

40A:4-54

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1999 **CHAPTER:** 366

NJSA: 40A:4-54 (Municipalities – relief for disasters)

BILL NO: A3410 (Substituted for S2218)

SPONSOR(S): Smith and Lance

DATE INTRODUCED: October 18, 1999

COMMITTEE: **ASSEMBLY:** Appropriations

SENATE: Community & Urban Affairs; Budget and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** October 25, 1999 Re-enacted January 10, 2000

SENATE: December 6, 1999 Re-enacted January 10, 2000

DATE OF APPROVAL: January 14, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 1st Reprint
(Amendments during passage denoted by superscript number)

A3410

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

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#) [11-8-99 \(Community\)](#)
[Yes](#) [11-15-99 \(Budget\)](#)

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S2218

SPONSORS STATEMENT: (Begins on page 3 of original bill) [Yes](#)
Bill and Sponsors Statement identical to A3410

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#) [11-8-99](#)
Identical to Senate Community & Urban Affairs Statement for A3410
[Yes](#) [11-15-99](#)
Identical to Senate Budget Statement for A3410

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE:

Yes

GOVERNOR'S PRESS RELEASE ON CONDITIONAL VETO:

Yes

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 1999, CHAPTER 366, *approved January 14, 2000*
Assembly, No. 3410 (*First Reprint*)

1 AN ACT concerning local flood aid and amending N.J.S.40A:4-54 and
2 supplementing Title 40 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. N.J.S.40A:4-54 is amended to read as follows:

8 40A:4-54. A local unit may adopt a resolution authorizing special
9 emergency appropriations to cover the cost of extraordinary expense
10 for the repair, reconstruction of streets, roads or bridges, or other
11 public property damaged by flood or hurricane where such expense
12 was not foreseen at the time of the adoption of the budget. A ¹[local
13 unit] municipality¹ may adopt a resolution authorizing special
14 emergency appropriations to cover the cost of extraordinary expense
15 for the repair and reconstruction of private property damaged by flood
16 or hurricane in accordance with rules and regulations promulgated by
17 the Department of Community Affairs for a Municipal Natural Disaster
18 Relief Grant Program authorized pursuant to section 2 of P.L. , c.
19 (C.) (now pending before the Legislature as this bill).
20 (cf: N.J.S.40A:4-54)

21
22 2. (New section) a. The Legislature finds and declares that ¹there
23 may be circumstances when it is desirable for municipalities to
24 supplement¹ federal and State disaster relief programs ¹[are not
25 always sufficient to rapidly and adequately respond to the needs of]
26 for its¹ residents whose real property was damaged by flood, hurricane
27 or other natural disaster. It is therefore in the public interest to permit
28 municipalities to provide limited grants to certain persons who ¹[do
29 not receive sufficient relief from] require relief in addition to¹
30 insurance or from federal or State loan programs in order to assure
31 that those people are able to remain in the community and rebuild in
32 order to rapidly return their real property to the tax rolls at its full and
33 fair value prior to the disaster.

34 b. Following a flood, hurricane or other natural disaster for which
35 the Governor has ¹[declare] declared¹ a state of emergency, a
36 municipality ¹in the affected area¹ may establish, by resolution, a
37 Municipal Natural Disaster Relief Grant Program ¹pursuant to rules
38 and regulations adopted by the Department of Community Affairs¹.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly amendments adopted in accordance with Governor's recommendations January 10, 2000.

1 Under such program the municipality may give grants of up to \$5,000
 2 to persons owning real property in the municipality who are without
 3 insurance that adequately covers the real property damage inflicted by
 4 the natural disaster and for whom the repayment of a low-interest loan
 5 under any federal or State program would constitute an extreme
 6 hardship based on their income and such other financial circumstances
 7 as are deemed relevant pursuant to rules and regulations promulgated
 8 by the Department of Community Affairs. Grant money received
 9 pursuant to a municipal program under this section shall be used solely
 10 for the repair and reconstruction of the owner's damaged real property
 11 ~~1~~¹~~【situate】~~ situated¹ within the municipality.

12 c. 1A municipality may not implement a Municipal Natural Disaster
 13 Relief Grant Program without submitting its resolution and a plan to
 14 implement the program to the Department of Community Affairs. A
 15 municipality shall not implement its plan, and shall not distribute grants
 16 pursuant to that plan without receiving written approval from the
 17 Department of Community Affairs. The Department of Community
 18 Affairs shall develop criteria for approval of a municipality's plan. Any
 19 criteria developed by the department shall include, but not be limited
 20 to, provisions which (1) limit the financial burden of the program on
 21 taxpayers of the municipality and State; and (2) ensure that the
 22 program does not result in the duplication of benefits of applicable
 23 State or Federal programs.

24 d. Monies granted by a municipality pursuant to a Municipal
 25 Disaster Relief Grant Program may not be used for any damage or loss
 26 which is met by any other source.

27 e.¹ The Department of Community Affairs shall adopt and
 28 promulgate rules and regulations ¹within 120 days of enactment of
 29 P.L. , c. (C.) pending before the legislature as this bill¹ pursuant
 30 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1
 31 et seq.), to effectuate the purposes of this section. ¹Such rules shall
 32 include, but not be limited to, criteria for approval of a municipality's
 33 plan, eligibility requirements for determining financial hardship, and
 34 procedures for approval and administration of grants.¹

35
 36 3. This act shall take effect immediately and shall be applicable to
 37 damage resulting from ¹~~【Hurricane Floyd】~~ floods, hurricanes or
 38 natural disasters for which the Governor has declared a state of
 39 emergency on or after September 15, 1999¹.

40
 41
 42
 43
 44 Authorizes municipalities to establish grant programs to provide relief
 45 to certain real property owners for damage due to floods, hurricanes
 46 and other natural disasters.

ASSEMBLY, No. 3410

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED OCTOBER 18, 1999

Sponsored by:

Assemblyman BOB SMITH

District 17 (Middlesex, Somerset and Union)

Assemblyman LEONARD LANCE

District 23 (Warren, Hunterdon and Mercer)

Co-Sponsored by:

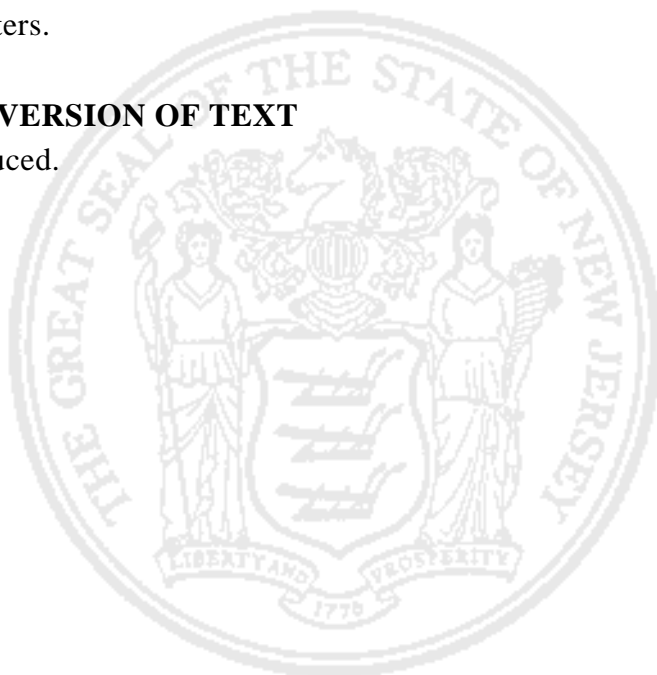
Assemblywomen Watson Coleman, Pou, Assemblymen Suliga, Charles, Romano, Assemblywoman Farragher, Assemblymen Bagger, Malone, Gregg, Blee, Kelly, Gibson, Weingarten, LeFevre and Senator Lynch

SYNOPSIS

Authorizes municipalities to establish grant programs to provide relief to certain real property owners for damage due to floods, hurricanes and other natural disasters.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/7/1999)

1 AN ACT concerning local flood aid and amending N.J.S.40A:4-54 and
2 supplementing Title 40 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. N.J.S.40A:4-54 is amended to read as follows:

8 40A:4-54. A local unit may adopt a resolution authorizing special
9 emergency appropriations to cover the cost of extraordinary expense
10 for the repair, reconstruction of streets, roads or bridges, or other
11 public property damaged by flood or hurricane where such expense
12 was not foreseen at the time of the adoption of the budget. A local
13 unit may adopt a resolution authorizing special emergency
14 appropriations to cover the cost of extraordinary expense for the
15 repair and reconstruction of private property damaged by flood or
16 hurricane in accordance with rules and regulations promulgated by the
17 Department of Community Affairs for a Municipal Natural Disaster
18 Relief Grant Program authorized pursuant to section 2 of P.L. , c.
19 (C.) (now pending before the Legislature as this bill).
20 (cf: N.J.S.40A:4-54)

21
22 2. (New section) a. The Legislature finds and declares that federal
23 and State disaster relief programs are not always sufficient to rapidly
24 and adequately respond to the needs of residents whose real property
25 was damaged by flood, hurricane or other natural disaster. It is
26 therefore in the public interest to permit municipalities to provide
27 limited grants to certain persons who do not receive sufficient relief
28 from insurance or from federal or State loan programs in order to
29 assure that those people are able to remain in the community and
30 rebuild in order to rapidly return their real property to the tax rolls at
31 its full and fair value prior to the disaster.

32 b. Following a flood, hurricane or other natural disaster for which
33 the Governor has declare a state of emergency, a municipality may
34 establish, by resolution, a Municipal Natural Disaster Relief Grant
35 Program. Under such program the municipality may give grants of up
36 to \$5,000 to persons owning real property in the municipality who are
37 without insurance that adequately covers the real property damage
38 inflicted by the natural disaster and for whom the repayment of a low-
39 interest loan under any federal or State program would constitute an
40 extreme hardship based on their income and such other financial
41 circumstances as are deemed relevant pursuant to rules and regulations
42 promulgated by the Department of Community Affairs. Grant money
43 received pursuant to a municipal program under this section shall be

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

Matter underlined thus is new matter.

1 used solely for the repair and reconstruction of the owner's damaged
2 real property situate within the municipality.

3 c. The Department of Community Affairs shall adopt and
4 promulgate rules and regulations pursuant to the "Administrative
5 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate
6 the purposes of this section.

7

8 3. This act shall take effect immediately and shall be applicable to
9 damage resulting from Hurricane Floyd.

10

11

12

STATEMENT

13

14 This bill would permit municipalities to establish emergency grant
15 programs to provide relief to certain real property owners in the
16 aftermath of a natural disaster such as a flood or hurricane. The bill
17 requires that the programs may be established by resolution of the
18 governing body in an area in which the Governor has declared a state
19 of emergency. Under such programs the municipality would be able
20 to give grants of up to \$5,000 for real property owners in the
21 municipality whose buildings were damaged and are in need of repair
22 or reconstruction. Persons eligible for the grants would include those
23 who did not have adequate insurance to cover their damages and those
24 for whom the repayment of even low-interest loans under a federal or
25 State disaster relief program would constitute an extreme hardship
26 based on their income and other financial factors that are deemed
27 relevant under rules and regulations promulgated by the Department
28 of Community Affairs.

29 A municipality could pay for the grants by making a special
30 emergency appropriation under N.J.S.40A:4-54 and funding it through
31 surplus or debt, in the same manner as other emergency appropriations
32 are funded under law.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3410

STATE OF NEW JERSEY

DATED: OCTOBER 18, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3410.

Assembly Bill No. 3410 permits municipalities to establish emergency grant programs to provide relief to certain real property owners in the aftermath of a natural disaster such as a flood or hurricane. The bill requires that the programs be established by resolution of the governing body in an area in which the Governor has declared a state of emergency. Under such programs the municipality would be able to give grants of up to \$5,000 for real property owners in the municipality whose buildings were damaged and are in need of repair or reconstruction.

The bill includes among persons eligible for the grants those who do not have adequate insurance to cover their damages and those for whom the repayment of even low-interest loans under a federal or State disaster relief program would constitute an extreme hardship based on their income and other financial factors that are deemed relevant under rules and regulations promulgated by the Department of Community Affairs.

A municipality could pay for the grants by making a special emergency appropriation under N.J.S.40A:4-54 and funding it through surplus or debt, in the same manner as other emergency appropriations are funded under law.

FISCAL IMPACT:

The bill is permissive, and there is no information available to estimate the communities that would elect to participate or their funding methods or levels.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3410

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1999

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 3410.

This bill would permit municipalities to establish grant programs to provide relief to certain real property owners in the aftermath of a natural disaster such as a flood or hurricane. The bill authorizes municipalities to establish such programs by resolution, if the Governor has declared a state of emergency following a natural disaster affecting the municipality. The program would take effect immediately and would also be applicable to damage resulting from Hurricane Floyd.

A municipality would be authorized to give grants of up to \$5,000 to real property owners in the municipality whose buildings were damaged and are in need of repair or reconstruction. Persons eligible for the grants would be those who did not have adequate insurance to cover their damages and for whom the repayment of even low-interest loans under a federal or State disaster relief program would constitute an extreme hardship based on their income and other financial factors that are deemed relevant under rules and regulations to be promulgated by the Department of Community Affairs.

A municipality could pay for the grants by making a special emergency appropriation under N.J.S.40A:4-54 and funding it through surplus or debt, in the same manner as other special emergency appropriations are funded under law.

This bill is identical to Senate Bill No. 2218, which also was reported by the committee on November 8, 1999.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3410

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 1999

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 3410.

Assembly Bill No. 3410 permits municipalities to establish emergency grant programs to provide relief to certain real property owners in the aftermath of a natural disaster such as a flood or hurricane. The bill requires that the programs be established by resolution of the governing body in an area in which the Governor has declared a state of emergency. Under such programs the municipality would be able to give grants of up to \$5,000 for real property owners in the municipality whose buildings were damaged and are in need of repair or reconstruction.

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FISCAL IMPACT:

The bill is permissive, and there is no information available to estimate the communities that would elect to participate or their funding methods or levels.

SENATE, No. 2218

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED OCTOBER 25, 1999

Sponsored by:

Senator JOHN A. LYNCH

District 17 (Middlesex, Somerset and Union)

SYNOPSIS

Authorizes municipalities to establish grant programs to provide relief to certain real property owners for damage due to floods, hurricanes and other natural disasters.

CURRENT VERSION OF TEXT

As introduced.



S2218 LYNCH

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2 supplementing Title 40 of the Revised Statutes.

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18 Relief Grant Program authorized pursuant to section 2 of P.L. ., c.
19 (C.) (now pending before the Legislature as this bill).

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24 and adequately respond to the needs of residents whose real property
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27 limited grants to certain persons who do not receive sufficient relief
28 from insurance or from federal or State loan programs in order to
29 assure that those people are able to remain in the community and
30 rebuild in order to rapidly return their real property to the tax rolls at
31 its full and fair value prior to the disaster.

32 b. Following a flood, hurricane or other natural disaster for which
33 the Governor has declared a state of emergency, a municipality may
34 establish, by resolution, a Municipal Natural Disaster Relief Grant
35 Program. Under such program the municipality may give grants of up
36 to \$5,000 to persons owning real property in the municipality who are
37 without insurance that adequately covers the real property damage
38 inflicted by the natural disaster and for whom the repayment of a low-
39 interest loan under any federal or State program would constitute an
40 extreme hardship based on their income and such other financial
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1 used solely for the repair and reconstruction of the owner's damaged
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3 c. The Department of Community Affairs shall adopt and
4 promulgate rules and regulations pursuant to the "Administrative
5 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate
6 the purposes of this section.

7

8 3. This act shall take effect immediately and shall be applicable to
9 damage resulting from Hurricane Floyd.

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STATEMENT

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14 This bill would permit municipalities to establish emergency grant
15 programs to provide relief to certain real property owners in the
16 aftermath of a natural disaster such as a flood or hurricane. The bill
17 requires that the programs may be established by resolution of the
18 governing body in an area in which the Governor has declared a state
19 of emergency. Under such programs the municipality would be able
20 to give grants of up to \$5,000 for real property owners in the
21 municipality whose buildings were damaged and are in need of repair
22 or reconstruction. Persons eligible for the grants would include those
23 who did not have adequate insurance to cover their damages and those
24 for whom the repayment of even low-interest loans under a federal or
25 State disaster relief program would constitute an extreme hardship
26 based on their income and other financial factors that are deemed
27 relevant under rules and regulations promulgated by the Department
28 of Community Affairs.

29 A municipality could pay for the grants by making a special
30 emergency appropriation under N.J.S.40A:4-54 and funding it through
31 surplus or debt, in the same manner as other emergency appropriations
32 are funded under law.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 2218

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1999

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2218.

This bill would permit municipalities to establish grant programs to provide relief to certain real property owners in the aftermath of a natural disaster such as a flood or hurricane. The bill authorizes municipalities to establish such programs by resolution, if the Governor has declared a state of emergency following a natural disaster affecting the municipality. The program would take effect immediately and would also be applicable to damage resulting from Hurricane Floyd.

A municipality would be authorized to give grants of up to \$5,000 to real property owners in the municipality whose buildings were damaged and are in need of repair or reconstruction. Persons eligible for the grants would be those who did not have adequate insurance to cover their damages and for whom the repayment of even low-interest loans under a federal or State disaster relief program would constitute an extreme hardship based on their income and other financial factors that are deemed relevant under rules and regulations to be promulgated by the Department of Community Affairs.

A municipality could pay for the grants by making a special emergency appropriation under N.J.S.40A:4-54 and funding it through surplus or debt, in the same manner as other special emergency appropriations are funded under law.

This bill is identical to Assembly Bill No. 3410, which also was reported by the committee on November 8, 1999.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 2218

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 1999

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2218.

Senate Bill No. 2218 permits municipalities to establish emergency grant programs to provide relief to real property owners in the aftermath of a natural disaster such as a flood or hurricane. The bill requires that the programs be established by resolution of the governing body in an area in which the Governor has declared a state of emergency. Under such programs the municipality would be able to give grants of up to \$5,000 to owners of real property in the municipality whose buildings were damaged and are in need of repair or reconstruction.

The bill includes among persons eligible for the grants those who do not have adequate insurance to cover their damages and those for whom the repayment of even low-interest loans under a federal or State disaster relief program would constitute an extreme hardship, based on their income and other financial factors deemed relevant under rules and regulations to be promulgated by the Department of Community Affairs.

A municipality could pay for the grants by making a special emergency appropriation under N.J.S.40A:4-54 and funding it through surplus or debt, in the same manner as other emergency appropriations are funded under law.

This bill is identical to Assembly Bill No. 3410.

FISCAL IMPACT:

The bill is permissive, and there is no information available to estimate the communities that would elect to participate, the specifics of their programs or their funding methods or levels.

ASSEMBLY BILL NO. 3410

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3410 with my recommendations for reconsideration.

A.SUMMARY OF THE BILL

This bill allows municipalities to establish a Municipal Natural Disaster Relief Grant Program to provide relief to real property owners who have been affected by a flood, hurricane or natural disaster. The bill authorizes a municipality to adopt a resolution establishing a program to give grants of up to \$5,000 to persons who do not have adequate insurance and for whom repayment of a low-interest loan would constitute an extreme hardship. Property owners would be authorized to utilize grant monies only for repair and reconstruction of the owner's damaged real property within the municipality authorizing the program.

B.RECOMMENDED ACTION

I commend the sponsors' goal to provide additional relief to victims of natural disasters, particularly in light of Hurricane Floyd. This storm was one of the most destructive that this State has experienced. In order to provide immediate relief to the victims of that storm, I signed the Emergency Disaster Relief Act of 1999, which provided up to \$80 million for immediate disaster relief, including up to \$55 million specifically designated for relief from damages caused by Hurricane Floyd. This bill establishes an additional tool to distribute grants to those affected by the storm, to provide additional relief in cases of extreme hardship.

I am concerned, however, that a local disaster relief program may, inadvertently, become an additional financial burden on taxpayers, particularly in those municipalities which have suffered the most severe damage during a disaster. While there may be valid reasons for a municipality to develop a grant program, it should not do so without first determining that the program will serve the best interests of its citizens, based upon standard criteria developed by the Department of Community Affairs ("DCA"). That criteria should, at a minimum, limit the program's financial burden on taxpayers and ensure that

there is no duplication of benefits received from federal or State disaster programs. Any program also should be approved by the DCA prior to the distribution of grants. Accordingly, I am recommending language which allows DCA to develop criteria and to effectuate an approval process.

I am also recommending language to clarify that the program is limited to those municipalities affected by the disaster.

Finally, I am recommending technical changes that, among other things, clarify DCA's rulemaking authority.

Therefore, I herewith return Assembly Bill No. 3410 and recommend that it be amended as follows:

- Page 2, Section 1, Lines 12-13 : Delete "local unit" and replace with "municipality".
- Page 2, Section 2, Line 22: Insert "there may be circumstances when it is desirable for municipalities to supplement" after "declares that".
- Page 2, Section 2, Lines 23-24: Delete "are not always sufficient to rapidly and adequately respond to the needs of" and replace with "for its".
- Page 2, Section 2, Lines 27-28: Delete "do not receive sufficient relief from" and replace with "require relief in addition to".
- Page 2, Section 2, Line 33: Replace "declare" with "declared" and after the word "municipality" insert "in the affected area".
- Page 2, Section 2, Line 35: After "Program" insert ", pursuant to rules and regulations adopted by the Department of Community Affairs".
- Page 3, Section 2, Line 2: Delete "situate" and replace with "situated".
- Page 3, Section 2, Line 3: Insert "c. A municipality may not implement a Municipal Natural Disaster Relief Grant Program without submitting its resolution and a plan to implement the program to the Department of Community Affairs. A municipality shall not implement its plan, and shall not distribute grants pursuant to that plan, without receiving written approval from the Department of Community Affairs. The Department of Community Affairs shall develop criteria for approval of a municipality's plan. Any criteria developed by the department shall include, but not be limited to, provisions which (1) limit the

financial burden of the program on taxpayers of the municipality and State; and (2) ensure that the program does not result in the duplication of benefits of applicable State or Federal programs.
d. Monies granted by a municipality pursuant to a Municipal Disaster Relief Grant Program may not be used for any damage or loss which is met by any other source.”

Page 3, Section 2, Line 3:

Replace “c.” with “e.”

Page 3, Section 2, Line 4:

After “regulations” insert “within 120 days of enactment of P.L. , c. (Pending before this legislature as this bill)”.

Page 3, Section 2, Line 6:

Add the following sentence at the end of this line: “Such rules shall include, but not be limited to, criteria for approval of a municipality’s plan, eligibility requirements for determining financial hardship, and procedures for approval and administration of grants.”

Page 3, Section 3, Line 9:

Delete “Hurricane Floyd” and replace with “floods, hurricanes or natural disasters for which the Governor has declared a state of emergency on or after September 15, 1999”.

Respectfully,

Christine Todd Whitman
Governor

Attest:

Richard S. Mroz
Chief Counsel to the Governor

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Gene Herman
609-777-2600

RELEASE: January 10, 2000

Gov. Christie Whitman today conditionally vetoed the following pieces of legislation. The Governor's conditional veto messages are attached.

A-2386, sponsored by Assembly Members Alex DeCroce (R-Essex/Morris/Passaic) and Richard A. Merkt (R-Morris) and Senators Henry P. McNamara (R-Bergen/Passaic) and Anthony R. Bucco (R-Morris), which would have directed the Commissioner of Transportation, upon application from certain municipalities, to require a railroad company or entity providing rail passenger service to sound a bell only at the grade crossing.

S-1326, sponsored by Senators Henry P. McNamara (R-Bergen/Passaic) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Assembly Member Nicholas R. Felice (R-Bergen/Passaic), which would have appropriated \$2.5 million from the General Fund to the Department of Environmental Protection for dredging the New Jersey portion of Greenwood Lake. The lake is located in Passaic County and in Orange County, N. Y.

A-3410, sponsored by Assembly Members Bob Smith (D-Middlesex/Somerset/Union) and Leonard Lance (R-Warren/Hunterdon/Mercer) and Senator John A. Lynch (D-Middlesex/Somerset/Union), which would have authorized municipalities to establish grant programs to provide relief to certain real property owners for damages from floods, hurricanes and other natural disasters.

A-2773, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and David W. Wolfe (R-Monmouth/Ocean) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Bernard F. Kenny, Jr. (D-Hudson), which would have provided additional State aid to support full-day kindergarten programs in charter schools located in Abbott districts.

S-456, sponsored by Senator Ronald L. Rice (D-Essex) and Assembly Members Craig A. Stanley (D-Essex) and Wilfredo Caraballo (D-Essex), which would have increased the number of public members of the New Jersey Housing and Mortgage Finance Agency (NJHMFA).

SCS for S-1196, 1197 and 1221, sponsored by Senators Louis F. Kosco (R-Bergen), Wayne R. Bryant (D-Camden/Gloucester) and Garry J. Furnari (D-Bergen/Essex/Passaic) and Assembly Members Neil M. Cohen (D-Union) and Paul DiGaetano (R-Bergen/Essex/Passaic), which would have amended the Check Cashing Regulatory Act, and made it a crime to cash a check for consideration without a license. It would have also required the revocation of a license under certain circumstances and would have

amended the Casino Control Act to require casino licensees to file a suspicious transaction report.

A-1951, sponsored by Assembly Members Carol R. Murphy (R-Essex/Morris/Passaic) and Alex DeCroce (R-Essex/Morris/Passaic) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Anthony R. Bucco (R-Morris), which would have provided for an unlimited length of stay in free-standing special care nursing facilities for certain Medicaid recipients.

A-1647, sponsored by Assembly Members Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Kenneth C. LeFevre (R-Atlantic) and Senators Robert E. Littell (R-Sussex/Hunterdon/Morris) and Jack Sinagra (R-Middlesex), which would have permitted self-employed business partners to be eligible for workers' compensation.

S-1533, sponsored by Senator Gerald Cardinale (R-Bergen) and Assemblyman Nicholas R. Felice (R-Bergen/Passaic), which would have prohibited health insurers that provide prescription benefits from imposing different terms and conditions based on type of pharmacy.

S-1506, sponsored by Senators Donald T. DiFrancesco (R-Middlesex/Somerset and Union) and Byron M. Baer (D-Bergen) and Assembly Members Nicholas R. Felice (R-Bergen/Passaic) and Joseph V. Doria, Jr. (D-Hudson), which would have allowed for a hospital to be designated as a children's hospital based on criteria of the National Association of Children's Hospitals and Related Institutions.

S-286, sponsored by Senators John A. Girgenti (D-Passaic) and Louis F. Kosco (R-Bergen) and Assembly Members Michael Patrick Carroll (R-Morris) and Nicholas J. Sacco (D-Bergen/Hudson), which would have eased the conditions for trial of certain juvenile offenders as adults. The bill would have given prosecutors the discretion to elect to waive certain serious juvenile cases to adult court without requiring judicial approval.

A-2640, sponsored by Assembly Members Paul Kramer (R-Mercer/Middlesex) and Barbara Wright (R-Mercer/Middlesex) and Senator Peter A. Inverso (R-Mercer/Middlesex), which would have authorized criminal background checks for youth agency employees and volunteers.

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Office of the Governor
NEWS RELEASE

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S-279 (Girgenti) (Russo) - Clarifies duties and responsibilities of municipal prosecutors.

S-504 (Ciesla/Matheussen) (Blee/Malone) - Requires public school districts to provide transportation to all nonpublic schools in certain situations.

S-912 (Palaia/Bark) (Roberts/Geist) - Authorizes certain charges to office of county fire marshal and allows creation of arson investigation unit therein.

SCS for S-1196 (Kosco/Bryant/Furnari) (Cohen/DiGaetano) - Amends "Check Cashers Regulatory Act" to make it a crime to cash a check for consideration without a license and requires the revocation of license under certain circumstances; amends "Casino Control Act" to require casino licensees to file suspicious transaction report.

S-1492 (Sinagra/Bassano) (Cruz-Perez/Vandervalk) - "Physician- Dentist Fellowship and Education Program to Provide Health Care to Persons with Developmental Disabilities," appropriates \$2,500,000.

S-2217 (Gormley) (LeFevre/Blee) - Clarifies that cooperative to condominium conversions are not subject to realty transfer fee.

AS for SCS for S-949 (Blee/Cruz-Perez/Previte/Bryant/Gormley) (Jones/Asselta) - Makes Division of Criminal Justice investigators and probation officers eligible for body armor grants.

A-2965 (Bodine/Gregg) (Sinagra/Vitale) - Clarifies that only large water systems are required annually to mail drinking water quality information to customers; requires certain entities to post water quality test results.

A-3270 (Malone/Cottrell) (Singer/Allen) - Requires a board of education providing certain services to nonpublic school pupils to provide consultation with representatives of the nonpublic school on any change in the provision of services.

A-3408 (Biondi/Heck) (Kavanaugh/Robertson) - Provides sales tax exemptions for certain purchases by flood victims of Hurricane Floyd.

A-3571 (Blee) (Bryant/Matheussen) - Revises certain procedures for the receipt of State matching funds against contributions and donations made to institutions of higher education and institutional foundations.

S-1842 (Singer/Bark) (Malone/Conaway) - Establishes a special license plate to aid Deborah Hospital Foundation.

S-1869 (O'Connor) (Asselta/Gregg) - Makes permanent the Vietnam Veterans' Memorial Fund contribution gross income tax return check-off.

SCS for S-2034 (Ciesla/Codey) (Moran/Impeveduto) - Establishes certain licensing requirements for limousine drivers and additional requirements for owners of limousines.

A-2055 (Weinberg/Zisa) (Bassano/Singer) - Establishes Prostate Cancer Awareness, Education and Research Program in DHSS; appropriates \$1 million.

A-3245 (Lance/Gregg) (Schluter) - Appropriates \$200,000 for deer control research.

A-3410 (Lance/Smith) (Lynch) - Authorizes municipalities to establish grant programs to provide relief to certain real property owners for damages due to floods, hurricanes and other natural disasters.

A-3568 (Felice/Doria) (Bassano/Codey) - Continues health service corporation member on Individual Health Coverage and Small Employer Health Benefits Program boards.

A-3622 (Kramer) (Inverso) - Excludes certain hedge fund activity income of corporations of foreign nations from taxation under the corporation business tax.

A-3636 (DeCroce/Ciesla) - Exempts motor carrier employees from the State's statutory overtime wage rate requirements.