

45:16A-2 & 45:16A-29 to 45:16A-41
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2019 **CHAPTER:** 260

NJSA: 45:16A-2 & 45:16A-29 to 45:16A-41 (Establishes licensure for master hearth specialists.)

BILL NO: A3118 (Substituted for S1303 (SS))

SPONSOR(S) John J. Burzichelli and others

DATE INTRODUCED: 2/8/2018

COMMITTEE: **ASSEMBLY:** Appropriations

SENATE: ---

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/20/2019

SENATE: 6/27/2019

DATE OF APPROVAL: 8/23/2019

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Assembly Committee Substitute enacted) Yes

A3118

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Appropriations

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: No

LEGISLATIVE FISCAL ESTIMATE: Yes

S1303 (SS)

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes Commerce
Budget & Appropriations

(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: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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No

RWH/JA

P.L. 2019, CHAPTER 260, *approved August 23, 2019*
Assembly Committee Substitute for
Assembly, No. 3118

1 AN ACT concerning the licensure of master hearth specialists and
2 amending and supplementing P.L.2007, c.211.

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.2007, c.211 (C.45:16A-2) is amended to
8 read as follows:

9 As used in this act:

10 "Board" means the State Board of Examiners of Heating,
11 Ventilating, Air Conditioning and Refrigeration Contractors
12 **[created by section 3 of this act]** established pursuant to P.L.2007,
13 c.211 (C.45:16A-1 et seq.).

14 "Bona fide representative" means, except as otherwise provided
15 herein, a Master HVACR contractor who has not less than one
16 percent ownership of the issued and outstanding shares of stock in a
17 corporation, or not less than one percent ownership of the capital of
18 a partnership, or not less than one percent ownership of any other
19 firm or legal entity engaged in HVACR contracting in this State. A
20 "bona fide representative" means, with respect to a corporation,
21 partnership, or other firm or legal entity engaged in HVACR
22 contracting in this State which generates more than 65 percent of its
23 gross revenue from sources other than HVACR contracting, or with
24 respect to a publicly-traded corporation, including its wholly-owned
25 subsidiaries, whose principal business in this State is HVACR
26 contracting: in the case of a sole proprietorship, the owner; in the
27 case of a partnership, a partner; in the case of a limited liability
28 company, a manager; or in the case of a corporation, an executive
29 officer.

30 "Director" means the Director of the Division of Consumer
31 Affairs in the Department of Law and Public Safety.

32 "Heating, ventilating, air conditioning and refrigeration" or
33 "HVACR" means the process of treating and protecting the
34 environment by the responsible handling, dispensing, collecting and
35 cleaning of chlorofluorocarbons and other refrigerants in stationary
36 sources, and controlling the temperature, humidity and cleanliness
37 of air by using the "wet," "dry," "radiant," "conduction,"
38 "convection," "direct," or "indirect" method or combination of

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 methods, including those which utilize solar energy, to meet the
2 environmental requirements of a designated area. "HVACR" also
3 means the installation, servicing, connecting, maintenance or repair
4 of the following:

5 power boiler systems, hydronic heating systems, fire tube and
6 water tube boilers, pressure steam and hot water boilers, furnaces
7 and space heaters, and appurtenances utilizing electric, fossil fuel,
8 wood pellets or solar energy, other than those appurtenances
9 utilized solely for the purpose of heating potable water;

10 warm air heating or refrigeration and evaporative cooling
11 systems, ventilation and exhaust systems, dust collectors, air
12 handling equipment, heating or cooling coils, air or refrigerant
13 compressors, chillers, cooling towers, evaporators, condensers,
14 plenums, fans, blowers, air cleaners, mechanical ventilation for
15 radon mitigation, humidifiers, filters, louvers, mixing boxes and
16 appurtenances; hydronic heating and chilled water pipe, condensate
17 piping not discharged into a sanitary sewer, valves, fittings, burners
18 and piping, hydronic heating, expansion tanks, pumps, gauges,
19 humidity and thermostatic controls;

20 natural or manufactured gas piping on the load side of a meter;
21 supply water piping to equipment being served from an existing
22 dedicated source connected downstream from an approved
23 backflow preventer, except in replacement cases, the installation of
24 the required approved backflow device downstream from a pre-
25 existing valve; and pneumatic controls and control piping, for the
26 control of air, liquid, or gas temperatures, radiators, convectors, unit
27 cabinet heaters, or fan coil units; and pneumatic controls and
28 control piping, of automatic oil, gas or coal burning equipment,
29 mechanical refrigeration equipment, gasoline or diesel oil
30 dispensing equipment and in replacement cases only, the connection
31 thereof of the wiring from an electrical service disconnect box of
32 adequate size to accommodate the equipment and controls and
33 previously dedicated to that equipment, and the testing and
34 balancing of air and hydronic systems, but does not include the
35 design or preparation of specifications for equipment or systems to
36 be installed that are within the practice of professional engineering
37 as defined in subsection (b) of section 2 of P.L.1938, c.342 (C.45:8-
38 28).

39 "HVACR apprentice" means a person who is enrolled in an
40 HVACR apprenticeship or other training program, including, but
41 not limited to steamfitter, pipefitter or sheet metal apprenticeship
42 programs, approved by the United States Department of Labor and
43 who engages in the installation, alteration, repair, service, or
44 renovation of HVACR systems under the supervision of a Master
45 HVACR contractor as part of that apprenticeship or other training
46 program and who has studied and performed the majority of
47 "HVACR" as defined in this section.

1 "Heating, ventilating, air conditioning and refrigeration
2 contracting" means undertaking or advertising to undertake, for a
3 fixed price, fee, commission, or gain of whatever nature, the
4 planning, laying out, installation, construction, maintenance,
5 service, repair, alteration or modification to any portion of any
6 system, product or equipment or appurtenances used for the
7 environmental needs or control of any heating, ventilating, air
8 conditioning and refrigeration system.

9 "Master heating, ventilating, air conditioning and refrigeration
10 contractor" means any person, firm, partnership, corporation or
11 other legal entity licensed according to the provisions of **[this act]**
12 P.L.2007, c.211 (C.45:16A-1 et seq.). which obtains a pressure seal
13 pursuant to sections 24 and 25 of **[this act]** P.L.2007, c.211
14 (C.45:16A-24 and C.45:16A-25) and which advertises, undertakes
15 or offers to undertake for another the planning, laying out,
16 supervising, installing, servicing or repairing of HVACR systems,
17 apparatus or equipment. In order to act as a "Master HVACR
18 contractor," an individual shall be a bona fide representative of the
19 legal entity licensed pursuant to the provisions of this act, and shall
20 have studied and performed the majority of "HVACR" as defined in
21 this section.

22 "HVACR journeyman" means any person who installs, alters,
23 repairs, services or renovates HVACR systems in accordance with
24 standards, rules and regulations established by the board, who
25 works under the supervision of a Master HVACR contractor, and
26 who has studied and performed the majority of "HVACR" as
27 defined in this section.

28 "One percent ownership" means that a bona fide representative is
29 entitled to one percent of any net profits from a business, owns one
30 percent equity in a Master HVACR contractor, and is entitled to one
31 percent of the net proceeds from the sale of a business in the event
32 of the sale of the business. If the Master HVACR contractor is a
33 corporation, the bona fide representative owns stock equaling one
34 percent equity interest, and, if there is more than one class of stock,
35 the stock owned by the bona fide representative is the highest level
36 stock with full voting rights.

37 "Retrofit" means a change in design, construction or equipment
38 already in operation in order to incorporate later improvements.

39 "Replacement" means a change of equipment with the same type
40 or similar equipment.

41 "Undertake or offer to undertake for another" means a contractor
42 who is listed in a public bid as the proposed subcontractor by the
43 contractor placing the bid for an HVACR contract.

44 "Barbecue appliance" means an appliance that cooks food by
45 applying heat as a result of burning solid fuel, gas fuel, natural gas,
46 propane gas, wood fuel, or pellet fuel.

1 “Hearth product appliance” means a fireplace, fireplace insert,
2 stove, or log set that offers a decorative view of flames and may be
3 fueled by solid fuel, gas fuel, natural gas, propane gas, wood fuel,
4 or pellet fuel, and may include a passive or powered air vent heated
5 by flames, a convection chamber for the purpose of heating the
6 room air by the means of gravity, or a manufacturer approved or
7 supplied fan.

8 “Hearth professional work” means the installation, replacement,
9 connection, venting, inspection, repair, maintenance, or servicing of
10 hearth product appliances, barbecue appliances, outdoor patio
11 appliances, and decorative space heater appliances, and shall
12 include the installation, inspection, repair, or servicing of vents,
13 vent connectors, masonry, metal and factory built chimney and vent
14 systems, and natural or manufactured gas piping on the load side of
15 the meter.

16 “Licensed Master Hearth Specialist” means a person who holds a
17 current, valid license to engage in hearth professional work
18 pursuant to P.L. , c. (C.) (pending before the Legislature as
19 this bill).

20 “Outdoor patio appliance” means an appliance that is located
21 outdoors and may be fueled by solid fuel, gas fuel, natural gas,
22 propane gas, wood fuel, or pellet fuel, including free standing,
23 mounted, or built-in appliances, stoves, fireplaces, fire pits, inserts,
24 and gas logs.

25 “Decorative Space heater appliance” means an appliance that
26 offers a decorative view of flames and provides heat to the
27 immediate area by the means of thermal radiation or convection,
28 and includes free standing, mounted, or built-in appliances, stoves,
29 fireplaces, inserts, and gas logs, and may be fueled by solid fuel,
30 gas fuel, natural gas, propane gas, wood fuel, or pellet fuel.

31 (cf: P.L.2018, c.125, s.1)

32
33 2. (New section) a. There is established within the Division of
34 Consumer Affairs in the Department of Law and Public Safety,
35 under the State Board of Examiners of Heating, Ventilating, Air
36 Conditioning and Refrigeration Contractors, a “Licensed Master
37 Hearth Specialist Advisory Committee.” The committee shall
38 consist of seven members who are residents of this State appointed
39 by the Governor without regard to political affiliation as follows:

40 (1) Three members shall have been engaged or employed in
41 hearth professional work for a period of five consecutive years and
42 shall hold a certification as a Master Hearth Professional, as issued
43 by the National Fireplace Institute immediately preceding their
44 appointments, and, except for the first members appointed, shall be
45 licensed under the provisions of P.L. , c. (C.) (pending
46 before the Legislature as this bill);

- 1 (2) One member shall be a licensee of the State Board of
2 Examiners of Heating, Ventilating, Air Conditioning and
3 Refrigeration Contractors Board, established pursuant to P.L.2007,
4 c.211 (C.45:16A-1 et seq.);
- 5 (3) One member shall be a licensee of the State Board of
6 Examiners of Master Plumbers, established pursuant to P.L.1968,
7 c.362 (C.45:14C-1 et seq.);
- 8 (4) One member shall be from a department in the Executive
9 Branch of State Government who shall serve without compensation
10 at the pleasure of the Governor; and
- 11 (5) One member shall be a public member who meets the
12 requirements pertaining to public members set forth in subsection b.
13 of section 2 of P.L.1971, c.60 (C.45:1-2.2).
- 14 b. A majority of the appointed members of the committee shall
15 constitute a quorum thereof and no action of the committee shall be
16 taken except upon the affirmative vote of a majority of the
17 appointed members of the committee.
- 18 c. The Governor shall appoint each member for a term of three
19 years, except that of the members first appointed, four shall serve
20 for terms of three years, two shall serve for a term of two years, and
21 one shall serve for a term of one year.
- 22 d. Any vacancy in the membership of the committee shall be
23 filled for the unexpired term in the manner provided for the original
24 appointment. No member may serve more than two successive
25 terms in addition to any unexpired term to which the members has
26 been appointed.
- 27 e. The committee shall annually elect from among its members
28 a chair and vice-chair. The committee shall meet at least twice a
29 year and may hold additional meetings as necessary to discharge its
30 duties.
- 31
- 32 3. (New section) Notwithstanding any law, rule, or regulation
33 to the contrary, the board shall have the following powers and
34 duties, or may delegate them to the committee:
- 35 a. set standards and approve certifications for applicants for a
36 master hearth specialist license, and issue a license to each qualified
37 applicant;
- 38 b. determine the form and contents of applications for
39 licensure, issuance of license, and identification cards;
- 40 c. adopt a code of ethics for licensed master hearth specialists;
- 41 d. issue and renew licenses and identification cards;
- 42 e. set the amount of fees for master hearth specialist licenses,
43 license renewals applications, examinations, and other services
44 provided by the committee within the limits provided in subsection
45 b. of section 8 of P.L. , c. (C.) (pending before the
46 Legislature as this bill);

- 1 f. refuse to issue or suspend, revoke, or fail to renew the
2 license of a master hearth specialist pursuant to the provisions of
3 P.L.1978, c.73 (C.45:1-14 et seq.);
- 4 g. maintain a record of all applicants for a license;
- 5 h. maintain and annually publish a record of the name, place of
6 business, and license date and number for every licensed master
7 hearth specialist;
- 8 i. take disciplinary action in accordance with P.L.1978, c.73
9 (C.45:1-14 et seq.) against a licensed master hearth specialist who
10 violates any provision of this act or any rule or regulation
11 promulgated pursuant to P.L. , c. (C.) (pending before the
12 Legislature as this bill);
- 13 j. adopt standards and requirements for and approve
14 continuing education programs and courses of study for master
15 hearth specialists and their employees;
- 16 k. review advertising by licensed master hearth specialists; and
- 17 l. perform other duties as may be necessary to effectuate the
18 purposes of P.L. , c. (C.) (pending before the Legislature as
19 this bill).
- 20
- 21 4. (New section) Any person desiring to obtain a master hearth
22 specialist license shall make application to the board and shall pay
23 all the fees required in connection with the application.
- 24
- 25 5. (New section) A person shall not work as a master hearth
26 specialist or use the title or designation of “licensed master hearth
27 specialist” or “master hearth specialist” unless issued a license
28 pursuant to the provisions of P.L. , c. (C.) (pending before
29 the Legislature as this bill).
- 30
- 31 6. (New section) No person shall install, improve, repair, or
32 maintain gas piping associated with barbecue appliances, hearth
33 product appliances, outdoor patio appliances, decorative space
34 heater appliances, or hearth professional work unless licensed by
35 the board as a master hearth specialist in accordance with the
36 provisions of P.L. , c. (C.) (pending before the Legislature as
37 this bill).
- 38
- 39 7. (New section) No person shall provide instruction regarding
40 the installation, improvement, repair, or maintenance of gas piping
41 associated with barbecue, hearth products or hearth professional
42 work unless licensed by the board as a master hearth specialist in
43 accordance with the provisions of P.L. , c. (C.) (pending
44 before the Legislature as this bill).
- 45
- 46 8. (New section) a. A person, firm, partnership, corporation,
47 or other legal entity shall not engage in the business of hearth

1 professional work contracting or advertise in any manner as a
2 master hearth specialist contractor or use the title or designation of
3 "licensed master hearth specialist contractor" unless authorized to
4 act as a licensed master hearth specialist contractor pursuant to the
5 provisions of P.L. , c. (C.) (pending before the Legislature as
6 this bill).

7 b. In addition to any penalty authorized pursuant to the
8 provisions of section 12 of P.L.1978, c.73 (C.45:1-25), any person,
9 firm, partnership, corporation, or other legal entity that knowingly
10 violates any provision of this section shall be guilty of a crime of
11 the fourth degree and shall have his or her license revoked.

12 c. No firm, corporation, or other legal entity for which the
13 person is the bona fide representative shall perform hearth
14 professional work without a valid license held by a bona fide
15 representative.

16 d. No firm, corporation, or other legal entity performing hearth
17 professional work act shall be denied the privilege of conducting
18 and continuing the business of master hearth specialist contracting,
19 by reason of death, termination of employment, illness or a
20 substantial disability of the bona fide representative of the firm,
21 corporation, or other entity, provided that: the firm, corporation, or
22 other entity has complied with the other provisions of P.L. , c.
23 (C.) (pending before the Legislature as this bill) the firm,
24 corporation or other entity maintains a place of business within this
25 State; and another bona fide representative of the entity obtains a
26 license within six months from the date of the death, termination of
27 employment, illness, or disability. The board may promulgate
28 additional regulations governing the management and operation of
29 an entity during that period of time when the entity shall be in
30 operation without a bona fide representative.

31 e. As used in this section, "bona fide representative" means,
32 except as otherwise provided herein, a master hearth specialist
33 contractor who has not less than one percent ownership of the
34 issued and outstanding shares of stock in a corporation, or not less
35 than one percent ownership of any other firm or legal entity
36 engaged in Master Hearth Specialist contracting in this State. A
37 bona fide representative means, with respect to a corporation,
38 partnership or other firm or legal entity engaged in Master Hearth
39 Specialist contracting in this State which generates more than 65
40 percent of its gross revenue from sources other than master hearth
41 specialist contracting, or with respect to a publicly traded
42 corporation, including its wholly owned subsidiaries, whose
43 principal business in this State is Master Hearth Professional
44 contracting: in the case of a sole proprietorship, the owner, in the
45 case of partnership, the partner; in the case of a limited liability
46 company, a manager; or in the case of a corporation, an executive
47 officer.

1 9. (New Section) Nothing in P.L. , c. (C.) (pending
2 before the Legislature as this bill) shall be construed to prevent any
3 person licensed by the State, including, but not limited to,
4 architects, professional engineers, electrical contractors, master
5 plumbers, propane gas suppliers or marketers, or any chimney
6 service professional registered as a home improvement contractor
7 with the Division of Consumer Affairs, from acting within the
8 scope of practice of the respective profession or occupation, but no
9 person shall use the designation “licensed master hearth specialist”
10 or “master hearth specialist” unless licensed as a master hearth
11 specialist under the provisions of P.L. , c. (C.) (pending
12 before the Legislature as this bill).

13
14 10. (New section) a. The provisions of P.L. , c. (C.)
15 (pending before the Legislature as this bill) shall not deny to any
16 municipality the power to inspect hearth professional work or the
17 equipment of a master hearth specialist, or the power to enforce the
18 standards and manner in which hearth professional work shall be
19 done, but no municipality, local board of health, or other agency
20 shall require any master hearth specialist under P.L. , c. (C.)
21 (pending before the legislature as this bill) to obtain any additional
22 license, apply for or take any examination, or pay any licensing fee.

23 b. The board shall ensure that licensed master hearth specialists
24 comply with all applicable requirements of building codes, gas
25 codes, and any other industry standards deemed appropriate by the
26 board.

27
28 11. (New section) Every person desiring to apply for a master
29 hearth specialist license who shall meet the qualifications as set
30 forth herein, shall deliver to the board, personally or by certified
31 mail, return receipt requested, postage prepaid, a certified check or
32 money order payable to the Treasurer of the State of New Jersey in
33 the required amount, together with the written application required
34 by the board, completed as described in the application, and
35 together with proof of qualification as described herein.

36 The qualifications for a Master Hearth Specialist’s license shall
37 be as follows:

38 a. the person shall be 21 or more years of age;

39 b. the person shall be a citizen or legal resident of the United
40 States;

41 c. the person shall possess a valid certification as a Master
42 Hearth Professional, issued by the National Fireplace Institute, or
43 an equivalent authority approved by the board; and

44 d. the person shall have been engaged or employed in hearth
45 professional work for a period of five years preceding the date of
46 the person’s application for licensure.

1 Proof of compliance with the qualifications shall be submitted to
2 the board in writing, sworn to by the applicant, and the written
3 proof shall be accompanied by two recent photographs of the
4 applicant.

5
6 12. (New section) Every license issued pursuant to P.L. , c.
7 (C.) (pending before the Legislature as this bill) shall
8 automatically expire on June 30 following the date of its issuance.
9 Licenses may be renewed biennially by the board upon written
10 application of the holder and payment of the prescribed fee.

11
12 13. (New section) a. The board shall require each master hearth
13 specialist, as a condition of license renewal, to complete any
14 continuing education requirements imposed by the board pursuant
15 to subsection b. of this section.

16 b. The board shall establish standards for the continuing
17 education of master hearth specialists, including the subject matter
18 and content of courses of study, the selection of instructors, and the
19 number and type of continuing education credits required of a
20 master hearth specialist as a condition of license renewal.

21 c. During the biennial renewal period beginning July 1, 2021
22 and ending on June 30, 2022 and every biennial period thereafter,
23 sponsors of continuing education courses selected by the board shall
24 include one hour of education in propane services, including
25 substantially the same information covered in either the
26 Fundamentals of LP manual, 2007 edition, or the Gas Installation
27 for United Association Journeyworkers and Apprentices manual,
28 2003 edition.

29 d. After completion of the education in propane services
30 required subsection c. of this section, sponsors of continuing
31 education courses shall administer a competency evaluation
32 examination, that tests a master hearth specialist's understanding of
33 the information provided on propane services.

34 e. The board shall not require completion of continuing master
35 hearth specialist education credits for the initial licensure period.

36
37 14. (New section) The provisions of P.L. , c. (C.)
38 (pending before the Legislature as this bill) shall not apply to a
39 single-family homeowner who performs hearth professional work
40 on the person's own dwelling. Nothing in P.L.1968, c.362
41 (C.45:14C-1 et seq.) or P.L.2007, c.211 (C.45:16A-1 et seq.) shall
42 be construed to prevent licensed electrical contractors from
43 engaging in the installation, maintenance, and repair of natural or
44 manufactured gas piping while installing or repairing electric
45 generators, provided they have demonstrated as a part of licensure
46 continuing education in the installation of gas piping relevant to
47 installing or repairing electric generators.

1 15. Section 2 of this act shall take effect immediately and the
2 remainder of this act shall take effect on the 120th day next
3 following the date of enactment, but the board may take such
4 anticipatory administrative action in advance as shall be necessary
5 for the implementation of this act.

6

7

8

9

10 _____

Establishes licensure for master hearth specialists.

ASSEMBLY, No. 3118

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 8, 2018

Sponsored by:

Assemblyman JOHN J. BURZICHELLI
District 3 (Cumberland, Gloucester and Salem)
Assemblywoman HOLLY T. SCHEPISI
District 39 (Bergen and Passaic)
Assemblywoman MILA M. JASEY
District 27 (Essex and Morris)

SYNOPSIS

Establishes licensure for master hearth professionals.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/22/2018)

1 AN ACT concerning the licensure of master hearth professionals and
2 amending and supplementing P.L.1968, c.362.

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.1968, c.362 (C.45:14C-2) is amended to
8 read as follows:

9 When used in this act,

10 (a) "Master plumber" means a person licensed pursuant to this
11 amendatory and supplementary act who has the qualifications,
12 training, experience and technical knowledge necessary to properly
13 plan, lay out, install and repair plumbing apparatus and equipment
14 and to supervise others in the performance of such work in
15 accordance with standards, rules and regulations established by the
16 State board;

17 (b) "State board" means the State Board of Examiners of Master
18 Plumbers established pursuant to section 3 of P.L.1968, c.362
19 (C.45:14C-3);

20 (c) "Act" means this act and the rules and regulations adopted
21 under it;

22 (d) "Bona fide representative" means a licensed master plumber
23 who is the holder of not less than 10% of the issued and outstanding
24 shares of stock in a corporation, or not less than 10% of the capital
25 of a partnership, or not less than 10% of the ownership of any other
26 firm or legal entity engaging in the business of plumbing
27 contracting in the State of New Jersey;

28 (e) "Apprentice plumber" means any person other than a master
29 plumber or journeyman plumber who as his principal occupation is
30 engaged in learning and assisting in the installation of plumbing;

31 (f) "Journeyman plumber" means any person other than a
32 master plumber or apprentice plumber who installs, alters, repairs
33 and renovates plumbing in accordance with standards, rules and
34 regulations established by the board and who works under the
35 supervision of a master plumber;

36 (g) "Plumbing" means the practice, materials and fixtures used
37 in the installation, maintenance, extension, alteration, repair and
38 removal of all piping, plumbing fixtures, plumbing appliances and
39 plumbing apparatus in connection with any of the following:
40 sanitary drainage, storm facilities and building sewers to their
41 respective final connection to an approved point of disposal,
42 venting systems, public and private water supply systems of any
43 premises to and within the property line of any building, structure
44 or conveyance to their final connection with an approved supply
45 system. Plumbing shall also mean the practice and materials used

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 in the installation, maintenance, extension, alteration, repair or
2 removal of storm water, refrigeration and air conditioning drains,
3 liquid waste or sewage;

4 (h) "Plumbing contractor" means any licensed master plumber,
5 firm, partnership, corporation or other legal entity which undertakes
6 or offers to undertake for another the planning, laying out,
7 supervising, installing or making of additions, alterations and
8 repairs in the installation of plumbing. In order to act as "a
9 plumbing contractor," a licensed master plumber shall be the holder
10 of not less than 10% of the issued and outstanding shares of stock in
11 the corporation, or not less than 10% of the capital of the
12 partnership, or not less than 10% of the ownership of any other firm
13 or legal entity engaging in the business of plumbing contracting in
14 the State and shall employ either journeymen plumbers or
15 apprentice plumbers or both;

16 (i) "Barbecue appliance" means an appliance that cooks food by
17 applying heat as a result of burning solid fuel, gas fuel, natural gas,
18 propane gas, wood fuel, or pellet fuel;

19 (j) "Hearth product appliance" means a fireplace, fireplace
20 insert, stove or log set that offers a decorative view of the flames,
21 and may include a passive or powered air vent heated by the flames,
22 a convection chamber for the purpose of heating the room air by the
23 means of gravity, or a manufacturer approved or supplied fan, and
24 may be fueled by solid fuel, gas fuel, natural gas, propane gas,
25 wood fuel, or pellet fuel;

26 (k) "Hearth professional work" means the installation,
27 replacement, connection, venting, inspection, repair, maintenance,
28 or servicing of hearth product appliances, barbecue appliances,
29 outdoor patio appliances, and space heater appliances, and shall
30 include the installation, inspection, repair, or servicing of vents,
31 vent connectors, masonry, metal and factory built chimney and vent
32 systems, natural or manufactured gas piping on the load side of the
33 meter, as well as making any electrical connection necessary for the
34 proper functioning of the aforementioned appliances;

35 (l) "Master hearth professional" means a person licensed
36 pursuant to P.L. , c. (C.) (pending before the Legislature as
37 this bill) who has the qualifications, training, experience and
38 technical knowledge necessary to engage in hearth professional
39 work;

40 (m) "Outdoor patio appliance" means an appliance that is located
41 outdoors, and includes free standing, mounted or built-in
42 appliances, stoves, fireplaces, fire pits, inserts, and gas logs, and
43 may be fueled by solid fuel, gas fuel, natural gas, propane gas,
44 wood fuel, or pellet fuel;

45 (n) "Space heater appliance" means an appliance that provides
46 heat to a designated area by the means of thermal radiation or
47 convection, and includes free standing, mounted or built-in
48 appliances, stoves, fireplaces, inserts, and gas logs, and may be

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1 fueled by solid fuel, gas fuel, natural gas, propane gas, wood fuel,
2 or pellet fuel.

3 (cf: P.L.1987, c.442, s.1)

4

5 2. Section 3 of P.L.1968, c.362 (C.45:14C-3) is amended to
6 read as follows:

7 There is created hereunder a State Board of Examiners of
8 Master Plumbers in the Department of Law and Public Safety,
9 consisting of **【7】** 9 citizens to be appointed by the Governor,
10 without regard to political affiliation, and except as to members first
11 appointed, for terms of 4 years and until the appointment of their
12 successors. Of the members first appointed 2 shall be appointed for
13 terms of 1 year, 2 for 2 years, 2 for 3 years and one for 4 years.
14 Three members shall be master plumbers of at least 10 years
15 experience, one shall be a local plumbing inspector who has held
16 such appointment for at least 10 years, one shall be a journeyman
17 plumber of at least 10 years experience, 2 shall be master hearth
18 professionals of at least 10 years hearth professional work
19 experience, and 2 shall be representatives of the public having no
20 association with the plumbing industry.

21 No member shall be eligible for appointment for more than 2
22 terms. Appointments to fill vacancies on the board shall be made
23 for the remainder of the unexpired term.

24 Members of the board shall be subject to removal by the
25 Governor for cause.

26 (cf: P.L.1968, c.362, s.3)

27

28 3. (New section) Any person desiring to obtain a State master
29 hearth professional's license shall make application for licensure to
30 the State board and shall pay all the fees required in connection
31 with the application.

32

33 4. (New section) A person shall not work as a master hearth
34 professional or use the title or designation of "licensed master
35 hearth professional" or "master hearth professional" unless licensed
36 pursuant to the provisions of P.L. , c. (C.) (pending before
37 the Legislature as this bill).

38

39 5. (New section) Nothing in P.L. , c. (C.) (pending
40 before the Legislature as this bill) shall be construed to prevent any
41 person licensed by the State, including, but not limited to,
42 architects, professional engineers, electrical contractors, master
43 plumbers, or any chimney service professional registered as a home
44 improvement contractor with the Division of Consumer Affairs,
45 from acting within the scope of practice of the respective profession
46 or occupation, but no person shall use the designation "licensed
47 master hearth professional" or "master hearth professional" unless

1 licensed as a master hearth professional under the provisions of
2 P.L. , c. (C.) (pending before the Legislature as this bill).

3
4 6. (New section) a. The provisions of P.L. , c. (C.)
5 (pending before the Legislature as this bill) shall not deny to any
6 municipality the power to inspect hearth professional work or the
7 equipment of a master hearth professional, or the power to enforce
8 the standards and manner in which hearth professional work shall
9 be done, but no municipality, local board of health or other agency
10 shall require any master hearth professional licensed under P.L. ,
11 c. (C.) (pending before the Legislature as this bill) to obtain
12 any additional license, apply for or take any examination, or pay
13 any licensing fee.

14 b. The State board shall ensure that master hearth professionals
15 comply with all applicable requirements of building codes, gas
16 codes, and any other industry standards deemed appropriate by the
17 State board.

18
19 7. (New section) Every person desiring to apply for a State
20 master hearth professional's license, who shall meet the
21 qualifications as set forth herein, shall deliver to the State board,
22 personally or by certified mail, return receipt requested, postage
23 prepaid, a certified check or money order payable to the Treasurer
24 of the State of New Jersey in the required amount, together with the
25 written application required by the State board, completed as
26 described in the application, and together with proof of qualification
27 as described herein.

28 The qualifications for a master hearth professional's license
29 shall be as follows:

30 a. the person shall be 21 or more years of age;

31 b. the person shall be a citizen or legal resident of the United
32 States;

33 c. the person shall possess a valid master hearth professional
34 certification issued by the National Fireplace Institute or an
35 equivalent authority approved by the State board; and

36 d. the person shall have been engaged or employed in hearth
37 professional work for a period of five years preceding the date of
38 the person's application for licensure.

39 Proof of compliance with the qualifications shall be submitted to
40 the State board in writing, sworn to by the applicant, and the written
41 proof shall be accompanied by two recent photographs of the
42 applicant.

43
44 8. (New section) Every State license issued pursuant to P.L. ,
45 c. (C.) (pending before the Legislature as this bill) shall
46 automatically expire on June 30 following the date of its issuance.
47 Licenses may be renewed biennially by the State board upon written
48 application of the holder and payment of the prescribed fee.

1 9. (New section) a. The State board shall require each master
2 hearth professional, as a condition of license renewal, to complete
3 any continuing education requirements imposed by the State board
4 pursuant to subsection b. of this section.

5 b. The State board shall establish standards for continuing
6 master hearth professional education, including the subject matter
7 and content of courses of study, the selection of instructors, and the
8 number and type of continuing education credits required of a
9 master hearth professional as a condition of license renewal.

10 c. The State board shall not require completion of continuing
11 master hearth professional education credits for an initial renewal of
12 license.

13

14 10. (New section) The provisions of P.L. , c. (C.)
15 (pending before the Legislature as this bill) shall not apply to a
16 single family home owner who performs hearth professional work
17 on the person's own dwelling.

18

19 11. Section 2 of this act shall take effect immediately and the
20 remainder of this act shall take effect on the 120th day next
21 following enactment, except the State Board of Examiners of
22 Master Plumbers may take any anticipatory administrative action in
23 advance as shall be necessary for the implementation of this act.

24

25

26

STATEMENT

27

28 This bill amends and supplements "The State Plumbing License
29 Law of 1968" to provide for the licensure of master hearth
30 professionals. To be eligible for licensure as a master hearth
31 professional, an applicant must be at least 21 years of age, be a
32 United States citizen or a legal resident, possess a valid master
33 hearth professional certification from a nationally recognized body,
34 and have at least five years of experience engaged in hearth
35 professional work. The bill also adds two members to the State
36 Board of Examiners of Master Plumbers who are master hearth
37 professionals with at least 10 years of experience in hearth
38 professional work.

39 "Hearth professional work" is defined in the bill as the
40 installation, replacement, connection, venting, inspection, repair,
41 maintenance, or servicing of hearth product appliances, barbecue
42 appliances, outdoor patio appliances, and space heater appliances,
43 and shall include the installation, inspection, repair, or servicing of
44 vents, vent connectors, masonry, metal and factory built chimney
45 and vent systems, natural or manufactured gas piping on the load
46 side of the meter, as well as making any electrical connection
47 necessary for the proper functioning of the aforementioned
48 appliances. Hearth professional work must comply with all

1 applicable requirements of building codes, gas codes, and any other
2 industry standards deemed appropriate by the State board.

3 The bill provides that no person is permitted to work as a master
4 hearth professional or use the title or designation of “licensed
5 master hearth professional” or “master hearth professional” unless
6 licensed pursuant to the provisions of the bill. Furthermore, no
7 provision of the bill is to be construed to prevent any person
8 licensed by the State, including, but not limited to, architects,
9 professional engineers, electrical contractors, master plumbers, or
10 any chimney service professional registered as a home improvement
11 contractor with the Division of Consumer Affairs, from acting
12 within the scope of practice of the respective profession or
13 occupation, but no person may use the designation “licensed master
14 hearth professional” unless licensed as a master hearth professional
15 under the provisions of the bill.

16 The provisions of the bill do not prohibit a municipality from
17 inspecting hearth professional work or the equipment of a master
18 hearth professional, or from enforcing the standards and manner in
19 which hearth professional work may be done. However, no
20 municipality, local board of health or other agency is permitted to
21 require a master hearth professional licensed under the bill to obtain
22 any additional license, apply for or take any examination, or pay
23 any licensing fee.

24 The bill requires each master hearth professional, as a condition
25 of license renewal, to complete any continuing education
26 requirements imposed by the State board. The State board must
27 establish standards for continuing master hearth professional
28 education, including the subject matter and content of courses of
29 study, the selection of instructors, and the number and type of
30 continuing education credits required of a master hearth
31 professional as a condition of license renewal.

32 Finally, the provisions of the bill do not apply to a single family
33 home owner who performs hearth professional work on the person’s
34 own dwelling.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3118

STATE OF NEW JERSEY

DATED: JUNE 18, 2019

The Assembly Appropriations Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 3118.

This substitute bill establishes a Master Hearth Specialist Advisory Committee (committee) under the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors (board) to provide for the licensure of master hearth specialists. To be eligible for licensure as a master hearth specialist, an applicant must be at least 21 years of age, be a United States citizen or legal resident, possess a valid certification as a Master Hearth Professional from a nationally recognized body, and have at least five years of experience in hearth professional work.

“Hearth professional work” is defined in the bill as the installation, replacement, connection, venting, inspection, repair, maintenance, or servicing of hearth product appliances, barbecue appliances, outdoor patio appliances, and decorative space heater appliances, and shall include the installation, inspection, repair, or servicing of vents, vent connectors, masonry, metal and factory built chimney and vent systems, and natural or manufactured gas piping on the loan side of the meter. Hearth professional work must comply with all applicable requirements of building codes, gas codes, and any other industry standards deemed appropriate by the committee.

The bill provides that no person is permitted to work as a master hearth specialist or use the title or designation of “licensed master hearth specialist” or “master hearth specialist contractor” unless a license is issued pursuant to the provisions of the bill.

Furthermore, the bill does not prohibit a municipality from inspecting hearth professional work or the equipment of a master hearth specialist, or from enforcing the standards and manner that hearth professional work may be done. However, no municipality, local board of health or other agency is permitted to require a master hearth specialist licensed under the bill to obtain any additional license, apply for or take any examination, or pay any licensing fee.

The bill requires each master hearth specialist, as a condition of license renewal, to complete any continuing education requirements imposed by the board. The board will establish standards for continuing master hearth specialist education, including the subject matter and content of courses of study, the selection of instructors, and

the number and type of continuing education credits required of a master hearth specialist as a condition of license renewal.

The provisions of the bill do not apply to a single-family homeowner who performs hearth professional work on the person's own dwelling.

Lastly, nothing in the bill shall be construed to prevent any person licensed by the State, including, but not limited to, architects, professional engineers, electrical contractors, master plumbers, propane gas suppliers or marketers, or any chimney service professional registered as a home improvement contractor with the Division of Consumer Affairs, from acting within the scope of practice of the respective profession or occupation.

This substitute bill differs from the legislation as referred to the committee as follows:

(1) vests responsibility for the licensure of master hearth specialists in the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors rather than the State Board of Examiners of Master Plumbers;

(2) provides that no person shall install, improve, repair, or maintain gas piping associated with barbecue appliances, hearth product appliances, outdoor patio appliances, decorative space heater appliances, or hearth professional work unless licensed by the board as a master hearth specialist;

(3) provides that no person shall provide instruction regarding the installation, improvement, repair, or maintenance of gas piping associated with barbecue, hearth products, or hearth professional work unless licensed by the board as a master hearth specialist;

(4) provides that nothing in the bill shall be construed to prevent any person licensed by the State, including, but not limited to, architects, professional engineers, electrical contractors, master plumbers, propane gas suppliers or marketers, or any chimney service professional registered as a home improvement contractor with the Division of Consumer Affairs, from acting within the scope of practice of the respective profession or occupation;

(5) defines "bona fide representative," with respect to master hearth specialists, to mean, except as otherwise provided, a master hearth specialist contractor who has not less than one percent ownership of the issued and outstanding shares of stock in a corporation, or not less than one percent ownership of any other firm or legal entity engaged in Master Hearth Specialist contracting in this State. A bona fide representative means, with respect to a corporation, partnership or other firm or legal entity engaged in Master Hearth Specialist contracting in this State which generates more than 65 percent of its gross revenue from sources other than master hearth specialist contracting, or with respect to a publicly traded corporation, including its wholly owned subsidiaries, whose principal business in this State is master hearth professional contracting: in the case of a sole proprietorship, the owner, in the case of partnership, the partner;

in the case of a limited liability company, a manager; or in the case of a corporation, an executive officer; and

(6) a person, firm, partnership, corporation, or other legal entity shall not engage in the business of hearth professional work contracting or advertise in any manner as a master hearth specialist contractor or use the title or designation of "licensed master hearth specialist contractor" unless authorized to act as a licensed master hearth specialist contractor pursuant to the provisions of the bill.

In addition to any penalty authorized pursuant to the provisions of section 12 of P.L.1978, c.73 (C.45:1-25), any person, firm, partnership, corporation, or other legal entity that knowingly violates any provision of this section shall be guilty of a crime of the fourth degree and shall have his or her license revoked.

No firm, corporation, or other legal entity for which the person is the bona fide representative shall perform hearth professional work without a valid license held by a bona fide representative.

No firm, corporation, or other legal entity performing hearth professional work act shall be denied the privilege of conducting and continuing the business of master hearth specialist contracting, by reason of death, termination of employment, illness or a substantial disability of the bona fide representative of the firm, corporation, or other entity, provided that: the firm, corporation, or other entity has complied with the other provisions of this act; the firm, corporation or other entity maintains a place of business within this State; and another bona fide representative of the entity obtains a license within six months from the date of the death, termination of employment, illness, or disability. The board may promulgate additional regulations governing the management and operation of an entity during that period of time when the entity shall be in operation without a bona fide representative.

FISCAL IMPACT:

The Office of Legislative Services (OLS) anticipates that this bill will increase annual State expenditures and revenues by indeterminate amounts. The OLS cannot assess the direction of the net effect of the two increases given the absence of information on the future cost of regulating master hearth specialist and on future license fee and penalty collections.

The State will incur an indeterminate annual increase in operating expenditures associated with the licensure and regulation of master hearth specialist, including the cost of establishing and operating the new Licensed Master Hearth Specialist Advisory Committee.

Additional annual State revenue will accrue from indeterminate fee payments for the new master hearth specialist licenses and indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession.

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3118
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: JUNE 25, 2019

SUMMARY

Synopsis: Establishes licensure for master hearth specialists.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: Department of Law and Public Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of master hearth specialists by the Division of Consumer Affairs in the Department of Law and Public Safety.
- The OLS also notes the bill will increase State revenue collections from licensure fees, fines, and penalties by indeterminate amounts.
- The bill establishes a Licensed Master Hearth Specialist Advisory Committee (committee) of seven members under the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors (State board) to provide for the licensure of master hearth specialists.
- The OLS anticipates that the State may annually collect indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession. A violator may receive a civil penalty of \$10,000 for an initial violation and \$20,000 for any subsequent violations. In addition to any penalties, those who violated the bill's provisions will be guilty of a crime of the fourth degree, which is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

BILL DESCRIPTION

This bill establishes a Licensed Master Hearth Specialist Advisory Committee under the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors to provide for the licensure of master hearth specialists.

The bill provides that no person is permitted to work as a master hearth specialist or use the title or designation of “licensed master hearth specialist” or “master hearth specialist contractor” unless a license is issued pursuant to the provisions of this legislation.

The legislation does not prohibit a municipality from inspecting hearth professional work or the equipment of a master hearth specialist, or from enforcing the standards and manner that hearth professional work may be done. However, no municipality, local board of health or other agency is permitted to require a master hearth specialist licensed under the bill to obtain any additional license, apply for or take any examination, or pay any licensing fee.

The State board or the committee, if delegated power by the board, will establish standards for continuing master hearth specialist education, including the subject matter and content of courses of study, the selection of instructors, and the number and type of continuing education credits required of a master hearth specialist as a condition of license renewal. The legislation requires each master hearth specialist, as a condition of license renewal, to complete any continuing education requirements imposed by the board or committee.

In addition to any penalty authorized pursuant to the provisions of section 12 of P.L.1978, c.73 (C.45:1-25), any person, firm, partnership, corporation, or other legal entity that knowingly violates any provision of this section will be guilty of a crime of the fourth degree and will have his or her license revoked.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill would result in an indeterminate annual increase in state expenditures; however, OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

State Revenue Increase: The bill will increase annual State revenue collections from licensure fees, fines, and penalties by indeterminate amounts.

Pursuant to section 1 of P.L.2007, c.211 (C. 45:16A-1 et seq.), the State board currently establishes fees for license and renewal applications. The OLS cannot quantify the licensure fee payments the board or committee will collect from the licensing requirement, as the bill leaves the setting of the fee levels to the board’s discretion and the number of licenses that will be issued is unknown.

The OLS anticipates that the State may annually collect indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession. A violator may receive a civil penalty of \$10,000 for an initial violation and \$20,000 for any subsequent violations. In addition to any penalties, those who violated the bill’s provisions will be guilty of a crime of the fourth degree, which is punishable by a term of

imprisonment of up to 18 months, a fine of up to \$10,000, or both. A presumption of non-incarceration applies to first-time offenders for crimes of the fourth degree. The OLS, however, cannot project the amount the State will collect, as the OLS has no information on which to base an estimate of the number and magnitude of future penalty assessments and payments.

The National Fireplace Institute's website reflects an estimated 45 members with New Jersey addresses and many more from New York, Delaware, and Pennsylvania. It is unknown how many New York, Pennsylvania, and Delaware hearth professionals would choose to become licensed in New Jersey.

State Expenditure Increase: The bill may increase annual State expenditures due to an increase in the board's duties in overseeing the committee. Under current law, each member of the State board receives \$25 for each meeting day in attendance and in addition is entitled to be reimbursed for necessary traveling expenses provided compensation in any fiscal year does not exceed \$1,000 per member. The legislation does not indicate whether the committee will receive compensation for meeting and traveling expenses, and, in any event, the OLS cannot determine the increase cost on account of the uncertainty regarding the number of professionals who will be regulated and operational decisions the board will make to implement this bill.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
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.).

SENATE, No. 1303

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 1, 2018

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris and Somerset)

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Establishes licensure for master health professionals.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/22/2018)

1 AN ACT concerning the licensure of master hearth professionals and
2 amending and supplementing P.L.1968, c.362.

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.1968, c.362 (C.45:14C-2) is amended to
8 read as follows:

9 When used in this act,

10 (a) "Master plumber" means a person licensed pursuant to this
11 amendatory and supplementary act who has the qualifications,
12 training, experience and technical knowledge necessary to properly
13 plan, lay out, install and repair plumbing apparatus and equipment
14 and to supervise others in the performance of such work in
15 accordance with standards, rules and regulations established by the
16 State board;

17 (b) "State board" means the State Board of Examiners of Master
18 Plumbers established pursuant to section 3 of P.L.1968, c.362
19 (C.45:14C-3);

20 (c) "Act" means this act and the rules and regulations adopted
21 under it;

22 (d) "Bona fide representative" means a licensed master plumber
23 who is the holder of not less than 10% of the issued and outstanding
24 shares of stock in a corporation, or not less than 10% of the capital
25 of a partnership, or not less than 10% of the ownership of any other
26 firm or legal entity engaging in the business of plumbing
27 contracting in the State of New Jersey;

28 (e) "Apprentice plumber" means any person other than a master
29 plumber or journeyman plumber who as his principal occupation is
30 engaged in learning and assisting in the installation of plumbing;

31 (f) "Journeyman plumber" means any person other than a
32 master plumber or apprentice plumber who installs, alters, repairs
33 and renovates plumbing in accordance with standards, rules and
34 regulations established by the board and who works under the
35 supervision of a master plumber;

36 (g) "Plumbing" means the practice, materials and fixtures used
37 in the installation, maintenance, extension, alteration, repair and
38 removal of all piping, plumbing fixtures, plumbing appliances and
39 plumbing apparatus in connection with any of the following:
40 sanitary drainage, storm facilities and building sewers to their
41 respective final connection to an approved point of disposal,
42 venting systems, public and private water supply systems of any
43 premises to and within the property line of any building, structure
44 or conveyance to their final connection with an approved supply
45 system. Plumbing shall also mean the practice and materials used

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 in the installation, maintenance, extension, alteration, repair or
2 removal of storm water, refrigeration and air conditioning drains,
3 liquid waste or sewage;

4 (h) "Plumbing contractor" means any licensed master plumber,
5 firm, partnership, corporation or other legal entity which undertakes
6 or offers to undertake for another the planning, laying out,
7 supervising, installing or making of additions, alterations and
8 repairs in the installation of plumbing. In order to act as "a
9 plumbing contractor," a licensed master plumber shall be the holder
10 of not less than 10% of the issued and outstanding shares of stock in
11 the corporation, or not less than 10% of the capital of the
12 partnership, or not less than 10% of the ownership of any other firm
13 or legal entity engaging in the business of plumbing contracting in
14 the State and shall employ either journeymen plumbers or
15 apprentice plumbers or both;

16 (i) "Barbecue appliance" means an appliance that cooks food by
17 applying heat as a result of burning solid fuel, gas fuel, natural gas,
18 propane gas, wood fuel, or pellet fuel;

19 (j) "Hearth product appliance" means a fireplace, fireplace
20 insert, stove or log set that offers a decorative view of the flames,
21 and may include a passive or powered air vent heated by the flames,
22 a convection chamber for the purpose of heating the room air by the
23 means of gravity, or a manufacturer approved or supplied fan, and
24 may be fueled by solid fuel, gas fuel, natural gas, propane gas,
25 wood fuel, or pellet fuel;

26 (k) "Hearth professional work" means the installation,
27 replacement, connection, venting, inspection, repair, maintenance,
28 or servicing of hearth product appliances, barbecue appliances,
29 outdoor patio appliances, and space heater appliances, and shall
30 include the installation, inspection, repair, or servicing of vents,
31 vent connectors, masonry, metal and factory built chimney and vent
32 systems, natural or manufactured gas piping on the load side of the
33 meter, as well as making any electrical connection necessary for the
34 proper functioning of the aforementioned appliances;

35 (l) "Master hearth professional" means a person licensed
36 pursuant to P.L. , c. (C.) (pending before the Legislature as
37 this bill) who has the qualifications, training, experience and
38 technical knowledge necessary to engage in hearth professional
39 work;

40 (m) "Outdoor patio appliance" means an appliance that is
41 located outdoors, and includes free standing, mounted or built-in
42 appliances, stoves, fireplaces, fire pits, inserts, and gas logs, and
43 may be fueled by solid fuel, gas fuel, natural gas, propane gas,
44 wood fuel, or pellet fuel;

45 (n) "Space heater appliance" means an appliance that provides
46 heat to a designated area by the means of thermal radiation or
47 convection, and includes free standing, mounted or built-in
48 appliances, stoves, fireplaces, inserts, and gas logs, and may be

1 fueled by solid fuel, gas fuel, natural gas, propane gas, wood fuel,
2 or pellet fuel.

3 (cf: P.L.1987, c.442, s.1)

4

5 2. Section 3 of P.L.1968, c.362 (C.45:14C-3) is amended to
6 read as follows:

7 There is created hereunder a State Board of Examiners of
8 Master Plumbers in the Department of Law and Public Safety,
9 consisting of **【7】** 9 citizens to be appointed by the Governor,
10 without regard to political affiliation, and except as to members first
11 appointed, for terms of 4 years and until the appointment of their
12 successors. Of the members first appointed 2 shall be appointed for
13 terms of 1 year, 2 for 2 years, 2 for 3 years and one for 4 years.
14 Three members shall be master plumbers of at least 10 years
15 experience, one shall be a local plumbing inspector who has held
16 such appointment for at least 10 years, one shall be a journeyman
17 plumber of at least 10 years experience, 2 shall be master hearth
18 professionals of at least 10 years hearth professional work
19 experience, and 2 shall be representatives of the public having no
20 association with the plumbing industry.

21 No member shall be eligible for appointment for more than 2
22 terms. Appointments to fill vacancies on the board shall be made
23 for the remainder of the unexpired term.

24 Members of the board shall be subject to removal by the
25 Governor for cause.

26 (cf: P.L.1968, c.362, s.3)

27

28 3. (New section) Any person desiring to obtain a State master
29 hearth professional's license shall make application for licensure to
30 the State board and shall pay all the fees required in connection
31 with the application.

32

33 4. (New section) A person shall not work as a master hearth
34 professional or use the title or designation of "licensed master
35 hearth professional" or "master hearth professional" unless licensed
36 pursuant to the provisions of P.L. , c. (C.) (pending before
37 the Legislature as this bill).

38

39 5. (New section) Nothing in P.L. , c. (C.) (pending
40 before the Legislature as this bill) shall be construed to prevent any
41 person licensed by the State, including, but not limited to,
42 architects, professional engineers, electrical contractors, master
43 plumbers, or any chimney service professional registered as a home
44 improvement contractor with the Division of Consumer Affairs,
45 from acting within the scope of practice of the respective profession
46 or occupation, but no person shall use the designation "licensed
47 master hearth professional" or "master hearth professional" unless

1 licensed as a master hearth professional under the provisions of
2 P.L. , c. (C.) (pending before the Legislature as this bill).

3
4 6. (New section) a. The provisions of P.L. , c. (C.)
5 (pending before the Legislature as this bill) shall not deny to any
6 municipality the power to inspect hearth professional work or the
7 equipment of a master hearth professional, or the power to enforce
8 the standards and manner in which hearth professional work shall
9 be done, but no municipality, local board of health or other agency
10 shall require any master hearth professional licensed under P.L. ,
11 c. (C.) (pending before the Legislature as this bill) to obtain
12 any additional license, apply for or take any examination, or pay
13 any licensing fee.

14 b. The State board shall ensure that master hearth professionals
15 comply with all applicable requirements of building codes, gas
16 codes, and any other industry standards deemed appropriate by the
17 State board.

18

19 7. (New section) Every person desiring to apply for a State
20 master hearth professional's license, who shall meet the
21 qualifications as set forth herein, shall deliver to the State board,
22 personally or by certified mail, return receipt requested, postage
23 prepaid, a certified check or money order payable to the Treasurer
24 of the State of New Jersey in the required amount, together with the
25 written application required by the State board, completed as
26 described in the application, and together with proof of qualification
27 as described herein.

28 The qualifications for a master hearth professional's license
29 shall be as follows:

30 a. the person shall be 21 or more years of age;

31 b. the person shall be a citizen or legal resident of the United
32 States;

33 c. the person shall possess a valid master hearth professional
34 certification issued by the National Fireplace Institute or an
35 equivalent authority approved by the State board; and

36 d. the person shall have been engaged or employed in hearth
37 professional work for a period of five years preceding the date of
38 the person's application for licensure.

39 Proof of compliance with the qualifications shall be submitted to
40 the State board in writing, sworn to by the applicant, and the written
41 proof shall be accompanied by two recent photographs of the
42 applicant.

43

44 8. (New section) Every State license issued pursuant to P.L. ,
45 c. (C.) (pending before the Legislature as this bill) shall
46 automatically expire on June 30 following the date of its issuance.
47 Licenses may be renewed biennially by the State board upon written
48 application of the holder and payment of the prescribed fee.

1 9. (New section) a. The State board shall require each master
2 hearth professional, as a condition of license renewal, to complete
3 any continuing education requirements imposed by the State board
4 pursuant to subsection b. of this section.

5 b. The State board shall establish standards for continuing
6 master hearth professional education, including the subject matter
7 and content of courses of study, the selection of instructors, and the
8 number and type of continuing education credits required of a
9 master hearth professional as a condition of license renewal.

10 c. The State board shall not require completion of continuing
11 master hearth professional education credits for an initial renewal of
12 license.

13

14 10. (New section) The provisions of P.L. , c. (C.)
15 (pending before the Legislature as this bill) shall not apply to a
16 single family home owner who performs hearth professional work
17 on the person's own dwelling.

18

19 11. Section 2 of this act shall take effect immediately and the
20 remainder of this act shall take effect on the 120th day next
21 following enactment, except the State Board of Examiners of
22 Master Plumbers may take any anticipatory administrative action in
23 advance as shall be necessary for the implementation of this act.

24

25

26

STATEMENT

27

28 This bill amends and supplements "The State Plumbing License
29 Law of 1968" to provide for the licensure of master hearth
30 professionals. To be eligible for licensure as a master hearth
31 professional, an applicant must be at least 21 years of age, be a
32 United States citizen or a legal resident, possess a valid master
33 hearth professional certification from a nationally recognized body,
34 and have at least five years of experience engaged in hearth
35 professional work. The bill also adds two members to the State
36 Board of Examiners of Master Plumbers who are master hearth
37 professionals with at least 10 years of experience in hearth
38 professional work.

39 "Hearth professional work" is defined in the bill as the
40 installation, replacement, connection, venting, inspection, repair,
41 maintenance, or servicing of hearth product appliances, barbecue
42 appliances, outdoor patio appliances, and space heater appliances,
43 and shall include the installation, inspection, repair, or servicing of
44 vents, vent connectors, masonry, metal and factory built chimney
45 and vent systems, natural or manufactured gas piping on the load
46 side of the meter, as well as making any electrical connection
47 necessary for the proper functioning of the aforementioned
48 appliances. Hearth professional work must comply with all

1 applicable requirements of building codes, gas codes, and any other
2 industry standards deemed appropriate by the State board.

3 The bill provides that no person is permitted to work as a master
4 hearth professional or use the title or designation of “licensed
5 master hearth professional” or “master hearth professional” unless
6 licensed pursuant to the provisions of the bill. Furthermore, no
7 provision of the bill is to be construed to prevent any person
8 licensed by the State, including, but not limited to, architects,
9 professional engineers, electrical contractors, master plumbers, or
10 any chimney service professional registered as a home improvement
11 contractor with the Division of Consumer Affairs, from acting
12 within the scope of practice of the respective profession or
13 occupation, but no person may use the designation “licensed master
14 hearth professional” unless licensed as a master hearth professional
15 under the provisions of the bill.

16 The provisions of the bill do not prohibit a municipality from
17 inspecting hearth professional work or the equipment of a master
18 hearth professional, or from enforcing the standards and manner in
19 which hearth professional work may be done. However, no
20 municipality, local board of health or other agency is permitted to
21 require a master hearth professional licensed under the bill to obtain
22 any additional license, apply for or take any examination, or pay
23 any licensing fee.

24 The bill requires each master hearth professional, as a condition
25 of license renewal, to complete any continuing education
26 requirements imposed by the State board. The State board must
27 establish standards for continuing master hearth professional
28 education, including the subject matter and content of courses of
29 study, the selection of instructors, and the number and type of
30 continuing education credits required of a master hearth
31 professional as a condition of license renewal.

32 Finally, the provisions of the bill do not apply to a single family
33 home owner who performs hearth professional work on the person’s
34 own dwelling.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1303

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2018

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1303.

This bill amends and supplements “The State Plumbing License Law of 1968” to provide for the licensure of master hearth professionals. To be eligible for licensure as a master hearth professional, an applicant must be at least 21 years of age, be a United States citizen or a legal resident, possess a valid master hearth professional certification from a nationally recognized body, and have at least five years of experience engaged in hearth professional work. The bill also adds two members to the State Board of Examiners of Master Plumbers who are master hearth professionals with at least 10 years of experience in hearth professional work.

“Hearth professional work” is defined in the bill as the installation, replacement, connection, venting, inspection, repair, maintenance, or servicing of hearth product appliances, barbecue appliances, outdoor patio appliances, and space heater appliances, and shall include the installation, inspection, repair, or servicing of vents, vent connectors, masonry, metal and factory built chimney and vent systems, natural or manufactured gas piping on the load side of the meter, as well as making any electrical connection necessary for the proper functioning of the aforementioned appliances. Hearth professional work must comply with all applicable requirements of building codes, gas codes, and any other industry standards deemed appropriate by the State board.

The bill provides that no person is permitted to work as a master hearth professional or use the title or designation of “licensed master hearth professional” or “master hearth professional” unless licensed pursuant to the provisions of the bill. Furthermore, no provision of the bill is to be construed to prevent any person licensed by the State, including, but not limited to, architects, professional engineers, electrical contractors, master plumbers, or any chimney service professional registered as a home improvement contractor with the Division of Consumer Affairs, from acting within the scope of practice of the respective profession or occupation, but no person may use the designation “licensed master

hearth professional” unless licensed as a master hearth professional under the provisions of the bill.

The provisions of the bill do not prohibit a municipality from inspecting hearth professional work or the equipment of a master hearth professional, or from enforcing the standards and manner in which hearth professional work may be done. However, no municipality, local board of health or other agency is permitted to require a master hearth professional licensed under the bill to obtain any additional license, apply for or take any examination, or pay any licensing fee.

The bill requires each master hearth professional, as a condition of license renewal, to complete any continuing education requirements imposed by the State board. The State board must establish standards for continuing master hearth professional education, including the subject matter and content of courses of study, the selection of instructors, and the number and type of continuing education credits required of a master hearth professional as a condition of license renewal.

Finally, the provisions of the bill do not apply to a single family home owner who performs hearth professional work on the person’s own dwelling.

Committee Amendments:

The amendments clarify that no provision of the bill is to be construed to prevent propane gas suppliers or marketers licensed by the State from acting within their scope of practice.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1303

STATE OF NEW JERSEY

DATED: JUNE 17, 2019

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1303 (1R).

Senate Bill No. 1303(1R) amends and supplements “The State Plumbing License Law of 1968” to provide for the licensure of master hearth professionals. To be eligible for licensure as a master hearth professional, an applicant must be at least 21 years of age, be a United States citizen or a legal resident, possess a valid master hearth professional certification from a nationally recognized body, and have at least five years of experience in hearth professional work. The bill also adds two members to the State Board of Examiners of Master Plumbers who are master hearth professionals with at least 10 years of experience in hearth professional work.

“Hearth professional work” is defined in the bill as the installation, replacement, connection, venting, inspection, repair, maintenance, or servicing of hearth product appliances, barbecue appliances, outdoor patio appliances, and space heater appliances, and shall include the installation, inspection, repair, or servicing of vents, vent connectors, masonry, metal and factory built chimney and vent systems, natural or manufactured gas piping on the load side of the meter, as well as making any electrical connection necessary for the proper functioning of the aforementioned appliances. Hearth professional work must comply with all applicable requirements of building codes, gas codes, and any other industry standards deemed appropriate by the State board.

The bill provides that no person is permitted to work as a master hearth professional or use the title or designation of “licensed master hearth professional” or “master hearth professional” unless licensed pursuant to the provisions of the bill. Furthermore, no provision of the bill is to be construed to prevent any person licensed by the State, including, but not limited to, architects, professional engineers, electrical contractors, master plumbers, or any chimney service professional registered as a home improvement contractor with the Division of Consumer Affairs, from acting within the scope of practice of the respective profession or occupation, but no person may use the designation “licensed master

hearth professional” unless licensed as a master hearth professional under the provisions of the bill.

The provisions of the bill do not prohibit a municipality from inspecting hearth professional work or the equipment of a master hearth professional, or from enforcing the standards and manner in which hearth professional work may be done. However, no municipality, local board of health or other agency is permitted to require a master hearth professional licensed under the bill to obtain any additional license, apply for or take any examination, or pay any licensing fee.

The bill requires each master hearth professional, as a condition of license renewal, to complete any continuing education requirements imposed by the State board. The State board must establish standards for continuing master hearth professional education, including the subject matter and content of courses of study, the selection of instructors, and the number and type of continuing education credits required of a master hearth professional as a condition of license renewal.

The provisions of the bill do not apply to a single family home owner who performs hearth professional work on the person’s own dwelling.

FISCAL IMPACT:

The Office of Legislative Services (OLS) determined that impact of the bill to be indeterminate; however, OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs. The bill increases the membership of the State Board of Examiners of Master Plumbers from seven to nine members, to include two master hearth professionals. Under current law, each member of the State board receives \$25 for each meeting day in attendance and in addition is entitled to be reimbursed for necessary traveling expenses provided compensation in any fiscal year does not exceed \$1,000 per member. Pursuant to section 1 of P.L.1968, c.362 (C.45:14C-1 et seq.), the board currently establishes fees for license and renewal applications.

LEGISLATIVE FISCAL ESTIMATE
SENATE SUBSTITUTE FOR
SENATE, No. 1303
STATE OF NEW JERSEY
218th LEGISLATURE

DATED: JULY 17, 2019

SUMMARY

Synopsis: Establishes licensure for master hearth specialists.

Type of Impact: Annual State revenue and expenditure increases.

Agencies Affected: Department of Law and Public Safety.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost Increase		Indeterminate	
State Revenue Increase		Indeterminate	

- The Office of Legislative Services (OLS) finds that this bill would result in an indeterminate annual State expenditure increase related to the regulation of master hearth specialists by the Division of Consumer Affairs in the Department of Law and Public Safety.
- The OLS also notes the bill will increase State revenue collections from licensure fees, fines, and penalties by indeterminate amounts.
- The bill establishes a Licensed Master Hearth Specialist Advisory Committee (committee) of seven members under the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors (State board) to provide for the licensure of master hearth specialists.
- The OLS anticipates that the State may annually collect indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession. A violator may receive a civil penalty of \$10,000 for an initial violation and \$20,000 for any subsequent violations. In addition to any penalties, those who violate the bill’s provisions will be guilty of a crime of the fourth degree, which is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both.

BILL DESCRIPTION

This bill establishes a Licensed Master Hearth Specialist Advisory Committee under the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors to provide for the licensure of master hearth specialists.

The bill provides that no person is permitted to work as a master hearth specialist or use the title or designation of “licensed master hearth specialist” or “master hearth specialist contractor” unless a license is issued pursuant to the provisions of this legislation. The provisions of the bill do not apply to a single-family homeowner who performs hearth professional work on the person’s own dwelling.

The legislation does not prohibit a municipality from inspecting hearth professional work or the equipment of a master hearth specialist, or from enforcing the standards and manner that hearth professional work may be done. However, no municipality, local board of health or other agency is permitted to require a master hearth specialist licensed under the bill to obtain any additional license, apply for or take any examination, or pay any licensing fee.

The State board or the committee, if delegated power by the board, will establish standards for continuing master hearth specialist education, including the subject matter and content of courses of study, the selection of instructors, and the number and type of continuing education credits required of a master hearth specialist as a condition of license renewal. The legislation requires each master hearth specialist, as a condition of license renewal, to complete any continuing education requirements imposed by the board or committee.

In addition to any penalty authorized pursuant to the provisions of section 12 of P.L.1978, c.73 (C.45:1-25), any person, firm, partnership, corporation, or other legal entity that knowingly violates any provision of this section will be guilty of a crime of the fourth degree and will have his or her license revoked.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds that this bill would result in an indeterminate annual increase in state expenditures; however, OLS estimates that the license and renewal fees paid by licensees may defray licensure, regulation, and enforcement costs.

State Revenue Increase: The bill will increase annual State revenue collections from licensure fees, fines, and penalties by indeterminate amounts.

Pursuant to section 1 of P.L.2007, c.211 (C. 45:16A-1 et seq.), the State board currently establishes fees for license and renewal applications. The OLS cannot quantify the licensure fee payments the board or committee will collect from the licensing requirement, as the bill leaves the setting of the fee levels to the board’s discretion and the number of licenses that will be issued is unknown.

The OLS anticipates that the State may annually collect indeterminate fine and penalty payments from violators of statutory and regulatory requirements applicable to the newly licensed profession. A violator may receive a civil penalty of \$10,000 for an initial violation and \$20,000 for any subsequent violations. In addition to any penalties, those who violate the bill’s

provisions will be guilty of a crime of the fourth degree, which is punishable by a term of imprisonment of up to 18 months, a fine of up to \$10,000, or both. A presumption of non-incarceration applies to first-time offenders for crimes of the fourth degree. The OLS, however, has no information on which to base an estimate of the number and magnitude of future penalty assessments and payments, and thus cannot project the amount the State will collect.

The National Fireplace Institute's website reflects an estimated 45 members with New Jersey addresses and many more from New York, Delaware, and Pennsylvania. It is unknown how many New York, Pennsylvania, and Delaware hearth professionals would choose to become licensed in New Jersey.

State Expenditure Increase: The bill may increase annual State expenditures due to an increase in the board's duties in overseeing the committee. Under current law, each member of the State board receives \$25 for each meeting day in attendance and in addition is entitled to be reimbursed for necessary traveling expenses provided compensation in any fiscal year does not exceed \$1,000 per member. The legislation does not indicate whether the committee will receive compensation for meeting and traveling expenses and, in any event, the OLS cannot determine the increased cost on account of the uncertainty regarding the number of professionals who will be regulated and operational decisions the board will make to implement this bill.

Section: Law and Public Safety

*Analyst: Kristin Brunner Santos
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 Murphy Takes Action on Legislation

08/23/2019

Governor Murphy Takes Action on Legislation

TRENTON – Today, Governor Phil Murphy signed the following bills and resolutions into law:

A3118 (Burzichelli, Schepisi, Jasey/Bucco, Thompson) - Establishes licensure for master hearth specialists.

A4420 (Holley/Scutari) - Modifies certain fees charged by check casher licensees.

A4482 (Verrelli, Murphy, Downey/Greenstein) - Establishes "Task Force on the Prevention of Sexual Violence Against Persons with Developmental Disabilities" in DHS.

A5293 (Pinkin, Zwicker, Lopez, McKeon/Smith, Bateman, Greenstein) - Makes various changes to laws governing remediation of contaminated sites.

A5390 (Tucker, Mukherji, Timberlake/Gopal, Oroho) - Provides in-State tuition at public institutions of higher education to individuals living in NJ who are entitled to educational assistance under US Department of Veterans Affairs' Vocational Rehabilitations and Employment Program.

S499 (Vitale, Madden/Downey, Houghtaling, Zwicker) - Provides for improved system for eligibility determination for Medicaid and NJ FamilyCare.

[Copy of Statement on S499](#)

S785 (Sarlo, Lagana/Calabrese, Mukherji) - Requires Police Training Commission to develop supplemental training course for certain county corrections officers.

S1014 (Rice/Wimberly, Mukherji) - Changes composition of State Employment and Training Commission.

S1126 (Bucco, Doherty, Bucco/Coughlin, Webber) - Requires public school districts to provide instruction on "New Jersey Safe Haven Infant Protection Act" as part of New Jersey Student Learning Standards.

S1403 (Diegnan, Singleton/DeAngelo, Mazzeo, Sumter) - Permits service credit transferred from another State-administered retirement system to apply toward creditable service requirement for retirement in SPRS.

S1887 (Singleton, Greenstein/DeAngelo, Wirths, Space) - Directs Commissioner of Labor and Workforce Development to establish pilot program to assist certain unemployed and underemployed individuals to complete industry-valued Credentials in 12 months.

S1948 (Vitale/Quijano, Holley, Lopez) - Makes Supplemental Nutrition Assistance Program Employment and Training Provider Demonstration Project permanent and renames program.

S2507 (Singleton, Pou/Danielsen, DeCroce) - Prohibits sale or lease of access to certain dental provider network contracts.

S2538 (Singleton, Pennacchio/Kean, Murphy, DeCroce, Armato) - Makes New Jersey National Guard members with NGB-22 form eligible for certain veterans' benefits.

S2660 (Gopal, Sarlo/Downey, Houghtaling, Schaer) - Establishes grant program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics; appropriates \$5 million to DOE.

[Copy of Statement on S2660](#)

S2690 (Ruiz, Cryan, Beach, Turner, Andrzejczak/McKeon, Dancer, Land) - Prohibits pharmacy benefits managers and carriers from engaging in "clawback" and "gag clause" practices; requires certain disclosures by pharmacists; requires Director of Division of Consumer Affairs to conduct public information campaign.

S2691 (Kean, Cunningham/Quijano, Vainieri Huttle, Reynolds-Jackson) - Makes supplemental appropriation of \$100,000 to Commission on Human Trafficking.

[Copy of Statement on S2691](#)

S3100 (Weinberg, Addiego/Benson, Vainieri Huttle, Mukherji) - Revises definition of hemophilia and expands hemophilia treatment program.

SJR73 (Singleton/Murphy, Verrelli, Dancer) - Urges U.S. Congress to pass "Military Hunger Prevention Act."

Governor Murphy conditionally vetoed the following bills:

A3717 (Mukherji, Downey, Houghtaling/Greenstein, Gopal) - Prohibits pharmacy benefits managers from making certain retroactive reductions in claims payments to pharmacies; requires pharmacy benefits managers to disclose certain product information to pharmacies.

[Copy of Statement on A3717](#)

A5363 (Burzichelli, Benson, Murphy/Gopal) - Requires carriers that offer health benefits plans to provide new or existing subscribers with notification of certain hospital and health system contract expirations.

[Copy of Statement on A5363](#)

S834 (Scutari, Greenstein/Jones, Pintor Marin) - Prohibits resale of non-prescription diabetes test devices by pharmacists.

[Copy of Statement on S834](#)

S2804 (Ruiz, Turner/Lopez, McKnight, Verrelli) - Requires young children entering public schools or Head Start Programs for first time to have comprehensive eye examination completed.

[Copy of Statement on S2804](#)

S3075 (Weinberg, Ruiz/Lampitt, Mukherji, Vainieri Huttle) - Requires DOH to regulate and license embryo storage facilities.

[Copy of Statement on S3075](#)

S3309 (Vitale, Greenstein/Greenwald, Pintor Marin, Reynolds-Jackson) - Establishes New Jersey Violence Intervention Program to fund violence reduction initiatives.

[Copy of Statement on S3309](#)

S3330 (Addiego, Singleton/Jones, Vainieri Huttle, Lampitt, Murphy) - Establishes pilot program in DCF to study impact of child care services provided by community providers operating in public school facilities; requires community providers to meet certain criteria.

[Copy of Statement on S3330](#)

S3661 (Singleton, Oroho/Jasey, Wirths, Webber) - Clarifies assessment payment and election participation requirements in planned real estate developments.

[Copy of Statement on S3661](#)

Governor Murphy absolute vetoed the following bills and resolutions:

A4135 (Land, Taliaferro/Sweeney, Andrzejczak) - Concerns use of digital parking meters to monitor parking compliance; establishes fund to encourage designated drivers.

[Copy of Statement on A4135](#)

AJR158 (Houghtaling, Downey, Mosquera/Gopal) - Establishes New Jersey Task Force on Medicaid Financial

Resource Limits.

[Copy of Statement on AJR158](#)

S1364 (Andrzejczak/Land, Milam) - Provides funding from the General Fund to the Greater Wildwoods Tourism Improvement and Development Authority; appropriates \$4 million.

[Copy of Statement on S1364](#)