39:3-33a

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1999 CHAPTER: 192

NJSA: 39:3-33a (License plates—special—fees)

BILL NO: S906 (Substituted for A1587)

SPONSOR(S): Zane

DATE INTRODUCED: March 23, 1998

COMMITTEE: ASSEMBLY: Appropriations

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: June 10, 1999

SENATE: June 21, 1999

DATE OF APPROVAL: August 31, 1999

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Senate Committee Substitute (2nd Reprint)

(Amendments during passage denoted by superscript numbers)

S906

SPONSORS STATEMENT: (Begins on page 2 of original bill)

Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: Yes

<u>LEGISLATIVE FISCAL ESTIMATE</u>: <u>Yes</u>

A1587

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

Bill and Sponsors Statement identical to S906

COMMITTEE STATEMENT: ASSEMBLY: Yes 6-1-98

<u>Yes</u> <u>5-17-99</u>

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: Yes

Identical to Legislative Fiscal Estimate to S906

VETO MESSAGE: No

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<u>Yes</u>

No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 102 or refdesk@njstatelib.org

REPORTS:

No **HEARINGS**:

No

NEWSPAPER ARTICLES:

P.L. 1999, CHAPTER 192, *approved August 31*, *1999*Senate Committee Substitute (*Second Reprint*) for Senate, No. 906

1 AN ACT concerning the transfer of license plates and supplementing 2 chapter 3 of Title 39 of the Revised Statutes. 3 4 BE IT ENACTED by the Senate and General Assembly of the State 5 of New Jersey: 6 1. Whenever the Division of Motor Vehicles is authorized to 7 charge an additional ¹application ¹ fee for the issuance of a 8 personalized, courtesy or special license plate, the division shall charge 9 ¹[the]that ¹ additional ¹application ¹ fee only upon the initial issuance 10 of the plate. If a personalized, courtesy or special plate is issued to a 11 lessee in a motor vehicle leasing agreement, upon termination of the 12 lease the lessee may apply to the director to have the plate reissued to 13 14 another motor vehicle leased or owned by the lessee upon payment of a fee of \$4.50. If a personalized, courtesy or special license plate is 15 16 issued to an owner of a motor vehicle, the owner may apply to the 17 director to have the plate reissued to another motor vehicle leased or 18 owned by the owner upon payment of a fee of \$4.50. ¹Nothing in this 19 section shall be construed as prohibiting the division from charging, at 20 the time of annual registration renewal, the payment of the additional fee which has been required under any other section of law for a 21 22 special license plate.¹ 23 24 2. This act shall take effect ²[of the first day of the sixth month following enactment September 1, 2000 2. 25 26 27 28 29 30 Provides that additional charge for personalized, courtesy or special license plate shall occur only upon initial issuance of plate; provides 31 32 \$4.50 fee for transfer of personalized, courtesy or special license 33 plate.

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 Senate floor amendments adopted October 22, 1998.

² Assembly AAP committee amendments adopted May 17, 1999.

SENATE, No. 906

STATE OF NEW JERSEY

208th LEGISLATURE

INTRODUCED MARCH 23, 1998

Sponsored by: Senator RAYMOND J. ZANE District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Enables transfer of personalized license plates from leased vehicles.

CURRENT VERSION OF TEXT

As introduced.



S906 ZANE

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1	AN ACT concerning certain motor vehicle registration fees and						
2	supplementing chapter 3 of Title 39 of the Revised Statutes.						
3							
4	BE IT ENACTED by the Senate and General Assembly of the State						
5	of New Jersey:						
6							
7	1. If a personalized, courtesy or special license plate is issued to						
8	the lessee in a motor vehicle leasing agreement, the license plate may						
9	be transferred at the termination of the leasing agreement to another						
10	motor vehicle leased or owned by the lessee. The license plate may be						
11	transferred upon application to the director and upon payment of a fee						
12	of \$4.50.						
13							
14	2. The director may promulgate rules and regulations pursuant to						
15	the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et						
16	seq.) to effectuate the purposes of this act.						
17							
18	3. This act shall take effect immediately.						
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21	STATEMENT						
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23	This bill would allow people who lease motor vehicles and obtain						
24	personalized, courtesy or special license plates to transfer those license						
25	plates to their other vehicles after a lease agreement ends. Currently,						
26	personalized license plates are considered registered to the motor						
27	vehicle and not to the person who applies for them. This means that						
28	the personalized plates must be surrendered and reapplied for when						
29	intended for use on another vehicle, even if done by the original holder						

of the plates. The result is the redundant payment of application fees

for the same license plates. This current system disfavors those who

choose to lease instead of purchase a motor vehicle. This bill would

allow lessees to pay the same fee to transfer their personalized,

courtesy or special license plates as do those who own their motor

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vehicles.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 906**

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 1999

The Assembly Appropriations Committee reports favorably Senate Bill No. 906 (SCS/1R) with committee amendments.

Senate Bill No. 906 (SCS/1R), as amended, provides that whenever the Division of Motor Vehicles (DMV) in the Department of Transportation is authorized to charge an additional fee for the issuance of a personalized, courtesy or special license plate, the DMV shall charge the additional fee only upon the initial issuance of the plate. The bill allows persons who own or lease motor vehicles and obtain personalized, courtesy or special license plates, to transfer those license plates to another vehicle, whether owned or leased, for a \$4.50 transfer fee.

Currently, the DMV requires that personalized license plates be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply and pay the initial application fee required for those plates.

This bill eliminates the payment of a new application fee.

This bill, as amended and reported by this committee, is identical to Assembly Bill No. 1587 ACS as amended and reported by this committee.

FISCAL IMPACT:

The DMV has estimated that approximately 4,000 to 4,500 vehicles could be affected annually by this bill. Given the range in application fees from \$15 to \$50 for the type of license plates at issue, the DMV further estimates a loss of annual revenue in the \$150,000 to \$200,000 range if only \$4.50 is charged to transfer the plates rather than the full amount presently required as a new issuance of license plates.

COMMITTEE AMENDMENTS:

The amendments, at the request of the DMV, defer the effective

date of the bill to September 1, 2000, to allow DMV adequate time to devote its data processing resources to implementing the plate reassignment process through motor vehicle agencies.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 906

STATE OF NEW JERSEY

DATED: OCTOBER 15, 1998

The Senate Law and Public Safety Committee reports favorably a Senate Committee Substitute for Senate Bill No. 906.

Under this substitute bill, the Division of Motor Vehicles would be authorized to charge an additional fee for the issuance of a personalized, courtesy or special license plate only upon the initial issuance of the plate. The substitute bill would allow persons who own or lease motor vehicles and obtain personalized, courtesy or special license plates, to transfer those license plates to another vehicle, whether owned or leased, for a \$4.50 transfer fee.

Currently, the Division of Motor Vehicles requires that personalized license plates be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply and pay the initial application fee required for those plates. This substitute bill would eliminate the payment of a new application fee.

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 906

with Senate Floor Amendments (Proposed By Senator ZANE)

ADOPTED: OCTOBER 22, 1998

The Senate Committee Substitute for Senate Bill No. 906 authorizes the Division of Motor Vehicles (DMV) to charge an additional fee for the issuance of a personalized, courtesy or special license plate only upon the initial issuance of the plate. The substitute bill would allow persons who own or lease motor vehicles and obtain personalized, courtesy or special license plates to transfer those license plates to another vehicle, whether owned or leased, for a \$4.50 transfer fee.

These Senate amendments clarify that the substitute does not prohibit the DMV from charging, at the time of annual registration renewal, payment of the additional fee which has been required under any other law for a special license plate.

LEGISLATIVE FISCAL ESTIMATE

SENATE COMMITTEE SUBSTITUTE FOR SENATE, No. 906

STATE OF NEW JERSEY 208th LEGISLATURE

DATED: NOVEMBER 18, 1998

Senate Committee Substitute for Senate Bill No. 906 of 1998 permits the owner or lessee of a motor vehicle that had been issued personalized, courtesy or special license plates to transfer those plates to another motor vehicle owned or leased by that original owner or lessee upon payment of a \$4.50 transfer fee. Currently, personalized, courtesy and special license plates must be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply for plate issuance and pay the initial application fee again for the reissuance of those plates.

The Division of Motor Vehicles (DMV) has provided a verbal estimate that approximately 4,000 to 4,500 vehicles could be affected annually by this bill. Given the range in application fees from \$15 to \$50 for the type of license plates at issue, the DMV further estimates a loss of annual revenue in the \$150,000 to \$200,000 range if only \$4.50 is charged to transfer the plates rather than the full amount presently required as a new issuance of license plates.

In the absence of detailed registration information, the Office of Legislative Services concurs with the verbal estimate provided by DMV.

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.

ASSEMBLY, No. 1587

STATE OF NEW JERSEY

208th LEGISLATURE

INTRODUCED JANUARY 29, 1998

Sponsored by:

Assemblyman JOSEPH AZZOLINA
District 13 (Middlesex and Monmouth)
Assemblyman KENNETH C. LEFEVRE
District 2 (Atlantic)

SYNOPSIS

Authorizes transfer of personalized license plates.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/24/1998)

1 AN ACT concerning the transfer of license plates and amending 2

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

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1. R.S.39:3-30 is amended to read as follows:

39:3-30. Upon the transfer of ownership or the destruction of any motor vehicle or vehicle its registration shall become void. If the motor vehicle or vehicle is sold the original owner shall remove the license plates therefrom, and surrender them to the division in a manner specified by the director if such plates are not transferred to another vehicle pursuant to this section.

14 The original owner may, by proper sworn application on a form to 15 be furnished by the division, register another motor vehicle for the unexpired portion of the registration period of the original vehicle. A 16 17 person applying to use the unexpired portion of a registration under 18 this section shall pay a fee of \$4.50 if the vehicle is of a weight or 19 other classification equal with or less than the one originally 20 registered, and shall pay a fee of \$4.50 and the difference between the fee originally paid and that due if the new motor vehicle is properly 21 registerable in a higher class. Unless the original license plates have 22 23 been destroyed, the owner shall be assigned the license number or 24 other markings on a personalized, courtesy or special license plate 25 previously issued to him and shall receive a new registration 26 certificate. If the original license plates have been destroyed, replacement of the plates will be made under the provisions of 27 28 R.S.39:3-32. The provisions of this section shall govern the transfer 29 of personalized, courtesy or special license plates between motor 30 vehicles owned or leased by the same person. No additional fee shall 31 be charged for such a transfer.

The surviving husband, wife, child or children of a deceased registered owner of any motor vehicle in whom title thereto shall vest by virtue of the terms of the will of such deceased owner, or otherwise, shall, upon application to the director, and upon the payment of a fee of \$4.50, be entitled to have the registration of such

37 vehicle transferred to his or her name.

The registered owner of any motor vehicle shall, upon application to the director, and payment of a fee of \$4.50, be entitled to have the 40 vehicle registered jointly in the name of the registered owner and the spouse of said owner. The registration certificate and certificate 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.

A1587 AZZOLINA, LEFEVRE

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1	ownership shall be amended accordingly without the payment of any
2	additional fee.
3	(cf: P.L.1995, c.112, s.34)
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5	2. This act shall take effect on the first day of the third month after
6	enactment.
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9	STATEMENT
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11	This bill would allow persons who own or lease motor vehicles and
12	obtain personalized, courtesy or special license plates, to transfer those
13	license plates to another vehicle, whether owned or leased, for a \$4.50
14	transfer fee. Currently, the Division of Motor Vehicles requires that
15	personalized license plates be surrendered upon the sale of a vehicle
16	or expiration of its lease, requiring the holder who wishes to use the
17	plates on another vehicle to reapply and pay the initial application fee
18	required for those plates. This bill would eliminate the payment of a
19	new application fee.

ASSEMBLY TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE ASSEMBLY, No. 1587

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Transportation Committee reports favorably an Assembly Committee Substitute for Assembly Bill No. 1587.

This substitute bill provides that whenever the Division of Motor Vehicles is authorized to charge an additional fee for the issuance of a personalized, courtesy or special license plate, the division shall charge the additional fee only upon the initial issuance of the plate. The substitute bill would allow persons who own or lease motor vehicles and obtain personalized, courtesy or special license plates, to transfer those license plates to another vehicle, whether owned or leased, for a \$4.50 transfer fee. Currently, the Division of Motor Vehicles requires that personalized license plates be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply and pay the initial application fee required for those plates. This bill would eliminate the payment of a new application fee.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 1587

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 17, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1587 (ACS) with committee amendments.

Assembly Bill No. 1587 (ACS), as amended, provides that whenever the Division of Motor Vehicles (DMV) in the Department of Transportation is authorized to charge an additional fee for the issuance of a personalized, courtesy or special license plate, the DMV shall charge the additional fee only upon the initial issuance of the plate. The bill allows persons who own or lease motor vehicles and obtain personalized, courtesy or special license plates, to transfer those license plates to another vehicle, whether owned or leased, for a \$4.50 transfer fee.

Currently, the DMV requires that personalized license plates be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply and pay the initial application fee required for those plates.

This bill eliminates the payment of a new application fee.

This bill, as amended and reported by this committee, is identical to Senate Bill No. 906 SCS (1R) as amended and reported by this committee.

FISCAL IMPACT:

The DMV has estimated that approximately 4,000 to 4,500 vehicles could be affected annually by this bill. Given the range in application fees from \$15 to \$50 for the type of license plates at issue, the DMV further estimates a loss of annual revenue in the \$150,000 to \$200,000 range if only \$4.50 is charged to transfer the plates rather than the full amount presently required as a new issuance of license plates.

COMMITTEE AMENDMENTS:

The amendments clarify that the substitute does not prohibit the DMV from charging, at the time of annual registration renewal,

payment of the additional fee which has been required under any other law for a special license plate, and, at the request of the DMV, defer the effective date of the bill to September 1, 2000, to allow DMV adequate time to devote its data processing resources to implementing the plate reassignment process through motor vehicle agencies.

LEGISLATIVE FISCAL ESTIMATE

ASSEMBLY, No. 1587

STATE OF NEW JERSEY 208th LEGISLATURE

DATED: APRIL 29, 1999

Assembly Committee Substitute for Assembly Bill No. 1587 of 1998 permits the owner or lessee of a motor vehicle that had been issued personalized, courtesy or special license plates to transfer those plates to another motor vehicle owned or leased by that original owner or lessee upon payment of a \$4.50 transfer fee. Currently, personalized, courtesy and special license plates must be surrendered upon the sale of a vehicle or expiration of its lease, requiring the holder who wishes to use the plates on another vehicle to reapply for plate issuance and pay the initial application fee again for the reissuance of those plates.

The Division of Motor Vehicles (DMV) has provided a verbal estimate that approximately 4,000 to 4,500 vehicles could be affected annually by this bill. Given the range in application fees from \$15 to \$50 for the type of license plates at issue, the DMV further estimates a loss of annual revenue in the \$150,000 to \$200,000 range if only \$4.50 is charged to transfer the plates rather than the full amount presently required as a new issuance of license plates.

In the absence of detailed registration information, the Office of Legislative Services concurs with the verbal estimate provided by DMV.

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.

PO BOX 004 TRENTON, NJ 08625

Office of the Governor NEWS RELEASE

CONTACT: Gene Herman 609-777-2600

RELEASE: August 31, 1999

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

S-446, sponsored by Senators John A. Girgenti (D-Passaic) and William L. Gormley (R-Atlantic) and Assembly Members Nellie Pou (D- Passaic) and David C. Russo (R-Bergen/Passaic), clarifies the kidnapping statute by providing that the crime of kidnapping specifically includes the taking of a child in order to permanently deprive a parent, guardian or other lawful custodian of custody of that child. This offense, like other kidnapping offenses, is a first-degree crime that is punishable by a term of imprisonment between ten and 20 years, a \$200,000 fine, or both.

S-697, sponsored by Senator Robert W. Singer (R- Burlington/Monmouth/Ocean) and Assembly Members Melvin Cottrell (R- Burlington/Monmouth/Ocean) and Joseph R. Malone, 3d (R-Burlington/Monmouth/Ocean), allows municipalities, by ordinance, to designate speed limits on municipal streets under their jurisdiction that are not self-contained within the municipality. An ordinance designating such speed limits may only be adopted by the municipality if the municipal engineer first certifies that the new speed limit designation: (1) has been approved by the engineer after investigation; (2) appears to be in the interest of safety and expedition of traffic; and (3) conforms to the current standards prescribed by the Manual of Uniform Traffic Control Devices for Streets and Highways. Within 30 days of adoption of the ordinance, the municipality would be required to send the ordinance and engineer's designation to the Department of Transportation. The Commissioner of the Transportation Department has the discretion to invalidate the ordinance within 90 days of its receipt if he finds that the ordinance is inconsistent with accepted engineering standards, places an undue traffic burden on adjoining municipalities or otherwise creates an unsafe or hazardous condition.

S-1223, sponsored by Senator Joseph M. Kyrillos, Jr. (R- Middlesex/Monmouth) and Assembly Members Leonard Lance (R- Warren/Hunterdon/Mercer) and Francis J. Blee (R-Atlantic), requires moneys remaining in certain prepaid funeral agreements to be paid to the state. The bill amends current law regarding prepaid funeral arrangements to prevent those receiving certain state assistance from improperly sheltering assets. Many individuals who obtain state assistance, such as Medicaid or Supplemental Security Income (SSI), have either established prepaid funeral trusts or purchased funeral insurance policies which provide for that person's funeral expenses. These trusts and insurance policies are excluded from determining eligibility for state assistance.

A-1162, sponsored by Assembly Members Tom Smith, Sr. (R-Monmouth) and Jerry Green (D-Middlesex/Somerset/Union) and Senator Joseph A. Palaia (R-Monmouth), requires that counties accept bonds in lieu of cash from an applicant for a road opening permit. The purpose of the legislation is to remove the burden of paying a large amount of cash which, the Utility and transportation Contractors Association indicates, often times has prevented smaller contractors from bidding for jobs involving road opening permits.

S-1436, sponsored by Senators Andrew R. Ciesla (R-Monmouth/Ocean) and John H. Adler (D-Camden) and Assembly Members James W. Holzapfel (R- Monmouth/Ocean), Louis D. Greenwald (D-Camden), Guy F. Talarico (R- Bergen) and Kevin J. O'Toole (R-Essex/Union), upgrades the degree of crime of initiating false alarms under certain circumstances. The bill upgrades from a third-degree crime to a second-degree crime the offense of knowingly initiating or circulating a false alarm that results in serious bodily injury to another. The offense of knowingly initiating or circulating a false alarm that is likely to cause evacuation of a place or facility, or to cause public inconvenience, was upgraded from a fourth-degree crime to a third-degree crime. The offense of knowingly causing a false alarm to be transmitted to any emergency personnel was upgraded from a fourth degree crime to a third-degree crime.

The legislation also makes a person who violates any of the three provisions liable for a civil penalty of not less than \$1,000, or the actual costs incurred by law enforcement or emergency services personnel in responding to a false alarm, or whichever is higher. Another new penalty created by the bill provides that a court must suspend or postpone the right to operate a motor vehicle for any person under the age of 21 who is convicted or adjudicated delinquent for causing a false alarm.

S-1249, sponsored by Senators Robert E. Littell (R- Sussex/Hunterdon/Morris) and John O. Bennett (R-Monmouth) and Assembly Members Francis J. Blee (R-Atlantic) and John C. Gibson (R-Cape May/Atlantic/Cumberland), permits the Department of the Treasury to distribute computers, computer equipment and software designed as surplus by any state department, institution, commission, board, body or other state agency to local units, boards of education, nonpublic schools, or nonprofit charitable organizations.

S-906, sponsored by Senator Raymond J. Zane (D- Salem/Cumberland/Gloucester) and Assembly Members Joseph Azzolina (R-Middlesex/Monmouth), Kenneth C. LeFevre (R-Atlantic and Gerald J. Luongo (R-Camden/Gloucester), allows an individual who leases a motor vehicle and obtains personalized courtesy or special license plates to transfer those license plates to another vehicle after the lease agreement ends. The standard \$4.50 transfer fee would be charged for the transfer, which is the fee charged for the transfer of plates from an owned vehicle. Previously, a person who wanted to transfer plates from a leased vehicle was required to surrender the plates and then reapply for them by paying a standard application fee. Depending upon the type of license plates, application fees are in the range of \$15 to \$50.

S-397, sponsored by Senator John O. Bennett (R-Monmouth) and Assembly Members Clare M. Farragher (R-Monmouth) and Michael J. Arnone (R-Monmouth), allows a municipality to use the annual population estimates issued by the U. S. Bureau of the Census and reported by the New Jersey Department of Labor in determining how many liquor licenses to issue. Under previous law, municipalities used the decennial federal census reports for this purpose. A municipality may issue only one retail liquor license for every 3,000 residents, and one distributor's license for every 7,500 residents. This bill does not change those ratios, but instead allows a municipality to update its population annually instead of every ten years when determining how many liquor licenses to issue.

The Governor also has signed **AJR-74**, which permanently designates September as "New Jersey Cares about Children with Cancer Month." The purpose of the resolution is to promote the progress

made in combating this disease in children, and to highlight the need to do more in New Jersey to help cancer treatment specialists, health care providers, health care planners and researchers provide children with the services necessary to prevent these cancers in the future. The joint resolution was sponsored by Assembly Members Carol J. Murphy (R- Essex/Morris/Passaic) and Gerald J. Luongo (R-Camden/Gloucester).