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P.L. 1999, CHAPTER 194, *approved August 31, 1999*
Senate, No. 1249 (*Second Reprint*)

1 AN ACT permitting the distribution of State surplus computers,
2 computer equipment or software to local units, boards of education,
3 ²nonpublic schools² or nonprofit charitable corporations and
4 supplementing P.L.1944, c.112 (C.52:27B-1 et seq.).
5

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

9 1. a. Whenever, in the opinion of the Director of the Division of
10 Purchase and Property, any computers, computer equipment or
11 software in the custody and control of any State department,
12 institution, commission, board, body, or other agency of the State is
13 deemed surplus, obsolete or no longer suitable for the purpose for
14 which it was intended, the director may make a transfer of the custody
15 and control of such computers, computer equipment or software to
16 local units, boards of education ²nonpublic schools² or nonprofit
17 charitable corporations organized pursuant to N.J.S.15A:1-1 et seq.

18 b. Whenever such computers, computer equipment or software
19 deemed surplus cannot be used by local units, boards of education ²nonpublic schools² or nonprofit charitable corporations, the director
20 may, with the State Treasurer's approval and after notification in
21 writing to the State Auditor, dispose thereof, and thereupon the
22 director shall pay the proceeds arising from such disposition into the
23 general fund of the State.
24

25 c. The director shall develop a plan for the notification and
26 distribution to local units, boards of education ²nonpublic schools²
27 or nonprofit charitable corporations of computers, computer
28 equipment or software designated as surplus by any State department,
29 institution, commission, board, body or other agency of the State.

30 ¹d. The State shall not be liable for any damages that may result
31 from the use or operation of any transferred computer, computer
32 equipment or software.¹
33

34 2. This act shall take effect immediately.
35
36

37 _____
38 Permits distribution of State surplus computers, computer equipment
39 or software to local units, boards of education, nonpublic schools or
40 nonprofit charitable corporations.

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 SGB committee amendments adopted September 17, 1998.

² Assembly floor amendments adopted May 10, 1999.

SENATE, No. 1249

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 25, 1998

Sponsored by:

Senator ROBERT E. LITTELL

District 24 (Sussex, Hunterdon and Morris)

Senator JOHN O. BENNETT

District 12 (Monmouth)

Co-Sponsored by:

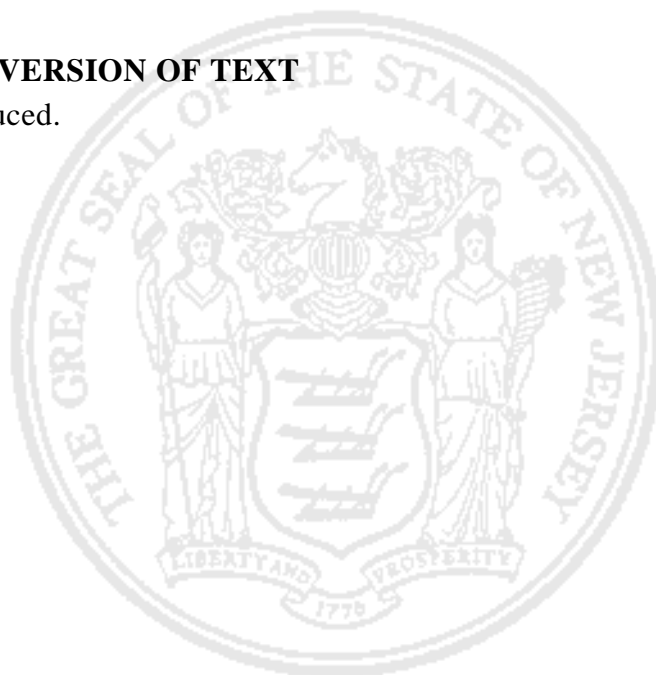
Senators Bucco and Kenny

SYNOPSIS

Permits distribution of State surplus computers, computer equipment or software to local units, boards of education or nonprofit charitable corporations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT permitting the distribution of State surplus computers,
2 computer equipment or software to local units, boards of education,
3 or nonprofit charitable corporations and supplementing P.L.1944,
4 c.112 (C.52:27B-1 et seq.).
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10 Purchase and Property, any computers, computer equipment or
11 software in the custody and control of any State department,
12 institution, commission, board, body, or other agency of the State is
13 deemed surplus, obsolete or no longer suitable for the purpose for
14 which it was intended, the director may make a transfer of the custody
15 and control of such computers, computer equipment or software to
16 local units, boards of education or nonprofit charitable corporations
17 organized pursuant to N.J.S. 15A:1-1 et seq.

18 b. Whenever such computers, computer equipment or software
19 deemed surplus cannot be used by local units, boards of education or
20 nonprofit charitable corporations, the director may, with the State
21 Treasurer's approval and after notification in writing to the State
22 Auditor, dispose thereof, and thereupon the director shall pay the
23 proceeds arising from such disposition into the general fund of the
24 State.

25 c. The director shall develop a plan for the notification and
26 distribution to local units, boards of education or nonprofit charitable
27 corporations of computers, computer equipment or software
28 designated as surplus by any State department, institution,
29 commission, board, body or other agency of the State.
30

31 2. This act shall take effect immediately.
32
33

34 STATEMENT
35

36 The purpose of this bill is to permit the Director of the Division of
37 Purchase and Property in the Department of the Treasury to distribute
38 computers, computer equipment and software designated as surplus by
39 any State department, institution, commission, board, body or other
40 State agency to local units, boards of education or nonprofit charitable
41 corporations organized pursuant to N.J.S. 15A:1-1 et seq.

42 These groups often lack the financial resources necessary to obtain
43 computers and computer equipment. Under this bill, the State would
44 be able to provide this needed equipment to these groups without
45 charge.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1249

STATE OF NEW JERSEY

DATED: JANUARY 25, 1999

The Assembly State Government Committee reports favorably Senate Bill No. 1249 (1R).

This bill permits the Director of the Division of Purchase and Property in the Department of the Treasury to distribute computers, computer equipment and software designated as surplus by any State department, institution, commission, board, body or other State agency to local units, boards of education or nonprofit charitable corporations organized pursuant to N.J.S.15A:1-1 et seq.

These groups may lack the financial resources necessary to obtain computers and computer equipment. Under this bill, the State would be able to provide its surplus equipment to these groups under a notification and distribution plan to be developed by the director.

This bill is the same as Assembly Bill No. 2403 (1R).

SENATE STATE GOVERNMENT, BANKING AND FINANCIAL
INSTITUTIONS COMMITTEE

STATEMENT TO

SENATE, No. 1249

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 17, 1998

The Senate State Government, Banking and Financial Institutions Committee reports favorably and with committee amendments Senate Bill No. 1249.

The purpose of this bill is to permit the Director of the Division of Purchase and Property in the Department of the Treasury to distribute surplus or obsolete State agency computers, computer equipment and software to local government units, boards of education or nonprofit charitable corporations. Often, these groups lack the financial resources necessary to obtain computers and computer equipment. Under this bill, the State would be able to provide its surplus equipment to these groups under a notification and distribution plan to be developed by the director.

Whenever such surplus computer equipment cannot be used by the above-mentioned groups, the director may sell such equipment and the proceeds will go into the General Fund.

The committee amended the bill to provide that the State would not be liable for any damages that may result from the use or operation of any transferred computer, computer equipment or software.

STATEMENT TO
[First Reprint]
SENATE, No. 1249

with Assembly Floor Amendments
(Proposed By Assemblyman BLEE)

ADOPTED: MAY 10, 1999

This bill permits the State to distribute surplus computers, computer equipment or software to local units, boards of education and nonprofit charitable corporations. This amendment adds "nonpublic schools" to the permissible recipients of such items.

FISCAL NOTE

[First Reprint]

SENATE, No. 1249

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: OCTOBER 20, 1998

Senate Bill No. 1249 (1R) of 1998 would permit the Director of the Division of Purchase and Property in the Department of the Treasury to distribute computers, computer equipment and software designated as surplus by any State department, institution, commission, board, body or other State agency to local units, boards of education or nonprofit charitable corporations organized pursuant to N.J.S.15A:1-1 et seq.

In a fiscal note worksheet prepared for this bill, the Department of the Treasury estimates that the bill will entail annual operational costs of approximately \$80,000. Presumably these costs result from the bill's directive that the Division of Purchase and Property develop a system for notifying potential recipients of the availability of the equipment and software. The worksheet did not indicate any reduction in State revenue as the result of donating the equipment and software rather than selling it.

The Office of Legislative Services agrees with the Executive that the fiscal impact of this bill will be negligible. However, OLS suggests that the cost of a system of notification (particularly if the system involves an Internet web site) might well be absorbed in existing funding levels. OLS also notes, that while this program is permissive, the State may forego some revenue if the department authorizes the donation of surplus property which retains market value.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY, No. 2403

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED SEPTEMBER 14, 1998

Sponsored by:

Assemblyman FRANCIS J. BLEE

District 2 (Atlantic)

Assemblyman JOHN C. GIBSON

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Permits distribution of State surplus computers, computer equipment or software to local units, boards of education or nonprofit charitable corporations.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT permitting the distribution of State surplus computers,
2 computer equipment or software to local units, boards of education,
3 or nonprofit charitable corporations and supplementing P.L.1944,
4 c.112 (C.52:27B-1 et seq.).
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6 **BE IT ENACTED** by the Senate and General Assembly of the State
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10 Purchase and Property, any computers, computer equipment or
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13 deemed surplus, obsolete or no longer suitable for the purpose for
14 which it was intended, the director may make a transfer of the custody
15 and control of such computers, computer equipment or software to
16 local units, boards of education or nonprofit charitable corporations
17 organized pursuant to N.J.S. 15A:1-1 et seq.

18 b. Whenever such computers, computer equipment or software
19 deemed surplus cannot be used by local units, boards of education or
20 nonprofit charitable corporations, the director may, with the State
21 Treasurer's approval and after notification in writing to the State
22 Auditor, dispose thereof, and thereupon the director shall pay the
23 proceeds arising from such disposition into the general fund of the
24 State.

25 c. The director shall develop a plan for the notification and
26 distribution to local units, boards of education or nonprofit charitable
27 corporations of computers, computer equipment or software
28 designated as surplus by any State department, institution,
29 commission, board, body or other agency of the State.
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31 2. This act shall take effect immediately.
32
33

34 STATEMENT
35

36 The purpose of this bill is to permit the Director of the Division of
37 Purchase and Property in the Department of the Treasury to distribute
38 computers, computer equipment and software designated as surplus by
39 any State department, institution, commission, board, body or other
40 State agency to local units, boards of education or nonprofit charitable
41 corporations organized pursuant to N.J.S. 15A:1-1 et seq.

42 These groups often lack the financial resources necessary to obtain
43 computers, equipment and software. Under this bill, the State would
44 be able to provide this needed equipment to these groups without
45 charge.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2403

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 1999

The Assembly State Government Committee reports favorably and with committee amendments Assembly, No. 2403.

This bill, as amended, permits the Director of the Division of Purchase and Property in the Department of the Treasury to distribute computers, computer equipment and software designated as surplus by any State department, institution, commission, board, body or other State agency to local units, boards of education or nonprofit charitable corporations organized pursuant to N.J.S.15A:1-1 et seq.

These groups may lack the financial resources necessary to obtain computers, equipment and software. Under this bill, the State would be able to provide its surplus equipment to these groups under a notification and distribution plan to be developed by the director.

The committee amended the bill to provide that the State will not be liable for any damages that may result from the use or operation of any transferred computer, computer equipment or software.

As reported, this bill is the same as Senate, No. 1249(1R) of 1998.

FISCAL NOTE

[First Reprint]

ASSEMBLY, No. 2403

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: MAY 3, 1999

Assembly Bill No. 2403 (1R) of 1998 would permit the Director of the Division of Purchase and Property in the Department of the Treasury to distribute computers, computer equipment and software designated as surplus by any State department, institution, commission, board, body or other State agency to local units, boards of education or nonprofit charitable corporations organized pursuant to N.J.S.15A:1-1 et seq.

In a fiscal note worksheet prepared for an identical bill, the Department of the Treasury estimates that the bill will entail annual operational costs of approximately \$80,000. Presumably these costs result from the bill's directive that the Division of Purchase and Property develop a system for notifying potential recipients of the availability of the equipment and software. The worksheet did not indicate any reduction in State revenue as the result of donating the equipment and software rather than selling it.

The Office of Legislative Services (OLS) agrees with the Executive that the fiscal impact of this bill will be negligible. However, OLS suggests that the cost of a system of notification (particularly if the system involves an Internet web site) might well be absorbed in existing funding levels. OLS also notes, that while this program is permissive, the State may forego some revenue if the department authorizes the donation of surplus property which retains market value.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

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).