.

25

26

27

#### STATEMENT

28

29 This bill addresses the lack of opportunity for businesses located  
30 in an urban enterprise zone (UEZ) to benefit from the Downtown  
31 Business Improvement Zone Loan Fund program operated by the  
32 Department of Community Affairs' Office of Main Street New  
33 Jersey & Improvement District Programs. Eliminating the  
34 restriction on municipalities with UEZs from participating in the  
35 loan fund program is a common-sense measure in light of the  
36 Administration's current policy of ending UEZ funding support for  
37 municipalities.

38 The sponsor believes that businesses located in urban enterprise  
39 zones are especially in need of money to fund redevelopment and  
40 rehabilitation opportunities in order to maximize their ability to  
41 assist in the improvement of the financial and employment  
42 conditions within the urban enterprise zone. This bill would  
43 remove language from the law that currently excludes participation  
44 in the Downtown Business Improvement Zone Loan Fund program  
45 by municipalities in which an urban enterprise zone has been

**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 created. Under the bill, a municipality would still be required to  
2 adopt an ordinance establishing all or a portion of its urban  
3 enterprise zone as a special improvement district. The municipality  
4 would then have to adopt another ordinance designating all or a  
5 portion of that special improvement district as a downtown business  
6 improvement zone. The district management corporation for the  
7 special improvement district, in partnership with the municipality  
8 that created the special improvement district, would be eligible to  
9 apply for a long-term, zero-interest loan from the Downtown  
10 Business Improvement Zone Loan Fund for specific purposes and  
11 expenses relating to the redevelopment and rehabilitation of  
12 property within the designated business improvement zone. These  
13 redevelopment and rehabilitation activities will directly benefit  
14 businesses operating within the downtown business improvement  
15 zone and should be an effective way of transforming the loans into  
16 greater employment and business activity within that zone.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 3004

# STATE OF NEW JERSEY

DATED: JUNE 23, 2015

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 3004.

This bill extends to businesses located in an urban enterprise zone (UEZ) the opportunity to benefit from the Downtown Business Improvement Zone Loan Fund program operated by the Department of Community Affairs's Office of Main Street New Jersey & Improvement District Programs. This bill eliminates the restriction on municipalities with UEZs from participating in the loan fund program.

Businesses located in urban enterprise zones are especially in need of money to fund redevelopment and rehabilitation opportunities in order to maximize their ability to assist in the improvement of the financial and employment conditions within the urban enterprise zone. This bill would remove language from the law that currently excludes participation in the Downtown Business Improvement Zone Loan Fund program by municipalities in which an urban enterprise zone has been created. Under the bill, a municipality would still be required to adopt an ordinance establishing all or a portion of its urban enterprise zone as a special improvement district. The municipality would then have to adopt another ordinance designating all or a portion of that special improvement district as a downtown business improvement zone. The district management corporation for the special improvement district, in partnership with the municipality that created the special improvement district, would be eligible to apply for a long-term, zero-interest loan from the Downtown Business Improvement Zone Loan Fund for specific purposes and expenses relating to the redevelopment and rehabilitation of property within the designated business improvement zone. These redevelopment and rehabilitation activities will directly benefit businesses operating within the downtown business improvement zone and should be an effective way of transforming the loans into greater employment and business activity within that zone.

#### FISCAL IMPACT:

This bill was not certified for a Fiscal Note.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4685**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 9, 2015

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 4685.

This bill extends to municipalities in which an urban enterprise zone (UEZ) has been designated the opportunity to benefit from the Downtown Business Improvement Zone Loan Fund program. The bill removes from the law language that currently excludes participation in the Downtown Business Improvement Zone Loan Fund program by municipalities in which an urban enterprise zone has been created.

Under the bill, an urban enterprise zone municipality would adopt an ordinance establishing all or a portion of its urban enterprise zone as a special improvement district. The municipality would then have to adopt another ordinance designating all or a portion of that special improvement district as a downtown business improvement zone. The district management corporation for the special improvement district, in partnership with the municipality that created the special improvement district, would be eligible to apply for a long-term, zero-interest rate loan from the Downtown Business Improvement Zone Loan Fund for specific purposes and expenses relating to the redevelopment and rehabilitation of property within the designated business improvement zone. These redevelopment and rehabilitation activities will directly benefit businesses operating within the downtown business improvement zone and should be an effective way of transforming the loans into greater employment and business activity within that zone.

Although the 1998 legislation which created the Downtown Business Improvement Zone Loan Fund program originally excluded UEZ municipalities from the program, the reasons for doing so no longer exist. When presented to the Governor for consideration in 1998, the legislation which created the program provided for the deposit of revenues derived from the Sales and Use Tax into a fund to be used for projects and services to further public improvements in a special improvement district (SID). The Governor vetoed the bill to recommend replacing the diversion of sales tax revenues with the creation of a revolving loan fund and an appropriation of \$5 million to the fund to provide loans to SID municipalities (except for UEZ



municipalities). At that time, the UEZ program provided UEZ municipalities with a share of sales tax revenues to support projects in UEZs, however, that funding stream ended in 2011.

Currently, UEZ municipalities and UEZ businesses are especially in need of money to fund redevelopment and rehabilitation opportunities in order to maximize their ability to assist in the improvement of the financial and employment conditions within the UEZ.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 3004

### STATE OF NEW JERSEY 216th LEGISLATURE

DATED: DECEMBER 14, 2015

#### SUMMARY

- Synopsis:** Permits municipality with UEZ to participate in Downtown Business Improvement Zone Loan Fund.
- Type of Impact:** Indeterminate potential increases in State costs, local expenditures, and local revenues.
- Agencies Affected:** Department of Community Affairs and select municipalities.

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate potential increase – See comments below		
<b>Local Cost</b>	Indeterminate potential increase – See comments below		
<b>Local Revenue</b>	Indeterminate potential increase – See comments below		

- The enactment of Senate Bill No. 3004 (1R) may result in additional State expenditures, local expenditures, and local revenues. The OLS notes that the bill is permissive and does not require any municipality to participate in the Downtown Business Improvement Fund Loan program.
- Municipalities and district management corporations may incur additional costs if they receive a loan in an amount greater than \$100,000. Current program guidelines require a local match to be provided in those instances.
- Current law requires a municipality or district management corporation that receives a loan to establish an assessment, to be charged within the downtown business improvement zone, sufficient to produce revenues on an annual basis to repay the loan.
- Loan funds may be used to support improvements, such as the acquisition of land or the construction of public facilities, within the downtown business improvement zone, but cannot be used to support public services (i.e., police and fire protection).

## **BILL DESCRIPTION**

Senate Bill No. 3004 (1R) of 2015 removes statutory language that excludes municipalities in which an urban enterprise zone is located from participation in the Downtown Business Improvement Zone Loan Fund program.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that the enactment of Senate Bill No. 3004 (1R) may result in additional State expenditures, local expenditures, and local revenues. The State may incur new costs in the form of loans provided to urban enterprise zone municipalities through the Downtown Business Improvement Zone Loan Fund. Urban enterprise zone municipalities and district management corporations will incur additional costs if they receive a loan in an amount greater than \$100,000. According to the Downtown Business Improvement Zone Loan Fund Program Requirements and Guidelines, a loan in an amount greater \$100,000 requires a local match which may come from public or private funding sources. Local match funding may comprise cash and documented in-kind services. The Downtown Business Improvement Zone Loan Fund has an unexpended balance of approximately \$900,000.

Established by P.L.1998, c.115 (C.40:56-71.1-71.7), the Downtown Business Improvement Zone Loan Fund assists municipalities and downtown business improvement districts with public physical improvements and improvements otherwise benefitting the public sphere within the designated business improvement zone. Eligible uses of loan monies include the purchase, lease, condemnation, or acquisition of land or an interest necessary for a right of way or other easement to or from the zone; the relocation of persons displaced by the acquisition of land; the rehabilitation or redevelopment of land; acquisition, construction, reconstruction, rehabilitation, or installation of parking and other public facilities and improvements; and costs of appraisals or other professional services directly related to effectuating the improvement. Projects may be targeted within the entire downtown business improvement zone or any one or more portions of the zone which contain primarily businesses providing retail goods and services. Unlike urban enterprise zone monies, loan proceeds cannot be used to support certain municipal services, such as police and fire services, within the downtown business improvement zone.

Enactment of the legislation does not automatically qualify an urban enterprise zone loan municipality for participation in the Downtown Business Improvement Zone Loan program. A municipality is still required to adopt two ordinances. The first ordinance would establish a special improvement district which may, or may not, include the urban enterprise zone. The second ordinance would designate all or a portion of the special improvement district as a downtown business improvement zone. After both ordinances are adopted, the district management corporation, in partnership with the municipality, may apply for a loan. The OLS notes that section 5 of P.L.1998, c.115 (C.40:56-71.5) requires a municipality or district management corporation that receive a loans to establish an assessment, to be charged within the

downtown business improvement zone, sufficient to produce revenues on an annual basis to repay the loan.

*Section: Local Government*

*Analyst: Scott A. Brodsky  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# ASSEMBLY, No. 4685

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED NOVEMBER 9, 2015

**Sponsored by:**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblywoman ELIZABETH MAHER MUOIO**

**District 15 (Hunterdon and Mercer)**

**Assemblyman BENJIE E. WIMBERLY**

**District 35 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblyman Coughlin and Assemblywoman Spencer**

**SYNOPSIS**

Permits municipality with UEZ to participate in Downtown Business Improvement Zone Loan Fund.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/4/2015)**

1 AN ACT concerning municipal eligibility for certain redevelopment  
2 and rehabilitation loan programs and amending P.L.1998, c.115.

3

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

6

7 1. Section 2 of P.L.1998, c.115 (C.40:56-71.2) is amended to  
8 read as follows:

9 2. **【**With the exception of a municipality in which an urban  
10 enterprise zone has been designated, any**】** Any municipality which  
11 has adopted or adopts an ordinance authorizing the establishment of  
12 a special improvement district pursuant to section 7 of P.L.1972,  
13 c.134 (C.40:56-71) may, by ordinance, designate all or any portion  
14 of that district which contains primarily businesses providing retail  
15 goods and services as a "downtown business improvement zone**【.**]  
16 ," notwithstanding that the designated zone is located within an  
17 urban enterprise zone.

18 (cf: P.L.2015, c.95, s.9)

19

20 2. This act shall take effect immediately.

21

22

23

STATEMENT

24

25 This bill addresses the lack of opportunity for businesses located  
26 in an urban enterprise zone (UEZ) to benefit from the Downtown  
27 Business Improvement Zone Loan Fund program operated by the  
28 Department of Community Affairs' Office of Main Street New  
29 Jersey & Improvement District Programs. Eliminating the  
30 restriction on municipalities with UEZs from participating in the  
31 loan fund program is a common-sense measure in light of the  
32 Administration's current policy of ending UEZ funding support for  
33 municipalities.

34 The sponsor believes that businesses located in urban enterprise  
35 zones are especially in need of money to fund redevelopment and  
36 rehabilitation opportunities in order to maximize their ability to  
37 assist in the improvement of the financial and employment  
38 conditions within the urban enterprise zone. This bill would  
39 remove language from the law that currently excludes participation  
40 in the Downtown Business Improvement Zone Loan Fund program  
41 by municipalities in which an urban enterprise zone has been  
42 created. Under the bill, a municipality would still be required to  
43 adopt an ordinance establishing all or a portion of its urban  
44 enterprise zone as a special improvement district. The municipality  
45 would then have to adopt another ordinance designating all or a  
46 portion of that special improvement district as a downtown business

**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 improvement zone. The district management corporation for the  
2 special improvement district, in partnership with the municipality  
3 that created the special improvement district, would be eligible to  
4 apply for a long-term, zero-interest loan from the Downtown  
5 Business Improvement Zone Loan Fund for specific purposes and  
6 expenses relating to the redevelopment and rehabilitation of  
7 property within the designated business improvement zone. These  
8 redevelopment and rehabilitation activities will directly benefit  
9 businesses operating within the downtown business improvement  
10 zone and should be an effective way of transforming the loans into  
11 greater employment and business activity within that zone.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4685**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 9, 2015

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 4685.

This bill extends to municipalities in which an urban enterprise zone (UEZ) has been designated the opportunity to benefit from the Downtown Business Improvement Zone Loan Fund program. The bill removes from the law language that currently excludes participation in the Downtown Business Improvement Zone Loan Fund program by municipalities in which an urban enterprise zone has been created.

Under the bill, an urban enterprise zone municipality would adopt an ordinance establishing all or a portion of its urban enterprise zone as a special improvement district. The municipality would then have to adopt another ordinance designating all or a portion of that special improvement district as a downtown business improvement zone. The district management corporation for the special improvement district, in partnership with the municipality that created the special improvement district, would be eligible to apply for a long-term, zero-interest rate loan from the Downtown Business Improvement Zone Loan Fund for specific purposes and expenses relating to the redevelopment and rehabilitation of property within the designated business improvement zone. These redevelopment and rehabilitation activities will directly benefit businesses operating within the downtown business improvement zone and should be an effective way of transforming the loans into greater employment and business activity within that zone.

Although the 1998 legislation which created the Downtown Business Improvement Zone Loan Fund program originally excluded UEZ municipalities from the program, the reasons for doing so no longer exist. When presented to the Governor for consideration in 1998, the legislation which created the program provided for the deposit of revenues derived from the Sales and Use Tax into a fund to be used for projects and services to further public improvements in a special improvement district (SID). The Governor vetoed the bill to recommend replacing the diversion of sales tax revenues with the creation of a revolving loan fund and an appropriation of \$5 million to the fund to provide loans to SID municipalities (except for UEZ



municipalities). At that time, the UEZ program provided UEZ municipalities with a share of sales tax revenues to support projects in UEZs, however, that funding stream ended in 2011.

Currently, UEZ municipalities and UEZ businesses are especially in need of money to fund redevelopment and rehabilitation opportunities in order to maximize their ability to assist in the improvement of the financial and employment conditions within the UEZ.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 4685**  
**STATE OF NEW JERSEY**  
**216th LEGISLATURE**

DATED: DECEMBER 14, 2015

**SUMMARY**

**Synopsis:** Permits municipality with UEZ to participate in Downtown Business Improvement Zone Loan Fund.

**Type of Impact:** Indeterminate potential increases in State costs, local expenditures, and local revenues.

**Agencies Affected:** Department of Community Affairs and select municipalities

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate potential increase – See comments below		
<b>Local Cost</b>	Indeterminate potential increase – See comments below		
<b>Local Revenue</b>	No impact – See comments below		

- The enactment of Assembly Bill No. 4685 may result in additional State expenditures, local expenditures, and local revenues. The OLS notes that the bill is permissive and does not require any municipality to participate in the Downtown Business Improvement Fund Loan program.
- Municipalities and district management corporations may incur additional costs if they receive a loan in an amount greater than \$100,000. Current program guidelines require a local match to be provided in those instances.
- Current law requires a municipality or district management corporation that receives a loan to establish an assessment, to be charged within the downtown business improvement zone, sufficient to produce revenues on an annual basis to repay the loan.
- Loan funds may be used to support improvements, such as the acquisition of land or the construction of public facilities, within the downtown business improvement zone, but cannot be used to support public services (i.e., police and fire protection).

## **BILL DESCRIPTION**

Assembly Bill No. 4685 of 2015 removes statutory language that excludes municipalities in which an urban enterprise zone is located from participation in the Downtown Business Improvement Zone Loan Fund program.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The OLS estimates that the enactment of Assembly Bill No. 4685 may result in additional State expenditures, local expenditures, and local revenues. The State may incur new costs in the form of loans provided to urban enterprise zone municipalities through the Downtown Business Improvement Zone Loan Fund. Urban enterprise zone municipalities and district management corporations will incur additional costs if they receive a loan in an amount greater than \$100,000. According to the Downtown Business Improvement Zone Loan Fund Program Requirements and Guidelines, a loan in an amount greater \$100,000 requires a local match which may come from public or private funding sources. Local match funding may comprise cash and documented in-kind services. The Downtown Business Improvement Zone Loan Fund has an unexpended balance of approximately \$900,000.

Established by P.L.1998, c.115 (C.40:56-71.1-71.7), the Downtown Business Improvement Zone Loan Fund assists municipalities and downtown business improvement districts with public physical improvements and improvements otherwise benefitting the public sphere within the designated business improvement zone. Eligible uses of loan monies include the purchase, lease, condemnation, or acquisition of land or an interest necessary for a right of way or other easement to or from the zone; the relocation of persons displaced by the acquisition of land; the rehabilitation or redevelopment of land; acquisition, construction, reconstruction, rehabilitation, or installation of parking and other public facilities and improvements; and costs of appraisals or other professional services directly related to effectuating the improvement. Projects may be targeted within the entire downtown business improvement zone or any one or more portions of the zone which contain primarily businesses providing retail goods and services. Unlike urban enterprise zone monies, loan proceeds cannot be used to support certain municipal services, such as police and fire services, within the downtown business improvement zone.

Enactment of the legislation does not automatically qualify an urban enterprise zone loan municipality for participation in the Downtown Business Improvement Zone Loan program. A municipality is still required to adopt two ordinances. The first ordinance would establish a special improvement district which may, or may not, include the urban enterprise zone. The second ordinance would designate all or a portion of the special improvement district as a downtown business improvement zone. After both ordinances are adopted, the district management corporation, in partnership with the municipality, may apply for a loan. The OLS notes that section 5 of P.L.1998, c.115 (C.40:56-71.5) requires a municipality or district management corporation that receives a loan to establish an assessment, to be charged within the

downtown business improvement zone, sufficient to produce revenues on an annual basis to repay the loan.

*Section: Local Government*

*Analyst: Scott A. Brodsky  
Senior Fiscal Analyst*

*Approved: Frank W. Haines III  
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

## Governor Christie Takes Action On Pending Legislation

Monday, January 11, 2016 Tags: [Bill Action](#)



**Stay Connected**  
*with Social Media*

**Stay Connected**  
*with Email Alerts*

**LIKE THIS PAGE? SHARE IT WITH YOUR FRIENDS.**

...

Trenton, NJ – Governor Chris Christie today took action on legislation, including a bill aimed at helping inmates who were victims of domestic violence and a second bill designed to help non-violent drug offenders reclaim their lives by streamlining the process for expungement of their criminal records.

The Governor suggested minor changes to strengthen Senate Bill No. 995, which seeks to help domestic violence victims who have been convicted of crimes against their abusers by establishing a community reentry program to assist victim-offenders assimilate into society upon release from custody and prevent further victimization.

Governor Christie conditionally vetoed the bill, proposing that the program be established solely in the Department of Corrections.

"The goal of this bill is commendable and I sincerely support its objective," Governor Christie said. "Domestic violence is tragic, and victims deserve support and counseling. However, the bill conflates the statutory and regulatory responsibilities of the Department of Corrections and the State Parole Board, combining the agencies' separate residential program functions. Accordingly, I suggest minor amendments, in accordance with the intent of the legislation to establish this program within the Department of Corrections, consistent with its existing reintegration programming and tailored to the specific needs of this limited inmate population."

The bill as written also called for an automatic early release program for this specific subset of inmates upon successful completion of the reentry program, an element of the bill that Governor Christie does not support.

"I cannot support the creation of early release programs because they would begin to chisel away at the long-standing function of the State Parole Board," Governor Christie said. "For decades, the State Parole Board has faithfully fulfilled its charge to carefully review and consider the underlying facts and circumstances of each applicant for parole. While I continue to encourage the Legislature to explore reforms that will create efficiencies in State government, I remain grounded in my belief that the review of parole applications is best accomplished through the reasoned, compassionate, experienced and individualized judgment of the State Parole Board and not through an automatic process based upon one factor."

Governor Christie similarly took action to strengthen the Assembly Committee Substitute for Assembly Bills Nos. 206, 471, 1663, 2879, 3060 and 3108, and urged quick approval from the Legislature.

The bill proposes to allow those who have successfully completed the Drug Court program to expunge the related criminal charges, and it further aims to make the expungement process more efficient.

Seeking to balance the needs of non-violent ex-offenders with public safety, Governor Christie conditionally vetoed the bill, retaining the current waiting period for expungements for indictable offenses, currently 10 years, or five years if a court determines that expungement is in the public's interest.

"While I support breaking down barriers to employment and education for non-violent ex-offenders, I cannot endorse a bill that compromises public safety," Governor Christie said. "As written, this bill would cut in half the presumptive waiting period to expunge indictable offenses, often felonies, from ten years to five years, and eliminate an important safeguard which allows a judge to consider whether granting an expungement is in the public's interest. The current public interest exception to the presumptive waiting period is an effective and efficient way to help ex-offenders combat the collateral consequences of their offense, while also ensuring that public safety is not compromised."

Governor Christie further suggested retaining the five-year waiting period for disorderly persons offenses, while adopting the bill's provision to lower this waiting period to three years, if a court determines that expungement is in the public interest.

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

#### **BILL SIGNINGS:**

**S-475/A-3223 (Madden, Sweeney/Mosquera, Webber, Moriarty, Mukherji, Garcia, Munoz, Lampitt)** - Requires certain information regarding Down syndrome be provided to certain parents and families

**S-650 (Doherty, Beach/DiMaio, Andrzejczak, Peterson, DeAngelo)** - Designates State Route 173 between Clinton and Phillipsburg as "173rd Airborne Brigade Highway"

**S-835/A-1972 (Bateman/Garcia, Danielson)** - Enhances penalties for false incrimination and making fictitious reports

**S-939/A-2913 (Bateman, A.R. Bucco/Caride, Dancer, A.M. Bucco)** - Designates Black Swallowtail butterfly as State Butterfly

**S-1940/A-2893 (Oroho, Van Drew/Burzichelli, Space)** - Exempts board of education and local government payments to entities under BPU jurisdiction from certain certification requirements

**S-2145/A-631 (Van Drew, Madden/Moriarty, Burzichelli, Tucker, DeAngelo, Danielson, Mukherji)** - Authorizes hiring preference for veterans in non-civil service jurisdictions

**S-2301/A-3522 (Greenstein, Stack/Stender, Mukherji, Lagana, Diegnan)** - Regulates pharmacy benefits managers and requires certain disclosures concerning multiple source generic drug pricing

**S-2432/A-4720 (Madden/Moriarty, Mosquera)** - Requires notification of member or retiree of State-administered retirement system under certain circumstances when member or retiree requests change in beneficiary for group life insurance

**S-2453/A-3805 (Weinberg, Allen/Burzichelli, Singleton)** - Requires earlier mandatory polling hours for school elections; requires discretionary additional polling hours be consistent with current primary and general elections

**S-2523/A-3917 (Gill, Greenstein, Benson/DeAngelo, Johnson)** - Permits municipalities and municipal parking authorities to create Senior Citizen Priority Parking Program

**SCS for S-2586, 2587, A-3217, and 3218 (Stack, Cunningham, Mukherji, Pintor Marin, Garcia)** - Requires certain sanitary and protective procedures for used mattresses

**SCS for S-2668/A-4270 (Beach, Madden/Lampitt, Vainieri Huttle, Benson, Spencer, Wimberly, Mosquera)** - Establishes "MVP Emergency Alert System" for missing persons with mental, intellectual, or developmental disabilities

**SS for S-2770/AS for A-3956 (Sweeney, Addiego/Lampitt, Greenwald, Vainieri Huttle, Benson, Mazzeo)** - Authorizes establishment of Achieving a Better Life Experience accounts for persons with certain disabilities

**S-2940/A-4531 (Singer, Sweeney/Spencer, Benson, Casagrande, Muoio)** - Creates new criminal offenses concerning endangering another person; repeals N.J.S.2C:12-2 and N.J.S.2C:24-7

**S-2961/A-4188 (Codey, Vitale/Garcia, Lagana, Taliaferro, Vainieri Huttle, Danielsens, Holley, Benson, Jimenez)** - Clarifies that Alzheimer's disease and related disorders may be listed as secondary cause of death on death certificate when appropriate

**S-2978/A-4194 (Van Drew, Oroho/Burzichelli, Spencer, Rumana, Webber, Benson)** - Authorizes mobile electronic waste destruction units to operate without DEP permit

**S-3004/A-4685 (Cunningham, Van Drew/Andrzejczak, Johnson, Muoio, Wimberly)** - Permits municipality with UEZ to participate in Downtown Business Improvements Zone Loan Fund

**S-3076/A-4621 (Weinberg, Bateman/Johnson, Caride)** - Increases maximum legal fee to represent victims from \$1,000 to \$3,000

**S-3110/A-4617 (Scutari/Johnson, Webber)** - Permits certain health clubs to offer swimming lessons and otherwise remain exempt from first aid personnel and lifeguarding requirements

**S-3117/A-4781 (Gordon, Bateman, Sweeney, T. Kean/Vainieri Huttle, Eustace, Gusciora, Lampitt, Angelini, Moriarty)** - Prohibits Division of Developmental Disabilities from compelling transfers of individuals with developmental disabilities from out-of-State to in-State facilities unless certain exceptions apply

**S-3220/A-4790 (Sweeney, O'Toole, Vitale/Greenwald, Conaway, Vainieri Huttle, Handlin, Garcia)** - Establishes a process to integrate certain health data and other data from publicly supported programs for population health research

**S-3232/A-4834 (Sarlo, Oroho/Lagana, Burzichelli, Schaer, DeAngelo, Phoebus)** - Allows businesses due to receive grant under Business Employment Incentive Program to receive tax credit instead of grant

**S-3270/A-4705 (Gill, Bateman/Schaer, Coughlin, Lagana, S. Kean, Ciattarelli)** - "Certificates of Insurance Act;" governs use of certificates of insurance; provides DOBI with enforcement authority

**SJR-81/AJR-122 (Barnes/Vainieri Huttle, Schaer, Lampitt)** - Condemns Boycott, Divestment, and Sanctions movement against Israel

**A-308/S-2203 (Russo, Rumana/O'Toole, Smith)** - Prohibits escrow agent evaluation services from charging escrow agents fees

**A-1098/S-671 (Vainieri Huttle, Eustace, Diegnan, Giblin/Pou, Sarlo, Weinberg)** - Requires DHS and DMVA to conduct or contract for follow-up studies of former residents transitioning to community from their facilities

**A-1355/S-2963 (Stender, Lampitt, Holley, Moriarty/T. Kean, Vitale)** - Requires DOH to provide information about crib safety on its Internet website

**A-1783/S-2020 (McKeon, Rible, Sumter, Moriarty/Vitale, Cunningham)** - "Art Therapist Licensing Act"

**A-2023/S-2675 (Greenwald, Benson/Cruz-Perez)** - Revises definition of "responsible charge" as it pertains to licensed professional engineers and licensed architects

**A-2229 (Wisniewski, Diegnan)** - Concerns contracts for asphalt work under the "Local Public Contracts Law"

**A-2301/S-1481 (Andrzejczak/Van Drew)** - Designates certain interchanges of Garden State Parkway in honor of Melvin M. Loftus and Christopher Meyer

**A-3052/S-1090 (Mazzeo, Pinkin, Mukherji, Wimberly/A.R. Bucco, Whelan)** - Concerns property taxes due and owing on real property damaged or destroyed during, or as the result of, a natural disaster when a state of emergency is declared by the Governor

**A-3246/S-3069 (Dancer, Burzichelli, Vainieri Huttle/Oroho, Sarlo)** - Requires timeframe of standardbred mare residing in New Jersey breeding farm be inclusive of foaling instead of between foal's conception and birth

**A-3293/S-2146 (Mazzeo, Andrzejczak, Pinkin, Webber, Simon, Mukherji/Van Drew, Doherty)** - Allows military personnel and veterans to present certain identifying documents in lieu of municipal beach tags to gain admission to certain beaches

**A-3331/S-3111 (Benson, Rodriguez-Gregg, Coughlin/Gill, Beach)** - Requires health benefits coverage for synchronization of prescribed medications under certain circumstances

**A-3390/S-2309 (Coughlin, Pinkin, Webber, Diegnan/Vitale)** - Permits transmittal of certain land use documents via email

**A-3395/S-2294 (Wisniewski/Sacco)** - Allows insurer to obtain certificates of ownership or salvage certificates of title for motor vehicles under certain circumstances

**A-3499/S-2256 (Andrzejczak, Mazzeo, Johnson, Pinkin, DeAngelo/Van Drew)** - Requires DMVA to encourage and facilitate returning service members' registration with VA

**A-3507/S-2677 (Eustace, Webber, Munoz, Schepisi, Rumana/Gordon, Sarlo)** - Amends law concerning county and municipal stream cleaning activities

**A-3749/S-2568 (Lampitt, Mazzeo, Andrzejczak, Mukherji, Pinkin/Beach, Allen)** - Establishes program to provide assistance to qualified veterans in in-patient and out-patient treatment programs to travel to medical counseling in State

**A-3849/SCS for S-2466 (DeAngelo, Eustace, Mazzeo, Pintor Marin, Benson/Turner, Singer)** - Requires BPU to provide links to pricing information to customers from electric and gas public utilities, and third-party electric power and gas suppliers

**A-3950/S-2832 (Prieto, Jimenez, Quijano/Greenstein, Turner)** - Permits correctional facilities to utilize body imaging scanning equipment

**A-4079/S-2819 (Eustace, Andrzejczak, Taliaferro, Benson, Dancer/Van Drew, Beach)** - Directs Department of Agriculture to publish on its website "New Jersey Gleaning Week" and "Farmers Against Hunger Day" page

**A-4094/S-2884 (Conaway, Singleton, Wimberly, Lampitt, Benson/Whelan, Madden)** - Permits administration of epinephrine auto-injector device by persons who complete approved educational program

**A-4438/S-3202 (Mukherji, Burzichelli/Scutari, Madden)** - Raises maximum workers' compensation fees for evaluating physicians

**A-4518/S-3010 (Schaer, Eustace, Benson, Pintor Marin/Sarlo)** - Modifies and clarifies provisions of certain economic incentive programs

**AJR-57/SJR-42 (Space/Oroho)** - Designates April of each year as "Sarcoidosis Awareness Month"

**AJR-93/SJR-73 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach)** - Designates third week of September as "New Jersey Gleaning Week"

**AJR-94/SJR-74 (Eustace, Andrzejczak, Taliaferro, Benson/Van Drew, Beach)** - Designates Wednesday of third week of September as "Farmers Against Hunger Day"

**AJR-100/SJR-70 (Andrzejczak, Tucker, DeAngelo, Mazzeo/Van Drew, Whelan)** - Designates first week in August of each year as "Coast Guard Week" and honors Cape May as U.S. Coast Guard's enlisted accession point and recruit training center

#### BILLS VETOED:

**S-264/A-1347 (Greenstein, Cunningham/Stender, Egan, O'Donnell, Wimberly)** – **ABSOLUTE** - "Thomas P. Canzanella Twenty First Century First Responders Protection Act"; concerns workers compensation for public safety workers

**S-374/A-3403 (Scutari, Beck/Rible, DeAngelo, Mukherji)** - **ABSOLUTE** - Concerns attorney fees for workers' compensation awards

**SCS for S-779, 1952/ACS for A-2474 (Weinberg, Sarlo, Lesniak/Johnson, Garcia, Vainieri Huttie, Lagana, Mukherji, Moriarty)** - **ABSOLUTE** - "Garden State Film and Digital Media Jobs Act" expands existing film and digital media production tax credit programs

**S-995/A-1677 (Weinberg, Allen/Johnson, Vainieri Huttie, Lampitt, Mosquera)** – **CONDITIONAL** - Establishes in DOC, supervised community reintegration program for certain victims of domestic abuse

**S-1346/A-3837 (Rice/Coughlin, Garcia, Rodriguez-Gregg, Pintor Marin, Jasey)** - **CONDITIONAL** - Concerns the recording of mortgages

**S-2260/A-688 (Scutari, Cardinale/Schaer)** - **CONDITIONAL** - Modifies certain fees charged by, and requirements imposed on, check casher licensees

**S-2524/A-4067 (Gill, Allen/Lagana, Singleton, Moriarty)** - **CONDITIONAL** - The "Municipal Volunteer Property Tax Reduction Act"; permits certain municipal property owners to perform volunteer services in return for property tax vouchers

**S-2577/ACS for A-4139 (Stack, Schaer/Mazzeo, Andrzejczak, Mukherji, Quijano)** - **CONDITIONAL** - Establishes temporary mortgage relief programs for certain owners of real property impacted by "Superstorm Sandy"

**S-2867/A-4248 (Ruiz, Pou/Jasey, Sumter, Vainieri Huttie, Green, Holley, Wimberly)** - **ABSOLUTE** - Permits municipal land banking in conjunction with online property database development

**S-3024/A-4463 (Scutari/Giblin, Diegnan, Jimenez, Caputo, Vainieri Huttie)** – **CONDITIONAL** - Revises laws concerning real estate licensees

**S-3282/A-4850 (Rice, Cunningham/Wimberly, Mainor, Johnson)** - **CONDITIONAL** - Expands Police Training Commission membership to include representative from Northern New Jersey and South Jersey Chapters of National Organization of Black Law Enforcement Executives

**ACS for A-206, 471, 1663, 2879, 3060, and 3108/S-2663 (Green, Spencer, Gusciora, Johnson, McKeon, Giblin, Wimberly, Mainor, Quijano/Turner, Lesniak, Pou)** - **CONDITIONAL** - Shortens waiting periods for expungement of criminal and other records and information; makes various changes to other expungement procedures and requirements

**A-3257/S-2125 (Andrzejczak, Mazzeo, Burzichelli/Van Drew)** - **CONDITIONAL** - Provides that determination by county agriculture development board or State Agriculture Development Committee as to what qualifies as farm-based recreational activity in pinelands protection area is binding on Pinelands Commission

**A-4103/S-2840 (Mazzeo, Andrzejczak, Giblin/Allen, Whelan)** - **ABSOLUTE** - Creates workforce training program for former casino workers

**A-4233/S-2435 (Jasey, McKeon, Vainieri Huttie, Mukherji, Lampitt/Codey, Vitale)** - **ABSOLUTE** - Provides Medicaid coverage for advance care planning

**A-4275/S2831 (Prieto, Eustace, Lagana, Greewald, Quijano, Danielsen, Mukherji/Sweeney, Turner, Sarlo)** – **CONDITIONAL** - "New Jersey Secure Choice Savings Program Act"; establishes retirement savings program for certain workers

**A-4326/S-2942 (Schaer, Lagana, Eustace, Prieto/Gordon, Barnes)** - **ABSOLUTE** - Reforms annual State revenue estimating and reporting, and executive State budget presentation and revenue certification processes

**A-4386/S-3042 (Coughlin, Pinkin/Vitale, Singer)** - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots; provides for study of impact of changes

**A-4638/S-3118 (Vainieri Huttie, Singleton, Holley, Mosquera, Tucker, Benson/Sweeney, Madden)** - **ABSOLUTE** - Requires DCPP to implement policies and procedures to ensure caseworker safety; "Leah's Law"

**A-4703/S-3172 (Spencer, Tucker, Pintor Marin, Egan, Muoio, Gusciora/Rice, Smith)** - **ABSOLUTE** - Increases tax credit cap by \$165 million for certain qualified residential projects under Economic Redevelopment and Growth Grant program and restricts increase to certain projects

###



**Press Contact:**

Brian Murray  
609-777-2600



[Contact Us](#) | [Privacy Notice](#) | [Legal Statement & Disclaimers](#) | [Accessibility Statement](#) | 

Statewide: [NJ Home](#) | [Services A to Z](#) | [Departments/Agencies](#) | [FAQs](#)  
Office of the Governor: [Home](#) | [Newsroom](#) | [Media](#) | [Administration](#) | [NJ's Priorities](#) | [Contact Us](#)

Copyright © State of New Jersey, 1996-2017  
Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000