

LEGISLATIVE HISTORY CHECKLIST

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LAWS of 1999

CHAPTER: 21

NJSA: 54A:9-25.14

(Gross income tax -- special contributions -- "checkoffs")

BILL NO: A1514

SPONSOR(S): Malone and Blee

DATE INTRODUCED: Pre-filed

COMMITTEE:

ASSEMBLY: Appropriations

SENATE: Budget and Appropriations

AMENDED DURING PASSAGE: Yes

[NOTE: Secs. 1-5 of original bill were deleted by amendments during passage]

DATES OF PASSAGE:

ASSEMBLY: June 18, 1998

SENATE: December 17, 1998

DATE OF APPROVAL: February 8, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 4th Reprint

(Amendments during passage denoted by superscript numbers)

A1514

SPONSORS STATEMENT: *Yes* (Begins on page 4 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *Yes* **June 11, 1998**

October 22, 1998

LEGISLATIVE FISCAL ESTIMATE: *Yes*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

P.L. 1999, CHAPTER 21, *approved February 8, 1999*
Assembly, No. 1514 (*Fourth Reprint*)

1 AN ACT concerning certain contributions made through the gross
2 income tax return, ²[amending P.L.1981, c.170, P.L.1985, c.197,
3 P.L.1994, c.139, P.L.1995, c.26 and P.L.1995, c.299 and]²
4 ⁴[³amending P.L.1981, c.170, P.L.1985, c.197, P.L.1994, c.139,
5 P.L.1995, c.26 and P.L.1995, c.299 and³]⁴ supplementing Title
6 54A of the New Jersey Statutes.

7
8 BE IT ENACTED by the Senate
9 and General Assembly of the State of New Jersey:

10
11 ⁴[³1. Section 1 of P.L.1981, c.170 (C.54A:9-25.2) is amended to
12 read as follows:

13 1. There is hereby established in the Department of the Treasury a
14 special fund to be known as the "Endangered and Nongame Species of
15 Wildlife Conservation Fund." Each taxpayer shall have the
16 opportunity to indicate on **[his]** the taxpayer's New Jersey gross
17 income tax return that a portion of **[his]** the taxpayer's tax refund or
18 an enclosed contribution be deposited in such fund. **[**The Director of
19 the Division of Taxation shall provide the taxpayer with the
20 opportunity to indicate his preference on the tax return in substantially
21 the following way:

22 Endangered and Nongame Species of Wildlife Conservation Fund:
23 I wish to contribute \$5 , \$10 , other amount \$....., to this fund.**]**
24 The State Treasurer shall deposit into the fund all moneys designated
25 for the fund pursuant to this supplementary act.
26 (cf: P.L.1991, c.287, s.2)³]⁴

27
28 ⁴[³2. Section 2 of P.L.1985, c.197 (C.54A:9-25.4) is amended to
29 read as follows:

30 2. a. There is established in the Department of the Treasury a
31 special fund to be known as the "Children's Trust Fund."

32 b. Each taxpayer shall have the opportunity to indicate on **[his]** the
33 taxpayer's New Jersey gross income tax return that a portion of **[his]**
34 the taxpayer's tax refund or an enclosed contribution be deposited in
35 the special fund. **[**The Director of the Division of Taxation in the

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted January 29, 1998.

² Assembly floor amendments adopted June 11, 1998.

³ Senate SBA committee amendments adopted October 15, 1998.

⁴ Senate floor amendments adopted October 22, 1998.

1 Department of the Treasury shall provide each taxpayer with the
2 opportunity to indicate his preference on the tax return in substantially
3 the following manner: Children's Trust Fund:

4 I wish to contribute \$5 , \$10 , other amount \$....., to this
5 fund.】

6 The State Treasurer shall deposit into the fund all moneys
7 designated for the fund pursuant to this act.

8 (cf: P.L.1991, c.287, s.1)³】⁴

9

10 ⁴【³3. Section 1 of P.L.1994, c.139 (C.54A:9-25.6) is amended to
11 read as follows:

12 1. Each taxpayer shall have the opportunity to indicate on the
13 taxpayer's New Jersey gross income tax return for any taxable year
14 beginning on or after January 1, 1994 and before December 31, 1998
15 that a portion of the taxpayer's tax refund or an enclosed contribution
16 shall be deposited in the Vietnam Veterans' Memorial Fund established
17 pursuant to section 4 of P.L.1985, c.494 (C.52:18A-208). 【The
18 Director of the Division of Taxation in the Department of the Treasury
19 shall provide each taxpayer with the opportunity to indicate the
20 taxpayer's preference on the tax return to contribute to the fund in
21 substantially the following way:

22 "Vietnam Veterans' Memorial Fund: I wish to contribute \$5 , \$10
23 , other amount \$..... to this fund."】

24 Any costs incurred by the Division of Taxation for collection or
25 administration attributable to this act may be deducted from receipts
26 collected pursuant to this act, as determined by the Director of the
27 Division of Budget and Accounting.

28 The State Treasurer shall deposit net contributions collected
29 pursuant to this act into the Vietnam Veterans' Memorial Fund.

30 (cf: P.L.1994, c.139, s.1)³】⁴

31

32 ⁴【³4. Section 1 of P.L.1995, c.26 (C.54A:9-25.7) is amended to
33 read as follows:

34 1. a. There is established in the Department of the Treasury a
35 special fund to be known as the "New Jersey Breast Cancer Research
36 Fund."

37 b. Each taxpayer shall have the opportunity to indicate on the
38 taxpayer's New Jersey gross income tax return that a portion of the
39 taxpayer's tax refund or an enclosed contribution be deposited in the
40 special fund. 【The Director of the Division of Taxation in the
41 Department of the Treasury shall provide each taxpayer with the
42 opportunity to indicate the taxpayer's preference on the tax return in
43 substantially the following way:

44 New Jersey Breast Cancer Research Fund: I wish to contribute \$5
45 , \$10 , other amount \$..... to this fund.】

1 Any costs incurred by the Division of Taxation for collection or
2 administration attributable to this act may be deducted from receipts
3 collected pursuant to this act, as determined by the Director of the
4 Division of Budget and Accounting.

5 The State Treasurer shall deposit net contributions collected
6 pursuant to this act into the New Jersey Breast Cancer Research Fund.
7 (cf: P.L.1995, c.26, s.1)³]⁴

8

9 ⁴[³5. Section 1 of P.L.1995, c.299 (C.54A:9-25.9) is amended to
10 read as follows:

11 1. Each taxpayer shall have the opportunity to indicate on the
12 taxpayer's New Jersey gross income tax return that a portion of the
13 taxpayer's tax refund or an enclosed contribution be deposited in the
14 Battleship New Jersey Memorial Fund established pursuant to this act.
15 [The Director of the Division of Taxation shall provide each taxpayer
16 with the opportunity to indicate the taxpayer's preference on the tax
17 return to contribute to the fund in substantially the following way:

18 "Battleship New Jersey Memorial Fund: I wish to contribute \$5 ,
19 \$10 , other amount \$..... to this fund."]

20 (cf: P.L.1995, c.299, s.1)³]⁴

21

22 ²[1. Section 1 of P.L.1981, c.170 (C.54A:9-25.2) is amended to
23 read as follows:

24 1. There is hereby established in the Department of the Treasury a
25 special fund to be known as the "Endangered and Nongame Species of
26 Wildlife Conservation Fund." Each taxpayer shall have the
27 opportunity to indicate on [his] the taxpayer's New Jersey gross
28 income tax return that a portion of [his] the taxpayer's tax refund or
29 an enclosed contribution be deposited in such fund. [The Director of
30 the Division of Taxation shall provide the taxpayer with the
31 opportunity to indicate his preference on the tax return in substantially
32 the following way:

33 Endangered and Nongame Species of Wildlife Conservation Fund:
34 I wish to contribute \$5 , \$10 , other amount \$....., to this fund.]

35 The State Treasurer shall deposit into the fund all moneys designated
36 for the fund pursuant to this supplementary act.

37 (cf: P.L.1991, c.287, s.1)²

38

39 ²[2. Section 2 of P.L.1985, c.197 (C.54A:9-25.4) is amended to
40 read as follows:

41 2. a. There is established in the Department of the Treasury a
42 special fund to be known as the "Children's Trust Fund."

43 b. Each taxpayer shall have the opportunity to indicate on [his] the
44 taxpayer's New Jersey gross income tax return that a portion of [his]
45 the taxpayer's tax refund or an enclosed contribution be deposited in

1 the special fund. **【The Director of the Division of Taxation in the**
2 **Department of the Treasury shall provide each taxpayer with the**
3 **opportunity to indicate his preference on the tax return in substantially**
4 **the following manner: Children's Trust Fund:**

5 I wish to contribute \$5 , \$10 , other amount \$....., to this
6 fund. **】**

7 The State Treasurer shall deposit into the fund all moneys
8 designated for the fund pursuant to this act.

9 (cf: P.L.1991, c.287, s.1) **】**²

10

11 ²**【3. Section 1 of P.L.1994, c.139 (C.54A:9-25.6) is amended to**
12 **read as follows:**

13 1. Each taxpayer shall have the opportunity to indicate on the
14 taxpayer's New Jersey gross income tax return for any taxable year
15 beginning on or after January 1, 1994 and before December 31, 1998
16 that a portion of the taxpayer's tax refund or an enclosed contribution
17 shall be deposited in the Vietnam Veterans' Memorial Fund established
18 pursuant to section 4 of P.L.1985, c.494 (C.52:18A-208). **【The**
19 **Director of the Division of Taxation in the Department of the Treasury**
20 **shall provide each taxpayer with the opportunity to indicate the**
21 **taxpayer's preference on the tax return to contribute to the fund in**
22 **substantially the following way:**

23 "Vietnam Veterans' Memorial Fund: I wish to contribute \$5 , \$10
24 , other amount \$..... to this fund." **】**

25 Any costs incurred by the Division of Taxation for collection or
26 administration attributable to this act may be deducted from receipts
27 collected pursuant to this act, as determined by the Director of the
28 Division of Budget and Accounting.

29 The State Treasurer shall deposit net contributions collected
30 pursuant to this act into the Vietnam Veterans' Memorial Fund.

31 (cf: P.L.1994, c.139, s.1) **】**²

32

33 ²**【4. Section 1 of P.L.1995, c.26 (C.54A:9-25.7) is amended to**
34 **read as follows:**

35 1. a. There is established in the Department of the Treasury a
36 special fund to be known as the "New Jersey Breast Cancer Research
37 Fund."

38 b. Each taxpayer shall have the opportunity to indicate on the
39 taxpayer's New Jersey gross income tax return that a portion of the
40 taxpayer's tax refund or an enclosed contribution be deposited in the
41 special fund. **【The Director of the Division of Taxation in the**
42 **Department of the Treasury shall provide each taxpayer with the**
43 **opportunity to indicate the taxpayer's preference on the tax return in**
44 **substantially the following way:**

45 New Jersey Breast Cancer Research Fund: I wish to contribute \$5

1 □, \$10 □, other amount \$.....□ to this fund.】

2 Any costs incurred by the Division of Taxation for collection or
3 administration attributable to this act may be deducted from receipts
4 collected pursuant to this act, as determined by the Director of the
5 Division of Budget and Accounting.

6 The State Treasurer shall deposit net contributions collected
7 pursuant to this act into the New Jersey Breast Cancer Research Fund.
8 (cf: P.L.1995, c.26, s.1)】²

9

10 ²[5. Section 1 of P.L.1995, c.299 (C.54A:9-25.9) is amended to
11 read as follows:

12 1. Each taxpayer shall have the opportunity to indicate on the
13 taxpayer's New Jersey gross income tax return that a portion of the
14 taxpayer's tax refund or an enclosed contribution be deposited in the
15 Battleship New Jersey Memorial Fund established pursuant to this act.
16 【The Director of the Division of Taxation shall provide each taxpayer
17 with the opportunity to indicate the taxpayer's preference on the tax
18 return to contribute to the fund in substantially the following way:

19 "Battleship New Jersey Memorial Fund: I wish to contribute \$5 □,
20 \$10 □, other amount \$.....□ to this fund."】

21 (cf: P.L.1995, c.299, s.1)】²

22

23 ²[6. (New section)】 ³[1.²】 ⁴[6.³】 1.⁴ The Director of the
24 Division of Taxation shall provide each taxpayer with the opportunity
25 to indicate the taxpayer's preference on the tax return that a portion of
26 the taxpayer's tax refund or an enclosed contribution be contributed to
27 ²[one or more of:

28 a. the "Endangered and Nongame Species of Wildlife Conservation
29 Fund" established pursuant to section 1 of P.L.1981, c.170
30 (C.54A:9-25.2);

31 b. the "Children's Trust Fund" established pursuant to section 2 of
32 P.L.1985, c.197 (C.54A:9-25.4);

33 c. the Vietnam Veterans' Memorial Fund established pursuant to
34 section 4 of P.L.1985, c.494 (C.52:18A-208);

35 d. the "New Jersey Breast Cancer Research Fund" established
36 pursuant to section 1 of P.L.1995, c.26 (C.54A:9-25.7);

37 e. the Battleship New Jersey Memorial Fund established pursuant
38 to section 2 of P.L.1995, c.299 (C.54A:9-25.10); or

39 f. any other】 a² fund that the taxpayer has, by statute, the
40 opportunity to contribute to on the taxpayer's New Jersey gross
41 income tax return. ²【The】 ³【Except as may otherwise be provided
42 by the authorizing statute, the²】 ⁴【The³】 Except as may otherwise be
43 provided by the authorizing statute, the⁴ taxpayer shall indicate the
44 taxpayer's preference on the tax return by numerical designation
45 coding or codings. The ³numbers used in the coding shall be in

1 numerical sequence, with the lowest number to be assigned to the
 2 fund established by the first statute authorizing such a fund, and the
 3 coding of other funds to continue in that sequence assigned in order
 4 corresponding to the order in which the several statutes authorizing
 5 those other funds were enacted. Subject to the foregoing provisions
 6 of this section, the³ director shall determine the form and manner of
 7 the indication, and the presentation and explanation of the taxpayer's
 8 contribution options in the return instructions.

9
 10 ⁴[³7. (New section) The Director of the Division of Taxation in
 11 the Department of the Treasury shall report to the Legislature every
 12 five years on the program of collecting contributions to special funds
 13 through the gross income tax return. The first such report shall cover
 14 the next five calendar years beginning on or after January 1 following
 15 the enactment of P.L. _____, c. _____ (C.54A:9-25.2 et al.) (now pending
 16 before the Legislature as this bill), and shall be submitted not later than
 17 April 15 of the sixth calendar year next following that January 1;
 18 subsequent reports shall cover subsequent five-year periods and be
 19 submitted not later than April 15 of the calendar year following the
 20 fifth calendar year covered by the report. Each report shall for each
 21 fund itemize the amounts collected in each calendar year of the five-
 22 year period covered by the report, and shall identify the expenses of
 23 administering the program, including but not limited to expenses
 24 attributable to alterations in the design of the return form, to the
 25 processing of elections to make such contributions, and to collecting
 26 and depositing the amounts contributed. Any such report may include
 27 recommendations for legislative changes to the special funds
 28 contribution program.³]⁴

29
 30 ²[^{7.}]³[^{2.}]⁴[^{8.}]³ 2.⁴ This act shall take effect immediately and
 31 apply to taxable years beginning ¹on ¹or after
 32 ¹January 1 next following¹ enactment.

33
 34
 35
 36
 37 _____
 38 Concerns certain contributions to special funds made through the
 gross income tax return.

ASSEMBLY, No. 1514

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman JOSEPH R. MALONE, III
District 30 (Burlington, Monmouth and Ocean)
Assemblyman FRANCIS J. BLEE
District 2 (Atlantic)

Co-Sponsored by:

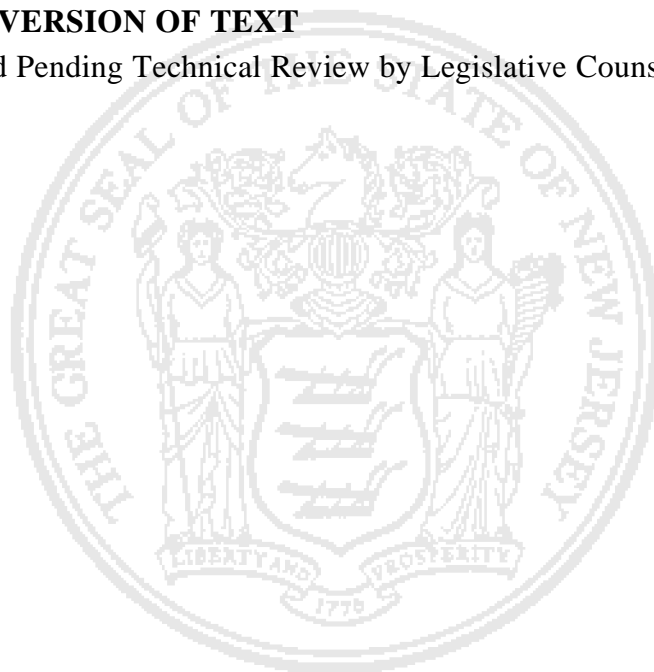
Assemblyman Gregg

SYNOPSIS

Concerns contributions to special funds made through the gross income tax return.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 1/30/1998)

A1514 MALONE, BLEE

2

1 AN ACT concerning certain contributions made through the gross
2 income tax return, amending P.L.1981, c.170, P.L.1985, c.197,
3 P.L.1994, c.139, P.L.1995, c.26 and P.L.1995, c.299 and
4 supplementing Title 54A of the New Jersey Statutes.

5

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

8

9 1. Section 1 of P.L.1981, c.170 (C.54A:9-25.2) is amended to read
10 as follows:

11 1. There is hereby established in the Department of the Treasury a
12 special fund to be known as the "Endangered and Nongame Species of
13 Wildlife Conservation Fund." Each taxpayer shall have the
14 opportunity to indicate on **[his] the taxpayer's** New Jersey gross
15 income tax return that a portion of **[his] the taxpayer's** tax refund or
16 an enclosed contribution be deposited in such fund. [The Director of
17 the Division of Taxation shall provide the taxpayer with the
18 opportunity to indicate his preference on the tax return in substantially
19 the following way:

20 Endangered and Nongame Species of Wildlife Conservation Fund:
21 I wish to contribute \$5 , \$10 , other amount \$....., to this fund.]
22 The State Treasurer shall deposit into the fund all moneys designated
23 for the fund pursuant to this supplementary act.
24 (cf: P.L.1991, c.287, s.1)

25

26 2. Section 2 of P.L.1985, c.197 (C.54A:9-25.4) is amended to read
27 as follows:

28 2. a. There is established in the Department of the Treasury a
29 special fund to be known as the "Children's Trust Fund."

30 b. Each taxpayer shall have the opportunity to indicate on **[his] the**
31 **taxpayer's** New Jersey gross income tax return that a portion of **[his]**
32 **the taxpayer's** tax refund or an enclosed contribution be deposited in
33 the special fund. [The Director of the Division of Taxation in the
34 Department of the Treasury shall provide each taxpayer with the
35 opportunity to indicate his preference on the tax return in substantially
36 the following manner: Children's Trust Fund:

37 I wish to contribute \$5 , \$10 , other amount \$....., to this
38 fund.]

39 The State Treasurer shall deposit into the fund all moneys
40 designated for the fund pursuant to this act.

41 (cf: P.L.1991, c.287, s.1)

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

Matter underlined thus is new matter.

1 3. Section 1 of P.L.1994, c.139 (C.54A:9-25.6) is amended to read
2 as follows:

3 1. Each taxpayer shall have the opportunity to indicate on the
4 taxpayer's New Jersey gross income tax return for any taxable year
5 beginning on or after January 1, 1994 and before December 31, 1998
6 that a portion of the taxpayer's tax refund or an enclosed contribution
7 shall be deposited in the Vietnam Veterans' Memorial Fund established
8 pursuant to section 4 of P.L.1985, c.494 (C.52:18A-208). [The
9 Director of the Division of Taxation in the Department of the Treasury
10 shall provide each taxpayer with the opportunity to indicate the
11 taxpayer's preference on the tax return to contribute to the fund in
12 substantially the following way:

13 "Vietnam Veterans' Memorial Fund: I wish to contribute \$5 , \$10
14 , other amount \$..... to this fund."]

15 Any costs incurred by the Division of Taxation for collection or
16 administration attributable to this act may be deducted from receipts
17 collected pursuant to this act, as determined by the Director of the
18 Division of Budget and Accounting.

19 The State Treasurer shall deposit net contributions collected
20 pursuant to this act into the Vietnam Veterans' Memorial Fund.
21 (cf: P.L.1994, c.139, s.1)

22

23 4. Section 1 of P.L.1995, c.26 (C.54A:9-25.7) is amended to read
24 as follows:

25 1. a. There is established in the Department of the Treasury a
26 special fund to be known as the "New Jersey Breast Cancer Research
27 Fund."

28 b. Each taxpayer shall have the opportunity to indicate on the
29 taxpayer's New Jersey gross income tax return that a portion of the
30 taxpayer's tax refund or an enclosed contribution be deposited in the
31 special fund. [The Director of the Division of Taxation in the
32 Department of the Treasury shall provide each taxpayer with the
33 opportunity to indicate the taxpayer's preference on the tax return in
34 substantially the following way:

35 New Jersey Breast Cancer Research Fund: I wish to contribute \$5
36 , \$10 , other amount \$..... to this fund.]

37 Any costs incurred by the Division of Taxation for collection or
38 administration attributable to this act may be deducted from receipts
39 collected pursuant to this act, as determined by the Director of the
40 Division of Budget and Accounting.

41 The State Treasurer shall deposit net contributions collected
42 pursuant to this act into the New Jersey Breast Cancer Research Fund.
43 (cf: P.L.1995, c.26, s.1)

44

45 5. Section 1 of P.L.1995, c.299 (C.54A:9-25.9) is amended to
46 read as follows:

1 By law, a taxpayer's choice to make a contribution must be in the form
2 of a "check-off" on the gross income tax return. Two more check-offs
3 for State managed dedicated funds have already been approved for
4 addition to the return, and crowding on the return has reached the
5 point that the addition of other equally worthwhile special dedicated
6 funds pending before the Legislature may need to be delayed, simply
7 because the check-offs will not fit on the tax return.

8 This bill amends the current check-off contribution acts to remove
9 requirements about the form of the contribution choices, but does not
10 affect the rights of taxpayers to make contributions to the funds. The
11 bill replaces the check-offs on the return form with numerical
12 designations on the return to indicate the wishes of a taxpayer. The
13 numerical designation system is currently used by New Jersey public
14 employers to record employee choices to make charitable
15 contributions by payroll deduction, and a similar system could be used
16 on the tax return and its instruction book.

17 Taxpayers will have the right to designate contributions on their
18 1997 gross income tax returns to the Endangered and Nongame
19 Species of Wildlife Conservation Fund, the Children's Trust Fund, the
20 Vietnam Veterans' Memorial Fund, the New Jersey Breast Cancer
21 Research Fund and the Battleship New Jersey Memorial Fund. This
22 bill will simplify the tax returns to ease the administration of
23 contributions to existing funds and to permit future expansion to
24 contributions programs.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1514

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 29, 1998

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1514, with committee amendments.

Assembly Bill No. 1514 of 1998, as amended, changes the format of the contributions that taxpayers may make through their gross income tax returns to resolve a problem of limited space on the tax return.

Currently, New Jersey gross income tax taxpayers may choose to make contributions of their tax refunds, or to make contributions in excess of their refunds, to any of five State-managed dedicated funds. By law, a taxpayer's choice to make a contribution must be in the form of a "check-off" on the gross income tax return. Crowding on the return has reached the point that the addition of other equally worthwhile special dedicated funds pending before the Legislature may need to be delayed, simply because the check-offs will not fit on the tax return.

This bill amends the current check-off contribution acts to remove requirements about the form of the contribution choices, but does not affect the rights of taxpayers to make contributions to the funds. The bill replaces the check-offs on the return form with numerical designations on the return to indicate the wishes of a taxpayer. The numerical designation system is currently used by New Jersey public employers to record employee choices to make charitable contributions by payroll deduction, and a similar system could be used on the tax return and its instruction book.

Taxpayers will have the right to designate contributions on their 1997 gross income tax returns to the Endangered and Nongame Species of Wildlife Conservation Fund, the Children's Trust Fund, the Vietnam Veterans' Memorial Fund, the New Jersey Breast Cancer Research Fund and the Battleship New Jersey Educational Museum Fund. This bill will simplify the tax returns to ease the administration of contributions to existing funds and to permit future expansion to contributions programs.

This bill was pre-filed for introduction in the 1998-1999 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note; the bill has no direct affect on State revenue or expenditures. However, it is expected that the bill will simplify tax returns to permit scheduled and future expansion of contributions programs.

COMMITTEE AMENDMENTS:

The amendments clarify the taxable years in which the new system will first apply.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 1514

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 15, 1998

The Senate Budget and Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1514 (2R).

Currently, taxpayers may make voluntary contributions on their gross income tax returns to five authorized funds: the Endangered and Nongame Species of Wildlife Conservation Fund, the Children's Trust Fund, the Vietnam Veterans' Memorial Fund, the New Jersey Breast Cancer Research Fund and the Battleship New Jersey Memorial Fund. The opportunity for contributing to each of these funds appears in the form of a "checkoff," little boxes that appear on the form in which a taxpayer may designate fixed amounts of contribution by entering a checkmark.

The bill establishes a new procedure for indicating contributions on the gross income tax return. Taxpayers will designate contributions to specific funds by using numerical codes, saving return space to allow the potential of more options to taxpayers.

COMMITTEE AMENDMENTS

Committee amendments restore applicability of the new procedure to the five currently enacted checkoffs (deleted by previous amendment) and provide that numerical coding shall reflect the order in which particular contributions were legislatively established. The amendments also require the Division of Taxation to report to the Legislature every five years on the operation and cost of, and revenue derived from, the contribution program.

FISCAL IMPACT

The Division of Taxation in the Department of the Treasury noted in a fiscal note for a substantially similar bill in the prior Legislative session that there are no additional administrative costs associated with this proposal. Legislative testimony offered by the Division indicated that, in the first year in which this legislation is effective, costs are likely to result from the redesigning of the tax form and the preparation and incorporation into the taxpayer instruction booklet of directions for the indicating contributions to the several funds.

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1514

with Assembly Floor Amendments
(Proposed By Assemblyman Malone)

ADOPTED: JUNE 11, 1998

Currently, taxpayers may make voluntary contributions on their gross income tax returns to five authorized funds the Endangered and Nongame Species of Wildlife Conservation Fund, the Children's Trust Fund, the Vietnam Veterans' Memorial Fund, the New Jersey Breast Cancer Research Fund and the Battleship New Jersey Educational Museum Fund. The opportunity for contributing to each of these funds appears in the form of a "checkoff," little boxes that appear on the form by which a taxpayer may designate fixed amounts of contribution by making a checkmark in.

The bill establishes a new procedure for indicating contributions on the gross income tax return. Taxpayers will designate contributions to specific funds by using numerical codes, saving return space to allow the potential of more options to taxpayers.

These amendments preserve the five currently enacted checkoffs in their current form on the return, and allow the new system to apply only to fund contributions authorized after the bill's enactment.

STATEMENT TO
[Third Reprint]
ASSEMBLY, No. 1514

with Senate Floor Amendments
(Proposed By Senator LITTELL)

ADOPTED: OCTOBER 22, 1998

These amendments to this bill, which provides for the use of coded designations on the gross income tax return form to indicate to taxpayers their statutorily authorized options for making contributions to charitable funds, eliminate applicability of the coding designation system to the five currently authorized funds. The effect of this change is to retain, with respect to those funds, the existing system of identifying them by name on the tax form.

In addition, the amendments delete a provision requiring the Division of Taxation to report to the Legislature every five years on the operation and cost of, and revenue derived from, the contribution program.

It is the understanding of the Legislature in adopting these amendments that the revision in the gross income tax return form for which this legislation, as amended, provides can be effected, without requiring the addition of a new page thereto, by moving all or part of the property tax calculation worksheet, presently included in the form, into the taxpayer's instruction booklet with the other worksheets.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1514

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JUNE 1, 1998

Assembly Bill No. 1514 (1R) of 1998 changes the format for contributions that taxpayers may make through their gross income tax returns to resolve a problem of limited space on the tax return. Currently, New Jersey taxpayers may make contributions to any of five State managed dedicated funds, including the Endangered and Nongame Species of Wildlife Conservation Fund, the Children's Trust Fund, the Vietnam Veterans' Memorial Fund, the New Jersey Breast Cancer Research Fund and the Battleship New Jersey Memorial Fund. These contributions currently are in the form of a "check off" on the gross income tax return.

This bill replaces "check offs" on the tax return with numerical designations on the return to indicate the wishes of the taxpayer. The numerical designation system is similar to that used by New Jersey public employers to record employee choices to make charitable contributions by payroll deduction.

The Division of Taxation in the Department of the Treasury noted in a fiscal note for an identical bill in the prior Legislative session that there are no additional administrative costs associated with this proposal. The Division noted, however, that increased costs are likely to occur if additional "check offs" are added, especially if several new "check offs" are added. These costs will involve expansion of the current accounting systems and the cost for additional pages to the instruction book pertaining to "check offs". Data are not available to estimate future costs at this time as this will depend on the number of new "check offs" added.

The Office of Legislative Services (OLS) concurs and notes that, in some instances, costs incurred by the Division of Taxation for the collection and administration of these funds may be deducted from receipts collected. Thus, the costs of required administrative changes could be deducted from the receipts of the program which would reduce amounts available for the "check off" programs' purposes. The OLS further notes that contributions made through this legislation do not reduce the individual's tax payments and thus would have no

impact on gross income tax collections.

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.

Office of the Governor
NEWS RELEASE

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RELEASE: February 8, 1999

Gov. Christie Whitman today signed the following legislation:

A-156, sponsored by Assembly Members Christopher "Kip" Bateman (R-Morris/Somerset) and Joseph V. Doria, Jr. (D-Hudson), classifies voluntary compliance reviews (self-audits) as privileged information which will not be available to third parties and which will be inadmissible in court proceedings. The bill intends to encourage depository institutions to initiate voluntary self-audits to identify and correct problems in their operations and procedures. The bill permits a court to order disclosure of the voluntary self-audits in an administrative civil action or criminal action.

A-1514, sponsored by Assembly Members Joseph R. Malone, 3d (R-Burlington/Monmouth/Ocean) and Francis J. Blee (R-Atlantic), provides that future voluntary contributions to public-spirited causes allowable through state income tax forms will be accomplished by identifying a charitable cause in a generic check off box on the tax form. It requires that information relating to new charitable causes appear separate from the income tax forms as part of the general instruction booklet. The legislation does not affect charitable causes that currently have contribution check off boxes and information notices printed on the income tax forms.

A-843, sponsored by Assembly Members Anthony Impreveduto (D-Bergen/Hudson) and John Kelly (R-Bergen/Essex/Passaic) and Senators Jack Sinagra (R-Middlesex) and John A. Lynch (D-Middlesex/Somerset/Union), establishes a certification process for massage, bodywork, and somatic therapists. The legislation creates a Massage, Bodywork and Somatic Therapy Examining Committee, under the New Jersey Board of Nursing, to handle certifications. The certification is voluntary, but those who are not certified by the committee will be unable to use the title of "massage, bodywork and somatic therapist," or "registered massage, bodywork and somatic therapist," or "certified massage, bodywork and somatic therapist," or the abbreviations, "MBT," "RMBT," "CMBT," "COBT," or "CMT."

A-1134, sponsored by Assemblyman E. Scott Garrett (R-Sussex/Hunderdon/Morris), authorizes investment pools of property and casualty insurers and establishes criteria for these pools. The bill establishes requirements an investment pool must follow for an insurer to be allowed to invest in the pool and it specifies requirements for the managers of investment pools. More specifically, the bill requires a pooling agreement for each investment pool to be in writing. In addition, an investment pool must be a business entity, and it subjects investment activities of the pool and transactions between pools and participants to be reported on the annual registration statement required by law. The bill also provides that the investment pools only invest in short term, high quality obligations, government money market funds, class one money market mutual funds or securities, and repurchase and reverse repurchase transactions. The bill is based upon a model formulated by the National Association of Insurance Commissioners.

S-88, sponsored by Senators Joseph A. Palaia (R-Monmouth) and Shirley K. Turner (D-Mercer) and Assembly Members Peter J. Biondi (R-Morris/Somerset), Christopher "Kip" Bateman (R-Morris/Somerset) and Nellie Pou (D-Passaic), authorizes the establishment of a pilot program for carbon monoxide sensor devices to be placed in multi-dwelling units, hotels and boarding homes. The Governor had recommended the pilot program when she conditionally vetoed an earlier version of the law on Sept. 17. The bill also requires the Department of Community Affairs (DCA) to conduct an 18-month study of the technology for sensors as applied to multiple dwelling units, hotels and boarding homes, which Governor Whitman had recommended in her conditional

veto. Following the DCA study, the legislation requires DCA to submit to the Governor and Legislature a report regarding whether to expand this program to all residential dwellings. The Commissioner of DCA will have the authority to expand the pilot program, if warranted, without additional legislation.

S-891, sponsored by Senators Robert J. Martin (R-Essex/Morris/Passaic) and C. Louis Bassano (R-Essex/Union) and Assembly Members Sam Thompson (R-Middlesex/Monmouth) and Barbara Wright (R-Mercer/Middlesex), is part of a package of four bills that were recommended by the Governor's Task Force for the Review of the Treatment of the Criminally Insane. The bill is intended to ensure that mentally ill inmates receive mental health services while incarcerated. The bill requires courts to order treatment in jails or prisons for mentally ill defendants who are found competent to stand trial, but are in need of mental health services and do not require treatment in a psychiatric facility. These defendants are pre-trial detainees and as such, are housed in county facilities. The bill also requires the Department of Corrections (DOC) to provide mental health services to State-sentenced inmates who are mentally ill, but do not require institutional psychiatric treatment. Governor Whitman previously conditionally-vetoed an earlier version of the bill because it required the DOC to provide or arrange for mental health services in county facilities, duplicating services already provided by the counties. The bill requires the counties to provide or arrange for such mental health services when the defendant is housed in a county correctional facility. The bill also requires the DOC to reimburse the counties for the reasonable cost of the treatment, as recommended by the Governor in her conditional veto.

S-1119, sponsored by Senator Walter J. Kavanaugh (R-Morris) and Assembly Member Joel M. Weingarten (R-Essex/Union), allows charitable and civic organizations that are licensed to conduct bingo games or raffles to hire approved personnel to run the bingo game or raffle. Currently, only members of the charitable organization may conduct the bingo or raffle. The hired personnel must be licensed by the Legalized Games of Chance Control Commission, which is required to promulgate regulations regarding the qualifications and compensation of hired employees.

S-613, sponsored by Senator Shirley K. Turner (D-Mercer) and Assembly Member Reed Gusciora (D-Mercer) redefines state policy regarding children in foster care. The bill requires that the health and safety of a child be the State's paramount concern in cases where a child is placed outside the home due to circumstances that endanger a child's life, and where a decision must be made on whether or not it is in the child's best interest to preserve the family unit.