

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS of 1999

CHAPTER: 129

NJSA:56:8-14.2 to 56:8-14.7
(Consumer fraud - penalties)

BILL NO: A1300(Substituted for S1247)

SPONSOR(S):Heck and Crecco

DATE INTRODUCED:Pre-filed

COMMITTEE:

ASSEMBLY: Consumer Affairs & Regulated Professions

SENATE:-----

AMENDED DURING PASSAGE:Yes

DATES OF PASSAGE:

*ASSEMBLY:*February 18, 1999

*SENATE:*May 10, 1999

DATE OF APPROVAL:June 25, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: YES1st Reprint
(Amendments during passage denoted by superscript numbers)

A1300

SPONSORS STATEMENT: Yes (Begins on page 3 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*
SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

S1247

SPONSORS STATEMENT: *Yes* (Begins on page 3 of original bill)
Bill and Sponsor Statement identical to A1300

COMMITTEE STATEMENT:

ASSEMBLY: *No*
SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

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

REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *No*

P.L. 1999, CHAPTER 129, *approved June 25, 1999*
Assembly, No. 1300 (*First Reprint*)

1 AN ACT providing additional civil penalties for certain deceptive
2 consumer practices, and supplementing P.L.1960, c.39 (C.56:8-1
3 et seq.).
4

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

8 1. As used in this act:

9 "Fund" means the Consumer Fraud Education Fund created
10 pursuant to section 5 of this act.

11 ¹["Handicapped person" means a person who has a medically
12 determinable physical or mental impairment that substantially limits
13 one or more major life activities such as: eating, walking, hearing,
14 speaking, seeing, self-care, self-direction, learning, employability or
15 capacity for independent living.]¹

16 "Pecuniary injury" shall include, but not be limited to: loss or
17 encumbrance of a primary residence, principal employment, or source
18 of income; loss of property set aside for retirement or for personal or
19 family care and maintenance; loss of payments received under a
20 pension or retirement plan or a government benefits program; or assets
21 essential to the health or welfare of the senior citizen or
22 ¹[handicapped]¹ person ¹with a disability¹.

23 ¹"Person with a disability" means any resident of this State who has
24 a physical disability, infirmity, malformation or disfigurement which is
25 caused by bodily injury, birth defect or illness including epilepsy, and
26 which shall include, but not be limited to, any degree of paralysis,
27 amputation, lack of physical coordination, blindness or visual
28 impediment, deafness or hearing impediment, muteness or speech
29 impediment or physical reliance on a service or guide animal,
30 wheelchair, or other remedial appliance or device, or from any mental,
31 psychological or developmental disability resulting from anatomical,
32 psychological, physiological or neurological conditions which prevents
33 the normal exercise of any bodily or mental functions or is
34 demonstrable, medically or psychologically, by accepted clinical or
35 laboratory diagnostic techniques.¹

36 "Senior citizen" means any resident of this State of the age of 60
37 years or over.

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 ACP committee amendments adopted November 16, 1998.

1 2. a. In addition to any other penalty authorized by law, a person
2 who ¹**['knowingly']**¹ violates the provisions of P.L.1960, c.39
3 (C.56:8-1 et seq.) shall be subject to additional penalties as follows:

4 (1) A penalty of not more than \$10,000 if the ¹violation caused the
5 victim of the violation pecuniary injury and the¹ person knew or
6 should have known that the victim ¹**['of the violation']**¹ is a senior
7 citizen or ¹**['handicapped']** ¹a¹ person ¹**['and the violation caused the**
8 **victim pecuniary injury]** with a disability¹; or

9 (2) A penalty of not more than \$30,000 if the violation was part of
10 a scheme, plan, or course of conduct directed at senior citizens or
11 ¹**['handicapped']**¹ persons ¹with disabilities¹ in connection with sales
12 or advertisements.

13 ¹The requirement of actual or constructive knowledge is applicable
14 to the additional penalty provided under paragraph (1) of this
15 subsection only, and is not required to prove a violation of any other
16 provision of P.L. 1960, c. 39 (C.56:8-1 et seq.).¹

17 b. The civil penalties authorized and collected under subsection a.
18 of this section shall be paid to the State Treasurer and credited to the
19 Consumer Fraud Education Fund created pursuant to section 5
20 of P.L. , c. (C.) (pending before the Legislature as this
21 bill).

22
23 3. Restoration of money or property ordered pursuant to section
24 2 of P.L.1966, c.39 (C.56:8-14) or section 3 of P.L.1971, c.247
25 (C.56:8-15) shall be given priority over imposition of the additional
26 civil penalties authorized under section 2 of P.L. , c. (C.)
27 (pending before the Legislature as this bill).

28
29 4. The Director of the Division of Consumer Affairs in the
30 Department of Law and Public Safety, in consultation with the
31 Director of the Division on Aging in the Department of Community
32 Affairs, the directors of the New Jersey Association of Area Agencies
33 on Aging and the New Jersey Association of County Offices for
34 Disabled Persons, shall develop and implement an educational program
35 to inform senior citizens and ¹**['handicapped']**¹ persons ¹with
36 disabilities¹ about consumer protection laws and consumer rights,
37 subject to funds made available pursuant to subsection b. of section 5
38 of P.L. , c. (C.)(pending before the Legislature as this bill) or
39 any other source. Functions of the program may include:

40 a. The preparation of educational materials regarding consumer
41 protection laws and consumer rights that are of particular interest to
42 senior citizens and ¹**['handicapped']**¹ persons ¹with disabilities¹ and
43 distribution of those materials to the appropriate State and county
44 agencies for dissemination to senior citizens, ¹**['handicapped']**¹ persons
45 ¹with disabilities¹ and the public; and

46 b. The underwriting of educational seminars and other forms of

1 educational projects for the benefit of senior citizens and
2 ~~1~~ **1** ~~handicapped~~ **1** persons 1with disabilities **1**.

3
4 5. a. There is established in the General Fund a special fund to be
5 known as the Consumer Fraud Education Fund. The State Treasurer
6 shall credit to the fund all moneys received by the State for penalties
7 assessed pursuant to section 2 of P.L. , c. (C.) (pending before
8 the Legislature as this bill). The fund shall be continuing and
9 nonlapsing. The fund shall be administered by the State Treasurer, and
10 any interest earned on moneys in the fund shall be credited to the fund.

11 b. The Division of Consumer Affairs may draw upon the fund to
12 effectuate the purposes of section 4 of P.L. , c. (C.) (pending
13 before the Legislature as this bill) and to pay reasonable and necessary
14 administrative expenses incurred in implementing the provisions of this
15 act to the extent that moneys are available.

16
17 6. The Director of the Division of Consumer Affairs shall, pursuant
18 to the provisions of the "Administrative Procedure Act," P.L.1968,
19 c.410 (C.52:14B-1 et seq.), promulgate rules and regulations
20 necessary to effectuate the provisions of this act.

21
22 7. This act shall take effect immediately.

23

24

25

26
27 _____
Provides additional civil penalties for deceptive consumer practices.

ASSEMBLY, No. 1300

STATE OF NEW JERSEY

208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblywoman ROSE MARIE HECK

District 38 (Bergen)

Assemblywoman MARION CRECCO

District 34 (Essex and Passaic)

SYNOPSIS

Provides additional civil penalties for deceptive consumer practices.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/10/1998)

A1300 HECK, CRECCO

2

1 AN ACT providing additional civil penalties for certain deceptive
2 consumer practices, and supplementing P.L.1960, c.39 (C.56:8-1
3 et seq.).

4

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

7

8 1. As used in this act:

9 "Fund" means the Consumer Fraud Education Fund created
10 pursuant to section 5 of this act.

11 "Handicapped person" means a person who has a medically
12 determinable physical or mental impairment that substantially limits
13 one or more major life activities such as: eating, walking, hearing,
14 speaking, seeing, self-care, self-direction, learning, employability or
15 capacity for independent living.

16 "Pecuniary injury" shall include, but not be limited to: loss or
17 encumbrance of a primary residence, principal employment, or source
18 of income; loss of property set aside for retirement or for personal or
19 family care and maintenance; loss of payments received under a
20 pension or retirement plan or a government benefits program; or assets
21 essential to the health or welfare of the senior citizen or handicapped
22 person.

23 "Senior citizen" means any resident of this State of the age of 60
24 years or over.

25

26 2. a. In addition to any other penalty authorized by law, a person
27 who knowingly violates the provisions of P.L.1960, c.39 (C.56:8-1 et
28 seq.) shall be subject to additional penalties as follows:

29 (1) A penalty of not more than \$10,000 if the person knew or
30 should have known that the victim of the violation is a senior citizen
31 or handicapped person and the violation caused the victim pecuniary
32 injury; or

33 (2) A penalty of not more than \$30,000 if the violation was part of
34 a scheme, plan, or course of conduct directed at senior citizens or
35 handicapped persons in connection with sales or advertisements.

36 b. The civil penalties authorized and collected under subsection a.
37 of this section shall be paid to the State Treasurer and credited to the
38 Consumer Fraud Education Fund created pursuant to section 5
39 of P.L. , c. (C.) (pending before the Legislature as this
40 bill).

41

42 3. Restoration of money or property ordered pursuant to section
43 2 of P.L.1966, c.39 (C.56:8-14) or section 3 of P.L.1971, c.247
44 (C.56:8-15) shall be given priority over imposition of the additional
45 civil penalties authorized under section 2 of P.L. , c. (C.)
46 (pending before the Legislature as this bill).

1 4. The Director of the Division of Consumer Affairs in the
2 Department of Law and Public Safety, in consultation with the
3 Director of the Division on Aging in the Department of Community
4 Affairs, the directors of the New Jersey Association of Area Agencies
5 on Aging and the New Jersey Association of County Offices for
6 Disabled Persons, shall develop and implement an educational program
7 to inform senior citizens and handicapped persons about consumer
8 protection laws and consumer rights, subject to funds made available
9 pursuant to subsection b. of section 5 of P.L. , c. (C.)(pending
10 before the Legislature as this bill) or any other source. Functions of
11 the program may include:

12 a. The preparation of educational materials regarding consumer
13 protection laws and consumer rights that are of particular interest to
14 senior citizens and handicapped persons and distribution of those
15 materials to the appropriate State and county agencies for
16 dissemination to senior citizens, handicapped persons and the public;
17 and

18 b. The underwriting of educational seminars and other forms of
19 educational projects for the benefit of senior citizens and handicapped
20 persons.

21

22 5. a. There is established in the General Fund a special fund to be
23 known as the Consumer Fraud Education Fund. The State Treasurer
24 shall credit to the fund all moneys received by the State for penalties
25 assessed pursuant to section 2 of P.L. , c. (C.) (pending before
26 the Legislature as this bill). The fund shall be continuing and
27 nonlapsing. The fund shall be administered by the State Treasurer, and
28 any interest earned on moneys in the fund shall be credited to the fund.

29 b. The Division of Consumer Affairs may draw upon the fund to
30 effectuate the purposes of section 4 of P.L. , c. (C.) (pending
31 before the Legislature as this bill) and to pay reasonable and necessary
32 administrative expenses incurred in implementing the provisions of this
33 act to the extent that moneys are available.

34

35 6. The Director of the Division of Consumer Affairs shall, pursuant
36 to the provisions of the "Administrative Procedure Act," P.L.1968,
37 c.410 (C.52:14B-1 et seq.), promulgate rules and regulations
38 necessary to effectuate the provisions of this act.

39

40 7. This act shall take effect immediately.

41

42

STATEMENT

43

44 This bill authorizes the imposition of additional civil penalties of not
45 more than \$10,000 for deceptive consumer practices knowingly
46 perpetrated against senior citizens or handicapped persons when either

A1300 HECK, CRECCO

1 of the following conditions are present: (1) there is an awareness that
2 the conduct was directed against a senior citizen or handicapped
3 person; or (2) the senior citizen or handicapped person suffered
4 significant tangible loss, such as loss of residence, employment, or
5 payments received under a pension or retirement plan which are
6 necessary to their present or future well-being.

7 To insure that the imposition of this additional penalty will in no
8 way infringe upon the probability of a senior citizen or a handicapped
9 person recovering any money or property lost as a result of a
10 defendant's actions, the bill specifically states that the restoration of
11 money or property ordered under the provisions of section 2 of
12 P.L.1966, c.39 (C.56:8-14) and section 3 of P.L.1971, c.247
13 (C.56:8-15) are to be given priority over the assessment of any
14 additional penalty.

15 The bill establishes a special fund, the Consumer Fraud Education
16 Fund, to receive moneys assessed as penalties. Moneys from this fund
17 are to be used to develop and implement an educational program
18 which will be administered by the Division of Consumer Affairs for the
19 purpose of informing senior citizens and handicapped persons about
20 consumer protection laws and their rights under these laws.

ASSEMBLY CONSUMER AFFAIRS AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1300

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 1998

The Assembly Consumer Affairs and Regulated Professions Committee reports favorably Assembly Bill No. 1300 with committee amendments.

As amended, this bill supplements the "Consumer Fraud Law" and authorizes the imposition of additional civil penalties for violation of that law of: (1) not more than \$10,000 for deceptive consumer practices perpetrated against a senior citizen or a person with a disability if the violator knew or should have known that the victim of the violation is a senior citizen or a person with a disability and the violation caused the victim to suffer significant tangible loss, such as loss of residence, employment, or payments received under a pension or retirement plan which are necessary to their present or future well-being; or (2) not more than \$30,000 if the violation was part of a scheme, plan or course of conduct directed at senior citizens or persons with disabilities in connection with sales or advertisements.

To insure that the imposition of this additional penalty will in no way infringe upon the probability of a senior citizen or a person with a disability recovering any money or property lost as a result of a defendant's actions, the bill specifically states that the restoration of money or property ordered under the provisions of section 2 of P.L.1966, c.39 (C.56:8-14) and section 3 of P.L.1971, c.247 (C.56:8-15) are to be given priority over the assessment of any additional penalty.

The bill establishes a special fund, the Consumer Fraud Education Fund, to receive moneys assessed as additional penalties. Moneys from this fund are to be used to develop and implement an educational program which will be administered by the Division of Consumer Affairs for the purpose of informing senior citizens and persons with disabilities about consumer protection laws and their rights under these laws.

The committee removed the term "handicapped person" in the bill and replaced it with the term "person with a disability" and included

a definition for that term. In addition, the amendments stipulate that the requirement of actual or constructive knowledge is applicable to the additional civil penalty established in the bill and is not required to prove a violation of any other provision of the "Consumer Fraud Law."

As amended by the committee, this bill is identical to Senate bill No. 1247 (1R).

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

SENATE, No. 1247

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED JUNE 25, 1998

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

SYNOPSIS

Provides additional civil penalties for deceptive consumer practices.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT providing additional civil penalties for certain deceptive
2 consumer practices, and supplementing P.L.1960, c.39 (C.56:8-1
3 et seq.).
4

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

8 1. As used in this act:

9 "Fund" means the Consumer Fraud Education Fund created
10 pursuant to section 5 of this act.

11 "Handicapped person" means a person who has a medically
12 determinable physical or mental impairment that substantially limits
13 one or more major life activities such as: eating, walking, hearing,
14 speaking, seeing, self-care, self-direction, learning, employability or
15 capacity for independent living.

16 "Pecuniary injury" shall include, but not be limited to: loss or
17 encumbrance of a primary residence, principal employment, or source
18 of income; loss of property set aside for retirement or for personal or
19 family care and maintenance; loss of payments received under a
20 pension or retirement plan or a government benefits program; or assets
21 essential to the health or welfare of the senior citizen or handicapped
22 person.

23 "Senior citizen" means any resident of this State of the age of 60
24 years or over.
25

26 2. a. In addition to any other penalty authorized by law, a person
27 who knowingly violates the provisions of P.L.1960, c.39 (C.56:8-1 et
28 seq.) shall be subject to additional penalties as follows:

29 (1) A penalty of not more than \$10,000 if the person knew or
30 should have known that the victim of the violation is a senior citizen
31 or handicapped person and the violation caused the victim pecuniary
32 injury; or

33 (2) A penalty of not more than \$30,000 if the violation was part of
34 a scheme, plan, or course of conduct directed at senior citizens or
35 handicapped persons in connection with sales or advertisements.

36 b. The civil penalties authorized and collected under subsection a.
37 of this section shall be paid to the State Treasurer and credited to the
38 Consumer Fraud Education Fund created pursuant to section 5
39 of P.L. , c. (C.) (pending before the Legislature as this
40 bill).
41

42 3. Restoration of money or property ordered pursuant to section
43 2 of P.L.1966, c.39 (C.56:8-14) or section 3 of P.L.1971, c.247
44 (C.56:8-15) shall be given priority over imposition of the additional
45 civil penalties authorized under section 2 of P.L. , c. (C.)
46 (pending before the Legislature as this bill).

1 4. The Director of the Division of Consumer Affairs in the
2 Department of Law and Public Safety, in consultation with the
3 Director of the Division on Aging in the Department of Community
4 Affairs, the directors of the New Jersey Association of Area Agencies
5 on Aging and the New Jersey Association of County Offices for
6 Disabled Persons, shall develop and implement an educational program
7 to inform senior citizens and handicapped persons about consumer
8 protection laws and consumer rights, subject to funds made available
9 pursuant to subsection b. of section 5 of P.L. , c. (C.)(pending
10 before the Legislature as this bill) or any other source. Functions of
11 the program may include:

12 a. The preparation of educational materials regarding consumer
13 protection laws and consumer rights that are of particular interest to
14 senior citizens and handicapped persons and distribution of those
15 materials to the appropriate State and county agencies for
16 dissemination to senior citizens, handicapped persons and the public;
17 and

18 b. The underwriting of educational seminars and other forms of
19 educational projects for the benefit of senior citizens and handicapped
20 persons.

21
22 5. a. There is established in the General Fund a special fund to be
23 known as the Consumer Fraud Education Fund. The State Treasurer
24 shall credit to the fund all moneys received by the State for penalties
25 assessed pursuant to section 2 of P.L. , c. (C.) (pending before
26 the Legislature as this bill). The fund shall be continuing and
27 nonlapsing. The fund shall be administered by the State Treasurer, and
28 any interest earned on moneys in the fund shall be credited to the fund.

29 b. The Division of Consumer Affairs may draw upon the fund to
30 effectuate the purposes of section 4 of P.L. , c. (C.) (pending
31 before the Legislature as this bill) and to pay reasonable and necessary
32 administrative expenses incurred in implementing the provisions of this
33 act to the extent that moneys are available.

34
35 6. The Director of the Division of Consumer Affairs shall, pursuant
36 to the provisions of the "Administrative Procedure Act," P.L.1968,
37 c.410 (C.52:14B-1 et seq.), promulgate rules and regulations
38 necessary to effectuate the provisions of this act.

39
40 7. This act shall take effect immediately.

41
42

43 STATEMENT

44
45 This bill authorizes the imposition of additional civil penalties of not
46 more than \$10,000 for deceptive consumer practices knowingly

1 perpetrated against senior citizens or handicapped persons when either
2 of the following conditions are present: (1) there is an awareness that
3 the conduct was directed against a senior citizen or handicapped
4 person; or (2) the senior citizen or handicapped person suffered
5 significant tangible loss, such as loss of residence, employment, or
6 payments received under a pension or retirement plan which are
7 necessary to their present or future well-being.

8 To insure that the imposition of this additional penalty will in no
9 way infringe upon the probability of a senior citizen or a handicapped
10 person recovering any money or property lost as a result of a
11 defendant's actions, the bill specifically states that the restoration of
12 money or property ordered under the provisions of section 2 of
13 P.L.1966, c.39 (C.56:8-14) and section 3 of P.L.1971, c.247
14 (C.56:8-15) are to be given priority over the assessment of any
15 additional penalty.

16 The bill establishes a special fund, the Consumer Fraud Education
17 Fund, to receive moneys assessed as penalties. Moneys from this fund
18 are to be used to develop and implement an educational program
19 which will be administered by the Division of Consumer Affairs for the
20 purpose of informing senior citizens and handicapped persons about
21 consumer protection laws and their rights under these laws.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 1247

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 24, 1998

The Senate Commerce Committee reports favorably and with committee amendments Senate Bill No. 1247.

This bill, as amended by the committee, supplements the "Consumer Fraud Law" and authorizes the imposition of additional civil penalties for violation of that law of: (1) not more than \$10,000 for deceptive consumer practices perpetrated against a senior citizen or a person with a disability if the violator knew or should have known that the victim of the violation is a senior citizen or a person with a disability and the violation caused the victim to suffer significant tangible loss, such as loss of residence, employment, or payments received under a pension or retirement plan which are necessary to their present or future well-being; or (2) not more than \$30,000 if the violation was part of a scheme, plan or course of conduct directed at senior citizens or persons with disabilities in connection with sales or advertisements.

To insure that the imposition of this additional penalty will in no way infringe upon the probability of a senior citizen or a person with a disability recovering any money or property lost as a result of a defendant's actions, the bill specifically states that the restoration of money or property ordered under the provisions of section 2 of P.L.1966, c.39 (C.56:8-14) and section 3 of P.L.1971, c.247 (C.56:8-15) are to be given priority over the assessment of any additional penalty.

The bill establishes a special fund, the Consumer Fraud Education Fund, to receive moneys assessed as additional penalties. Moneys from this fund are to be used to develop and implement an educational program which will be administered by the Division of Consumer Affairs for the purpose of informing senior citizens and persons with disabilities about consumer protection laws and their rights under these laws.

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Gene Herman
609-777-2600

RELEASE: June 25, 1999

Gov. Christie Whitman today signed the following pieces of legislation:

A-2467, sponsored by Assembly Members James W. Holzapfel (R- Monmouth/Ocean) and Gerald J. Luongo (R-Camden/Gloucester), prohibits the manufacture of certain drugs -- often referred to as date rape drugs -- by a leader of a narcotics trafficking network and operation of a production facility for these drugs. Although the Governor recently signed a law criminalizing the sale of the drugs, gamma hydroxybutyrate and flunitrazepam, the law did not include a prohibition on the manufacture of these two drugs. The legislation seeks to correct that oversight and includes these two drugs among the substances to which the offenses of maintaining a drug manufacturing facility and being the leader of a narcotics trafficking network apply. The drugs are used to incapacitate victims and are often referred to as date rape drugs.

A-1300, sponsored by Assembly Members Marion Crecco (R- Essex/Passaic) and Rose Marie Heck (R-Bergen) and Senator Diane B. Allen (R-Burlington/Camden), provides additional civil and criminal penalties for deceptive consumer practices. The bill attempts to protect seniors and persons with disabilities from deceptive consumer practices as follows: (1) a penalty of not more than \$10,000 if the violation caused the victim of the violation pecuniary injury and the person knew or should have known that the victim was a senior citizen or a person with a disability; or (2) a penalty of not more than \$30,000 if the violation was part of a scheme, plan, or course of conduct directed at senior citizens or persons with disabilities in connection with sales or advertisements. Any penalties assessed will be dedicated to consumer education for seniors and the disabled.

S-442, sponsored by Senator C. Louis Bassano (R-Essex/Union) and Assembly Members Paul DiGaetano (Bergen/Essex/Passaic) and John V. Kelly (R-Bergen/Essex/Passaic), requires each board of education which operates a health education program for students in grades seven through 12 to offer instruction in breast self-examination. The bill specifies that the instruction shall take place as part of the district's implementation of the Core Curriculum Content Standards in Comprehensive Health and Physical Education, and further stipulates that the comprehensive health and physical education curriculum framework shall provide school districts with sample activities that may be used to support implementation of the instructional requirement.

A-2299, sponsored by Assembly Members Nicholas Asselta (R- Cape/May/Atlantic/ Cumberland) and John C. Gibson (R-Cape May/Atlantic/Cumberland) and Senators Anthony R. Bucco (R-Morris) and John A. Girgenti (D-Passaic), permits government retirees to repay pension loans through deductions from their retirement allowances. Under previous law, pension loans taken out by an active member of the various government employee pension systems were required to be repaid upon retirement before pension payments were made.

A-1854, sponsored by Assembly Members Richard H. Bagger (R- Middlesex/Morris /Somerset/ Union) and Leonard Lance (R- Warren/Hunterdon/Mercer) and Senators Robert E. Littell (R- Sussex/Hunterdon/Morris) and Joseph M. Kyriillos, Jr. (R-Middlesex/Monmouth), appropriates \$4.5 million to fund the creation of two new grants programs by the New Jersey Historical Commission in the Department of State. Funded with \$4 million, the first program will award grants and matching grants as general operating support to public and private history museums, historical societies, historic sites, historical agencies of county or local governments or any related agency or organization. The bill establishes a second grants program with the remaining \$500,000 appropriation to support research and publication projects on New Jersey history.

A-1639, sponsored by Assembly Members John C. Gibson (R- Atlantic/Cape May/Cumberland) and Nicholas Asselta (R- Atlantic/Cape May/Cumberland) and Senators James E. Cafiero (R- Atlantic/Cape May/Cumberland) and Robert W. Singer (R- Burlington/Monmouth/Ocean), makes permanent the premium reduction rate for completion of defensive driving courses. The law providing for a mandatory reduction in automobile insurance rates for drivers that successfully completed an approved motor vehicle defensive driving course had been scheduled to sunset on Jan. 1, 2000.

S-316, sponsored by Senators Robert W. Singer (R- Burlington/Monmouth/Ocean) and Louis F. Kosko (R-Bergen) and Assembly Members Melvin Cottrell (R-Burlington. Monmouth/Ocean), Joseph R. Malone, 3d (R-Burlington/Monmouth/Ocean) and Jack Connors (D-Burlington /Camden), allows holders of the Silver Star special license plate to affix a Silver Star insignia to their license plates. The Silver Star is a medal awarded by the armed forces for gallantry in action. The insignia affixed to the Silver Star special license plate highlights the achievement on holders' license plates. The bill authorizes the Director of the Division of Motor Vehicles to issue regulations governing the insignia.

AJR-51, sponsored by Assembly Member LeRoy J. Jones, Jr. (D-Essex) and Senators John O. Bennett (R-Monmouth) and John J. Matheussen (R-Camden/Gloucester), recognizes the "Code Adam" program and commends and encourages adoption of such programs by retail and business establishments. Code Adam is a program developed and utilized by Wal-Mart stores and SAM's Clubs throughout the nation, as well as Shop-Rite stores in New Jersey and New York, to prevent child abductions. Specifically, the Code Adam alarm signals a missing child and alerts all sales personnel to begin a coordinated and pre-arranged search effort to ensure that the child is not removed from the store.

AJR-61, sponsored by Assembly Members Barbara Wright (R- Mercer/Middlesex) and Paul Kramer (R-Mercer/Middlesex) and Senator Peter A. Inverso (R-Mercer/Middlesex), designates certain roads as the Washington Victory Trail. The bill provides that the routes traversed by General George Washington and 2,400 soldiers of the Continental Army during their historic nine-mile march from their landing site in New Jersey to Trenton in 1776 shall be designated as the Washington Victory Trail. In addition, the resolution directs the Commissioner of the Department of Transportation, in consultation with the New Jersey Historical Commission, to identify and designate these routes of march with appropriate signs.