

New Jersey League of Municipalities Legislative Bulletin

No. 1

2010-2011 LEGISLATIVE SESSION

March, 2010

THE FOLLOWING BILLS WERE ENACTED AS THE PUBLIC LAWS OF 2009:

Chapter 136 **A-2650** **10/12/2009**

Establishes requirements concerning certain public contracts with private firms.

Chapter 141 **A-2784** **10/19/2009**

Permits municipalities to set strict absentee policies for service on authorities, boards, and commissions.

Chapter 144 **S-562** **11/20/2009**

Provides triggers for reductions of employer unemployment insurance taxes.

Chapter 146 **S-1303** **11/20/2009**

Defines "inherently beneficial use" for purposes of zoning variance and specifically includes facilities and structures that supply electrical energy produced from wind, solar, or photovoltaic technologies.

Chapter 147 **S-1816** **11/20/2009**

Authorizes counties and municipalities to acquire real property, and to resell or lease it with agricultural deed restrictions attached, for farmland preservation purposes.

Chapter 149 **S-2372** **11/20/2009**

Permits revenue received by municipality as payments in lieu of taxes to increase cap base upon which permissible increases to final appropriations are calculated under local cap law.

Chapter 164 **A-3541** **11/20/2009**

Extends deadline for municipal certified recycling coordinator requirements.

Chapter 166 **A-1645** **12/17/2009**

Redefines role and qualifications of purchasing agent in "Local Public Contracts Law."

Chapter 170 **S-869** **1/11/2010**

Permits municipalities to adopt ordinances requiring bond from landlords in certain circumstances.

Chapter 171 **S-924** **1/11/2010**

Requires DEP to notify coastal municipalities of certain settlement discussions.

Chapter 174 **S-2885** **1/11/2010**

Makes emergency medical technician certification valid for five years.

Chapter 180 **A-3657** **1/11/2010**

Concerns extension of certain local government financial agreements.

Chapter 187 **A-436** **1/12/2010**

Permits price adjustments in local public contracts for asphalt cement and fuel.

Chapter 196 **A-351** **1/14/2010**

Permits nonpartisan municipal elections to be held on same day as general elections.

Chapter 202 **A-1263** **1/14/2010**

Affords employment protection to certain volunteer emergency responders.

Chapter 206 **A-4338** **1/15/2010**

Permits member of volunteer fire company and emergency response squad to hold municipal elective office.

Chapter 213 **S-1538** **1/16/2010**

Concerns biomass, solar, and wind energy generation on farms.

Chapter 231 **A-1882** **1/16/2010**

Permits three year payoff of accumulated deficits of municipal health insurance funds.

Chapter 233 **A-2178** **1/16/2010**

Permits surcharge of up to 22% to offset private collection fees for certain delinquent debts owed to courts, counties, and municipalities.

Chapter 244 **A-3740** **1/16/2010**

Provides for regulation of small wind energy systems by municipalities.

Chapter 249 **A-4268** **1/16/2010**

Extends prevailing wage requirements to certain maintenance-related projects.

Chapter 251 **A-4313** **1/16/2010**

Revises procedure for reassessment of certain real property by assessor and appeal of assessment by certain property taxpayers.

Chapter 255 **S-184** **1/17/2010**

Requires DCF to provide Safe Haven information to county and municipal agencies, social service agencies, physicians, pregnancy crisis centers, adoption agencies and colleges and universities.

Chapter 257 **S-1082** **1/17/2010**

Permits municipality to determine permissible parking distance from intersection, crosswalk or "stop" sign.

Chapter 258 **S-1234** **1/17/2010**

Establishes criteria municipalities and counties are to consider when establishing speed limits.

Chapter 259 **S-1362** **1/17/2010**

Requires 45 days' notice to affected municipalities of discontinuance of certain bus and train service.

Chapter 275 **A-823** **1/17/2010**

Regulates operation of snowmobiles, all-terrain vehicles, and dirt bikes, and certain other vehicles and off-road vehicles; requires DEP to designate three sites on State-owned land where snowmobiles, all-terrain vehicles; and dirt bikes may be used.

Chapter 284 **A-3317** **1/17/2010**

Revises conditions to qualify for exemptions from electrical contracting permit requirements for electrical installation, repair and maintenance work done by public employees on public property.

Chapter 286 **A-3433** **1/17/2010**

Changes petition filing date for Board of Fire Commissioners.

Chapter 292 **A-3698** **1/17/2010**

Provides for specified alternative proposals and base specifications for certain public contracts; requires contracting unit to specify basis for determining lowest responsible bid and criteria for selection of alternate bids.

Chapter 296 **A-4063** **1/17/2010**

Establishes the "New Jersey Foreclosure Fairness Act"; imposes additional foreclosure notice requirements; amends "Mortgage Stabilization and Relief Act."

Chapter 301 **A-4269** **1/17/2010**

Permits municipal or county Hispanic advisory commission to have more than five members.

Chapter 302 **A-4341** **1/17/2010**

Authorizes increased grant funding to local governments for site remediation for redevelopment of contaminated property for renewable energy projects.

Chapter 312 **S-2479** **1/18/2010**

Increases penalties for failing to yield to pedestrian when pedestrian is seriously injured.

Chapter 313 **S-2730** **1/18/2010**

Requires public bodies to provide funds for outreach and training programs for minority group members and women in connection with certain construction contracts.

Chapter 314 **S-3071** **1/18/2010**

Permits certain managers and deputy attorneys general of the State to negotiate collectively under the "New Jersey Employer-Employee Relations Act;" changes definition of managerial executives and removes confidential status of deputy attorneys general and certain State investigators.

Chapter 315 **A-557** **1/18/2010**

Repeals bidding requirement for local public contracts to allow bidders to avoid unresponsive bid if they inadvertently omit business registration from bid proposal provided that bidder was registered before bid submission deadline.

Chapter 317 **A-807** **1/18/2010**

Authorizes court to provide alternatives for persons who default in payment of fines.

Chapter 319 **A-1329** **1/18/2010**

Revises laws concerning pedestrian safety and traffic control; requires drivers to stop and remain stopped for pedestrians under certain conditions.

Chapter 320 **A-1619** **1/18/2010**

Revises certain statutes concerning sale of tax and other municipal liens.

Chapter 324 **A-3396** **1/18/2010**

Provides authorized emergency vehicles protection under lemon law.

Chapter 325 **A-3634** **1/18/2010**

Makes sundry changes to limousine laws.

Chapter 326 **A-3998** **1/18/2010**
 Concerns governmental unit public funds deposited in public depositories.

Chapter 333 **A-4303** **1/18/2010**
 Provides that certain drunk driving offenders who drive with a suspended driver's license are guilty of a fourth degree crime.

Chapter 336 **A-4347** **1/18/2010**
 Extends expiration date of certain permits pursuant to "Permit Extension Act of 2008."

Chapter 339 **S-3157** **1/18/2010**
 Revises statutes concerning permissible length of time between certain public questions in certain municipalities.

A = Approved By the League

O = Opposed By the League

BILL NO. AND SPONSOR	BILL SUMMARY	CURRENT STATUS	LEAGUE POSITION
A-575 Cryan, Joseph	Prohibits public safety directors from exercising police powers. <i>Would deny elected officials the opportunity to determine proper public safety governance.</i>	Assembly Law and Public Safety Committee	O
A-898 Dancer, Ronald S.	Permits board of fire commissioners to amend fire district budget after adoption to insert special items of revenue.	Assembly Housing and Local Government Committee	A
A-1258 Stender, Linda	Requires projects with State or Local financing to be built to high performance green building standards and provides for performance review and annual report.	Assembly Environment and Solid Waste Committee	O
A-1333 Diegnan, Patrick J., Jr.	Provides that President of Municipal Clerks' Association of New Jersey shall serve as member of Government Records Council.	Assembly State Government Committee	A
A-1480 Rible, David P.	Clarifies powers of public safety directors. <i>(See A-575)</i>	Assembly Law and Public Safety Committee	O
A-1883 Johnson, Gordon M.	Establishes 25-cent municipal court surcharge for all violations; creates grant program for animal shelters funded by surcharge.	Assembly Judiciary Committee	O
A-1896 DiCicco, Domenick,	Requires municipality to comply with State audit prior to receiving State aid.	Assembly Housing and Local	O

BILL NO. AND SPONSOR	BILL SUMMARY	CURRENT STATUS	LEAGUE POSITION
Jr.	<i>We are concerned with formula driven revenue being withheld and provisions of the bill duplicate existing laws and regulation.</i>	Government Committee	
A-1917 Riley, Celeste M.	Provides procedure for municipality acquiring school property from non-operating school district following merger to extinguish restrictive deed covenant.	Assembly Housing and Local Government Committee	A
A-2019 Casagrade, Caroline	Reduces amount of Special Municipal Aid and extraordinary aid awarded to municipalities that have not set limits on the amount of supplemental compensation paid to employees for unused sick and vacation leave. <i>Support in concept, however we are concerned that aid will be reduced.</i>	Assembly Housing and Local Government Committee	O
A-2023 Casagrande, Caroline	Prohibits certain political subdivisions from awarding longevity-based benefits to their employees. <i>Undermines local discretion.</i>	Assembly Housing and Local Government Committee	O
A-2024 Casagrande, Caroline	Prohibits annual bonuses for perfect attendance and the non-use of sick leave. <i>Undermines local discretion.</i>	Assembly Housing and Local Government Committee	O
A-2025 Casagrande, Caroline	Prohibits terminal leave compensation for local government employees.	Assembly Housing and Local Government Committee	A
A-2027 Casagrande, Caroline	Prohibits investment by State of pension and annuity funds in companies with ties to terrorists. <i>The provisions of this bill will be difficult to enforce.</i>	Assembly State Government Committee	O
A-2035 DeCroce, Alex	Increases threshold amount at which MLUL escrow deposits must be deposited in interest bearing accounts.	Assembly Housing and Local Government Committee	A
A-2049 DeAngelo, Wayne P.	Revises the definition of "public works projects" related to project labor agreements to include bridges. <i>Concerned with expanding "public works projects" to include bridges.</i>	Assembly Labor Committee	O
A-2289 Chivukula, Upendra Quijano, Annette	Exempts solar panels from impervious surface or impervious cover designation. <i>Pits one environmental concern against the other.</i>	Assembly Environment and Solid Waste Committee	O
S-2 Scutari, Nicholas P. O'Toole, Kevin J.	Makes various pension system changes concerning eligibility, retirement allowance formula, compensation definition, position eligible for service credit, non-forfeitable rights, enrollment waiver, prosecutors part, PFRS special retirement,	Passed by the Senate (36-0)	A

BILL NO. AND SPONSOR	BILL SUMMARY	CURRENT STATUS	LEAGUE POSITION
Bateman, Christopher	employer contributions.		
S-3 Doherty, Michael J. Whelan, Jim	Makes various changes to SHBP and SEHBP concerning eligibility, cost sharing, plan choice, benefit change application, coverage waiver, multiple coverage; requires contributions toward health care benefits by public employees and certain retirees.	Passed by the Senate (36-0)	A
S-4 O'Toole, Kevin J. Buono, Barbara	Makes various changes concerning payments to public employees for unused sick leave, sick leave injury in State service, and PERS and TPAF disability retirement.	Passed by the Senate (36-0)	A
S-838 Whelan, Jim	Establishes one permanent seat on State Records Committee for Chief Technology Officer and one annually rotating seat for county clerk and municipal clerk.	Senate Committee, 2nd Reading	A
S-874 Connors, Christopher J.	Permits cancellation of municipal charges and fees under \$10.	Senate Community and Urban Affairs Committee	A
S-975 Allen, Diane B.	Clarifies that "entering" a public place for a drug deal is conduct included in C.2C:33-2.1.	Senate Judiciary Committee	A
S-979 Allen, Diane B.	Requires BPU to conduct pilot program to allow free parking for alternative fuel vehicles and alternative technology vehicles. <i>We do agree that the promotion of alternative energy sources benefits all of our residents and should be encourage. However, S-979 is administrately expensive and it would be difficult to identify vehicles that meet the standards.</i>	Senate Environment and Energy Committee	O
S-980 Allen, Diane B.	Requires school facilities projects to maintain the character of historic school facilities. <i>Inhibits adeptive re-use of older facilities.</i>	Senate Education Committee	O
S-984 Allen, Diane B.	Relieves municipalities and counties along light rail lines of civil liability in Quiet Zones under certain circumstances.	Senate Transportation Committee	A
S-1045 Codey, Richard J. Cunningham, Sandra B.	Extends service prevailing wage requirements to certain food service contracts. <i>Cost driven.</i>	Senate Labor Committee	O
S-1068 Turner, Shirley K.	Requires payment to municipality for use of municipal services by for-profit lessee of property owned by county or county improvement authority. <i>Current system in place for Tax Assessors. In addition, there</i>	Senate Community and Urban Affairs Committee	O

BILL NO. AND SPONSOR	BILL SUMMARY	CURRENT STATUS	LEAGUE POSITION
	<i>is no method to calculate the cost.</i>		
S-1111 Van Drew, Jeff Baroni, Bill Connors, Christopher J.	Lowers age of eligibility for surviving spouse under homestead property tax reimbursement program; extends payment of homestead property tax reimbursement to non-eligible surviving spouse for portion of tax year during which deceased spouse lived. <i>In light of the recent audit which found no verification process or follow-up, the program should not be expanded.</i>	Senate Budget and Appropriations Committee	O
S-1152 Van Drew, Jeff	Requires forfeiture of public office upon conviction of fourth degree crime or higher; disqualifies person from future office upon conviction of fourth degree crime or higher or conviction of crime involving dishonesty.	Senate Judiciary Committee	A
S-1351 Weinberg, Loretta	Revises law concerning meetings of public bodies to provide greater public access to meetings and to information about meetings. <i>Costly, time-consuming and impractical State mandate.</i>	Senate State Government, Wagering, Tourism & Historic Preservation Committee	O
S-1352 Weinberg, Loretta	Makes certain changes to open public records act; formally names open public records act "Martin O'Shea Open Public Records Act." <i>Impractical and expensive State mandate.</i>	Senate State Government, Wagering, Tourism & Historic Preservation Committee	O
SCR-48 Ciesla, Andrew R.	Proposes Constitutional amendment to limit assessment of homestead real property. <i>Concerned with a cap based on the Consumer Price Index.</i>	Senate Community and Urban Affairs Committee	O

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