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P.L. 2002, CHAPTER 68, *approved August 14, 2002*
Assembly Bill No. 2187 (*Corrected Copy*)

1 **AN ACT** clarifying eligibility for designation as an urban enterprise
2 zone and amending P.L.2001, c.347.

3

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

6

7 1. Section 12 of P.L.2001, c.347 (C.52:27H-66.7) is amended to
8 read as follows:

9 12. The three additional zones, authorized pursuant to P.L.2001,
10 c.347 (C.52:27H-66.2 et al.), shall be designated within 90 days of the
11 date of the submittal of an application and zone development plan,
12 provided that the joint zone shall be designated within 90 days of the
13 date of the submittal of a joint application and a joint zone
14 development plan by the adjoining municipalities. The authority shall
15 accept applications within 90 days of the effective date of P.L.2001,
16 c.347 (C.52:27H-66.2 et al.). Notwithstanding the provisions of
17 P.L.1983, c.303 (C.52:27H-60 et seq.) to the contrary, the additional
18 enterprise zones to be designated by the authority pursuant to the
19 criteria for priority consideration set forth in this section shall be
20 entitled to an exemption to the extent of 50% of the tax imposed under
21 the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).
22 The following criteria shall be utilized in according priority
23 consideration for designation of the three additional enterprise zones
24 authorized pursuant to P.L.2001, c.347 (C.52:27H-66.2 et al.):

25 a. (1) The joint zone shall be located in four municipalities which
26 are adjacent to each other, one of which has a population greater than
27 5,000 and less than 5,500 according to the latest federal decennial
28 census, one of which has a population greater than ~~[4,000]~~ 4,500 and
29 less than ~~[4,500]~~ 5,000 according to the latest federal decennial
30 census, one of which has a population greater than 3,000 and less than
31 4,000 according to the latest federal decennial census, and one of
32 which has a population greater than 400 and less than 500 according
33 to the latest federal decennial census; and

34 (2) The joint zone shall be located in a county of the sixth class
35 according to the latest federal decennial census.

36 b. (1) The second zone shall be located in a municipality with a
37 population greater than 60,000 and less than 65,000 according to the
38 latest federal decennial census in a county of the first class with a
39 population greater than 600,000 and less than 620,000 according to
40 the latest federal decennial census; and

41 (2) The second zone shall be located in a municipality which is

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 contiguous to at least one qualifying municipality which has a
2 designated enterprise zone and which is in a county of the first class.

3 c. The third zone shall be located within a municipality that

4 (1) borders on another municipality having an urban enterprise
5 zone;

6 (2) has a population greater than 20,000 and a population density
7 greater than 7,500 persons per square mile according to the latest
8 federal decennial census; and

9 (3) has a per capita retail sales rate that is less than \$2,500, as
10 reported by the U.S. Bureau of the Census, 1992 Census of Retail.
11 (cf: P.L.2001, c.347, s.12)

12

13 2. This act shall take effect immediately and shall be applicable to
14 zones designated on or after January 6, 2002.

15

16

17

STATEMENT

18

19 This bill would modify the population coordinates governing
20 eligibility for the establishment of a joint urban enterprise zone which
21 was authorized in a county of the sixth class pursuant to P.L.2001,
22 c.347.

23 According to the 1990 census, the only county of the sixth class
24 was Cape May County. Although the county's population increased
25 such as to otherwise place it beyond the population parameters of a
26 sixth class county according to the 2000 census, the enactment of
27 P.L.2001, c.336 made the necessary changes in the definition of a
28 county of the sixth class in order to protect Cape May's status.

29 Senate Bill 322 (ultimately enacted as P.L.2001, c.347) defined the
30 joint urban enterprise zone which it authorized as including four
31 adjacent municipalities, one having a population greater than 5,000
32 and less than 5,500; one having a population greater than 4,000 and
33 less than 4,500; one having a population greater than 3,000 and less
34 than 4,000; and the last having a population greater than 400 and less
35 than 500. The populations were tied to the populations included
36 within the latest federal decennial census. At the time the bill was
37 originally proposed, the 1990 census was the latest census and the
38 municipalities which fulfilled those population criteria, respectively,
39 were North Wildwood, Wildwood, Wildwood Crest and West
40 Wildwood.

41 With the promulgation of the 2000 census in April of 2001, the
42 population descriptors only applied to three municipalities. The
43 description which previously resulted in the designation of North
44 Wildwood would now apply to Wildwood. The definition which
45 previously applied to Wildwood would now apply to no municipality.
46 Wildwood Crest and West Wildwood would still be eligible for

1 designation regardless of the change in population between the 1990
2 and 2000 censuses.

3 It is clear from the record that the Legislature knew that Senate Bill
4 322 was intended to authorize a joint zone in North Wildwood,
5 Wildwood, Wildwood Crest and West Wildwood. This bill makes the
6 necessary amendment to the population parameters establishing the
7 joint zone to clarify North Wildwood's inclusion within the zone.

8

9

10

11

12 Clarifies parameters of joint UEZ authorized in Cape May County
13 under P.L.2001, c.347.

ASSEMBLY, No. 2187

STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED MARCH 26, 2002

Sponsored by:

Assemblyman JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman NICHOLAS ASSELTA

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Clarifies parameters of joint UEZ authorized in Cape May County under P.L.2001, c.347.

CURRENT VERSION OF TEXT

As introduced.



A2187 VAN DREW, ASSELTA

2

1 **AN ACT** clarifying eligibility for designation as an urban enterprise
2 zone and amending P.L.2001, c.347.

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

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7 1. Section 12 of P.L.2001, c.347 (C.52:27H-66.7) is amended to
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10 c.347 (C.52:27H-66.2 et al.), shall be designated within 90 days of the
11 date of the submittal of an application and zone development plan,
12 provided that the joint zone shall be designated within 90 days of the
13 date of the submittal of a joint application and a joint zone
14 development plan by the adjoining municipalities. The authority shall
15 accept applications within 90 days of the effective date of P.L.2001,
16 c.347 (C.52:27H-66.2 et al.). Notwithstanding the provisions of
17 P.L.1983, c.303 (C.52:27H-60 et seq.) to the contrary, the additional
18 enterprise zones to be designated by the authority pursuant to the
19 criteria for priority consideration set forth in this section shall be
20 entitled to an exemption to the extent of 50% of the tax imposed under
21 the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).
22 The following criteria shall be utilized in according priority
23 consideration for designation of the three additional enterprise zones
24 authorized pursuant to P.L.2001, c.347 (C.52:27H-66.2 et al.):

25 a. (1) The joint zone shall be located in four municipalities which
26 are adjacent to each other, one of which has a population greater than
27 5,000 and less than 5,500 according to the latest federal decennial
28 census, one of which has a population greater than **[4,000]** 4,500 and
29 less than **[4,500]** 5,000 according to the latest federal decennial
30 census, one of which has a population greater than 3,000 and less than
31 4,000 according to the latest federal decennial census, and one of
32 which has a population greater than 400 and less than 500 according
33 to the latest federal decennial census; and

34 (2) The joint zone shall be located in a county of the sixth class
35 according to the latest federal decennial census.

36 b. (1) The second zone shall be located in a municipality with a
37 population greater than 60,000 and less than 65,000 according to the
38 latest federal decennial census in a county of the first class with a
39 population greater than 600,000 and less than 620,000 according to
40 the latest federal decennial census; and

41 (2) The second zone shall be located in a municipality which is
42 contiguous to at least one qualifying municipality which has a
43 designated enterprise zone and which is in a county of the first class.

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 c. The third zone shall be located within a municipality that
2 (1) borders on another municipality having an urban enterprise
3 zone;
4 (2) has a population greater than 20,000 and a population density
5 greater than 7,500 persons per square mile according to the latest
6 federal decennial census; and
7 (3) has a per capita retail sales rate that is less than \$2,500, as
8 reported by the U.S. Bureau of the Census, 1992 Census of Retail.
9 (cf: P.L.2001, c.247, s.12)

10

11 2. This act shall take effect immediately and shall be applicable to
12 zones designated on or after January 6, 2002.

13

14

15

STATEMENT

16

17 This bill would modify the population coordinates governing
18 eligibility for the establishment of a joint urban enterprise zone which
19 was authorized in a county of the sixth class pursuant to P.L.2001,
20 c.247.

21

22 According to the 1990 census, the only county of the sixth class
23 was Cape May County. Although the county's population increased
24 such as to otherwise place it beyond the population parameters of a
25 sixth class county according to the 2000 census, the enactment of
26 P.L.2001, c.336 made the necessary changes in the definition of a
27 county of the sixth class in order to protect Cape May's status.

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29 Senate Bill 322 (ultimately enacted as P.L.2001, c.247) defined the
30 joint urban enterprise zone which it authorized as including four
31 adjacent municipalities, one having a population greater than 5,000
32 and less than 5,500; one having a population greater than 4,000 and
33 less than 4,500; one having a population greater than 3,000 and less
34 than 4,000; and the last having a population greater than 400 and less
35 than 500. The populations were tied to the populations included
36 within the latest federal decennial census. At the time the bill was
37 originally proposed, the 1990 census was the latest census and the
38 municipalities which fulfilled those population criteria, respectively,
39 were North Wildwood, Wildwood, Wildwood Crest and West
40 Wildwood.

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42 With the promulgation of the 2000 census in April of 2001, the
43 population descriptors only applied to three municipalities. The
44 description which previously resulted in the designation of North
45 Wildwood would now apply to Wildwood. The definition which
46 previously applied to Wildwood would now apply to no municipality.
Wildwood Crest and West Wildwood would still be eligible for
designation regardless of the change in population between the 1990
and 2000 censuses.

A2187 VAN DREW, ASSELTA

4

1 It is clear from the record that the Legislature knew that Senate Bill
2 322 was intended to authorize a joint zone in North Wildwood,
3 Wildwood, Wildwood Crest and West Wildwood. This bill makes the
4 necessary amendment to the population parameters establishing the
5 joint zone to clarify North Wildwood's inclusion within the zone.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2187

STATE OF NEW JERSEY

DATED: MAY 16, 2002

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 2187.

Assembly Bill No. 2187 would modify the population coordinates governing eligibility for the establishment of a joint urban enterprise zone which was authorized in a county of the sixth class pursuant to P.L.2001, c.247.

According to the 1990 census, the only county of the sixth class was Cape May County. Although the county's population increased such as to otherwise place it beyond the population parameters of a sixth class county according to the 2000 census, the enactment of P.L.2001, c.336 made the necessary changes in the definition of a county of the sixth class in order to protect Cape May's status.

Senate Bill 322 (ultimately enacted as P.L.2001, c.247) defined the joint urban enterprise zone which it authorized as including four adjacent municipalities, one having a population greater than 5,000 and less than 5,500; one having a population greater than 4,000 and less than 4,500; one having a population greater than 3,000 and less than 4,000; and the last having a population greater than 400 and less than 500. The populations were tied to the populations included within the latest federal decennial census. At the time the bill was originally proposed, the 1990 census was the latest census and the municipalities which fulfilled those population criteria, respectively, were North Wildwood, Wildwood, Wildwood Crest and West Wildwood.

With the promulgation of the 2000 census in April of 2001, the population descriptors only applied to three municipalities. The description which previously resulted in the designation of North Wildwood would now apply to Wildwood. The definition which previously applied to Wildwood would now apply to no municipality. Wildwood Crest and West Wildwood would still be eligible for designation regardless of the change in population between the 1990 and 2000 censuses.

It is clear from the record that the Legislature knew that Senate Bill 322 was intended to authorize a joint zone in North Wildwood, Wildwood, Wildwood Crest and West Wildwood. This bill makes the necessary amendment to the population parameters establishing the joint zone to clarify North Wildwood's inclusion within the zone.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2187

STATE OF NEW JERSEY

DATED: JUNE 6, 2002

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably Assembly Bill No. 2187.

This bill would modify the population coordinates governing eligibility for the establishment of a joint urban enterprise zone which was authorized in a county of the sixth class (Cape May County) pursuant to P.L.2001, c.347.

P.L.2001, c.347 defined the joint urban enterprise zone which it authorized as including four adjacent municipalities, one having a population greater than 5,000 and less than 5,500; one having a population greater than 4,000 and less than 4,500; one having a population greater than 3,000 and less than 4,000; and the last having a population greater than 400 and less than 500. The populations were tied to the populations included within the latest federal decennial census. At the time the bill was originally proposed, the 1990 census was the latest census and the municipalities which fulfilled those population criteria, respectively, were North Wildwood, Wildwood, Wildwood Crest and West Wildwood.

With the promulgation of the 2000 census in April of 2001, the population descriptors only applied to three municipalities. The description which previously resulted in the designation of North Wildwood would now apply to Wildwood. The definition which previously applied to Wildwood would now apply to no municipality. Wildwood Crest and West Wildwood would still be eligible for designation regardless of the change in population between the 1990 and 2000 censuses. It is clear from the record that the Legislature knew that P.L.2001, c.347 was intended to authorize a joint zone in North Wildwood, Wildwood, Wildwood Crest and West Wildwood.

This bill makes the necessary amendment to the population parameters establishing the joint zone to clarify North Wildwood's inclusion within the zone.

As reported by the committee, Assembly Bill, No. 2187 is identical to Senate Bill, No. 1450, which also was reported by the committee on this date.

SENATE, No. 1450

STATE OF NEW JERSEY
210th LEGISLATURE

INTRODUCED MAY 13, 2002

Sponsored by:

Senator JAMES S. CAFIERO

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Clarifies parameters of joint UEZ authorized in Cape May County under P.L.2001, c.347.

CURRENT VERSION OF TEXT

As introduced.



S1450 CAFIERO

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28 census, one of which has a population greater than ~~[4,000]~~ 4,500 and
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31 4,000 according to the latest federal decennial census, and one of
32 which has a population greater than 400 and less than 500 according
33 to the latest federal decennial census; and

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35 according to the latest federal decennial census.

36 b. (1) The second zone shall be located in a municipality with a
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43 designated enterprise zone and which is in a county of the first class.

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Matter underlined thus is new matter.

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4 (2) has a population greater than 20,000 and a population density
5 greater than 7,500 persons per square mile according to the latest
6 federal decennial census; and
7 (3) has a per capita retail sales rate that is less than \$2,500, as
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22 was Cape May County. Although the county's population increased
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25 P.L.2001, c.336 made the necessary changes in the definition of a
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33 than 500. The populations were tied to the populations included
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35 originally proposed, the 1990 census was the latest census and the
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38 Wildwood.

39 With the promulgation of the 2000 census in April of 2001, the
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42 Wildwood would now apply to Wildwood. The definition which
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45 designation regardless of the change in population between the 1990
46 and 2000 censuses.

S1450 CAFIERO

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1 It is clear from the record that the Legislature knew that Senate
2 Bill No. 322 was intended to authorize a joint zone in North
3 Wildwood, Wildwood, Wildwood Crest and West Wildwood. This bill
4 makes the necessary amendment to the population parameters
5 establishing the joint zone to clarify North Wildwood's inclusion within
6 the zone.

SENATE ECONOMIC GROWTH, AGRICULTURE AND
TOURISM COMMITTEE

STATEMENT TO

SENATE, No. 1450

STATE OF NEW JERSEY

DATED: JUNE 6, 2002

The Senate Economic Growth, Agriculture and Tourism Committee reports favorably Senate Bill No. 1450.

This bill would modify the population coordinates governing eligibility for the establishment of a joint urban enterprise zone which was authorized in a county of the sixth class (Cape May County) pursuant to P.L.2001, c.347.

P.L.2001, c.347 defined the joint urban enterprise zone which it authorized as including four adjacent municipalities, one having a population greater than 5,000 and less than 5,500; one having a population greater than 4,000 and less than 4,500; one having a population greater than 3,000 and less than 4,000; and the last having a population greater than 400 and less than 500. The populations were tied to the populations included within the latest federal decennial census. At the time the bill was originally proposed, the 1990 census was the latest census and the municipalities which fulfilled those population criteria, respectively, were North Wildwood, Wildwood, Wildwood Crest and West Wildwood.

With the promulgation of the 2000 census in April of 2001, the population descriptors only applied to three municipalities. The description which previously resulted in the designation of North Wildwood would now apply to Wildwood. The definition which previously applied to Wildwood would now apply to no municipality. Wildwood Crest and West Wildwood would still be eligible for designation regardless of the change in population between the 1990 and 2000 censuses.

It is clear from the record that the Legislature knew that P.L.2001, c.347 was intended to authorize a joint zone in North Wildwood, Wildwood, Wildwood Crest and West Wildwood. This bill makes the necessary amendment to the population parameters establishing the joint zone to clarify North Wildwood's inclusion within the zone.

As reported by the committee, Senate Bill, No. 1450, is identical to Assembly Bill, No. 2187 which also was reported by the committee on this date.

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Press Releases

PO BOX 004
TRENTON, NJ 08625

Contact: Paul Aronsohn
609-777-2600

RELEASE: August 14, 2002

[Previous Screen](#)

McGreevey Acts to Encourage Growth in Cape May County

Signs UEZ & Tourism Funding Legislation

(WILDWOOD) —At the Wildwood Convention Center, Governor James E. McGreevey today signed into law two pieces of legislation designed to promote economic growth and enhance tourism in Cape May County. The Governor was joined by Assemblymen Jeff Van Drew and Nicholas Asselta and Senator James Cafiero.

“We have a fundamental obligation to foster growth and create jobs in every part of New Jersey,” said McGreevey. “These important pieces of legislation will continue to move Cape May in the right direction.”

The first piece of legislation signed today by Governor McGreevey, Assembly Bill 2187, will enable North Wildwood to continue its participation in the Cape May County Urban Enterprise Zone by modifying the population requirements for a joint urban enterprise zone authorized in a county of the sixth class. The only county of the sixth class is Cape May County.

“By continuing the Wildwood UEZ and providing municipalities with an additional funding mechanism to promote tourism, Governor McGreevey has taken action to foster growth in Cape May,” said Van Drew. “The measures signed into law today will directly benefit this region.”

Current law authorizes the creation of a joint urban enterprise zone in four specific, adjacent municipalities, defined by their population counts. Based on the 1990 Federal census, the municipalities that met these population criteria were North Wildwood, Wildwood, Wildwood Crest and West Wildwood. Under the 2000 census, however, North Wildwood is excluded. This bill modifies the population requirement to include North Wildwood.

Assembly Bill 2187, sponsored by Assemblymen Van Drew (D-Cape May/Atlantic/Cumberland) and Asselta (R-Cape May/Atlantic/Cumberland), passed the Assembly 75-0. The Senate version of the bill, Senate Bill 1450, was sponsored by Senator Cafiero (R-Cape May/Atlantic/Cumberland) and passed the Senate 37-0.

The second piece of legislation signed by Governor McGreevey, the Assembly Committee Substitute for Assembly Bill 2312, permits the Greater Wildwood tourism improvement and

development district to generate additional funds for its efforts to enhance tourism throughout the region.

The bill allows municipalities in a “tourism development district” to impose a tourism assessment of up to 1.85% on hotel room rentals. The assessment will fund the activities of the municipality’s tourism authority, including all marketing costs.

In addition, the bill removes the current \$1,000 cap on tourism development fees, extends those fees to the renters of lodging not subject to the sales and use tax, and, for bars and restaurants, eliminates a fee offset by the amount of any tax on predominantly tourism related retail receipts that they collect.

Finally, it allows businesses outside of the tourism district to enter into marketing partnerships with the tourism authority.

The Assembly Committee Substitute for Assembly Bill 2312 was also sponsored by Assemblymen Van Drew and Asselta. It passed the Assembly 74-2. The Senate version of the bill, Senate Bill 1142, was sponsored by Senator Cafiero and passed the Senate 39-0.

#



State of New Jersey Governor's Office

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