

IN RE APPLICATION OF
BARBARA EAMES AND
WILLIAM EAMES PURSUANT
TO N.J.S.A. 1:7-1 AND N.J.S.A.
1:7-4 SEEKING TO VOID L.
2021, C. 375,

On Application to
SUPERIOR COURT OF NEW
JERSEY, APPELLATE
DIVISION
seeking exercise of original
jurisdiction pursuant to N.J.S.A.
1:7-1 & -4

Docket No.: A-1411-22T4

CIVIL ACTION

**MERITS BRIEF IN SUPPORT OF APPLICANTS-PETITIONERS
BARBARA EAMES AND WILLIAM EAMES' APPLICATION TO VOID
L. 2021, C. 375**

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PRELIMINARY STATEMENT

Within a penumbra of secrecy and without the benefit of adequate notice, the Legislature enacted a sweeping abortion statute on the last day of the lame duck session. Calling the law “[a]n ACT concerning freedom of reproductive choice,” the Legislature substituted new provisions for the bill that had been pending and the subject of debate for months. The procedure employed by the Legislature violated both the New Jersey Constitution and statutes that the Legislature itself created. Applicants-Petitioners William and Barbara Eames bring this action under N.J.S.A. 1:7-4 and within this court’s original jurisdiction, seeking to declare void and ineffective the statute enacted as L. 2021, c. 375.

This Court should void the act because the Constitution requires procedures to ensure that the legislators and the public have adequate advance notice and a say in legislation. That did not happen with this highly controversial act, made even more controversial given the manner in which it was passed where even those who provided testimony thought such testimony related to a different pending pro abortion bill. The Legislature should not be able to violate the manner in which the Constitution requires that bills be enacted into law; furthermore, the Legislature should not be able to violate its own statutes enacted for the purposes of review of bills before they become law.

As explained herein, the Legislature should never be able to enact a bill that violates our constitutional and statutory mandates. This Court should draw particular scrutiny because the act at issue deals with one of the most controversial subjects that this country has dealt with since the 1960s. As such, two citizens, Petitioners Barbara Eames and William Eames timely filed this application to challenge the legislation under N.J.S.A. 1:7-4.

There are several procedural issues with the passing of L. 2021, c. 375 that deem it void under N.J.S.A. 1:7-4. The legislation was never presented, as required by 52:13B-6, *et seq.* & 17B:27D-6, for fiscal review. In addition, the Constitution and statutes were violated regarding adequate public notice of legislative action. The denial of public access was compounded by the failure of the Legislature to give the public notice of the bill with twenty-four hours separating the second from third readings as constitutionally required. Given these two statutory and constitutional deficiencies, L. 2021, c. 375 is void on its face.

STATEMENT OF FACTS

Applicants-Petitioners Barbara Eames and William Eames filed this action on January 12, 2023 seeking to declare L. 2021, c. 375 unconstitutional based upon constitutional and statutory deficiencies with the manner in which

the law was enacted. (Pa16.¹) These two bills were introduced in the Legislature on January 6, 2022 during the final days of the 2020-2021 legislative session. (Pa66 at ¶ 9.) The law was enacted within a shroud of secrecy because State House access was limited due to COVID-19, the legislative calendar did not list this bill, and the Governor had issued a State of Emergency due to inclement weather sending State employees home. Id. Specifically, on January 6, 2022, the Legislature had COVID protocols in effect preventing the public from attending Assembly Appropriations hearing. (Pa66 at ¶ 8.) Also on January 6, 2022, the Governor had declared a State of Emergency, so many state employees were not present at the State House. Id.

A search of the online legislative calendar with its online dropdown bar demonstrates that the Legislature never listed S. 49 nor A. 6260 for introduction or proceedings related to these bills as of January 6, 2022. (Pa101-03 at ¶¶ 17-20; Pa112-31.) In fact, the calendar was not updated to show the bills' listings until January 10, 2022 – the date by which the bills were enacted. (Pa119 & 129.) Thus, the public had no way to know these bills that were subsequently enacted were being introduced or considered on January 6, 2022, as distinguished from the reproductive freedom bills that had been pending since

¹ The term “Pa” refers to Applicants-Petitioners’ Appendix in support of appeal filed herewith.

October 2020, A.4848 (2020) and S. 3030 (2020). (Pa101-03 at ¶¶ 17-22, Pa378-472.) As a result, the public was not informed about the proceedings for these suddenly introduced bills, and certainly had no adequate opportunity to examine the text of these bills. Id.

The Legislature's website had no recording or broadcast to prove that either the first or second readings from the floor of either House took place on January 6, 2022. (Pa101-03 at ¶¶ 17-20.) Although the State has provided the legislative journals, the public was deprived of notice of the texts of the bills given 1) the bills were not listed on the Legislature's website, 2) the legislative calendar did not give any notice that they would be considered in committee, and 3) there was no adequate notice that the bills would be introduced. (Pa112-129.)

One of the issues and irregularities in this case is whether the Legislature complied with the Constitution's requirement that there be twenty-four hours between the second and third reading of the S. 49 (2021) / A. 6260 (2021). For example, the Attorney General submitted the certification of Dana Burley, the chief administrative officer of the General Assembly. The certification explains that second and third readings are "recorded in the Minutes of the General Assembly." (Pa227-28 at ¶ 7.) The certification then provided the Minutes of the General Assembly. (Pa230-45.) The Minutes show that upon substitution of

A.6260 for S.49 in the Assembly, all three readings of S. were done on January 10, 2022 without the required twenty-four hours between second and third reading. (Pa236.)

The Minutes show that on January 10, 2022:

The Clerk read a message from the Senate that the Senate has passed the following bills in which the concurrence of the General Assembly is requested, which **bills were read for the first time** and were referred as indicated:

Senate No. 49, by Senators WEINBERG, GREENSTEIN, SWEENEY and GOPAL, without reference, on **second reading** – Codifies constitutional right to freedom of reproductive choice.

...

Senate No. 49 was given **third reading**.

...

Senate No. 49 later passed by the following vote . . .

(Pa236) (emphasis added). By their own certification, in just one day, S.49 was given all three readings in the General Assembly and passed in one day. Id. Ms. Burley's certification and the Minutes demonstrate that the Legislature did not abide by N.J. Const. art. IV, § 4, ¶ 6.

Given Ms. Burley certifies A. 6260 is substituted by S. 49, all three readings of S. 49 in the Assembly occurred on January 10, 2022, and thus, the bill did not receive the required twenty-four hour break between second and

third readings in the Assembly. (Pa236-37.) Similarly, there is no record that at least sixty legislators voted to declare an emergency to override this constitutional requirement. See N.J. Const. art. IV, § 4, ¶ 6.

Neither the electronic descriptions of actions on these bills nor the certifications and minutes submitted reflect the Applicants' stated observations of what took place on January 6, 2022, wherein no text of the proposed bills was available for review by the public or minority party legislators until moments before the committees heard testimony and immediately released the new bills. (Pa103 at ¶ 21.) The quick and hasty introduction and passage of the legislation calls into serious question whether the public or legislators had adequate notice or opportunity to review the legislation. See N.J.S.A. 52:11-78.

Additionally, the Legislature failed to follow its statutes for enacting laws. See N.J.S.A. 52:13B-6, *et seq.* & N.J.S.A. 17B:27D-6. For example, see N.J.S.A. 17B:27D-6, that requires that prior to consideration of a law modifying health care benefits, the Mandated Benefits Review Commission must conduct an analysis. In addition, N.J.S.A. 52:13B-6 requires referral to the Legislative Budget and Finance Officer in the Office of Legislative Services to determine the fiscal impact on the New Jersey Treasury. Neither entity conducted a review prior to enactment of L. 2021, c. 375. (Pa366-377; Pa473).

The Office of Legislative Services Estimate was not prepared until January 18, 2022, which was over a week after enactment. (Pa473.) The Estimate stated “this bill may result in a one-time indeterminate increase in State expenditures tied to the requirement that the Department of Banking and Insurance study and issue a report on the necessity of regulations requiring health benefits plan coverage of abortion services.” (Pa473.) Moreover, the statement said there could be further impact due to a possible mandate of funding for abortion. (Pa473.)

Furthermore, the manner in which the public was cut out of the legislative process violates the constitutional rights of the people. N.J. Const. art. I, ¶ 18. First, the legislative calendar did not list either bill in advance of committee action. (Pa99 at ¶ 9 to Pa100). Next, access to the State House was limited due to the pandemic. (Pa99 at ¶ 8.)

The legislative notice regarding the Assembly committee calendar – which did, in fact, consider A. 6260 on January 6, 2022, stated: “The public may not attend the Committee meeting in person [but may participate online],” and further instructed, “If you are interested in registering your position with the Committee, please fill out the Registration Form . . . [which] must be submitted by 5:00 PM on Wednesday, January 5, 2022.” (Pa113.) Thus, before any notice of language of a bill or any notice that the bill would be considered

by the Assembly Appropriations Committee, the public had to give notice of their position and desire to testify the day before any notice was given of new bills being introduced. (Pa99 at ¶ 8 and 9.) Notably, neither the Assembly Appropriations Committee nor the Senate Health, Human Services and Senior Citizens Committee had even posted that it would be considering the bills on January 6, 2022. (Pa102 at ¶ 18.) The first record that the bills would be considered on January 6, 2022 was on January 10, 2022 – the very same day that the act was passed. (Pa101 at ¶ 17 and Pa102.)

As Applicant Barbara Eames certified, she heard a rumor that the Assembly would consider the reproductive rights law that had been pending since October 2020, A.4848 (2021), and thus, she registered her position based upon this rumor. (Pa65 at ¶¶6-7.) Ms. Eames did not have the text of A.6260 or actual notice that any reproductive health bill would be discussed in the Assembly Committee Meeting of January 6, 2022. (Id.) Ms. Eames signed up to testify solely based upon the rumor that she heard that an abortion bill would be discussed. (Pa65 at ¶¶ 6-7.)

In fact, during the Assembly Appropriations Committee hearing, the Chair announced, “we had a number of people that had taken time to sign up in anticipation that this bill would happen.” (Pa155 at 4:5-9.) However, our Constitution and statutes require more than just anticipation – the public must

be given meaningful notice rather than just rumors among those “in the know.” N.J. Const. art. I, ¶ 18 (Pa103 at ¶ 21). Moreover, when the Chair says there were “a number,” it was only six people from the public testifying on one of the most controversial subjects in America; the small number is due to the lack of public notice. (Pa154.) The Chair even commented, “This [bill], as rightfully expected, is always emotional because people care so deeply.” (Pa201 at 50:14-20.)

Ms. Eames explained in her testimony that she and her husband had organized protests to stop S. 3030 and A. 4848 – the bill for which Ms. Eames originally believed she was testifying. (Pa164 at 13:11-20, Pa65 at ¶¶6-7.) Ms. Eames told the Committee, “The committee is not doing the business of the people of New Jersey by passing this bill. . . The only way you can force this issue on the citizens and the babies of New Jersey is to violate all of your rules and bring it to a committee in a floor vote without adequate notice to the citizens.” (Pa164-65 at 13:21-14:4.) Ms. Eames further stated that “S49 is being considered today without notice that you have defined during the waning days of this legislative session.” (Pa166 at 15:1-10.)

Another speaker told the Committee, “the final version of the bill just came out a couple of hours ago. And . . . I’m not even sure if all you members had time to read it. The people of New Jersey deserve better than a last minute

political inspired bill drafted in the remaining days of the legislative session.” (Pa167-68 at 16:24-17:7.) In questioning this person, Assemblyperson Webber stated, “if you could comment on one section in the bill. . . . You might not have seen the text. You were right to identify that this has been late in arriving to our desks.” (Pa171 at 20:10-23.)

Another speaker testified, “One of the things that we wanted to discuss about the bill, which we haven’t seen, we haven’t had a chance to look at, so I really don’t know what’s in the bill. And I know many of the legislatures (sic) don’t really know what’s in the bill.” (Pa175 at 24:7-14.)

Another speaker gave testimony as she was reviewing the bill: “I just got a copy of the bill so bear with me, but I’m just reviewing it as we speak.” (Pa178 at 27:9-13.) The speaker indicated “No one even had a chance to look at this bill until today. There was not given fair notice to the public.” (Pa180 at 29:7-16.)

The speaker articulated:

This bill is really radical. And it’s just so upsetting that . . . this is all being done during a lame duck session during a pandemic. And I know under the rules of both the Senate and the Assembly, we are supposed to give fine (sic) days notice to the public, which did not occur here. This is an issue of . . . very importance. The magnitude of it is huge. And . . . it should have a full public airing.

(Pa178-79 at 27:24-28:7.)

A representative of the ACLU also testified stating, “this rushed process . . . deprives the public of . . . meaningful opportunity to provide input and comment on this legislation and demonstrate a total lack of transparency and . . . betray public trust.” (Pa184 at 33:10-15.) Despite the comments from those testifying both for and against the bill regarding the rushed nature of the bill, the Assembly Budget Committee released the bill. (Pa215.)

Similar testimony regarding the rushed nature of the bill occurred in the Senate Health, Human Services, and Senior Citizens Committee. (See e.g., Pa214 at 10:12-24, Pa215 at 11:11-12.) Despite this testimony, the bill was released from Committee. (Pa223 at 19:10.)

Assemblyperson Schaer commented, “the [legislative] process is a vital one. The process being one in which there is discussion and debate. And through that discussion and debate, hopefully a great truth is found.” (Pa201 at 50:1-7.) One member of the public even noted how important the bill was: “you today are going to be voting on life and death decisions.” (Pa161 at 10:24-25.) Here, this process was violated because the public was not made aware of such a controversial bill and given a meaningful way to address it before being signed into law.

Although Ms. Eames provided testimony that was recorded as a part of the legislative history for this bill, she did not know she was testifying on A.6260

rather than the bills that had been pending since October 2020, S. 3030 (2021) and A.4848 (2021). (Pa66 at ¶ 7; see Pa378-472.) Neither the text of A. 6260 nor S. 49 were available before or even during the Assembly Appropriations Committee. (Pa100 at ¶ 11.)

The legislative calendars for January 6, 2022 also did not list either bill for consideration. (Pa101 at ¶ 17; Pa112-29.) Senator Schepisi addressed the Senate asking them to vote down the bill due to the rushed nature of its presentation. (Pa274.) She stated, “On a topic this important and this controversial, we owe not only the residents we represent but ourselves the opportunity for robust discussion and debate on this particular bill.” (Pa274 at 6:11-18.) Senator Schepisi further noted that “[t]he bill was drafted – was only provided to members of the Senate Health Committee around 6:00 p.m. on Thursday evening.” (Pa274 at 6:19-21.) However, the Senate Journal indicates that the Senate had adjourned at 5:05 p.m. on Thursday, January 6, 2022. (Pa256.) Senator Schepisi indicated that it was a compromised bill, “[b]ut that does not change the fact that it was snuck in at, literally, the 11th hour with no language available to members of the public, advocates, or event members of the Health Committee who wanted to express either their support or objections thereto.” (Pa274-75 at 6:19-7:3.)

Senator Schepisi further noted that at the time, abortion was legal and safe, and nothing jeopardized that access in a manner to justify passing the legislation “without enabling members of the public to be able to weigh in [which is] public policy at its absolute worse.” (Pa275 at 7:4-10.) Senator Singleton likewise noted that the process for rushing through the bill was inappropriate. (Pa277 at 9:17-24.) Senator Doherty further noted that “this is a very important bill for the Pro-Life community. And they have a right to be involved in the process.” (Pa281 at 13:14-20.)

On the floor of the Senate on January 10, 2022, Senator Doherty stated that as of January 6, 2022, he did not realize until he “happen to read it on some news source that the bill actually went through after hours.” (Pa281 at 13:21-25.) He said “[n]obody saw the bill. They finally showed up an hour, perhaps, before the vote. It’s all a little sketchy.” (Pa281-82 at 13:21-14:2.) Senator Doherty said despite a five-day notice requirement to the public about committee’s consideration of bills, it did not happen for this bill. (Pa282 at 14:3-18.) He stated, “The horror that we all dreaded, this important topic, there would be no notice and would go to Committee, and it would be passed, nobody ever saw the bill. So it happened once again.” (Pa282 at 14:11-14.)

Senator Doherty further explained, “Regardless of where you’re at on any of the issues, you ought to notify the public on huge issues of this import. And

it wasn't done. And I have to say it's unacceptable. . . . But it's just not acceptable to treat the public like that. It's actually a total disrespect for the process." (Pa282 at 14:19-23.) He noted, "Committee hearings are supposed to be so we hear from the public. And, here, it looks like there was a purposeful attempt to cut the public out and keep them outside." (Pa282-83 at 14:24-15:2.)

Similar debates regarding the hasty manner in which the bill was brought to the floor were raised on the floor of the General Assembly. (See generally Pa298-310) Assemblyman Bergen noted "abortion is . . . a very hotly contested topic with people who strong opinions in both directions." (Pa298 at 6:1-2.) He questioned the "integrity of this body and to the process to see the way in which this bill was brought to the floor today." (Pa298 at 6:3-9.) He noted that those who testified in committee did so without having seen the bill. (Pa298 at 6:10-14.) He noted even though the legislative session was two years, the bill was only days earlier. (Pa298 at 6:3-14.) Assemblyman Bergen questioned why the Assembly would "jam it through at the last possible second? . . . do you have no integrity? . . . How can you rip the democratic process away from our constituents and . . . treat them this way? It is wrong." (Pa298 at 6:15-22.)

The public is entitled to voice its opinion to its representatives, but the Legislature took away those rights by failing to post the bill on its legislative

calendar, provide notice of the language of this bill to the public, and providing the three required readings. (Pa101-03 at ¶¶ 17-22 and Pa236.)

Furthermore, in its haste to go from bill to law in just days, the Legislature violated its statutes requiring the fiscal impact of statutes to be reviewed before becoming law. (Pa473-474.) Although prior to enactment the Legislature did not send the bill for fiscal impact analysis as required by statute, it was aware that the bill had a fiscal impact. (Pa473-74.) During the Assembly Appropriations hearing, a speaker raised the issue of New Jersey citizens funding abortions under the bill. (Pa176 at 25:5-15.) The speaker was concerned about New Jersey’s citizens funding abortions and asked the Committee “to think about the consequences of . . . having this coercive taxation on . . . New Jersey taxpayers to pay for things that are truly abhorrent.” (Pa176-77 at 25:24-26:14.)

Committee Chair Burzichelli responded that the bill has “a mechanism for the Commissioner of Banking and Insurance to evaluate . . . areas of inequity and areas where insurance should pay.” (Pa175 at 24:21-25.) The Chairperson noted the main component of the bill was insurance coverage for abortions, which necessarily impacts the State treasury given State-provided insurance is included within the companies that were being mandated to provide abortions. (Pa202 at 51:3-9.) The Chairperson explained, “the fact is that this is law in New Jersey now and large part now being codified to clarification and a process to

determine what insurance policies should . . . pay for the procedure, if, in fact, the procedure is wanted.” (Id.) Other members of the Committee noted a financial impact upon New Jersey’s treasury: “We don’t want to see the State of New Jersey become a sanctuary for just open borders for . . . abortions and, more importantly, then (sic) the backs of New Jersey taxpayers paying for those abortions.” (Pa190 at 39:18-23.)

On the floor of the General Assembly, one of the sponsors of the bill, Assemblywoman Jasey noted “to address the insurance issue, the cost issue, in the legislation, we are asking for a study of the insurance aspect to be conducted by [DOBI] to evaluation (sic) the need for insurance coverage of these services.” (Pa228 at 46:3-7.) Assemblyman Scharfenberger noted the law had a fiscal impact: “All of this and more, paid for every . . . New Jersey resident even for individuals who do not live in this state.” (Pa300 at 8:9-14.) Assemblyman Webber further rates the issue of insurance mandates. (Pa301-02 at 9:24-10:11.)

Given these deficiencies and as explained below, Petitioners-Applicants respectfully request that this Court, under N.J.S.A. 1:7-4, seeking to declare void and ineffective the statute enacted as L. 2021, c. 375.

PROCEDURAL HISTORY

This application seeking to void the statute was docketed on January 17, 2023. (Pa27.) On March 8, 2023, applicants filed a motion to permit creation of

a transcript from the Legislature's video of the proceedings and to compel a statement comprising the record on appeal. (Pa40.) This Court reserved on the decision to create the transcript offering the Legislature an opportunity to respond. (Pa60-61.) The Court denied the remainder of the relief sought. (Pa60-61.)

After notice was given to the Legislature regarding the transcripts, Petitioners-Applicants moved to supplement the record with transcripts and other information regarding the enactment of L. 2021, c. 375. (Pa62.) Petitioners-Applicants further sought leave to issue subpoenas or to have a hearing regarding the procedural irregularities in the enactment of L. 2021, c. 375. (Pa62.) The Attorney General opposed the motion, but cross-moved to expand the record to include certifications from the Clerk of the General Assembly and the chief administrative officer for the Senate. (Pa225.)

Dana Burley, the Clerk for the General Assembly certified that her responsibilities as Clerk require her to keep a record of all action taken on bills, resolutions, and motions. (Pa227 at ¶ 3.) She explained that the minutes are only published from time to time and as of July 18, 2023 had not yet been published for the 2020-2021 term. (Pa227 at ¶ 5.) Ms. Burley attached as an exhibit, unpublished minutes for January 6, 2022 and January 10, 2022 that had been

created from hand recorded notes. (Pa227 at ¶¶ 4-6.) Thus, the unpublished minutes attached as an exhibit were not contemporaneously recorded. (Id.)

Ms. Burley certified that first and second readings of bills “are handled under routine business, which is a ministerial function that does not involve a vote or debate of the full General Assembly.” (Pa227 at ¶ 7.) Thus, no audio or video recordings exist for the first or second readings of the bills at issue. (Id.) The only record is contained in the Minutes of the General Assembly, which as Ms. Burley certified had not yet been published as of July 18, 2023. (Pa227-28 at ¶ 5, ¶ 7.)

The unpublished Assembly Minutes provide that on January 6, 2022, the General Assembly had convened and notice had been sent to the members of the General Assembly and posted in accordance with the Open Public Meetings Act. (Pa230-31.) However, the calendar for January 6, 2022 that was publicly available online did not include A. 6260. (Pa112-19.) The Minutes notes that A.6260 was given a first reading by Assemblywoman Vainieri Huttel Jasey, and Assemblyman Mukherji. (Pa231.) On the same day, the Assembly Appropriations Committee reported on A. 6260 and, as reported, gave the bill its second reading. (Pa232.)

On January 10, 2022, the Minutes indicated:

The Clerk read a message from the Senate that the Senate has passed the following bills in which

concurrence of the General Assembly is requested, which bills were read for the first time and were referred as indicated: Senate No. 49, by Senators WEINBERG, GREENSTEIN, SWEENEY and GOPAL, without reference, on second reading – Codifies constitutional right to freedom of reproductive choice.

(Pa236.) The Minutes further reflect: “On motion of Ms. Jasey, pursuant to Rule 15:20, Senate No. 49 was substituted for Assembly No. 6260 with which it is identical, and Ms. Vainieri Huttle/Ms. Jasey/Mr. Mukherji were added as prime sponsors and all co-sponsors were added as co-sponsors of Senate No. 49.”

(Pa236.) The referenced Assembly Rule states a bill is deemed identical “despite having technical differences with respect to legal reference, text, punctuation, spelling, grammar or form, so long as these differences may be corrected by Legislative Counsel pursuant to Rule 15:29.” (Pa Pa236.) The substituted bill was then listed as having been given a third reading. (Pa237.) The Assembly then considered a series of motions relative to the bill, but passed the bill by a vote of 45-24-9. (Pa237-39.)

Similar to Ms. Burley, Linda Metzger provided a certification as to the Senate’s process for S. 49. (Pa246.) Ms. Metzger is the chief administrative officer for the Senate. (Pa246 at ¶ 1.) Her duties include keeping a record of the proceedings regarding action taken on bills. (Pa246 at ¶ 3.) Ms. Metzger testified that the Journal of the Senate is published from time to time. (Pa247 at ¶7.) Ms.

Metzger attached an exhibit consisting of the action taken on Senate Bill No. 49. (Pa247 at ¶6.)

Like Ms. Burley, Ms. Metzger certified that there is no audio or video recording of a first and second reading of a bill because it is a ministerial function. (Pa247 at ¶ 7.) She certified that the record for such routine business is the Journal of the Senate. (Id.)

According to the Journal, the January 6, 2022-session was called to order after notice of the calendar was given to the Senate and posted in accordance with the Open Public Meetings Act. (Pa250.) However, the legislative calendar posted online in advance of January 6, 2022 did not list consideration of A. 6260 or S. 49 until it was updated on January 10, 2022 – after the session was held. (Pa111-119.)

According to the Senate Journal, S. 49 was given a first reading by reading its title and referred to the Health, Human Services and Senior Citizens Committee. (Pa251-52.) The bill was then reported out of Committee and given a second reading. (Pa253.) On January 10, 2022, the Senate gave S. 49 a third reading. (Pa260.) The bill then passed by vote of 23 to 15. (Pa260.)

On June 22, 2023, this Court granted applicants' motion to supplement the record with both parties' certifications and transcripts, but denied Applicants' request to issue subpoenas. (Pa350.) Applicants sought leave to

appeal the denial to the New Jersey Supreme Court, which was denied on October 24, 2023. (Pa356.) Applicants filed another motion to supplement the record, which was granted without opposition. (Pa376.) This brief now follows on the merits of Applicants' petition.

STANDARD OF REVIEW

This matter is brought to this Court for original jurisdiction to review the procedural deformities in the enactment of a statute. N.J.S.A. 1:7-1, *et seq.*

N.J.S.A 1:7-1 states that

[i]f, at any time within one year after any law or joint resolution has been filed with the Secretary of State pursuant to sections 1:2-5, 1:2-6 or 1:2-7 of this Title, the Governor has reason to believe that any such law or joint resolution was not duly passed by both houses of Legislature, or approved by the Governor or otherwise made effective as law in the manner required by the Constitution, he may direct the Attorney-General to apply to the Appellate Division of the Superior Court, to have the law or joint resolution adjudged void. Thereupon the Attorney-General shall prepare, sign and prosecute the application.

N.J.S.A. 1:7-4 vests the power to challenge legislation in the hands of the public.

N.J.S.A. 1:7-3 explains that “[a]fter a full hearing the court may, if satisfied that the constitutional and statutory provisions relating to the enactment and approval of laws and joint resolutions have not been complied with, adjudge the law or joint resolution or any part thereof to be void.”

The Appellate Division has clarified that “[i]t is established law that the statute which the applicants invoke, N.J.S.A. 1:7—1 et seq., permits an attack only upon the procedure of making laws—on the machinery of enactment—and not upon the constitutional validity of the law itself.” Application of McGlynn, 58 N.J. Super. 1, 13 (App. Div. 1959). “[The] concern is with the specific action taken by the executive and legislative branches of the State Government, and no[t] with the substantive provisions of the statute itself.” Id.

Here, there are two sources of authority the Legislature must follow when enacting laws: the Constitution and statutes the Legislature passed regulating how it passes laws. N.J.S.A. 1:7-3. Primarily, the Constitutional authority arises under N.J. Const. art. IV, but also includes all rights and privileges such as the public’s right to make their opinions known to their representatives. N.J. Const. art. I, ¶ 18. The statutory authority is vested in various statutes governing legislative action when passing certain types of legislation. See e.g. N.J.S.A. 17B:27D-6. Under N.J.S.A. 1:7-3, a law can be invalidated for either mechanical failure. Because the Legislature violated both the Constitution and its statutes, the enactment should be voided by this Court.

LEGAL ARGUMENT

POINT ONE

The Legislature Failed to Abide by Statutory Requirements when Enacting L. 2021, c. 375 (Pa22; Pa226-267; Pa364-375.)

Here, the Legislature failed to follow its statutes for enacting laws in several respects. See N.J.S.A. 10:4-9; N.J.S.A. 52:13B-6, *et seq.* & N.J.S.A. 17B:27D-6. When the Legislature violates a statute in enactment of a law, the New Jersey Supreme Court has granted citizens' rights to have the statute declared null and void. In re Miller's Petition, 122 N.J.L. 176, 179 (Sup. Ct. 1939).

In Miller, the Court found the Legislature had not abided by its statutory requirement to give intention of repealing a statute as required by law. Id. at 179. After depositions of the parties, the Court found it was clear that the statute requiring publication was violated, and therefore, the Court struck the statute enacted without the proper notice and publication. Id. Likewise, as set forth below, the Legislature violated multiple statutes in enacting L. 2021, c. 375 without adequate public notice, publication that the bill would be considered, referral of the matter for fiscal estimate, and referral to the Mandated Health Benefits Commission. Accordingly, this Court should declare the law to be null and void similar to the Court in Miller.

A. The Legislature Failed to Submit the Bills to the Mandated Benefits Review Commission as Required By Law.

N.J.S.A. 17B:27D-6 requires that prior to consideration of a law modifying health care benefits the Mandated Benefits Review Commission must conduct an analysis. The statute mandates:

It shall be the duty of the commission to review any bill introduced in either House of the Legislature that would require a carrier to provide a mandated health benefit, as provided in this section.

a. Whenever a bill containing a mandated health benefit is introduced in the Legislature, the chairman of the standing reference committee to which the bill has been referred in the House in which it was introduced shall, upon introduction of the bill, request the commission to prepare a written report that assesses the social and financial effects and the medical efficacy of the proposed mandated health benefit.

...

c. The House or standing reference committee, as applicable, shall not consider or vote upon the bill until either: (1) the commission completes its review and provides its comments and recommendations in writing to the prime sponsor, committee chairman and presiding officer of the House in which the bill is pending, or (2) the 90th or 60th day, as applicable, after the date the review is requested, if no extension was granted, or the designated day for the end of the extension period, whichever is later . . .

Id. That analysis or reporting, outlined above, never occurred in this case.

Moreover, the Attorney General has not provided any evidence that this

statutory mandate was followed or that the mandate obtaining a fiscal estimate was timely obtained.

The statutory requirement applies to L. 2021, c. 375 (N.J.S.A. 26:2S-89), because its language directly references the commission:

Upon concluding a study and issuing a report to the Governor and the Legislature demonstrating that such a regulation is necessary, the Department of Banking and Insurance may, through regulation adopted pursuant to the “Administrative Procedure Act”, P.L.1968 c.410 (C.52:14B-1 *et seq.*), provide that health benefit plans delivered, issued, executed, or renewed in this State, provide coverage for abortion.

Id. As such, the legislation needed to be reviewed by the Commission.

Applicants-Petitioners served an Open Public Records Act requests on the government agencies responsible for the Mandated Benefits Review Commission. (Pa364.) The Department of the Treasury, Division of Pensions and Benefits responded that no such records exist. Id. Given that N.J.S.A. 17B:27D-6 requires that prior to consideration of a law modifying health care benefits the Mandated Benefits Review Commission must conduct an analysis, the absence of records from the Commission is determinative that a review never occurred in contravention of N.J.S.A. 17B:27D-6.

Additionally, after having been granted an extension, they sent an Open Public Records Act request to the New Jersey Department of Banking and Insurance (Pa365-75.) The Department of Banking and Insurance responded on

December 14, 2023, denying the requests as “No records responsive to this request are made, maintained, recorded, or on file with the Department of Banking and Insurance.” Id.

The statute at issue necessarily deals with mandated health benefits. N.J.S.A. 26:2S-89. Because the Legislature did not follow the statute that required all bills that impact state-mandated health benefits to be reviewed by the Mandated Benefits Review Commission, the statute should be voided similar to the relief granted in Miller, supra.

B. The Legislature Failed to Submit the Bill For Fiscal Evaluation.

The Legislature further violated additional statutory requirements by failing to obtain a fiscal estimate prior to enactment. N.J.S.A. 52:13B-6 requires the following:

Whenever any bill is introduced in either the Senate or General Assembly, and that bill receives first reading pursuant to the rules of the House in which it is introduced, the bill shall be immediately reviewed by the Legislative Budget and Finance Officer in the Office of Legislative Services. If, upon that review, the Legislative Budget and Finance Officer determines that the bill may increase or decrease expenditures or increase or decrease revenues of the State or any political subdivision thereof, the Officer shall immediately forward a request for a fiscal note to the Director of the Division of Budget and Accounting in the Department of the Treasury.

Id. Here, the Senate and Assembly Minutes do not show that this occurred after the first readings. (Pa226-267.) The legislative history shows the estimate was not obtained until over a week after enactment. (Pa473.)

Moreover, the Open Public Records Act request to the Department of Treasury also confirm that no records were received. (Pa364.) Therefore, the legislation failed to satisfy the statutory requirements of N.J.S.A. 52:13B-6, and should be voided as the Court did in Miller, supra.

C. The Legislature Failed to Provide Notice to the Public that It Would Consider A. 6260 or S. 49, Thus, Violating the Constitution and Statutes Requiring Adequate Notice to the Public.

As set forth above, the New Jersey Constitution gives the public the right to participate in the political process to create laws. N.J. Const. art. I, ¶ 18. However, the Legislature expanded upon this right and made requirements that public bodies, expressly including the Legislature as one of those bodies, cannot take action without advance notice to the public of at least forty-hours. N.J.S.A. 10:4-8 & -9. The Legislature specifically required bills be posted and agendas for legislative committees for consideration of bills be published for the benefit of the public. N.J.S.A. 52:11-78. Because the record is clear in this matter that the calendar for the legislative session did not list that the Legislature would take action on either S. 49 or A. 6260, the Legislature violated the Constitution

and both statutes. Under N.J.S.A. 1:7-3, because the Legislature did not abide by its statutes in enacting L. 2021, c. 375, this Court should void the enactment.

The Open Public Meetings Act is an act created to provide citizens with civil rights so they can participate in the political process. N.J.S.A. § 10:4-8.

The best cure is sunshine. Id. The Act applies to the Legislature:

a. “Public body” means a commission, authority, board, council, committee or any other group of two or more persons organized under the laws of this State, and collectively empowered as a voting body to perform a public governmental function affecting the rights, duties, obligations, privileges, benefits, or other legal relations of any person, or collectively authorized to spend public funds **including the Legislature**, but does not mean or include the judicial branch of the government, any grand or petit jury, any parole board or any agency or body acting in a parole capacity, the State Commission of Investigation, the Apportionment Commission established under Article IV, Section III, of the Constitution, or any political party committee organized under Title 19 of the Revised Statutes.

N.J.S.A. § 10:4-8 (emphasis added).

Under the Open Public Meetings Act, the Legislature was to give adequate notice, including “to the extent known” that it would consider A. 6260 or S. 49:

d. “Adequate notice” means written advance notice of at least 48 hours, giving the time, date, location and, to the extent known, the agenda of any regular, special or rescheduled meeting, which notice shall accurately state whether formal action may or may not be taken and which shall be (1) prominently posted in at least one public place reserved for such or similar announcements, (2) mailed, telephoned, telegraphed,

or hand delivered to at least two newspapers which newspapers shall be designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the public body of such meetings, one of which shall be the official newspaper, where any such has been designated by the public body or if the public body has failed to so designate, where any has been designated by the governing body of the political subdivision whose geographic boundaries are coextensive with that of the public body and (3) filed with the clerk of the municipality when the public body's geographic boundaries are coextensive with that of a single municipality, with the clerk of the county when the public body's geographic boundaries are coextensive with that of a single county, and with the Secretary of State if the public body has Statewide jurisdiction. For any other public body the filing shall be with the clerk or chief administrative officer of such other public body and each municipal or county clerk of each municipality or county encompassed within the jurisdiction of such public body. Where annual notice or revisions thereof in compliance with section 13 of this act¹ set forth the location of any meeting, no further notice shall be required for such meeting.

N.J.S.A. § 10:4-8.

The Open Public Meetings Act recognizes the constitutional right from Article I, Paragraph 18 that “the right of [a] citizen[] to have adequate advance notice of and the right to attend all meetings of public bodies at which any business affecting the public is discussed or acted upon in any way.” McGovern v. Rutgers, 211 N.J. 94, 99 (2012).

Here, the Legislature knew that it was going to consider S. 49 and A. 6260 because they were both introduced on January 6, 2022. (Pa226-267). The fact that the Legislature failed to include them on the publicly available calendar demonstrates that the Legislature violated the Open Public Meetings Act. (Pa112-29.)

Moreover, the Legislature further violated N.J.S.A. 52:11-78. The relevant part of this statute provides:

a. The Office of Legislative Services shall make available to the public and maintain in electronic form the following information:

(1) the most current available compilation of the official text of the statutes of New Jersey;

(2) the text of all bills introduced during the current two-year session of the Legislature, including amended versions, as well as sponsor statements, committee statements, and fiscal notes;

(3) all bills currently pending in the Legislature, listed by subject and sponsor;

(4) bill-tracking data on all bills pending in the Legislature, including the history of actions, current status, a complete voting record, including individual votes by members of the Legislature recorded during committee meetings, updated on a daily basis and made available and maintained for the two-year legislative term in progress and the immediately preceding term, and, where appropriate, by citation of the section of law to be amended by a bill;

(5) a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action;

(6) a current directory of the members of the Legislature, including complete committee membership information;

(7) the text of all chapter laws beginning with laws passed by the Legislature after 12:00 noon, January 9, 1996; and

(8) such other information as the Legislative Services Commission shall direct.

b. The information specified in subsection a. of this section shall be made available to the public through the largest nonproprietary cooperative public computer network.

N.J.S.A. 52:11-78. The statement attached to the legislative history confirms that the purpose to this statute was to increase the public's participation in the legislative process: "facilitating access by members of the public to information on pending legislation would increase awareness of, and participation in, the legislative process." Statement to S. 1068 (1994) (May 16, 1994)(Pa485); see also Assembly State Government Committee Statement to A. 2372 (1994) (Jan. 26, 1995) (noting bill requires the Legislature "to make available to the public, in electronic form . . . the texts of pending bills along with sponsor statements . . . [and] a calendar of legislative events")(Pa486); see also Senate State Government Committee Statement to S. 1068 (Sept. 26, 1994)(same)(Pa487).

Under the statute, the Legislature had an obligation to post its calendar not only under the Open Public Meetings Act but also under the Legislature's own statutes that required "(5) a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action." N.J.S.A. 52:11-78(a)(5). Here, it was clear that S. 49 and A. 6260 were not posted in advance so that the public – or even legislators – would know they were being considered for vote on January 10, 2022. (Pa98-104; Pa111-18; Pa120-26.)

Not only was the public deprived notice that the bills would be discussed, but the bills were not even available until after both Houses voted to pass them on January 10, 2022. (Pa98-104; Pa111-18; Pa120-26.) Here, S. 49 and A. 6260 should have been accessible on the Legislature's website. N.J.S.A. 52:11-78(a)(4). But the record demonstrates that they were not available. (Pa98-104; Pa111-18; Pa120-26.) In fact, according to the Library of Congress, the bills were not posted until January 10, 2022, even though the statute required it be updated daily. Cf. Pa127-132 with N.J.S.A. 52:11-78(a)(4).

These various violations demonstrate that the statute was enacted in contravention of the Legislature's statutes. As a result, the remedy is to void the statute pursuant to N.J.S.A. 1:7-3.

D. The Multiple Violations by the Legislature in Enacting the Act of Reproductive Freedom Should Void the Statute.

As explained in Point One and Two, the Legislature committed a series of errors in enacting a statute affecting one of the most controversially legislated topics – abortion. If N.J.S.A. 1:7-1, *et seq.* is to have any meaning, this Court should use it to void the statute at issue. The Legislature’s failures were not singular. Nor were they meaningless. The Legislature acted within a penumbra of secrecy to pass a controversial bill. This action was after a bill on the same topic had been pending for over a year. This action was done while access to the State House was limited due to the pandemic. The action was done without the proper notice to the public of the text of the pending bill.

Here, the Petitioners were harmed because Ms. Eames, provided testimony on what she thought was A. 4848 (2021) and S. 3030 (2021). (Pa66.) But S. 49 and A. 6260 were radically different, and Ms. Eames was not given notice or the opportunity to express her concerns on the actual bill’s text. (Id. See also Pa378-472.)

As more fully explained in Point Two, the legislation was adopted in violation of the procedure for second and third readings on the bill. The purpose for such readings is to permit the public to participate under Paragraph 18 of the Constitution. N.J. Const. art. I, ¶ 18.

Moreover, the statutory need that fiscal impacts be obtained before enactment were violated. Finally, the public participation was violated due to lack of advance notice.

Because “the constitutional and statutory provisions relating to the enactment and approval of laws. . . have not been complied with,” this Court should “adjudge the lawto be void.” N.J.S.A. 1:7-3. On such a controversial topic, this Court should abide by the constitutional and statutory protections that exist and declare the law void.

POINT TWO

L. 2021, c. 375 Should Be Invalidated Because the Legislature Violated the Constitution. (Pa22.)

When the Legislature violates the Constitution’s requirements for how a bill becomes a law, this Court has the power to void the enactment. N.J.S.A. 1:7-3. Here, the record is clear that the Legislature did not have the required time between the second and third readings in the Assembly. As a result, the statute should be voided. Moreover, the Legislature’s violation of its rules and procedures for including the public demonstrates that it violated the Eames’ constitutional right to make their opinions known to their law-makers before enactment of such a controversial statute like reproductive freedom.

The Constitution provides:

All bills and joint resolutions shall be read three times in each house before final passage. No bill or joint resolution shall be read a third time in either house until after the intervention of one full calendar day following the day of the second reading ; but if either house shall resolve by vote of three-fourths of all its members, signified by yeas and nays entered on the journal, that a bill or joint resolution is an emergency measure, it may proceed forthwith from second to third reading . No bill or joint resolution shall pass, unless there shall be a majority of all the members of each body personally present and agreeing thereto, and the yeas and nays of the members voting on such final passage shall be entered on the journal.

N.J. Const. art. IV, § IV, ¶ 6.

The certifications submitted by the Attorney General show that first, second, and third readings are “recorded in the Minutes of the General Assembly.” (Pa227-28 at ¶ 7.) The certifications then provided the Minutes of the General Assembly. The Minutes show that S.49 – the legislation at issue in this case – did not have the constitutionally required time period between second and third readings. (Pa236-37.) By the State’s own certification, S.49 was given all readings in the General Assembly and passed in the same day. *Id.* While Ms. Burley certifies A. 6260 is substituted by S. 49 and is read three times on January 10, 2022, the bill did not have the required twenty-four hour-break between the second and third readings. (Pa236-37).

The Constitution plainly requires that all bills be read three times in each house before final passage after one full calendar day following the second

reading. N.J. Const. art. IV, § 4, ¶ 6. The Constitution specifically states: “[a]ll bills and joint resolutions shall be read three times in each house before final passage but only after “one full calendar day following the day of the second reading.” The New Jersey Assembly Rules also provide:

No bill or joint resolution shall be considered on third reading in the General Assembly until after the intervention of one full calendar day following second reading. However, if on motion at least 60 members agree that a bill or joint resolution is an emergency measure, it may proceed immediately from second to third reading.

Assembly Rule 15:11 (Pa107). By its own Certification, the Legislature, namely the Assembly, shirked its constitutional responsibilities in order to quickly pass this legislation. (Pa236-37.)

The Constitution does provide an outlet if the bill is an emergency measure. However, to be considered without the required time between readings, the Constitution provides: “if either house shall resolve by vote of three-fourths of all its members, signified by yeas and nays entered on the journal, that a bill or joint resolution is an emergency measure, it may proceed forthwith from second to third reading.” N.J. Const. art. IV, § 4, ¶ 6. Here, per the minutes and certifications, no such three-fourths majority succeeded in determining that the bill could proceed from the second to third reading. (Pa236-37.)

Given Ms. Burley’s certification, A. 6260 is substituted by S. 49. (Pa236-37.) Even if S. 49 had been read in the Assembly three times on January 10, 2022, it would not have received the required twenty-four hour break between second and third readings. Id. Similarly, there is no record that at least sixty legislators voted to declare an emergency to override this constitutional requirement. (Pa236-37); see N.J. Const. art. IV, § 4, ¶ 6.

Therefore, L. 2021, c. 375 is unconstitutional as it did not follow the Constitution’s requirements for enactment. As such, Petitioners-Applicants request that this Court declare void L. 2021, c. 375 under N.J.S.A. 1:7-3, *et seq.*

Additionally, the Legislature violated the Constitution in its failure to advise the public of its actions. The Constitution is clear that “[t]he people have the right freely to assemble together, to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.” N.J. Const. art. I, ¶ 18.

The case of Application of Forsythe, 91 N.J. 141 (1982) is illustrative in this context. There, the New Jersey Supreme Court addressed the issue of whether a violation of the Constitution’s readings requirement deemed legislation void. The Supreme Court described the procedure of passage as follows:

A–605 was also introduced on January 12, 1982, and given its first and second readings on that date. On

January 14, 1982, official notice was given in the Legislative Digest that A-605 was placed on the General Assembly's Board List for consideration at its January 18, 1982 session. On January 18, 1982, six days after A-605 had been given its second reading, S-711 was received from the Senate with its accompanying request of the Assembly's concurrence therein. The General Assembly determined to substitute S-711 for A-605. It gave S-711 its first reading and, on the same date, pursuant to a special motion, it was given its second reading. Thereafter, also on January 18, 1982, the Assembly adopted, by voice vote, a motion to substitute S-711 for A-605. This was done pursuant to Rule 15:20 of the Rules of the General Assembly After substitution, S-711 was immediately given a third reading in the Assembly, and it was passed on January 18, 1982 by a vote of 42 to 34.

Id. at 144-45. The Supreme Court refused to invalidate the legislation at issue, because A-605 received two readings on January 12th. On January 18th, the bill received a second reading and the General Assembly received S-711 with a request for concurrence. The General Assembly agreed to substitute in favor of S-711. Pursuant to special motion and a voice vote the bill was given a second reading and formally substituted. The same day, the bill received a third reading and was passed.

The Supreme Court ruled that this was permissible and did not violate the Constitution but only because the process permitted the study of the bills. Id. at 149-50. The Court then looked to the intent of the Constitutional provision:

the primary purpose underlying the constitutional provision for the intervening calendar day between the

second and third readings was to afford an adequate opportunity to the members of the Legislature and of the public to become acquainted with and study bills that eventually might be enacted into law.

Id. at 148 (emphasis added) (citing L. Milmed, “The New Jersey Constitution of 1947,” N.J.S.A. Const. Vol. 1, p. 91, 95-96 (1971)²). Given the time that each bill was in the House, the Supreme Court ruled:

the legislators of each house had before them the identical substantive contents of the bill that became L. 1982, c. 1 for more than the prescribed duration and intervals of time. As noted, A-605 and A-711 were absolutely equivalent to one another in terms of substantive content. There was, in constitutional effect, one bill that was properly acted upon by each legislative house. The procedure followed to substitute A-711 for A-605 was simply a device to place before the Governor for his final action a single, passed bill. In this case that bill validly emerged from each house of the Legislature according to the prescribed constitutional path and was duly enacted into law.

Id. 149-50. Therefore, there were no concerns with the purpose of the Constitutional provisions since each bill had several days between the readings.

But here, the procedural posture is entirely different than Forsythe because the lack of study and notice to both the legislators and the public is apparent from the hearings and debates on the floor of both houses. (See e.g., Pa201 at

² Relevant pages included at Pa475; the full text of this document can be accessed at

https://www.njstatelib.org/research_library/new_jersey_resources/highlights/constitutional_convention/.

50:1-7; Pa281-83 at 13:21-15:2.) The minutes of both chambers are illustrative. The Senate met on January 6, 2022. (Pa250.) Senate No. 49 was read for the first time. (Pa251-52.) The bill then cleared the Health, Human Services and Senior Citizens Committee in the Senate and was given a second reading. (Pa253.) That same day, the Assembly convened and conducted the first reading of Assembly No. 6260. (Pa230.)

On Monday January 10, 2022, the Senate met at 12:59 p.m. (Pa256.) The Senate gave S. 49 a third reading and the bill passed. (Pa260.) Per the Assembly minutes, the Senate had passed S. 49 and requested concurrence. (Pa236-37.)

Specifically, the Assembly minutes note:

The Clerk read a message from the Senate that the Senate has passed the following bills in which the concurrence of the General Assembly is requested, which bills were read for the first time and were referred as indicated:

Senate No. 49, by Senators WEINBERG, GREENSTEIN, SWEENEY and GOPAL, without reference, on second reading -- Codifies constitutional right to freedom of reproductive choice

On motion of Ms. Jasey, pursuant to Rule 15:20, Senate No. 49 was substituted for Assembly No. 6260 with which it is identical, and Ms. Vainieri Huttle/Ms. Jasey/Mr. Mukherji were added as prime sponsors and all co-sponsors were added as co-sponsors of Senate No. 49.

Which motion was adopted.

Senate No. 49 was given third reading.

Ms. Jasey moved the bill.

Mr. Webber moved that Senate No. 49 be placed back on second reading for purposes of amendment . . .

Id. S. 49 then passed the General Assembly. Id.

Here, there are distinct issues with the passage of the legislation and whether the public was aware and could be “acquainted with and study bills that eventually might be enacted into law.” See Forsythe, 91, N.J. at 148 (citing Milmed, supra). The law was enacted within a shroud of secrecy because access to the State House was limited, the legislative calendar did not list this bill, the Legislature’s website did not post the text of either bill, and the Governor had issued a State of Emergency due to inclement weather. (Pa66.) Specifically, on January 6, 2022, the Legislature had COVID protocols in effect preventing the public from attending the Assembly Appropriations hearing. (Pa66 at ¶ 8.) Also on January 6, 2022, the Governor had declared a State of Emergency, so many state employees were not present at the State House. Id. The online legislative calendar with its online dropdown bar demonstrates that the Legislature never listed S. 49 nor A. 6260 for introduction or proceedings related to these bills as of January 6, 2022. (Pa101-03 at ¶¶ 17-20; Pa112-31.)

Thus, the public had no way to know these bills that were enacted were being introduced or considered on January 6, 2022, as opposed to the

reproductive freedom bills that had been pending since October 2020. (Pa101-03 at ¶¶ 17-22.) Then, the bill was presented anew on January 10, 2022 for a final reading. (Pa236-237.) Given the inadequate notice to the public, the constitutional requirement of 24 hours between a second and third reading was required and would have proved beneficial to the overarching aims of public participation in government.

These fatal errors, taken together, demonstrate the unconstitutionality of the legislation. The Legislature failed to inform the public and even the legislators about the legislation, but such notice was required by statute and contemplated in two different places in the Constitution – art. I, ¶ 18 and art. IV, § IV, ¶ 6. Given the purpose to the twenty-four hour requirement is for the benefit of the legislators public studying bills, the Assembly did not meet this requirement when it gave S. 49 all three readings in one day. See Forsythe, 91 N.J. at 149-50; see e.g., Pa201 at 50:1-7; Pa281-83 at 13:21-15:2.

Therefore, the readings of the bills were important for notice to the public, which could not be established when access to the State House was limited, the Legislature failed to provide two days' notice that it would consider A. 6260 or S. 49 as statutorily required, and the Legislature did not publish the text of the bill on its website or its calendar as required by statute. See N.J.S.A. 52:11-78(a)(4) and (5).

The acts should not be saved based upon the Court's resolution in Forsythe because in that case all of the other hallmarks for notice to the public were met: there is no discussion in that case: that access to the State House was limited due to a pandemic; that the Governor issued a State of Emergency due to snow limiting the public from travel; that the Legislature violated the Open Public Meetings Act by failing to give the public two days' notice that it would consider the bills; that the Legislature violated its statutes by not posting the bill on either its website or its calendar. Given all of these statutory violations, the deficiency with the Assembly substitution of unpublished bill, A. 6260, for another unpublished bill S. 49, should not be tolerated by this Court. Even the members of the Legislature noted the procedural irregularities with the enactment of this law. (See e.g., Pa201 at 50:1-7; Pa281-83 at 13:21-15:2.) The public deserves notice of broad-sweeping, life-changing legislation. The failure to notify the public and read the bills consistent with the Constitution amounts to grave unconstitutional behavior for which the underlying legislation must be voided.

POINT THREE

This Court Should Remand the Matter to the Law Division if the Statute is Not Declared Void. (Pa23-25.)

The case law is clear that challenges to legislation under N.J.S.A. 1:7-3 are mechanical in nature focused solely on the passing of the legislation.

Application of McCabe, 81 N.J. 462 (1980) (“we vacate the dismissal of such application and order that it be transferred to the Law Division, Mercer County, for further proceedings. The parties are to amend their pleadings to conform with Law Division procedures and will have the right to raise additional issues and plead such defenses as are appropriate.”). The Supreme Court has noted that “[t]he legislative reason for the limited scope of review provided in N.J.S.A. 1:7-1, *et seq.*, is apparent. Procedural or mechanical issues are the type of questions easily inquired into, are usually lacking in factual dispute and can be raised and decided by the Appellate Division within a short period of time following the enactment of a law.” Id. at 468.

In McCabe, the Supreme Court ruled that the Appellate Division could only address procedural issues under N.J.S.A. 1:7-3. If the issues went to substantive issues of constitutionality, then the Law Division would have jurisdiction. The Court noted that under N.J.S.A. 1:7-3 that it was only focused on the “machinery of enactment.” Id. at 470. Therefore, if Points 1 and 2 fail, Petitioners-Applicants respectfully request that the Court transfer this matter to the Law Division so the Petitioners-Applicants may challenge the substantive nature of the legislation.

Here, there are several claims set forth in the Petition that constitute substantive attacks to the legislation. (Pa22-25.) First, there is an issue that the

Legislature has violated the separation of powers doctrine by infringing on the Court's province to interpret the laws and Constitution. Cf. N.J. Const. art. III with art. IV. The statute was enacted to codify constitutional rights, but in doing so, the Legislature overstepped its authority by declaring constitutional rights. While the Legislature can start the process for a constitutional amendment, it cannot usurp the Supreme Court's power under the Constitution to declare constitutional rights.

As Senator Greenstein stated in asking for her colleagues to pass the bill, the goal to the legislation is “to codify case law to protect the fundamental right to reproductive choice for all New Jerseyans. The New Jersey Supreme Court has explicitly recognized the right to abortion under our state constitution. What this bill does is provide every New Jerseyan with a clear affirmation of the right to reproductive healthcare.” (Pa276-77 at 8:23-9:6.) Senator Singleton noted that the bill was unnecessary: “we absolutely, probably, don't need to do anything legislatively because our courts have reaffirmed what our state constitutions already put in plain language that women have a determination – a self-determination over the dominion of their bodies.” (Pa278-79 at 10:25-11:5.)

But Senator Gopal then explained the Senate's rationale for the bill – to protect against a future Supreme Court that chooses not to follow stare decisis: “all [the bill] does is make sure that the law that already exists in the state prior

to this bill passed today continues to be the law regardless of what any future Supreme Court does.” (Pa290 at 22:5-11; see also Pa300-01 at 8:21-9:4.) As Assemblyman Webber noted, the bill is “a little aggressive in its reading of the Supreme Court decisions.” (Pa301 at 9:14-23.) This balance of power issue should be substantively addressed by the trial court in the event that the statute is not voided, and the remedy is a remand given the limited nature of this Court’s original jurisdiction. N.J.S.A. 1:7-1, *et seq.*

In addition, a remand is appropriate to consider issues with the violation to religious freedom based upon the limited religious exemption included in the statute. (Pa25.) The language in the statute for religious exemption has been struck by the United States Supreme Court. Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682 (2014). As a result, there is another substantive challenge that must be reviewed by the trial court in the event the law is not voided.

CONCLUSION

The abortion statute was enacted within a penumbra of secrecy that deprived the public and even the legislators of advance notice of the reading of the bill, the language of the bill, or that the bills would be the subject of enactment within the same day as the first read in the General Assembly. The Legislature violated the Constitution in passing the bills with the Assembly

conducting the first through third readings on the same day without an emergency vote.

Next, the Legislature violated four of its statutes in enacting the bill without: 1) review by the Mandated Health Benefits Commission; 2) fiscal review; 3) posting a copy of the bill upon its introduction in the Senate; and 4) advance notice of the hearing and vote on the bill. For the foregoing reasons, the Applicants-Petitioners respectfully request that this Court invalidate L. 2021, c. 375 under N.J.S.A. 1:7-3.

Even if the statute is not voided, the remedy is to remand for the Law Division to consider the constitutionality of the statute on its merits.

Respectfully submitted,

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DATED: January 26, 2024

IN RE APPLICATION OF : SUPERIOR COURT OF NEW JERSEY
BARBARA EAMES AND : APPELLATE DIVISION
WILLIAM EAMES PURSUANT : CIVIL ACTION
TO N.J.S.A. 1:7-1 AND N.J.S.A. :
1:7-4 SEEKING TO VOID L. : Docket No.: A-1411-22
: 2021, c. 375 :
: ON APPEAL PURSUANT TO RULE
: 2:10-5 GRANTING THIS COURT
: ORIGINAL JURISDICTION
:
:
:
:

**RESPONDENT'S BRIEF AND APPENDIX IN OPPOSITION TO
PETITION**

Date Submitted: May 3, 2024

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PRELIMINARY STATEMENT

On January 13, 2022, Governor Murphy signed into law L. 2021, c. 375, the Freedom of Reproductive Choice Act, (Chapter 375), which codifies certain reproductive rights. Barbara Eames and William Eames (Petitioners), two citizens of this State, petition this court to exercise its original jurisdiction under N.J.S.A. 1:7-1 to -7 to invalidate Chapter 375 due to alleged procedural irregularities in the statute's enactment.

The facts are straightforward. On January 6, 2022, identical bills, S49 and A6260, were introduced contemporaneously in the New Jersey Senate and General Assembly, and received their first and second readings. Four days later, on January 10, 2022, the Senate gave S49 its third reading, passed it, and delivered it to the General Assembly. Following receipt of S49, the General Assembly gave S49 two readings, and consistent with the Assembly's rules, substituted S49 for the Assembly's identical bill, A6260. The Assembly then gave S49 a third reading, passed it, and sent it to the Governor for his approval.

Petitioners assert that this process violated N.J. Const. art. IV, § 4, ¶ 6, which requires that a full calendar day elapse between the second and third readings of a bill. But they are wrong. As the Supreme Court held over 40 years ago, this common legislative practice of substituting one identical bill for another fully satisfies the constitutional requirements so long as the substantive

contents of the bills remain unchanged and are before each house of the Legislature for the requisite period of time. Thus, A6260/S49 followed the prescribed constitutional procedure in each house and was duly enacted into law.

Petitioners also assert that the Legislature failed to follow various statutory prerequisites for the enactment of legislation, but those claims should be rejected. Centuries of black letter law teach that one legislature cannot bind its successors, so Petitioners' claims fail on their face. But even if they were considered, the Legislature's procedures complied with all applicable requirements for the passage of legislation.

Petitioners bear a heavy burden in seeking to invalidate legislation duly enacted by the elected representatives of this State and signed by the Governor. Their only path forward under N.J.S.A. 1:7-1 to -7 is to show that the mechanics by which the bill was enacted did not comply with the Constitution. But their arguments here have been firmly foreclosed by settled precedent of the Supreme Court. Their petition should be dismissed.

PROCEDURAL HISTORY AND COUNTERSTATEMENT OF FACTS¹

A. The Legislative Process – Senate and General Assembly Proceedings.

On January 6, 2022, the 219th session of the New Jersey Legislature met, after sending public notice and the calendar for the sessions to members of the Senate and Assembly, the Secretary of the State, and the State House Press, and posting notice in accordance with the Open Public Meetings Act (OPMA). (Pa230-31, 250).² The Senate convened at 12:04 p.m., roll was called, and the President declared a quorum present. (Pa250). Among other business, S49, which would codify the constitutional right to freedom of reproductive choice, was introduced, given its first reading, and referred to the Senate Health, Human Services and Senior Citizens Committee. (Pa250-52). That Committee met the same day in the State House Annex, which had reopened to the public. (Pa112). The Committee considered S49 and took public testimony on the bill. (Pa205-223). The Committee then reported the bill favorably to the Senate, without amendment, where it received a second reading. (Pa253).

¹ The procedural history and counterstatement of facts have been combined to avoid repetition and for the court's convenience.

² "Pa" refers to Petitioners' appendix; "Pb" refers to Petitioners' brief; and "Ra" refers to Respondent's appendix.

On the same day, the General Assembly convened at 1:00 p.m., roll was called, and a quorum declared. (Pa230-231). A6260, a bill identical to S49, was introduced, given a first reading, and referred to the Assembly Appropriations Committee. (Pa231). Pursuant to Assembly Rule 10:9, the Speaker notified the Clerk that the Appropriations Committee was authorized to consider A6260 among other bills on its January 6, 2022 agenda. (Pa233). While the public could not attend that Committee's meeting in person, they were able to view and participate in the meeting via the Legislature's homepage. (Pa113). The public was also advised that the Committee would take oral testimony on bills, by telephone and video, and that they could submit written testimony electronically in lieu of oral testimony. Ibid. Petitioner Barbara Eames testified regarding A6260. (Pa162-166). At the conclusion of the testimony, the Committee reported A6260 favorably to the Assembly, where it received a second reading. (Pa232).

After concluding their legislative business for that day, the Senate and General Assembly adjourned with the intent to reconvene on January 10, 2022 for voting sessions. (Pa234, 256).

After notice and the calendar for the Senate and General Assembly sessions were sent to members of the Senate and the Assembly, the Secretary of the State, and the State House Press, and posted in accordance with OPMA, the

Senate and General Assembly met again on January 10, 2022. (Pa234, 256-57). S49 was given a third reading and passed the Senate by a vote of 23-15, and was then delivered to the General Assembly. (Pa260). The Clerk advised the General Assembly that the Senate passed, among other bills, S49, and requested the Assembly's concurrence with those bills. (Pa236). S49 was given a first and second reading in the Assembly. Ibid. By way of motion, S49 was then substituted for the Assembly's identical bill, A6260, pursuant to General Assembly Rule 15:20. Ibid. S49 was given a third reading, and after various motions, the bill ultimately passed in the General Assembly on January 10, 2022, by a vote of 45-24 (with nine Assembly members abstaining). (Pa237-239).

These legislative actions were recorded in the Minutes of the General Assembly and the Journal of the Senate, which are the official record of the proceedings of each legislative body. (Pa226-28; Pa246-48).

On January 13, 2022, Governor Murphy approved the bill and signed Chapter 375 into law as the Freedom of Reproductive Choice Act. (Pa8).

B. Public Notice of Legislative Proceedings

The Legislature regularly posts a Legislative Calendar of upcoming meetings. It provides information on how the public can attend and view the proceedings, whether in person or virtually, and, if a committee is taking oral

testimony, how members of the public can participate.³ Each Calendar lists upcoming sessions of the Senate and Assembly to the extent known, stating whether committees are scheduled to meet and when voting sessions will take place. Ibid. Given the sometimes hectic and unpredictable nature of legislative proceedings, each Calendar also indicates that it is subject to change, and advises viewers to check the Legislature's website or to call the Office of Public Information for an updated schedule. Ibid. The Calendar also denotes any changes from the previously posted calendar with an asterisk. Ibid. In addition to the Legislative Calendar, the Legislature also provides regular updates of upcoming sessions of the Assembly and Senate, giving users the ability to click on the dates of voting sessions and view the list of bills to be voted on, as well as the text of the bills.⁴

On December 29, 2021, the Legislature posted notice of its upcoming meetings, indicating, among other things, that it would meet on January 6, 2022

³ See, e.g., <https://www.njleg.state.nj.us/legislative-calendar> (last visited May 1, 2024), which contains legislative calendars dating from January 6, 1997 to present.

⁴ See, e.g., <https://www.njleg.state.nj.us/> (last visited May 1, 2024) which has links to the Senate and Assembly Schedules. When those links are clicked, the user is taken to the schedule of proceedings. Voting sessions are indicated by a link which takes the user to the board list, through which the user can access the text of bills under consideration.

and January 10, 2022, with committee meetings taking place in both houses on January 6 and voting sessions on January 10.⁵ (Ra1-2).

In a subsequent calendar prepared on January 4, 2022, the Legislative Calendar provided a detailed list of the items, then known, to be considered by the various committees and scheduled for votes on January 10. (Pa112). That Calendar did not include S49/A6260, which had not yet been introduced. Ibid.

The Legislative Digest, posted on January 7, 2022, reported that at the Senate session on January 6, 2022, S49 was introduced and referred to the Health, Human Services and Senior Citizens Committee, after which it was reported out of committee without amendment and received a second reading in the Senate.⁶ (Pa70-71). Similarly, it reported that on the same day in the Assembly, A6260 was introduced and referred to the Appropriations Committee, after which it was reported out of committee without amendment and received a second reading in the Assembly. (Pa73-74).

⁵ This Legislative Calendar (Vol. XLV No. 54, Internet Update II), which can be accessed here, <https://pub.njleg.state.nj.us/publications/legislative-calendar/122121.pdf> (last visited May 1, 2024), is also included in the State's appendix for the court's convenience.

⁶ Past versions of the legislative digests are archived and publicly available on the Wayback Machine. The Legislative Digest for January 6, 2022 is available at <https://web.archive.org/web/20220107234247/https://www.njleg.state.nj.us/legislative-digest> (last visited May 1, 2024).

The Legislative Calendar posted in the evening on January 7, 2022, listed voting sessions to take place in both houses of the Legislature on January 10.⁷ (Ra4; Ra6). The Calendar for the Senate Session indicated that the body would vote on S49, and the Calendar for the Assembly likewise indicated that a vote on A6260 would take place on January 10, 2022. Ibid.

C. Petitioners' Application and Procedural Background.

On January 30, 2023, Petitioners filed an amended application with this court pursuant to N.J.S.A. 1:7-4 to void Chapter 375 as having been enacted in a manner that is inconsistent with the Constitution. (Pa16-26; Pa29-35).

Motion practice followed. The parties filed motions to supplement the record, which were granted, and Petitioners filed a motion to issue subpoenas to representatives of the Legislature, or alternatively, to conduct a hearing, which this court denied on June 27, 2023. (Pa40-41; Pa62-224; Pa225-267; Pa268-349; Pa350-53). Petitioners sought interlocutory review of that denial with the Supreme Court, and on October 19, 2023, the Court denied Petitioners' motion

⁷ Past versions of the legislative calendars are archived and publicly available on the Wayback Machine. The January 7, 2022 Legislative Calendar (Vol. XLV No. 57, Internet Update I) is available at <https://web.archive.org/web/20220108020253/https://www.njleg.state.nj.us/legislative-calendar> (last visited May 1, 2024), and is also included in the State's appendix for the court's convenience.

for leave to appeal. (Pa356). Petitioners filed another motion to supplement the record, which was granted on January 11, 2024. (Pa376).

The State’s brief on the merits now follows.

ARGUMENT

POINT I

THIS LAW WAS ENACTED IN CONFORMITY WITH THE CONSTITUTION.

Petitioners challenge the constitutionality of Chapter 375 on the grounds that it was “not duly passed by both houses of Legislature, or approved by the Governor or otherwise made effective as law in the manner required by the Constitution.” N.J.S.A. 1:7-1. That claim is foreclosed by precedent.

As an initial matter, a heavy presumption favors the validity of any statute under attack. See State v. Lenihan, 219 N.J. 251, 266 (2014) (declaring that a “presumption of validity attaches to every statute”); State v. Muhammad, 145 N.J. 23, 41 (1996) (stating that “any act of the Legislature will not be ruled void unless its repugnancy to the Constitution is clear beyond a reasonable doubt”); New Jersey Ass'n on Corrections v. Lan, 80 N.J. 199, 218 (1979) (commenting that “every reasonable intendment runs in favor of constitutionality” of a statute); In re Application of Lamb, 67 N.J. Super. 39, 61 (App. Div.), aff'd o.b. 34 N.J. 448 (1961) (affirming that presumption of constitutionality is not limited to the substantive provisions of a statute and applies in a suit under N.J.S.A. 1:7-

1 to -7); In re Freygang, 46 N.J. Super. 14, 28 (App. Div. 1957), aff'd 25 N.J. 357 (1957) (affirming the presumption of constitutionality of a legislative enactment and placing onus on the one challenging the act).

There is only one question appropriately before this court—whether the Legislature followed constitutional procedures in enacting the statute. After all, N.J.S.A. 1:7-1 to -7—on which Petitioners rely to invoke this court’s original jurisdiction—provides limited grounds for a citizen to challenge the machinery by which a bill was enacted into law. In re Gilmore, 340 N.J. Super. 303, 306 (App. Div. 2001). As this court and our Supreme Court have explained multiple times, the court’s “sole quest” in a case brought under N.J.S.A. 1:7-1 to -7 “is to determine whether the statute in arriving in its status as a law reached there by a route condoned by the Constitution.” Application of Forsythe, 185 N.J. Super. 582, 587 (App. Div. 1982), aff'd 91 N.J. 141 (1982); see also, e.g., Lamb, 67 N.J. Super. at 43, 59; In re McCabe, 81 N.J. 462, 467 (1980); Freygang, 46 N.J. Super. at 17; In re “An Act to Amend an Act Entitled ‘An Act Governing Public Utilities’”, 83 N.J.L. 303, 307 (Sup. Ct. 1912). A court may invalidate a law only if it finds by clear and convincing evidence that the law was not duly passed by both houses of the Legislature, or approved by the Governor or

otherwise made effective as law in the manner required by the Constitution. See N.J.S.A. 1:7-1.⁸

That single challenge fails. Contrary to Petitioners' claim, Chapter 375 was enacted in conformity with N.J. Const. art. IV, § 4, ¶ 6. This constitutional provision requires that all bills "shall be read three times in each house before final passage," and that no bill "shall be read a third time in either house until after the intervention of one full calendar day following the day of the second reading." Ibid. Here, the record establishes that S49 did in fact have the "constitutionally required time period between second and third readings" in both houses. (Pb34-35). As reflected in the Journal of the Senate and the Minutes of the General Assembly⁹, both houses met on January 6 and January 10, 2022 after notice and the calendar for the Senate and General Assembly were

⁸ Indeed, the limited scope of this act is evident from its history and its language. Prior to 1873, an act of the Legislature, duly authenticated as such and on file with the Secretary of State, was conclusive evidence of its enactment and contents. Pangborn v. Young, 32 N.J.L. 29, 44 (Sup. Ct. 1866). A citizen could not go behind such attestation to challenge the fact of enactment. See ibid. The Legislature relaxed this strict rule in 1873 with the passage of L. 1873, c. 27. It permitted two or more citizens to challenge a law as not having been enacted in the manner provided by the Constitution. In re McGlynn, 58 N.J. Super. 1, 26 (App. Div. 1959). One so challenging the law does so by permission of the Legislature. In re Low, 88 N.J.L. 28, 30 (Sup. Ct. 1915). While the language of this section has been revised since 1873, the essential scope of the act has remained unchanged. In re Borg, 123 N.J.L. 104, 107 (Sup. Ct. 1939).

⁹ As this court noted in McGlynn, 58 N.J. Super. at 26, the "journal of each House is a competent source of evidence."

sent to all members, the State Secretary, and the State House Press, and posted in accordance with OPMA. (Pa230-31, 250; Pa234, 256-57).

On January 6, 2022, S49 was introduced in the Senate and given its first reading. (Pa231). The bill advanced to second reading on that date, and four days later, on January 10, 2022, it was given its third reading, passed by the Senate without amendment, and delivered to the General Assembly. (Pa253; Pa260). The General Assembly had before it an identical bill, A6260, which was also introduced on January 6, 2022, and given its first and second readings on that date. (Pa231-32). On January 10, 2022, four days after A6260 had its second reading, S49 was received from the Senate with its request for Assembly's concurrence. (Pa236). On the same date, S49 was given a first reading and second reading in the Assembly, and was then substituted for its identical bill, A6260. Ibid. This was done pursuant to Rule 15:20 of the Rules of the General Assembly, which provides:

Whenever a Senate bill or resolution is passed by the Senate, delivered to the General Assembly, and an identical General Assembly bill or resolution has received second reading, is in the possession of the General Assembly, and at least one full calendar day has intervened since either or both of the identical bills or resolutions received second reading, the Senate bill or resolution may be substituted for the General Assembly bill or resolution and immediately moved to third reading.

[Ibid.].

After substitution, S49 was given a third reading in the Assembly, and the bill ultimately passed without amendment on January 10, 2022, by a vote of 45-24-9. (Pa238). Three days later, S49 was duly enacted into law when the Governor approved the bill. (Pa8).

Petitioners' challenge is contrary to established precedent. Petitioners argue that S49 had three readings in the same day in the Assembly, thus violating the constitutional requirement that one full calendar day elapse between second and third readings. But the Supreme Court's decision in Forsythe rejects exactly this argument. As with Chapter 375, Forsythe dealt with the simultaneous consideration of equivalent bills by the Assembly and the Senate. 91 N.J. at 144-45. Indeed, there, as here, the Senate bill was substituted for the identical Assembly bill and given a third reading without the intervention of a calendar day. The Supreme Court held that the requirements of N.J. Const. art. IV, § 4, ¶ 6 were satisfied because, "[t]here was, in constitutional effect, one bill that was properly acted upon by each legislative house," and the substituted bill "validly emerged from each house of the Legislature according to the prescribed constitutional path and was duly enacted into law." Id. at 150.

The Court found that the purpose underlying the constitutional provision for the intervening calendar day between the second and third readings "was to afford an adequate opportunity to the members of the Legislature and of the

public to become acquainted with and study bills that eventually might be enacted into law.” Id. at 148. Given this purpose, balanced with the framers’ intent to eliminate unwarranted procedural limitations on the enactment of laws, the Court concluded that this constitutional mandate was “fully satisfied where the substantive contents of the bill remain unchanged in any manner and are before each house for the requisite period of time.” Id. at 149.

So too here. As in Forsythe, the bill ultimately adopted by the Legislature and submitted to the Governor for approval was before the Senate and General Assembly for more than the prescribed one calendar day period. (Pa231-32; Pa236; Pa253; Pa260). A6260 and S49 were identical bills “absolutely equivalent to one another in terms of substantive content,” Forsythe, 91 N.J. at 150, and “each bill had several days between the readings.” (Pb39). Therefore, there was “in constitutional effect, one bill that was properly acted upon by each legislative house.” Forsythe, 91 N.J. at 150. The procedure ultimately followed by the General Assembly to substitute S49 for A6260 “was simply a device to place before the Governor for his final action a single, passed bill.” Ibid.

And Petitioners’ attempts to distinguish Forsythe fall flat. They contend that, unlike in Forsythe, the public here received inadequate notice of the bills, because access to the State House was limited, the legislative calendar did not list the bill, the Legislature’s website did not post the text of either bill, and the

Governor had issued a State of Emergency due to inclement weather. (Pb41). As a result, Petitioners assert that they were deprived of their “constitutional right to make their opinions known to their law-makers before enactment.” (Pb34; 37). But these claims fail as a matter of fact and law.

Factually, their assertions are belied by the record. The Legislature’s official record establishes that the legislative proceedings took place, despite the bad weather. (Pa230-31; Pa250; Pa234; 256-57). Although some COVID protocols remained in place, public participation was encouraged, either in person (for the Senate Health, Human Services and Senior Citizens Committee), or virtually through the internet (for the Assembly Appropriations Committee). In both proceedings, the public was able to view and participate in the meetings, testify, or submit written testimony on the bills presented. (Pa113). In fact, Petitioners participated in this process as they were among those who offered testimony on A6260. (Pb9; Pa162-166). Finally, the first and second readings of the two bills were reported in the Legislative Digest published on January 7, 2022, and the bills were listed on the Legislative Calendar posted on January 7, 2022 for the voting sessions on January 10, 2022. (Pa70-71; Pa73-74; Ra2; Ra4).

Nor is there any legal basis for Petitioners’ vague claim that the process employed by the Legislature violated N.J. Const. art. I, ¶ 18. That provision

guarantees “the right freely to assemble together, to consult for the common good, to make known their opinions to their representatives, and to petition for redress of grievances.” Ibid. Petitioners cite no cases to support their position that this provision imposes any additional procedural requirements on the Legislature. And as this court has recognized, “a significant limitation upon the power of the people’s elected representatives to enact a law should not be read into the Constitution by implication.” In re Reilly, 364 N.J. Super. 519, 523 (App. Div. 2003). Nor have Petitioners shown that they were prevented from assembling, consulting for the common good, or making their opinions known to their representatives. To the contrary, Petitioners made those opinions known by testifying in the proceedings leading up to passage of A6260.¹⁰

In short, this case is squarely governed by Forsythe. As the Supreme Court recognized, the Constitution permits the substitution of an identical bill in the manner that occurred here. See Forsythe, 91 N.J. at 150-51 (noting that various pieces of legislation have been “enacted in the same form and by the same route”). Petitioners’ contention that an intervening calendar day between

¹⁰ In a last ditch effort, Petitioners also assert that Chapter 375 was not validly enacted as S49 was given all three readings in the Assembly on the same day without an emergency vote. (Pb35-37) (citing Assembly Rule 15:11, providing that “if on motion at least 60 members agree that a bill or joint resolution is an emergency measure, it may proceed immediately from second to third reading”). This is a red herring. There was no need to invoke emergency measures, because S49 was substituted for its identical twin bill A6260 under Assembly Rule 15:20.

the second and third readings in the Assembly “would have proved beneficial to the overarching aims of public participation in government,” (Pb42), reflects their view of what would be best practices but has nothing to do with the constitutionality of the procedure the Legislature employed (and has employed before). See McCabe, 81 N.J. at 466. To the extent that Petitioners seek to impose requirements not mandated by the Constitution, their claims fall outside the scope of N.J.S.A. 1:7-1 to -7 and should be dismissed. See Reilly, 364 N.J. Super. at 523.

Because Petitioners have failed to meet their heavy burden of showing by clear and convincing evidence that the way in which Chapter 375 was enacted is repugnant to the Constitution, their petition should be dismissed.

POINT II

PETITIONERS’ STATUTORY CLAIMS FAIL.

Petitioners also challenge Chapter 375 on the ground that it violates certain statutory provisions for enactment, but their claims fail for two independent reasons. First, it is black letter law that one legislature may not bind its successor by enacting procedural requirements and barriers to the enactment of future legislation. But even if such rules could be effective, the enactment of Chapter 375 did not violate them.

First, N.J.S.A. 1:7-1 to -7 allows only for Petitioners to challenge a law's enactment as violating constitutionally mandated procedures, not with processes established by other statutes. Cf. Application of McGlynn, 58 N.J. Super. at 28 (noting that “our courts will not set aside the actions of the Legislature unless the unconstitutionality of what has been done is manifest.”). Indeed, although petitioners rely on N.J.S.A. 1:7-3 to suggest that a statute can be invalidated if it does not satisfy “the constitutional and statutory provisions relating to the enactment and approval of laws,” the Petitioners do not cite a single case in which a New Jersey court has invalidated a statute solely for failing to comply with statutory provisions, let alone under N.J.S.A. 1:7-1 to -7.

And for good reason. The principle that one Legislature cannot bind its successors is fundamental to representative government and rooted in centuries of precedent.¹¹ Shortly after the nation's founding, the U.S. Supreme Court recognized that “one Legislature is competent to repeal any act which a former legislature was competent to pass, and . . . one legislature cannot abridge the powers of a succeeding legislature.” Fletcher v. Peck, 10 U.S. (6 Cranch) 87, 135 (1810). It follows then that “‘a general law. . . may be repealed amended or disregarded by the legislature which enacted it,’ and ‘is not binding upon any

¹¹ There are exceptions to this principle, not relevant here, where the Legislature unmistakably creates a contractual or vested right. See Berg v. Christie, 225 N.J. 245, 279 (2016).

subsequent legislature.” United States v. Winstar Corp., 518 U.S. 839, 873 (1996) (plurality) (quoting Manigault v. Springs, 199 U.S. 473, 487 (1905)). In fact, members of the Supreme Court have described this principle as “so obvious as rarely to be stated.” Ibid. (quoting Charles L. Black, Jr., Amending the Constitution: A Letter to a Congressman, 82 Yale L.J. 189, 191 (1972)).

New Jersey courts have likewise eschewed the concept of legislative entrenchment, holding that the Legislature “cannot divest itself or its successors of its sovereignty.” Delaware & Raritan Canal Co. v. Camden & Atl. R.R. Co., 16 N.J. Eq. 321, 364 (Ch. 1863). As our Supreme Court succinctly explained, “[s]tatutes are the expression of legislative policy and may accordingly be changed at the Legislature’s will.” Berg, 255 N.J. at 264; see also, e.g., Camden v. Byrne, 82 N.J. 133, 147 (1980) (“[T]he Legislature has the inherent power to disregard prior fiscal enactments.”)

To illustrate this point, consider N.J.S.A. 17B:27D-6, one of the statutes alleged by Petitioners to have been violated here (it was not, as further discussed below). Enacted in 2003, nearly two decades prior to the passage of Chapter 375, N.J.S.A. 17B:27D-6 established a Mandated Health Benefits Advisory Commission that must review any bill introduced in the Legislature that would require a carrier to provide a mandated health benefit. Under the statute, absent urgent circumstances, the Legislature is prohibited from considering or voting

on such a bill until the Commission’s review is completed or the period for its review has expired. But if the present Legislature decides to vote on a bill before that review is complete, nothing would prevent it from doing so—that is, a prior Legislature cannot dictate the process the current Legislature uses for passing a law. Only the Constitution can do so. A contrary rule would abrogate the New Jersey Constitution, which vests in each successive Legislature the “legislative power,” a power that is plenary, discretionary, and exclusive. N.J. Const., art. IV, §1, ¶ 1.

And because “the will of a particular” legislature “does not impose itself upon those to follow in succeeding years,” Reichelderfer v. Quinn, 287 U.S. 315, 333 (1932), “general principles of statutory construction dictate that when “two statutes conflict, . . . the latter governs,” Dep’t of Transp. V. PSC Resources, Inc., 159 N.J. Super. 154, 163 (Law Div. 1978). In other words, “[i]f the two acts are repugnant in any of their provisions, the later act operates to repeal the earlier to the extent of the repugnancy.” Bruck v. Credit Corp., 3 N.J. 401, 408 (1950).

And there lies the fallacy of Petitioners’ position. If the 219th Legislature had failed to follow certain statutory requirements pertaining to the enactment of legislation when it passed Chapter 375, it would not mean that Chapter 375 is void. Rather, it would mean that those prior statutory requirements had been

superseded in relevant part by Chapter 375. In the example described above, the 219th Legislature, exercising its own prerogatives, decided that a different approach for potentially mandating health benefit coverage was warranted under the circumstances extant in 2022. That legislative judgment, codified in Chapter 375, provided that the Commissioner of the Department of Banking and Insurance could promulgate regulations mandating such benefits for reproductive health, so long as he first conducted a study and issued a report to the Legislature and Governor demonstrating that such regulations are necessary. In that way, the 219th Legislature revised the previous requirements in a way that reflected its own policy priorities. Put another way, so long as it complied with the constitutional requirements for enacting legislation – which it did – the 219th Legislature was free to enact this landmark statute unimpeded by any procedural restrictions purportedly imposed by its predecessors.¹²

Petitioners point to In re Miller, 122 N.J.L. 176 (Sup. Ct. 1939), but that case does not help them here. Miller involved an application to have certain special legislation declared null and void for failure to comply with certain notice requirements. The relevant constitutional provision then prohibited

¹² The Commissioner did conduct a study and issued a report to the Governor and Legislature demonstrating that such mandatory coverage was necessary. <https://nj.gov/dobi/P.L.2021c.375report.pdf> (last visited April 18, 2024) The Department of Banking and Insurance ultimately promulgated regulations mandating such coverage. See N.J.A.C. 11:24A-2A.1 et seq.

enactment of special legislation “unless public notice of the intention to apply therefor, and of the general object thereof, shall have been previously given” in a manner prescribed by the Legislature. N.J. Const. of 1844 Art. IV, § 7, ¶ 9. As the same court subsequently explained, in Miller “the constitutional condition precedent of notice of intention was not complied with, and the attempted procedure of enactment without notice was simply nugatory because of having no foundation on which to rest.” In re Borg, 123 N.J.L. at 107. In other words, the statute in Miller was void for failure to comply with constitutional requirements.

Here, as explained in detail above, the Legislature complied with all of the relevant constitutional prerequisites when it passed Chapter 375. Since this court’s jurisdiction is limited to cases where the challenged law “was not duly passed by both houses of the Legislature, or approved by the Governor or otherwise made effective as law in the manner required by the Constitution,” N.J.S.A. 1:7-1; McCabe, 81 N.J. at 467, the court should not reach Petitioners’ remaining arguments and the petition should be dismissed.

Second, even if this court were to consider Petitioners’ statutory claims, it should reject them, since the Legislature also complied with all applicable statutory provisions. Start with N.J.S.A. 17B:27D-6, the statute establishing the Mandated Benefits Review Commission, discussed above. As noted, it requires

that the Commission review any bill that mandates coverage of any health benefits, and prohibits the Legislature from considering the proposal until after receipt of the Commission report or expiration of the period of time for review. A mandated health benefit is defined as “a benefit or coverage that is required by law to be provided by a carrier and includes: coverage for specific health care services, treatments or practices; or direct reimbursement to specific health care providers.” N.J.S.A. 17B:27D-2. Petitioners contend that because the Commission did not review Chapter 375 prior to its enactment, the statute should be voided. They are wrong.

N.J.S.A. 17B:27D-7 does not apply to Chapter 375 for the simple reason that Chapter 375 does not mandate any health benefit coverage. Instead, the statute states that the Commissioner of the Department of Banking and Insurance may promulgate regulations under the Administrative Procedures Act requiring insurance coverage for abortions, after concluding a study and issuing a report to the Governor and the Legislature demonstrating that such a regulation is necessary. N.J.S.A. 26:2S-39. In other words, the legislation itself does not mandate such insurance coverage, nor is it at all certain, from the Legislature’s perspective, that such coverage would ever be mandated. The statute also states that contracts providing hospital or medical expense benefits purchased by the State Health Benefits Commission and the School Employees’ Health Benefits

Commission may provide coverage for abortion. But again the legislation provides no definitive mandate for insurance coverage, so the prerequisites of N.J.S.A. 17B:27D-6 are not even implicated.

Next, Petitioners argue that the Legislature failed to provide proper notice to the public about its consideration of S49 or A6260, but those arguments also fall short. Contrary to Petitioners' claim, the Legislature did not violate OPMA when it took up the two bills on January 6 and January 10, 2022. Under OPMA, a public body, including the Legislature, must provide adequate notice of its public meetings. N.J.S.A. 10:4-9. "Adequate notice" is defined as "written advance notice of at least 48 hours, giving the time, date, location and, to the extent known, the agenda of any regular, special or rescheduled meeting, which notice shall accurately state whether formal action may or may not be taken. . . ." N.J.S.A. 10:4-8(d). The notice must be "prominently posted in at least one public place reserved for such or similar announcements," delivered to at least two newspapers, and "filed with the Secretary of State if the public body has Statewide jurisdiction." Ibid.

As an initial matter, legislative committees are not "public bodies" subject to OPMA, so the notice requirements do not apply to their proceedings. Under the statute, a "public body" is defined as "two or more persons organized under the laws of this State," who are "collectively empowered as a voting body to

perform a public governmental function affecting the rights, duties, obligations, privileges, benefits, or other legal relations of any person,” or “collectively authorized to spend public funds.” N.J.S.A. 10:4-8(a). While the Legislature as a whole is a public body, Legislative committees do not meet that criteria. They serve as advisory bodies to the Legislature, making recommendations to the Senate and Assembly; thus; they are not “collectively empowered as a voting body” to perform the governmental functions “affecting the rights, duties, obligations, privileges, benefits or other legal relations of any person. . . .” Ibid.

Next, the record reveals that the Legislature complied with the notice requirements with respect to the voting sessions that took place on January 10, 2022. On December 29, 2021, the Legislature posted notice of its upcoming meetings, indicating, among other things, that it would meet on January 6 and January 10, 2022, with committee meetings taking place in both houses on January 6 and voting sessions on January 10. (Ra1-2). In a subsequent calendar prepared on January 4, 2022, the Legislative Calendar provided a detailed list of the items, then known, to be considered by the various committees on January 6, and scheduled for votes on January 10. (Pa112).

The Legislative Calendar posted on January 7, 2022, listed voting sessions to take place in both houses of the Legislature on January 10. (Ra3-7). The

Calendar for the Senate Session indicated that the body would vote on S49, and the Calendar for the Assembly likewise indicated that a vote on A6260 would take place on January 10, 2022. (Ra4; Ra6).

Through these Calendar publications and updates, the Legislature complied with OPMA during its consideration and passage of the bills enacted into law as Chapter 375¹³. It provided more than 48 hours notice of its meetings, including that there would be voting sessions in both houses on January 10, 2022. It also posted the agenda of the sessions to the extent known. The two bills at issue, S49 and A6260, which were not introduced until January 6, 2022, were not included on the Legislative Calendar prior to that date. (Pa112). But nothing in OPMA prevents a public body from adding late items to an agenda. See, N.J.S.A. 10:4-8(d)(defining adequate notice as including the agenda of the meeting “to the extent known.”). And once the bills had received a second reading, they were included on the updated Legislative Calendar on January 7, 2022, indicating that they would be considered at the voting sessions by the bodies on January 10. (Ra2; Ra4).

Petitioners’ alternative argument that the Legislature violated N.J.S.A. 52:11-78 fares no better. That statute requires that the Office of Legislative

¹³ Petitioners make no claim that the Legislature failed to comply with other notice requirements, such as notice to the press or Secretary of State.

Services (OLS) make available to the public certain information, including the text of bills introduced during the current two-year session of the Legislature, all bills currently pending in the Legislature; bill-tracking data on all bills pending in the Legislature updated on a daily basis; and a current calendar of legislative events, including the schedule of legislative committee meetings, and a list of bills scheduled for legislative action. N.J.S.A. 52:11-78(a). As set forth above, the OLS complied with these requirements. Its Legislative Calendar lists upcoming legislative events, including the schedule of committee meetings, and the list of bills, to the extent known, scheduled for legislative action. S49 and A6260 which were first introduced on January 6, 2022, were not listed on the calendar prepared on January 4. (Pa112). But they were included on the calendar posted on January 7, indicating that they were scheduled for votes in both houses on January 10. (Ra1-5). And the January 7, 2022 Legislative Digest contained updated tracking data on both bills once they had been introduced. (Pa71; Pa74).

Petitioners assert that the bills themselves were not available prior to January 10, 2022, but in fact the OLS routinely uploads the text of bills and posts them along with the schedule of the upcoming voting sessions. The Legislature's website also makes clear that it will provide copies of bills to the

public upon request, usually within 24 hours.¹⁴ There is no indication that Petitioners ever made such a request.

In any event, Petitioners' claims regarding N.J.S.A. 52:11-78, do not give rise to the remedy they seek. There is nothing in the statute that remotely suggests that even if there were a failure by the OLS to carry out its functions (which there was not), that could result in the voiding of legislation duly considered and passed by both houses of the Legislature and signed into law by the Governor. And it is not the role of this court to "create an artificial barrier to enactment of legislation that the Legislature and the Governor agree is in the public interest." Reilly, 364 N.J. Super. at 527 .

Petitioners' final statutory argument regarding the Legislature's alleged non-compliance with the process for obtaining fiscal notes is easily disposed of. Under N.J.S.A. 52:13B-6 to -14, after a bill is introduced, it is reviewed by the Legislative Budget and Finance Officer who determines whether it "may increase or decrease expenditures or increase or decrease revenues of the State or any political subdivision thereof," and if so, refers a request for a fiscal note to the Executive Branch. N.J.S.A. 52:13B-6. Once the various entities in the Executive Branch complete the note, it is returned to the Legislative Budget and

¹⁴ <https://www.njleg.state.nj.us/public-info-assistance> (last visited April 19, 2024).

Finance Officer. N.J.S.A. 52:13B-7. If the Legislative Budget and Finance Officer does not receive a fiscal note “by a date consistent with legislative consideration,” the OLS shall prepare a fiscal note “as soon as practicable.” N.J.S.A. 52:13B-9. The fiscal note or OLS estimate is then sent to the sponsor of the bill, and later published. N.J.S.A. 52:13B-10, -11.

Petitioners contend that the Legislature failed to follow this process because the fiscal note was produced on January 18, 2022, after Chapter 375 was enacted. But nothing in the statute requires that the fiscal note be completed prior to passage of the bill under consideration. To the contrary, it specifically contemplates that the note might not be received “by a date consistent with legislative consideration;” in which case, the OLS must provide an estimate “as soon as practicable.” N.J.S.A. 52:13B-9. In those situations, the fiscal note serves to provide legislators and the public with information about the potential fiscal ramifications of the legislation. But as with N.J.S.A. 52:11-78, there is nothing to suggest that this process is a mandatory statutory prerequisite, much less a constitutional requirement, for the enactment of legislation.

In sum, Petitioners’ statutory claims should be rejected, both because the 219th Legislature was not bound by any procedural restrictions imposed by its predecessors, and because its enactment of Chapter 375 did not violate any other

statutes. And since it also complied with all constitutional requirements when it enacted the law, Petitioners' petition should be dismissed.

POINT III

PETITIONERS' APPLICATION SHOULD BE DISMISSED AND NOT REMANDED.

Perhaps recognizing that their challenge under N.J.S.A. 1:7-1 to -7 will fail, Petitioners request as an alternative that the matter be transferred to the Law Division so that they may challenge the substantive nature of the legislation. (Pb44). But that request for a remand should be denied as they lack standing to challenge the constitutionality of Chapter 375's provisions.

“The concept of standing in a legal proceeding refers to the litigant’s ‘ability or entitlement to maintain an action before the court.’” New Jersey Dep’t of Env’tl. v. Exxon Mobil Corp., 453 N.J. Super. 272, 291 (2018) (citations omitted). To establish standing, a party must “present a sufficient stake in the outcome of the litigation, a real adverseness with respect to the subject matter, and a substantial likelihood that the party will suffer harm in the event of an unfavorable decision.” In re Camden Cty., 170 N.J. 439, 449 (2002). While Petitioners may have strong feelings about Chapter 375, the constitutionality of a statute “is open to attack only by a person whose rights are adversely affected.” Bd. of Educ. v. Maas, 56 N.J. Super. 245, 259 (App. Div. 1959).

Petitioners fail to meet this threshold. In their petition, they assert only that they are citizens of the State and “are adversely affected by the legislation.” (Pa17). But they have not shown “that they have been injured by enforcement of the statute or that the statute substantially deters their constitutionally protected activity.” In re Martin, 90 N.J. 295, 308 (1982). Their policy beliefs do not suffice; they must show that they have suffered actual injury from the statute. State v. Varona, 242 N.J. Super. 474, 488 (App. Div. 1990).

Petitioners point to the Supreme Court’s decision in McCabe as justification for seeking a remand instead of dismissal, but that case is distinguishable. In transferring the matter to the Law Division for further proceedings, the Court in McCabe noted that the Attorney General acknowledged that the applicants likely had standing to pursue their substantive challenges to the statute. McCabe, 81 N.J. at 470. That is not the situation here. There is nothing in Petitioners’ application that remotely suggests that they have standing to challenge Chapter 375.

Accordingly, their request for a remand to the Law Division should be denied and the application should be dismissed in its entirety.

CONCLUSION

For these reasons, Petitioners' application for a determination that Chapter 375 be declared void should be dismissed.

Respectfully submitted,

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Amna T. Toor
Amna T. Toor
Deputy Attorney General

Dated: May 3, 2024

IN RE APPLICATION OF
BARBARA EAMES AND
WILLIAM EAMES PURSUANT
TO N.J.S.A. 1:7-1 AND N.J.S.A.
1:7-4 SEEKING TO VOID L.
2021, C. 375,

On Application to
SUPERIOR COURT OF NEW
JERSEY, APPELLATE
DIVISION
seeking exercise of original
jurisdiction pursuant to N.J.S.A.
1:7-1 & -4

Docket No.: A-1411-22T4

CIVIL ACTION

**REPLY BRIEF AND REPLY APPENDIX (Pra1-50) IN FURTHER
SUPPORT OF APPLICANTS-PETITIONERS BARBARA EAMES AND
WILLIAM EAMES' APPLICATION TO VOID P.L. 2021, C. 375**

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REPLY LEGAL ARGUMENT

I. The State’s Argument Misconstrues the Statute’s Plain Meaning.

P.L. 2021, c. 375 (“the Act”) violates both constitutional and statutory provisions for enactment. The State incorrectly responds if the Legislature only violates a statute for enactment, the court cannot void the Act. (Sb10.¹) N.J.S.A. 1:7-3 states: “After a full hearing the court may, if satisfied that the constitutional and statutory provisions relating to the enactment and approval of laws . . . have not been complied with, adjudge the law . . . or any part thereof to be void.” This Court should reject the State’s construction that nullifies this statutory language. See Marino v. Marino, 200 N.J. 315, 329 (2009)(explaining “the words chosen by the Legislature [are read] in accordance with their ordinary meaning”); see N.J.S.A. 1:1-1 (same); see also Pizzullo v. N.J. Mfrs. Ins. Co., 196 N.J. 251, 264 (2008)(explaining courts seek “further guidance only to the extent that the Legislature's intent cannot be derived from the words that it has chosen”).

If the Legislature meant a statute is void only when the Constitution is violated, then it would not have added the second clause relating to statutes when it amended the statute. See In re Jaegle, 83 N.J.L. 313, 314 (Sup. Ct.

¹ The term “Sb” refers to the State’s brief in opposition; the term “Ra” refers to the State’s appendix; the term “Pb” refers to Applicants’ opening appellate brief; the term “Pa” refers to Applicants’ appendix; the term “Pra” refers to Applicant’s appendix filed herewith.

1912)(quoting original statute²); see also Med. Soc'y of N.J. v. N.J. Dep't of Law & Pub. Safety, 120 N.J. 18, 26-27 (1990)(explaining court will “give effect to every word” so as that it will not “render part of it superfluous”). Thus, if the Legislature does not comply with either a constitutional or statutory provision for enactment, a court may void the non-compliant statute. Stated another way, to be valid, the Legislature must enact the statute in accordance with both constitutional and statutory requirements for enactment.

The State’s interpretation of N.J.S.A. 1:7-3 ignores black letter law because it treats the phrase “and statutory provisions” as surplus. But a court in reviewing the statute follows the “bedrock assumption that the Legislature did

² The language of the statute as enacted in 1873 states:

An act providing for decreeing and making known that certain laws and joint resolutions have become inoperative and void,’ provides that, at any time within one year after any law or joint resolution shall have been filed by the Secretary of State, the Attorney General, at the direction of the Governor, when the latter shall have reason to believe that any such law or joint resolution was not duly passed by both Houses of the Legislature, or duly approved, as required by the Constitution of the state (section 1), or any two or more citizens of the state who shall have reason for so believing (section 3), may present a petition to the Supreme Court setting forth the facts and circumstances, and praying that such law or resolution may be decreed to be null and void.

Id. (quoting the act of March 3, 1873 (Comp. Stat. p. 4978)).

not use ‘any unnecessary or meaningless language.’” Jersey Cent. Power & Light Co. v. Melcar Util. Co., 212 N.J. 576, 587 (2013) (citation omitted). The court “must presume that every word in a statute has meaning and is not mere surplusage.” In re Att’y Gen.’s “Directive on Exit Polling: Media & Non-Partisan Pub. Int. Grps., 200 N.J. 283, 297-98 (2009). Under the position taken by the State, if Applicants can only show that P.L. 2021, c. 375 was enacted contrary to “statutory provisions,” then the statute will not be void. However, because that interpretation does not give effect to the clause “statutory provisions relating to the enactment and approval of laws,” this Court should reject it.

Furthermore, the State’s argument is inconsistent with case law that has voided statutes for only violating constitutional enactment provisions. See e.g., In re Kornbluh, 134 N.J.L. 529, 530 (Sup. Ct. 1946)(invalidating statute because only constitutional requirements for enactment were violated). In Kornbluh, court invalidated the statute because the two houses’ bills were not identical. Id. The Court voided the statute even though only the constitutional provisions for enactments was violated. Id. Thus, the Court may void a statute given either violation of constitutional or statutory requirement for enactment.

II. The Act Should Be Voided Because the Legislature Violated Its Laws Regarding Enacting Legislation.

This Court should reject the State’s unsupported hypothesis that the Legislature can ignore unrepealed laws passed in prior legislative sessions.

Ignoring Applicants’ analysis at Pb23 of In re Miller's Petition, 122 N.J.L. 176, 179 (Sup. Ct. 1939), the State erroneously says, “the Petitioners do not cite a single case in which a New Jersey court has invalidated a statute solely for failing to comply with statutory provisions.” (Sb18.) In fact, this case is nearly identical to the one at bar— a statute was invalidated because the Legislature did not follow the procedure laid out in a different statute. Miller, 122 N.J.L. at 178-79. Although in Miller, the Court discussed the Constitution, it was only because the notice required by R.S. 1:6-4, applied to “special” legislation as defined in the Constitution. Id. at 177-78. Despite the State’s contentions, the Court invalidated a statute based upon the Legislature’s failure to follow the enactment procedure set forth in statute. Id. at 178-79. This is the relief that Applicants seek herein – by the Legislature failing to follow the statutes that apply to procedural prerequisites to enactment, P.L. 2021, c. 375 should be voided.

The State further argues, “it is black letter law that one legislature may not bind its successor by enacting procedural requirements and barriers to the enactment of future legislation,” but then provides no case that holds a Legislature can ignore laws passed by a prior group of legislators.³ (Sb17.) The

³ The irony in the State’s position, is that one of Applicants’ substantive complaints is that the law binds all future Legislatures’ actions when the Act declared:

State's citation to Berg v. Christie, 225 N.J. 245, 253 (2016) is misplaced given the Court did not permit the Legislature to ignore prior statutes, but rather was an application of the Contract Clause and its effect on prospective cost-of-living adjustments for state employees. Id. at 276. The State further cites to other cases relying upon the Contract Clause that do not apply to the case at bar. See e.g. Fletcher v. Peck, 10 U.S. 87, 135 (1810) (Contract Clause barred Georgia's ability to rescind a prior state legislature's land grants). The State's analysis and reliance on these lines of cases at Sb17-19 is misplaced because the Applicants argue N.J.S.A. 1:7-3 creates duties that the Legislature created to bind itself. In fact, the State cited to United States v. Winstar Corp., 518 U.S. 839, 873 (1996)(plurality), but failed to address that the United States Supreme Court recognized a legislature may "place effective limits on its successors." N.J.S.A. 1:7-3 limits its successive legislatures because the New Jersey Legislature gave this Court the power to void legislation passed contrary to the laws setting forth requirements for enactment.

any law, rule, regulation, ordinance, or order, in effect on or adopted after the effective date of this act, that is determined to have the effect of limiting the constitutional right to freedom of reproductive choice and that does not conform with the provisions and the express or implied purposes of this act, shall be deemed invalid and shall have no force or effect.

P.L. 2021, c. 375, § 2a. See Pa23 at Count II. If the State is right that the Legislature cannot bind a future Legislature, which Applicants dispute, then the law substantively is unconstitutional. As addressed in IV, *infra*, to the extent this application is denied, Applicants request that the matter be remanded to the Law Division.

While the Legislature could have repealed the statutes that Applicants contend were violated before enacting P.L. 2021, c. 375, its failure to do so means the Legislature was bound by its own enactments. N.J.S.A. 1:7-3. The State cites no case that the Legislature is above the law and can just ignore requirements it put in place for enactment of laws. See Sb19-20. In fact, “[i]n the absence of a clear manifestation to the contrary, [courts] shall not impute to the Legislature an intention to change established law.” State v. Dalglish, 86 N.J. 503, 512 (1991). The State’s position amounts to both anarchy and violations of at least four separate statutes.

The Legislature has the obligation to obtain the fiscal estimate before enactment. N.J.S.A. 52:13B-6. The State offers no authority that a fiscal estimate may be obtained after enactment. (Sb28-29.) Not only would the State’s interpretation make the statute meaningless, but it is contradicted by the legislative history indicating “the bill shall be immediately reviewed by the Legislative Budget and Finance Officer.” Assembly Appropriations Committee, Statement to A.2100 (Jan. 30, 1996) (Pra1.) The legislative history explains “the bill changes the Legislative Budget and Finance Officer’s response time to a fiscal note sent by the director from ‘10 business days’ to ‘a date consistent with legislative consideration.’” Id. (Pra1-3.) In fact, the statute anticipates that the fiscal statement be returned to the bill sponsor who may object to the findings that are available to the legislators and public. N.J.S.A. 52:13B-10 & -11.

As this Court has held, “a fiscal note” is “an essential component for the passage of any bill requiring a change in expenditures.” Harris v. Branin Transp., Inc., 312 N.J. Super. 38, 45–46 (App. Div. 1998) (citing Pine Belt Chevrolet, Inc. v. Jersey Central Power & Light Co., 132 N.J. 564, 579 (1993); Moore v. Moore, 114 N.J. 147, 164 n. 5 (1989); Barone v. Dep’t of Human Servs., 107 N.J. 355, 361 (1987)). Reading the statute *in pari materia*, the Legislature had the obligation to wait for the fiscal estimate before enacting P.L. 2021, c. 375. See Marino, 200 N.J. at 330. The State’s interpretation is at odds with the legislative intent to replace the “hit-or-miss nature of the [prior fiscal estimate] system” with one that provides “strict time limits” for the Executive Branch’s response to a request for a fiscal note, provide a back-up method for the legislative branch to provide a fiscal estimate, and to “establish a system for emergency fiscal information on bills which are likely to move quickly.” Statement to S. 287 (July 14, 1980)(Pra9.) The State further violated N.J.S.A. 52:13B-13 by failing to follow the emergency procedure for a fiscal note.

Likewise, the Legislature had an obligation to submit A.6260 or S.49 to the Mandated Health Benefits Advisory Commission (“Commission”) because the bill was to “advance comprehensive insurance coverage for reproductive care, including primary reproductive health care services, services to terminate a pregnancy, long-acting contraceptives, and long-term supplies of hormonal

contraceptives.” N.J.S.A. 10:7-1(1)(h)(3). The duty delegated to the Department of Banking and Insurance (“DOBI”) was whether a regulation requiring the health insurance mandate was required along with a religious employer exception. N.J.S.A. 26:2S-39. However, the statute itself defines a “mandated health benefit” as “a benefit or coverage that is required by law to be provided by a carrier.” N.J.S.A. 17B:27D-2. It is irrelevant that DOBI is to set the regulation because the Legislature intended to create a mandate and delegate DOBI to create the regulation. In fact, the Legislature even referred to the coverage as “an insurance coverage mandate” in discussing the religious exemption. P.L. 2021, c. 375, §3a.

The State’s position essentially nullifies N.J.S.A. 17B:27D-7 because the Legislature can circumvent its procedure by delegating the implementation of a mandate to DOBI without submitting it to the Commission prior to enactment. N.J.S.A. 17B:27D-5. This Court should avoid an interpretation that yields an absurd result such as ignoring the Legislature’s use of the word “mandate” in order to avoid the duty to send the bill to the Commission. See Burnett v. Cnty. of Bergen, 198 N.J. 408, 425 (2009)(reviewing extrinsic evidence to construe statute to avoid absurd result).

The State concedes the Open Public Meetings Act “OPMA” applies to the Legislature, but it was violated because no legislative calendar disclosed that

either A.6260 or S.49 were being introduced, and the publicly available calendar failed to list consideration of either A.6260 or S.49 on January 10, 2022.⁴ (Sb24; Sb7; Pa114; Pa102 at ¶¶ 18-20.) Since the State concedes OPMA requires listing an item “to the extent known,” discovery should have been granted to determine whether it was known as of January 4, 2022 that A.6260 and S.49 were to be introduced and the subject of legislative hearings. (Sb24.) Given the bills were voted out of committee on January 6, 2022 and because the only day left in the legislative session was January 10, 2022, then it was known, and thus, OPMA required, that notice be given that the bills would be considered on January 10, 2022. The remedy for violating OPMA is same under either N.J.S.A. 1:7-3 or N.J.S.A. 10:4-15(a): voiding the statute.

Likewise, the Legislature violated N.J.S.A. 52:11-78(a)(5), which, unlike OPMA, does not have a “to the extent known” exception. Without publication,

⁴ The State purports that a calendar labeled as Vol. XLV, No. 57 (hereafter “Calendar 57”) prepared on January 7, 2022 was publicly available, but the Legislature’s calendar demonstrates that Calendar 57 was not posted until January 14, 2022 – four days after the Act was passed. (Pra45-50.) The only available Calendar 56 did not list that either A.6260 or S.49 would be considered on January 6 or 10, 2022. (Pra38-44.) Calendar 56 is available at <https://pub.njleg.state.nj.us/publications/legislative-calendar/010422a.pdf> (last accessed on June 16, 2024) and through the drop down on the legislative calendar page for January 7, 2022, and Calendar 57 is available at <https://pub.njleg.state.nj.us/publications/legislative-calendar/010722.pdf> (last accessed June 16, 2024), and through the drop down on the legislative calendar page for January 14, 2022.

the statutory purpose of notice to the public was undermined. The State has not provided any certification stating that this calendar was publicly available as required by N.J.S.A. 52:11-78(a)(5). (Ra4-6; Pra45-50.) Nor was there any discovery to demonstrate the authenticity of Calendar 57. (Pa350-51.)

This Court should reject the State's self-serving argument that there was a calendar listing A.6260 or S.49 because there is no proof the calendar was actually available to the public as required by statute, N.J.S.A. 52:11-78. (Pra45-50.) Because the notices in this matter were insufficient – no bill text was available prior to hearings in violation of N.J.S.A. 52:11-78(a)(3-4), and no calendar alerted the public to consideration of these bills, the statute should not be afforded the ordinary presumption of regularity and it should be voided.

III. The Legislature Violated the Constitution.

Since the constitutional provisions for the enactment of laws was violated, it provides further evidence for this Court to void the Act. The Constitution expressly provides that the public is permitted the fundamental right to make their opinions known to their legislators. N.J. Const. art. I, ¶ 18; see also N.J.S.A. 52:13C-18 (“The Legislature affirms that the preservation of responsible government requires that the fullest opportunity be afforded to the people of the State to petition their government for the redress of grievances and to express freely to individual legislators [and] committees of the Legislature”). In fact, the Constitution states that “the Legislature shall enact all laws necessary

to make this Constitution fully effective.” N.J. Const. art. XI, § 2. As a result, N.J.S.A. 52:11-78 was the Legislature creating a duty to ensure that citizens’ rights under Article I, Paragraph 18 are protected. Similar to Miller, supra, where the statute was enacted contrary to the constitutional mandate, the Act should be invalidated given the Legislature breached its effectuation of Paragraph 18 rights codified at N.J.S.A. 52:11-78 (public notice of bills) when the Legislature failed to provide bill text prior to enactment, notice of hearings, and that the bills would be considered.

The Constitution requires each bill to be read three times with at least “one full calendar day following the day of the second reading.” N.J. Const. art. IV, § 4, ¶ 6. The State misleads the Court by citing to a web archive but the Legislature’s own website notes that this Calendar 57 was not posted for the public until January 14, 2022 – four days after the Act was passed. (Pra45-50; Ra3.) Despite the language in N.J.S.A. 1:7-2, Applicants were denied requested discovery on this very issue, and presented proofs that it was not publicly available. (Pa102 at ¶¶ 18-20; Pa350-51.)

Without evidence, the State contends that the bill text A.6260 as it existed on January 6, 2022 was identical to S.49 such that the first and second readings that occurred in the Assembly on January 6, 2022 meant the Legislature could give the bill a third reading on January 10, 2022. (Sb14.) But the bills were not

publicly available so there is no proof that the bills were actually identical, particularly when the Assembly Journal indicates a second and third reading occurred on January 10, 2022 – if the second reading had already occurred on January 6, 2022, there is no reason for a second, “second reading.” (Pa66 at ¶¶ 7-9; cf. Pa232 and Pa236.) Given this Court must adjudicate under N.J.S.A. 1:7-3 after a “full hearing,” Applicants should have been granted the opportunity for discovery on these calendar and bill text publication issues that cast doubt that the constitutional provisions for enactments of laws were followed. Whether the bill text proposed in the Assembly on January 6, 2022 is identical to the bill text substituted is of constitutional significance as prior courts have voided statutes that were passed when the bills were not identical among the two houses. See Kornbluh, supra; In re Jaegle, 83 N.J.L. 313 (Sup. Ct. 1912).

Further, as explained in the initial brief, this Court should distinguish In re Forsythe, 91 N.J. 141, 148 (1982) because the purpose to the constitutional time provision – the opportunity to study the bill text – did not occur here. The Forsythe case explains the time required between second reading and enactment is for study of the bill text. 91 N.J. at 148. But here, time for study was not available because the bills were not posted online. (Pa66 at ¶¶ 7, 9; Pa100 at ¶ 11; Pa103 at ¶ 21.) The legislators did not even obtain the bill text until after the

adjournment of the legislative session on January 6, 2022 – the day that the State contends the first and second readings occurred. (Pa274 at 6:11-21; Pa256.)

Here, Assemblyperson Webber noted delay in the text arriving to the legislators to be reviewed. (Pa171 at 20:10-23.) Senator Schepisi echoed these concerns noting the bill was not given to the Senate Health Committee until 6 PM – even though the Senate Journal notes the Senate adjourned at 5:05 PM. (Pa274 at 6:11-21; Pa256.) The public testified that they did not have meaningful time to review the bill text. (Pa164-65 at 13:21-14:4; Pa167-68 at 16:24-17:7; Pa175 at 24:7-14; Pa180 at 29:7-16; Pa214 at 10:12-24; Pa215 at 11:11-12.) Even legislators did not have the text of the bill until after the close of the legislative session on January 6, 2022. (Pa256; Pa274 at 6:19-21.)

The State concedes that as of January 4, 2022, S.49 and A.6260 were not listed on the calendar for January 6, 2022. (Sb7.) Moreover, there is no showing that the public had access to the bill text. (Pa66 at ¶¶7, 9; Pa100 at ¶ 11; Pa103 at ¶ 21.) The State argues that the public was able to offer testimony, but their testimony complained about the lack of access to the bill text. (Pa66 at ¶¶7, 9; Pa166 at 15:8-10; Pa177 at 26:9-14.) Nor is there any showing that the legislators had “an adequate opportunity . . . to become acquainted with and study bills that eventually might be enacted into law.” Forsythe, 91 N.J. at 148. The State argues the deprivation of the public’s participation in the process and

advance notice of the bills “fall flat,” but the public’s ability to participate in the process is a fundamental right. Cf. N.J. Const. art. I, ¶ 18 with Sb14.

The State further contends that Applicants have not demonstrated by clear and convincing evidence that “the way in which Chapter 375 was enacted is repugnant to the Constitution” (Sb17), but the actions here were repugnant to the hallmarks of our representative system: the State concedes there was no advance notice that either A.6260 or S.49 would be introduced on January 6, 2022 (Sb7); the bill text was not available to the public prior to the enactment (Pa66 at ¶¶7, 9; Pa100 at ¶ 11; Pa103 at ¶ 21); legislators did not obtain the bill text until after both Houses held the committee hearings (*id.*); and the Houses violated their own rules requiring five-days’ notice to the public (Pa282 at 14:3-18). For these reasons, this Court should distinguish Forsyth and void the Act.

IV. The Applicants Have Standing to Challenge the Statute in the Law Division.

The New Jersey Supreme Court has rejected the State’s only objection to Applicants’ request for a remand in the event that the appeal is dismissed. (Sb30.) Applicants have standing to challenge this abortion statute because the Court has held that “the explicit allegation of a conviction that . . . abortion is a religious duty is a sufficient additional interest to warrant consideration of the merits.” Right to Choose v. Byrne, 91 N.J. 287, 313 (1982). Therefore, if the


application is denied, the matter should be remanded for consideration of Applicant's substantive challenge.

CONCLUSION

The Legislature should not act in secrecy. Here, the Legislature did not inform the public that it would be considering a new abortion bill on January 6, 2022. The legislators were not given the text of the bill until after 6 PM on January 6, 2022 – when the Assembly had already formally adjourned. The bill text was not available on the Legislature's website before enactment, so those testifying did not know the bill contents. This Court should invalidate the Act because the Legislature did not follow the constitutional and statutory procedure for enactment. Moreover, even if the Court does not invalidate the Act, it should permit discovery so that further evidence may be presented as to these statutory and constitutional violations. Lastly, if the appeal is denied, the matter should be remanded for consideration of the substantive constitutional challenge.

Respectfully submitted,
LOMURRO MUNSON, LLC
Attorneys for Applicants, Barbara and
William Eames

Dated: June 16, 2024

By: 
CHRISTINA VASSILIOU HARVEY

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2100

STATE OF NEW JERSEY

DATED: JANUARY 30, 2006

The Assembly Appropriations Committee reports favorably on Assembly Bill No. 2100.

Assembly Bill No. 2100 makes fiscal information on bills available to Legislators and the public in a more timely manner.

The bill changes the review period by a sponsor of a fiscal note from 10 business days to three business days. By shortening the sponsor's review period, this bill will expedite the availability of fiscal notes.

The bill also updates the law to reflect current practices and ensure that fiscal notes are available to members of the Legislature and for general review before a bill is considered by a committee or House.

The bill allows the Legislative Budget and Finance Officer to call for the production of a fiscal estimate if the officer does not receive a fiscal note from the Director of the Division of Budget and Accounting "by a date consistent with legislative consideration," rather than "after 30 business days," so that the processing of fiscal information can be harmonized with the scheduled legislative review of bills. Similarly, the bill changes the Legislative Budget and Finance Officer's response time to a fiscal note sent by the director from "10 business days" to "a date consistent with legislative consideration."

The bill deletes language requiring the Legislative Budget and Finance Officer to sign a statement certifying a determination that a bill does not require a fiscal note. The bill also deletes language requiring the officer to forward a statement to the sponsor if a fiscal note is required. Instead of awaiting a request for a fiscal note, if the Legislative Budget and Finance Officer determines a bill has fiscal impact, the bill requires the officer to immediately forward a request for a fiscal note to the Director of Division of Budget and Accounting.

In addition, the bill requires that a fiscal note be made available to the Legislature and the public when it is printed. Section 7 of P.L.1980, c.67 (C.52:13B-12) is repealed in light of this addition.

Lastly, the bill makes technical revisions to the fiscal note law, changing the "introducer" of a bill to "sponsor" and the "Legislative Budget Officer" to the "Legislative Budget and Finance Officer," making all references to the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer gender

neutral, and removing an archaic reference to the Division of Budget and Program Review, as that division no longer exists.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2100

STATE OF NEW JERSEY

DATED: MAY 14, 2007

The Senate State Government Committee reports favorably Assembly, No. 2100.

This bill makes fiscal information on bills available to Legislators and the public in a more timely manner.

The bill changes the review period by a sponsor of a fiscal note from 10 business days to three business days. By shortening the sponsor's review period, this bill will expedite the availability of fiscal notes.

The bill also updates the law to reflect current practices and ensure that fiscal notes are available to members of the Legislature and for general review before a bill is considered by a committee or house.

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Division of Budget and Program Review, as the division no longer exists.

This bill is identical to Senate, No. 2676.

52:13B-6 to 52:13B-14

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:13B-6 to 52:13B-14; Repeals (Legislative bills--fiscal notes--
52:13B-1 to 52:13B-5 revise law on preparation)

LAWS 1980 CHAPTER 67

Bill No. S287

Sponsor(s) Dwyer

Date Introduced Pre-filed

Committee: Assembly -----

Senate State Govt., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly May 1, 1980

Senate Feb. 25, 1980

Date of approval July 14, 1980

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>	Senate amendments adopted 2-21-80 (with statement)-- attached
Committee Statement: Assembly	Yes	No	
Senate	Yes	<input checked="" type="checkbox"/>	
Fiscal Note	Yes	No	
Veto Message	Yes	No	
Message on signing	Yes	<input checked="" type="checkbox"/>	

Following were printed:

Reports	Yes	<input checked="" type="checkbox"/>
Hearings	Yes	No

974.90 N.J. Legislature. Office of Legislative Services.
 F491 Division of Budget and Program Review.
 1980d A report on the New Jersey fiscal note process.
 August, 1980.

6/2/81

67

80

7-14-80

[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 287

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senator DWYER

AN Act requiring the preparation and furnishing of fiscal notes to legislative bills, supplementing Title 52 of the Revised Statutes and repealing P. L. 1962, c. 27.

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

1 1. Whenever any bill is introduced in either the Senate or Gen-
2 eral Assembly, and that bill receives first reading pursuant to the
3 rules of the House in which it is introduced, the bill shall be im-
4 mediately reviewed by the Legislative Budget Officer in the Office
5 of Legislative Services. If, upon his review, the Legislative Budget
6 Officer determines that the bill will not increase or decrease ex-
7 penditures or increase or decrease revenues of the State or any
8 political subdivision thereof, he shall certify that fact, on a state-
9 ment signed by him and filed in his office. If he determines that
10 the bill may increase or decrease expenditures or increase or de-
11 crease revenues of the State or any political subdivision thereof,
12 he shall immediately forward *a statement to the sponsor and*
13 *the chairman* *all members* *the chairman*
14 *of the committee, if any, to which the bill was referred, or to the*
15 *presiding officer of the House in which the bill originated if no such*
16 *reference was made, that, in his judgment, a fiscal note is required.*
17 *If the sponsor, or the* *a* *or the* *committee*
18 *chairman* *member* *chairman*, *or the pre-*
19 *siding officer request it, the Legislative Budget Officer shall immedi-*
20 *ately forward* a request for a fiscal note to the Director of the
21 Division of Budget and Accounting in the Department of the
22 Treasury.

1 2. a. It shall be the duty of the director, upon receipt of a re-
2 quest for a fiscal note, to forward the request within 5 *business*

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

3 days to the State department, commission or agency which would
4 be authorized or required to carry out the purposes of the bill or,
5 if the bill would affect the expenditures or revenues of any political
6 subdivision of the State, to the State department, commission or
7 agency having the most adequate information pertaining thereto.

8 b. Within 20 *business* days after receiving a request for a fiscal
9 note from the director, the State department, commission or agency
10 shall prepare and return to him a fiscal note containing the most
11 accurate estimate possible, in dollars, concerning the amount by
12 which expenditures or revenues will be increased or decreased for
13 the State or any of its political subdivisions. The fiscal note shall
14 contain information relating to as many fiscal years as can reason-
15 ably be foreseen.

16 c. Within 5 *business* days after receiving a fiscal note from a
17 State department, commission or agency, the director shall return
18 the fiscal note to the Legislative Budget Officer. The director shall
19 include with the fiscal note a statement (1) concurring with the
20 fiscal note, (2) suggesting alternative dollar amounts, or (3) indi-
21 cating any other information which he deems relevant.

1 3. When he receives a fiscal note from the director, the Legisla-
2 tive Budget Officer shall, within 10 *business* days, append thereto
3 a statement (1) concurring with the fiscal note, (2) suggesting
4 alternative dollar amounts, or (3) indicating any other information
5 which he deems relevant.

1 4. If the Legislative Budget Officer has not received a fiscal note
2 from the director after 30 *business* days, he shall cause a legisla-
3 tive fiscal estimate to be produced by the Division of Budget and
4 Program Review in the Office of Legislative Services. The legis-
5 lative fiscal estimate shall contain the same information as would
6 be included in a fiscal note. In addition, it shall contain the following
7 statement: "This legislative fiscal estimate has been produced by
8 the Office of Legislative Services due to the failure of the Executive
9 Branch to respond to our request for a fiscal note." The legislative
10 fiscal estimate shall be transmitted to the Legislative Budget Officer
11 within 10 *business* days.

1 5. When the Legislative Budget Officer has a complete fiscal note
2 or legislative fiscal estimate, he shall mail a copy of the fiscal note
3 or legislative fiscal estimate to the introducer whose name first
4 appears on the bill with a notice that the introducer may object
5 to the fiscal note or legislative fiscal estimate within 10 *business*
6 days after receiving it.

1 6. If, after 10 *business* days, the Legislative Budget Officer has
2 received no objections from the introducer, he shall cause the fiscal
3 note or legislative fiscal estimate to be printed. If, however, the
4 introducer objects to the fiscal note or legislative fiscal estimate, the
5 Legislative Budget Officer shall promptly review it and make any
6 changes therein which he might deem as reasonable, in the interest
7 of accuracy and objectivity. Any fiscal note or legislative fiscal esti-
8 mate with which a sponsor does not concur after being reviewed by
9 the Legislative Budget Officer shall contain the following statement:
10 “The sponsor does not concur with the information presented
11 herein.”

1 7. When a fiscal note or legislative fiscal estimate is in final
2 form, the Legislative Budget Officer shall forward a copy to the
3 chairman of the committee to which the bill has been referred. If
4 the bill has not been referred to committee, it shall be forwarded
5 to the Clerk of the General Assembly or the Secretary of the Senate,
6 as appropriate.

1 8. Whenever the Legislative Budget Officer has reason to believe
2 that a fiscal note on any bill will be required more quickly than
3 provided for in this act, he shall submit to the director an emer-
4 gency request for fiscal information, which the director shall cause
5 to be completed as quickly as possible, but in no case later than 10
6 *business* days. This emergency request shall be in addition to a
7 request for a fiscal note and shall represent the director’s best
8 judgment as to the fiscal implications of pending legislation.

1 9. a. In any case in which the Legislative Budget Officer has
2 certified, pursuant to this act, that a bill contains no fiscal impli-
3 cations, the introducer of the bill, the chairman of the committee
4 to which the bill was referred, or the presiding officer of the House,
5 may direct the Legislative Budget Officer to request a fiscal note,
6 if, in the opinion of any of them, one is warranted.

7 b. In any case in which a bill is amended and those amendments
8 affect the fiscal implications of the bill, the committee chairman or
9 presiding officer shall direct the Legislative Budget Officer to re-
10 quest a fiscal note.

1 10. P. L. 1962, c. 27 (C. 52:13B-1 et seq.) is repealed.

1 11. This act shall take effect immediately and shall be applicable
2 to bills introduced 90 days after enactment and thereafter.

1 7. When a fiscal note or legislative fiscal estimate is in final
2 form, the Legislative Budget Officer shall forward a copy to the
3 chairman of the committee to which the bill has been referred. If
4 the bill has not been referred to committee, it shall be forwarded
5 to the Clerk of the General Assembly or the Secretary of the Senate,
6 as appropriate.

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2 that a fiscal note on any bill will be required more quickly than
3 provided for in this act, he shall submit to the director an emer-
4 gency request for fiscal information, which the director shall cause
5 to be completed as quickly as possible, but in no case later than 10
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7 for a fiscal note and shall represent the director's best judgment
8 as to the fiscal implications of pending legislation.

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2 certified, pursuant to this act, that a bill contains no fiscal impli-
3 cations, the introducer of the bill, the chairman of the committee
4 to which the bill was referred, or the presiding officer of the House,
5 may direct the Legislative Budget Officer to request a fiscal note,
6 if, in the opinion of any of them, cue is warranted.

7 b. In any case in which a bill is amended and those amendments
8 affect the fiscal implications of the bill, the committee chairman or
9 presiding officer shall direct the Legislative Budget Officer to re-
10 quest a fiscal note.

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1 11. This act shall take effect immediately and shall be applicable
2 to bills introduced 90 days after enactment and thereafter.

STATEMENT

This bill repeals the existing law and replaces it with a procedure which makes a number of substantive changes in the process through which fiscal notes are produced. As opposed to the current hit-or-miss nature of the system, this bill would:

(1) Require the Legislative Budget Officer to request a fiscal note or certify that there are no fiscal implications to every pending bill;

(2) Establish strict time limits within which the Executive Branch must respond to the request for a fiscal note;

(3) Provide for a "legislative fiscal estimate" to be made if the executive fails to produce the fiscal note; and

(4) Establish a system for emergency fiscal information on bills which are likely to move quickly.

5287(1980)

SENATE AMENDMENTS TO
SENATE, No. 287
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED FEBRUARY 21, 1980

Amend page 1, section 1, lines 12-13, omit “the chairman”, insert “all members”.

Amend page 1, section 1, line 16, after “sponsor,”, omit “or the”, insert “a”; omit “chairman”, insert “member”.

STATEMENT

These amendments permit any member of committee to which a bill has been referred to request a fiscal note on it.

SENATE STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS AFFAIRS
COMMITTEE

STATEMENT TO
SENATE, No. 287
with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 29, 1980

The purpose of this bill is to increase the efficiency and effectiveness of the procedures for acquiring fiscal notes on pending legislation.

Under this bill, the Legislative Budget Officer would review every bill at the time of its introduction. As originally drafted, the bill required the Legislative Budget Officer, if he determined that any introduced bill "may increase or decrease expenditures or increase or decrease revenues of the State or any political subdivision thereof," to request immediately a fiscal note through the Director of the Division of Budget and Accounting.

Since this procedure would mean that a fiscal note would be required for every bill with fiscal impact, whether or not the bill had any likelihood of committee consideration or floor action, the committee, with the sponsor's approval, amended the bill to provide that after reviewing each introduced bill, the Legislative Budget Officer would notify the sponsor and the chairman of the committee to which the bill is referred, or the presiding officer of the house of origin in the case of "no reference" bill, that a fiscal note is required. It then becomes the responsibility of these legislators to request a fiscal note through the Legislative Budget Officer prior to further legislative action.

A provision of the bill authorizes the sponsor, the committee chairman, or the presiding officer of either House to direct the Legislative Budget Officer to request a fiscal note even if the budget officer does not believe that one is necessary.

The bill creates a system for acquiring fiscal information on an emergency basis for fast moving bills.

The bill, as amended, establishes a schedule for the processing of fiscal notes which would make it possible for a committee to have a fiscal note on a newly-introduced bill in its possession in 60 business days. For emergency bills, the schedule is 10 business days.

Since Senate Bill No. 287 mandates that the Legislative Budget Officer review every bill at the time of introduction, it is possible that some increase in the staff of the Division of Budget and Program Review may be required.

COMMITTEE AMENDMENTS

As noted above, the committee amended the bill so that, while the Legislative Budget Officer has the responsibility for reviewing every bill to determine if it may have fiscal impact, the actual request for the fiscal note is made by the sponsor, the committee chairman or the presiding officer of the House. This will reduce paperwork by limiting the preparation of fiscal notes to those bills which are likely to move in the legislative process.

In addition, at the suggestion of the sponsor, the committee amended the bill to designate the days allotted for the completion of each phase of the fiscal note process as business days. The committee also amended a typographical error.

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JULY 15, 1980

PAT SWEENEY

Governor Brendan Byrne today signed the following bill and Senate Joint Resolution:

S-287, sponsored by Senator Bernard J. Dwyer (D-Middlesex), which amends the process by which legislative fiscal notes are prepared.

Under the new bill the legislative officer will review each bill after its introduction and if state revenues or expenditures are affected, certify to the presiding officer and appropriate committee chairman in the house of the bill's origin that a fiscal note is necessary.

If the presiding officer or committee chairman then requests a note, the Legislative Budget Officer shall forward the request to the Director of the Division of Budget and Accounting.

The Director, in turn, is required to forward the request within five business days to the appropriate executive agency which then has 20 business days to make its response.

The Director then has five business days to review the agency response and return the note to the legislative Budget Officer, who must make his own review within ten business days and forward it to the sponsor.

If the sponsor has no objections within ten business days, the note will be printed; if there are objections, they will be written into the note. If the appropriate executive agency and the Director of the Division of Budget and Accounting make no response within 30 days to the legislative Budget Office, the Division of Budget and Program Review in the office of Legislative Services shall prepare a note.

In a situation where a speedier response is necessary, the legislative Budget Office may shorten the executive agency and the Director of Budget and Accounting's response to ten days.

Under the old practice the appropriate legislative committee requested the notes and there were no deadlines.

SJR-15, sponsored by Bernard J. Dwyer (D-Middlesex), which endorses the location of a Space Telescope Science Institute in Princeton, in order to encourage the Federal Government to establish its East Coast Space Telescope Science Institute in New Jersey.

The Resolution also pledges the state to create graduate and post-graduate fellowships for students engaged in research at the Space Telescope Science Institute in the event it is located in New Jersey.

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ASSEMBLY, No. 71

STATE OF NEW JERSEY

INTRODUCED AUGUST 16, 1948

By Mr. McCAY

Referred to Committee on Law Revision

AN ACT providing for the ordering and making known that certain laws and joint resolutions have become inoperative and void, and amending sections 1:7-1 to 1:7-7, inclusive.

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

1 1. Section 1:7-1 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-1. If, at any time within one year after any law or joint resolution
4 has been filed with the Secretary of State pursuant to sections 1:2-5, 1:2-6
5 or 1:2-7 of this Title, the Governor, or person administering the govern-
6 ment, has reason to believe that any such law or joint resolution was not
7 duly passed by both houses of Legislature, or approved by the Governor or
8 otherwise made effective as law in the manner required by the Constitution,
9 he may direct the Attorney-General to present a petition to the [Supreme]
10 Appellate Division of the Superior Court, setting forth the facts and circum-
11 stances and praying that the law or joint resolution may be [decreed] ad-
12 judged to be null and void, whereupon the Attorney-General shall prepare,
13 sign, present and prosecute the petition.

1 2. Section 1:7-2 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-2. The [Supreme] Court, upon the presentation to it of a petition
4 as provided by section 1:7-1 of this Title, shall inquire summarily into the

5 facts and circumstances alleged in the petition, and, for that purpose, to
6 order the petition to be filed by the clerk of the court and order witnesses
7 to be subpoenaed and sworn and their depositions taken, to appoint a time for
8 hearing the petition, and to order such notice to be given of the taking of dep-
9 ositions and the hearing of the petition by publication in newspapers or
10 otherwise as it deems reasonable and just. [The final hearing shall be had
11 before the Chief Justice and at least three of the associate justices of the
12 court.]

1 3. Section 1:7-3 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-3. After a full hearing and consideration of the petition mentioned
4 in section 1:7-1 of this Title and of the facts and circumstances proved, the
5 [Supreme] Court may dismiss the petition, or, if satisfied that the consti-
6 tutional and statutory provisions relating to the enactment and approval of
7 laws and joint resolutions have not been complied with, the Court may [de-
8 cree] adjudge the law or joint resolution or any part thereof null and void
9 [; but no judgment of annulment shall be made without the concurrence of
10 at least three of the justices].

1 4. Section 1:7-4 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-4. Any two or more citizens of the State may, within the time pre-
4 scribed by section 1:7-1 of this Title, present to the [Supreme] Appellate
5 Division of the Superior Court such a petition, signed by them, as is author-
6 ized by said section 1:7-1 to be presented by the Attorney-General, and the
7 [Supreme] Court shall proceed thereon in the manner provided by sections
8 1:7-2 and 1:7-3 of this Title. The petitioners may appear before the Court
9 and prosecute the petition in person or by counsel, and the Attorney-General
10 may, if required so to do by the Governor or person administering the gov-
11 ernment, appear and defend on behalf of the State.

1 5. Section 1:7-5 of the Revised Statutes is amended to read as
2 follows:

3 1:7-5. Any citizen of the State may, when a petition is filed under au-
4 thority of either section 1:7-1 or section 1:7-4 of this Title, appear before
5 the [Supreme] Court, in person or by counsel, subpoena and examine and
6 cross-examine witnesses and defend the petition.

1 6. Section 1:7-6 of the Revised Statutes is amended to read as
2 follows:

3 1:7-6. If the [Supreme] Court, upon the final hearing of a petition au-
4 thorized by this chapter, shall [decree] determine any law or joint resolu-
5 tion, or any part thereof, to be null and void, [such decree shall be drawn
6 in writing and signed by the Chief Justice and shall be recorded at length in
7 the minutes of the court and filed by the clerk of the court.] judgment shall
8 be entered to that effect. The clerk shall thereupon make a true copy of
9 such [decree] judgment, certify the same under his hand and seal of the
10 court and deliver the copy to the Governor or person administering the gov-
11 ernment, who shall issue his proclamation under the great seal of the State,
12 setting forth such [decree] judgment. The proclamation shall be filed, pub-
13 lished and printed with the laws as other proclamations are required to be
14 filed, published and printed, and shall be judicially noticed and received in
15 evidence in all courts of the State in the same manner and to the same ex-
16 tent that the law or joint resolution therein specified would have been if such
17 [decree] judgment had not been made; and no law or joint resolution, or
18 part thereof, [decreed] adjudged to be null and void shall, after the [mak-
19 ing] entry of such [decree] judgment as provided in this chapter, be judi-
20 cially noticed or received in evidence by any of the courts of the State.

1 7. Section 1:7-7 of the Revised Statutes is amended to read as
2 follows:

3 1:7-7. When a petition presented under authority of [either section
4 1:7-1 or] section 1:7-4 of this Title is [either] dismissed [or a final de-

5 erce made thereon,] the [Supreme] Court shall allow and tax the costs and
6 necessary expenses of the Attorney-General, including a fee to the Attorney-
7 General of not to exceed five hundred dollars (\$500.00) in any one case, and
8 shall order the payment thereof [by the State Treasurer, or, if the petition
9 dismissed was presented by citizens under authority of said section 1:7-4,]
10 by such citizens, [in which case the] and payment thereof may be enforced
11 by [attachment or otherwise] execution.

1 8. This act shall take effect September fifteenth, one thousand nine
2 hundred and forty-eight.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 71

STATE OF NEW JERSEY

INTRODUCED AUGUST 16, 1948

By Mr. McCAY

Referred to Committee on Law Revision

AN ACT providing for the ordering and making known that certain laws and joint resolutions have become inoperative and void, and amending sections 1:7-1 to 1:7-7, inclusive.

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

1 1. Section 1:7-1 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-1. If, at any time within one year after any law or joint resolution
4 has been filed with the Secretary of State pursuant to sections 1:2-5, 1:2-6
5 or 1:2-7 of this Title, the Governor, or person administering the govern-
6 ment, has reason to believe that any such law or joint resolution was not
7 duly passed by both houses of Legislature, or approved by the Governor or
8 otherwise made effective as law in the manner required by the Constitution,
9 he may direct the Attorney-General to present a petition to the Appellate
10 Division of the Superior Court, setting forth the facts and circumstances
11 and praying that the law or joint resolution may be adjudged to be null and
12 void, whereupon the Attorney-General shall prepare, sign, present and
13 prosecute the petition.

1 2. Section 1:7-2 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-2. The court, upon the presentation to it of a petition as provided
4 by section 1:7-1 of this Title, shall inquire summarily into the facts and

5 circumstances alleged in the petition, and, for that purpose, to order the
6 petition to be filed by the clerk of the court and order witnesses to be
7 subpoenaed and sworn and their depositions taken, to appoint a time for
8 hearing the petition, and to order such notice to be given of the taking of dep-
9 ositions and the hearing of the petition by publication in newspapers or
10 otherwise as it deems reasonable and just.

1 3. Section 1:7-3 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-3. After a full hearing and consideration of the petition mentioned
4 in section 1:7-1 of this Title and of the facts and circumstances proved, the
5 court may dismiss the petition, or, if satisfied that the constitutional and
6 statutory provisions relating to the enactment and approval of laws and joint
7 resolutions have not been complied with, the court may adjudge the law or
8 joint resolution or any part thereof null and void.

1 4. Section 1:7-4 of the Revised Statutes is amended to read as fol-
2 lows:

3 1:7-4. Any two or more citizens of the State may, within the time pre-
4 scribed by section 1:7-1 of this Title, present to the Appellate Division of
5 the Superior Court such a petition, signed by them, as is authorized by said
6 section 1:7-1 to be presented by the Attorney-General, and the court shall
7 proceed thereon in the manner provided by sections 1:7-2 and 1:7-3 of this
8 Title. The petitioners may appear before the court and prosecute the peti-
9 tion in person or by counsel, and the Attorney-General may, if required so
10 to do by the Governor or person administering the government, appear and
11 defend on behalf of the State.

1 5. Section 1:7-5 of the Revised Statutes is amended to read as
2 follows:

3 1:7-5. Any citizen of the State may, when a petition is filed under au-
4 thority of either section 1:7-1 or section 1:7-4 of this Title, appear before
5 the court, in person or by counsel, subpoena and examine and cross-examine
6 witnesses and defend the petition.

1 6. Section 1:7-6 of the Revised Statutes is amended to read as
2 follows:

3 1:7-6. If the court, upon the final hearing of a petition authorized by
4 this chapter, shall determine any law or joint resolution, or any part thereof,
5 to be null and void, judgment shall be entered to that effect. The clerk shall
6 thereupon make a true copy of such judgment, certify the same under his
7 hand and seal of the court and deliver the copy to the Governor or person
8 administering the government, who shall issue his proclamation under the
9 great seal of the State, setting forth such judgment. The proclamation shall
10 be filed, published and printed with the laws as other proclamations are
11 required to be filed, published and printed, and shall be judicially noticed and
12 received in evidence in all courts of the State in the same manner and to
13 the same extent that the law or joint resolution therein specified would
14 have been if such judgment had not been made; and no law or joint resolu-
15 tion, or part thereof, adjudged to be null and void shall, after the entry of
16 such judgment as provided in this chapter, be judicially noticed or received
17 in evidence by any of the courts of the State.

1 7. Section 1:7-7 of the Revised Statutes is amended to read as
2 follows:

3 1:7-7. When a petition presented under authority of section 1:7-4 of this
4 Title is dismissed the court shall allow and tax the costs and necessary ex-
5 penses of the Attorney-General, including a fee to the Attorney-General of
6 not to exceed five hundred dollars (\$500.00) in any one case, and shall order
7 the payment thereof by such citizens, and payment thereof may be enforced
8 by execution.

1 8. This act shall take effect September fifteenth, one thousand nine
2 hundred and forty-eight.

[OFFICIAL COPY REPRINT]

SENATE, No. 1

STATE OF NEW JERSEY

INTRODUCED JANUARY 13, 1953

By Mr. CLAPP

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning acts and statutes, and revising parts of the statutory law.

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

1 1. Section 1:1-2 of the Revised Statutes is amended to read as follows:
2 1:1-2. Unless it be otherwise expressly provided or there is something in
3 the subject or context repugnant to such construction, the following words
4 and phrases, when used in any statute and in the Revised Statutes, shall have
5 the meaning herein given to them.

6 Affirmation; affirmed. See "Oath; sworn," infra, this section.

7 Assessor. The word "assessor," when used in relation to the assess-
8 ment of taxes or water rents or other public assessments, includes all officers,
9 boards or commissions charged with the duty of making such assessments,
10 unless a particular officer, board or commission is specified.

11 Census. When used with reference to the population of this State, or of
12 any subdivision thereof, the word "census" means the latest Federal census
13 effective within this State.

14 Collector. The word "collector," when used in relation to the collection
15 of taxes or water rents or other public assessments, includes all officers
16 charged with the duty of collecting such taxes, water rents or assessments,
17 unless a particular officer is specified.

18 Folio; sheet. A sheet or folio shall consist of one hundred words, and in
19 all cases where an entry of any writing or copy is to be paid for, the sheet or
20 folio shall consist of one hundred words.

21 Gender. See "Number; gender," *infra*, this section.

22 General election. The words "general election" shall be taken to mean
23 the annual election to be held on the first Tuesday after the first Monday in
24 November and in any statute in which it is provided that any public officer
25 shall be elected, or any public question shall be voted upon, at an election at
26 which members of the General Assembly are to be voted for or elected, or
27 words to that effect, shall be taken to mean, and shall be construed to be the
28 equivalent of a provision, that said public officers shall be elected, or that said
29 public question shall be voted upon, "at a general election."

30 He. See "Number; gender," *infra*, this section.

31 Inhabitants. See "Population; inhabitants," *infra*, this section.

32 It. See "Number; gender," *infra*, this section.

33 Magistrate. The word "magistrate" includes any judge, municipal
34 magistrate or officer or other person having the powers of a committing
35 magistrate.

36 Masculine. See "Number; gender," *infra*, this section.

37 Month; year. The word "month" means a calendar month, and the word
38 "year" means a calendar year.

39 Municipality; municipal corporation. The words "municipality" and
40 "municipal corporation" include cities, towns, townships, villages and bor-
41 oughs, and any municipality governed by a board of commissioners or an
42 improvement commission.

43 Neuter. See "Number; gender," *infra*, this section.

44 Number; gender. Whenever, in describing or referring to any person,
45 party, matter or thing, any word importing the singular number or masculine
46 gender is used, the same shall be understood to include and to apply to sev-
47 eral persons or parties as well as to one person or party and to females as
48 well as males, and to bodies corporate as well as individuals, and to several
49 matters and things as well as one matter or thing.

50 Oath; sworn. The word "oath" includes "affirmation"; and the word
51 "sworn" includes "affirmed."

52 Other property. See "Property; other property," *infra*, this section.

53 Person. The word "person" includes corporations, companies, associa-
54 tions, societies, firms, partnerships and joint stock companies as well as indi-
55 viduals, unless restricted by the context to an individual as distinguished from
56 a corporate entity or specifically restricted to one or some of the above enu-
57 merated synonyms and, when used to designate the owner of property which
58 may be the subject of an offense, includes this State, the United States, any
59 other State of the United States as defined *infra* and any foreign country or
60 government lawfully owning or possessing property within this State.

61 Personal property. "Personal property" includes goods and chattels,
62 rights and credits, moneys and effects, evidences of debt, choses in action and
63 all written instruments by which any right to, interest in, or lien or encum-
64 brances upon, property or any debt or financial obligation is created, acknowl-
65 edged, evidenced, transferred, discharged or defeated, in whole or in part, and
66 everything except real property as herein defined which may be the subject of
67 ownership.

68 Plural. See "Number; gender," *supra*, this section.

69 Population; inhabitants. The word "population," when used in any
70 statute, shall be taken to mean the population as shown by the latest Federal
71 census effective within this State, and shall be construed as synonymous with
72 "inhabitants."

73 Property; other property. The words "property" and "other prop-
73A erty," unless restricted or limited by the context to either real or personal
73B property, includes both real and personal property.

74 Real estate; real property. The words "real estate" and "real prop-
74A erty," include lands, tenements and hereditaments and all rights thereto and
75 interests therein.

76 Revised Statutes. The words "Revised Statutes" mean the Revised Stat-
77 utes of 1937, unless some other revision is expressly indicated or referred to.

78 She. See "Number; gender," supra, this section. .

79 Sheet. See "Folio," supra, this section.

80 Ship. The word "ship" includes vessels, steamers, canal boats and every
81 boat or structure adapted to navigation or movement from place to place,
82 upon the ocean, lakes, rivers or artificial waterways, either by its own power
83 or otherwise.

84 Singular. See "Number; gender," supra, this section.

85 State. The word "State" extends to and includes any State, territory or
86 possession of the United States, the District of Columbia and the Canal Zone.

87 Sworn. See "Oath; sworn," supra, this section.

88 Taxing district. The words "taxing district," when used in a law relat-
89 ing to the assessment or collection of taxes, assessments or water rates or
90 water rents, include every political division of the State, less than a county,
91 whose inhabitants, governing body or officers have the power to levy taxes,
92 assessments or rates.

93 Territory. The word "territory" extends to and includes any territory
94 or possession of the United States, the District of Columbia and the Canal
95 Zone.

96 United States. The words "United States" extend to and include every
97 State, territory and possession of the United States, the District of Columbia
98 and the Canal Zone.

99 Year. See "Month; year," supra, this section.

1 2. Section 1:3-8 of the Revised Statutes is amended to read as follows:

2 1:3-8. The treasurer of each county, upon receiving the number of
3 paper volumes allotted to his county pursuant to the provisions of section
4 1:3-7 of this Title, shall, after retaining one copy for himself, forthwith dis-
5 tribute the remaining volumes at the expense of the county as follows:

6 a. To each municipal magistrate in the county, one copy;

7 b. To the clerk of the board of chosen freeholders, and to each chosen
7A freeholder, one copy;

8 c. To each incorporated library company in the county which does not
9 receive a bound copy of the laws under the provisions of said section 1:3-7,
10 one copy; and

11 d. The remainder shall be transmitted in equal proportions to the clerks
 12 of the several municipalities in the county, each of which clerks shall, after
 13 retaining one copy for the use of his municipality, distribute the residue,
 14 within one week after receiving the same, to the following officers in his mu-
 15 nicipality, giving them preference in the order named: the assessor, collector
 16 and director of welfare, each one copy.

17 The receipts of the persons receiving copies of the laws from the county
 18 treasurer shall be sufficient vouchers to such treasurer in the settlement of
 19 his accounts, for the money expended by him for this purpose, and for a
 20 reasonable compensation for his trouble.

1 3. Section 1:3-9 of the Revised Statutes is amended to read as follows:

2 1:3-9. So many of the laws of the United States as may at any time be
 3 apportioned to this State by the Congress of the United States shall be de-
 4 livered to the custodian of the State House, who shall, after retaining one
 5 set for his own use, distribute the remainder at the expense of the State as
 6 follows:

7 a. To the Governor, Attorney-General, Secretary of State and treasurer,
 8 each one set.

9 b. To each member of the Legislature, one set.

10 c. To the Secretary of the Senate, for the use of the Senate, two sets;
 11 and to the Clerk of the General Assembly for the use of the General
 11A Assembly, four sets.

12 d. To the Chief Justice, the justices of the Supreme Court and the judges
 13 of the Superior Court, each one set.

14 e. To the Clerk of the Supreme Court and the Clerk of the Superior
 15 Court, each one set.

16 f. To each county prosecutor, one set.

17 g. To the librarians of Princeton College and of the two literary societies
 17A in that college, to the librarians of Rutgers College and of the two literary
 18 societies at that college, and to the librarians of Burlington College and of
 19 the two literary societies of that college, one set.

20 h. To the librarian of the New Jersey Historical Society, one s

21 i. The remainder to be distributed among the several counties in propor-
22 tion to their quota of State taxes, the same to be transmitted to the treasurer
23 of each county, to be by him distributed in his county to the following per-
24 sons in the order named:

25 1. To the clerk of the County Court, one set.

26 2. To the directors or managers of every library in the county, one
27 set.

27A 3. To the judges of the County Court, each one set.

28 4. The residue, if any, to be disposed of as shall be directed by the
29 board of chosen freeholders of the county.

1 4. Section 1:7-1 of the Revised Statutes is amended to read as follows:

2 1:7-1. If, at any time within one year after any law or joint resolution
3 has been filed with the Secretary of State pursuant to sections 1:2-5, 1:2-6
4 or 1:2-7 of this Title, the Governor has reason to believe that any such law or
5 joint resolution was not duly passed by both houses of Legislature, or ap-
6 proved by the Governor or otherwise made effective as law in the manner
7 required by the Constitution, he may direct the Attorney-General to apply to
8 the Appellate Division of the Superior Court, to have the law or joint reso-
9 lution adjudged void. Thereupon the Attorney-General shall prepare, sign
10 and prosecute the application.

1 5. Section 1:7-2 of the Revised Statutes is amended to read as follows:

2 1:7-2. The court, on the application, shall inquire summarily into the
3 circumstances and may, for that purpose, order witnesses to be subpoenaed
4 and sworn and their depositions taken and such notice to be given of the tak-
5 ing of depositions and the hearing before the court, by publication or other-
6 wise, as it deems just.

1 6. Section 1:7-3 of the Revised Statutes is amended to read as follows:

2 1:7-3. After a full hearing the court may, if satisfied that the constitu-
3 tional and statutory provisions relating to the enactment and approval of
4 laws and joint resolutions have not been complied with, adjudge the law or
5 joint resolution or any part thereof to be void.

1 7. Section 1:7-4 of the Revised Statutes is amended to read as follows:

2 1:7-4. Any two or more citizens of the State may, within the time pre-
3 scribed by section 1:7-1 of this Title, present to the Appellate Division of
4 the Superior Court an application, such as is authorized by said section 1:7-1
5 to be presented by the Attorney-General, and the court shall proceed thereon
6 in the manner provided by sections 1:7-2 and 1:7-3 of this Title. The ap-
7 plicants may prosecute the application, and the Attorney-General may, if
8 required so to do by the Governor, defend on behalf of the State.

1 8. Section 1:7-5 of the Revised Statutes is amended to read as follows:

2 1:7-5. Any citizen of the State may, when an application is presented
3 under authority of either section 1:7-1 or section 1:7-4 of this Title, appear
4 before the court, in defense and subpoena and examine and cross-examine
5 witnesses.

1 9. Section 1:7-6 of the Revised Statutes is amended to read as follows:

2 1:7-6. If in any application authorized in this chapter, the court shall
3 adjudge any law or joint resolution, or any part thereof, to be void, the clerk
4 of the court shall thereupon make a true copy of the judgment, certify the
5 same under his hand and seal of the court and deliver the copy to the Gov-
6 ernor or person administering the government, who shall issue his pro-
7 clamation under the great seal of the State, setting forth such judgment.
8 The proclamation shall be filed, published and printed with the laws as
9 other proclamations are required to be filed, published and printed, and
10 shall be judicially noticed and received in evidence in all courts of the State in
11 the same manner and to the same extent that the law or joint resolution
12 therein specified would have been if such judgment had not been made. No
13 law or joint resolution, or part thereof, adjudged void shall, after the entry
14 of such judgment as provided in this chapter, be judicially noticed or received
15 in evidence by any of the courts of the State.

1 10. Section 1:7-7 of the Revised Statutes is amended to read as follows:

2 1:7-7. When an application presented under authority of section 1:7-4
3 of this Title is dismissed the court shall allow and tax the costs and neces-

4 sary expenses of the Attorney-General, including a fee to the Attorney-
5 General of not to exceed five hundred dollars (\$500.00) in any one case, and
6 shall order the payment thereof by such citizens, and payment thereof may
7 be enforced by execution.

1 11. This act shall take effect immediately.

SENATE, No. 1

STATE OF NEW JERSEY

INTRODUCED JANUARY 13, 1953

By Mr. CLAPP

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning acts and statutes, and revising parts of the statutory law.

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

1 1. Section 1:1-2 of the Revised Statutes is amended to read as follows:
2 1:1-2. Unless it be otherwise expressly provided or there is something in
3 the subject or context repugnant to such construction, the following words
4 and phrases, when used in any statute and in the Revised Statutes, shall have
5 the meaning herein given to them.

6 Affirmation; affirmed. See "Oath; sworn," infra, this section.

7 Assessor. The word "assessor," when used in relation to the assess-
8 ment of taxes or water rents or other public assessments, includes all officers,
9 boards or commissions charged with the duty of making such assessments,
10 unless a particular officer, board or commission is specified.

11 Census. When used with reference to the population of this State, or of
12 any subdivision thereof, the word "census" means the latest Federal census
13 effective within this State.

14 Collector. The word "collector," when used in relation to the collection
15 of taxes or water rents or other public assessments, includes all officers
16 charged with the duty of collecting such taxes, water rents or assessments,
17 unless a particular officer is specified.

18 Folio; sheet. A sheet or folio shall consist of one hundred words, and in
19 all cases where an entry of any writing or copy is to be paid for, the sheet or
20 folio shall consist of one hundred words.

21 Gender. See "Number; gender," infra, this section.

22 General election. The words "general election" shall be taken to mean
23 the annual election to be held on the first Tuesday after the first Monday in
24 November and in any statute in which it is provided that any public officer
25 shall be elected, or any public question shall be voted upon, at an election at
26 which members of the General Assembly are to be voted for or elected, or
27 words to that effect, shall be taken to mean, and shall be construed to be the
28 equivalent of a provision, that said public officers shall be elected, or that said
29 public question shall be voted upon, "at a general election."

30 He. See "Number; gender," infra, this section.

31 Inhabitants. See "Population; inhabitants," infra, this section.

32 It. See "Number; gender," infra, this section.

33 Magistrate. The word "magistrate" includes any judge, municipal
34 magistrate or officer or other person having the powers of a committing
35 magistrate.

36 Masculine. See "Number; gender," infra, this section.

37 Month; year. The word "month" means a calendar month, and the word
38 "year" means a calendar year.

39 Municipality; municipal corporation. The words "municipality" and
40 "municipal corporation" include cities, towns, townships, villages and bor-
41 oughs, and any municipality governed by a board of commissioners or an
42 improvement commission.

43 Neuter. See "Number; gender," infra, this section.

44 Number; gender. Whenever, in describing or referring to any person,
45 party, matter or thing, any word importing the singular number or masculine
46 gender is used, the same shall be understood to include and to apply to sev-
47 eral persons or parties as well as to one person or party and to females as
48 well as males, and to bodies corporate as well as individuals, and to several
49 matters and things as well as one matter or thing.

50 Oath; sworn. The word "oath" includes "affirmation"; and the word
51 "sworn" includes "affirmed."

52 Other property. See "Property; other property," *infra*, this section.

53 Person. The word "person" includes corporations, companies, associa-
54 tions, societies, firms, partnerships and joint stock companies as well as indi-
55 viduals, unless restricted by the context to an individual as distinguished from
56 a corporate entity or specifically restricted to one or some of the above enu-
57 merated synonyms and, when used to designate the owner of property which
58 may be the subject of an offense, includes this State, the United States, any
59 other State of the United States as defined *infra* and any foreign country or
60 government lawfully owning or possessing property within this State.

61 Personal property. "Personal property" includes goods and chattels,
62 rights and credits, moneys and effects, evidences of debt, choses in action and
63 all written instruments by which any right to, interest in, or lien or encum-
64 brances upon, property or any debt or financial obligation is created, acknowl-
65 edged, evidenced, transferred, discharged or defeated, in whole or in part, and
66 everything except real property as herein defined which may be the subject of
67 ownership.

68 Plural. See "Number; gender," *supra*, this section.

69 Population; inhabitants. The word "population," when used in any
70 statute, shall be taken to mean the population as shown by the latest Federal
71 census effective within this State, and shall be construed as synonymous with
72 "inhabitants."

73 Property; other property. The words "property" and "other prop-
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73B property, includes both real and personal property.

74 Real estate; real property. The words "real estate" and "real prop-
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75 interests therein.

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79 Sheet. See "Folio," supra, this section.

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81 boat or structure adapted to navigation or movement from place to place,
82 upon the ocean, lakes, rivers or artificial waterways, either by its own power
83 or otherwise.

84 Singular. See "Number; gender," supra, this section.

85 State. The word "State" extends to and includes any State, territory or
86 possession of the United States, the District of Columbia and the Canal Zone.

87 Sworn. See "Oath; sworn," supra, this section.

88 Taxing district. The words "taxing district," when used in a law relat-
89 ing to the assessment or collection of taxes, assessments or water rates or
90 water rents, include every political division of the State, less than a county,
91 whose inhabitants, governing body or officers have the power to levy taxes,
92 assessments or rates.

93 Territory. The word "territory" extends to and includes any territory
94 or possession of the United States, the District of Columbia and the Canal
95 Zone.

96 United States. The words "United States" extend to and include every
97 State, territory and possession of the United States, the District of Columbia
98 and the Canal Zone.

99 Year. See "Month; year," supra, this section.

1 2. Section 1:3-8 of the Revised Statutes is amended to read as follows:

2 1:3-8. The treasurer of each county, upon receiving the number of
3 paper volumes allotted to his county pursuant to the provisions of section
4 1:3-7 of this Title, shall, after retaining one copy for himself, forthwith dis-
5 tribute the remaining volumes at the expense of the county as follows:

6 a. To each municipal magistrate in the county, one copy;

7 b. To the clerk of the board of chosen freeholders, and to each chosen
7A freeholder, one copy;

8 c. To each incorporated library company in the county which does not
9 receive a bound copy of the laws under the provisions of said section 1:3-7,
10 one copy; and

11 d. The remainder shall be transmitted in equal proportions to the clerks
12 of the several municipalities in the county, each of which clerks shall, after
13 retaining one copy for the use of his municipality, distribute the residue,
14 within one week after receiving the same, to the following officers in his mu-
15 nicipality, giving them preference in the order named: the assessor, collector
16 and director of welfare, each one copy.

17 The receipts of the persons receiving copies of the laws from the county
18 treasurer shall be sufficient vouchers to such treasurer in the settlement of
19 his accounts, for the money expended by him for this purpose, and for a
20 reasonable compensation for his trouble.

1 3. Section 1:3-9 of the Revised Statutes is amended to read as follows:

2 1:3-9. So many of the laws of the United States as may at any time be
3 apportioned to this State by the Congress of the United States shall be de-
4 livered to the custodian of the State House, who shall, after retaining one
5 set for his own use, distribute the remainder at the expense of the State as
6 follows:

7 a. To the Governor, Attorney-General, Secretary of State and treasurer,
8 each one set.

9 b. To each member of the Legislature, one set.

10 c. To the Secretary of the Senate, for the use of the Senate, two sets;
11 and to the Clerk of the General Assembly for the use of the General
11A Assembly, four sets.

12 d. To the Chief Justice, the justices of the Supreme Court and the judges
13 of the Superior Court, each one set.

14 e. To the Clerk of the Supreme Court and the Clerk of the Superior
15 Court, each one set.

16 f. To each county prosecutor, one set.

17 g. To the librarians of Princeton College and of the two literary societies
17A in that college, to the librarians of Rutgers College and of the two literary
18 societies at that college, and to the librarians of Burlington College and of
19 the two literary societies of that college, one set.

20 h. To the librarian of the New Jersey Historical Society, one set.

21 i. The remainder to be distributed among the several counties in propor-
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23 of each county, to be by him distributed in his county to the following per-
24 sons in the order named:

25 1. To the clerk of the County Court, one set.

26 2. To the directors or managers of every library in the county, one
27 set.

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29 board of chosen freeholders of the county.

✓ 1 4. Section 1:7-1 of the Revised Statutes is amended to read as follows:

2 1:7-1. If, at any time within one year after any law or joint resolution
3 has been filed with the Secretary of State pursuant to sections 1:2-5, 1:2-6
4 or 1:2-7 of this Title, the Governor has reason to believe that any such law or
5 joint resolution was not duly passed by both houses of Legislature, or ap-
6 proved by the Governor or otherwise made effective as law in the manner
7 required by the Constitution, he may direct the Attorney-General to apply to
8 the Appellate Division of the Superior Court, to have the law or joint reso-
9 lution adjudged void. Thereupon the Attorney-General shall prepare, sign
10 and prosecute the application.

1 5. Section 1:7-2 of the Revised Statutes is amended to read as follows:

2 1:7-2. The court, on the application, shall inquire summarily into the
3 circumstances and may, for that purpose, order witnesses to be subpoenaed
4 and sworn and their depositions taken and such notice to be given of the tak-
5 ing of depositions and the hearing before the court, by publication or other-
6 wise, as it deems just.

1 6. Section 1:7-3 of the Revised Statutes is amended to read as follows:

2 1:7-3. After a full hearing the court may, if satisfied that the constitu-
3 tional and statutory provisions relating to the enactment and approval of
4 laws and joint resolutions have not been complied with, adjudge the law or
5 joint resolution or any part thereof to be void.

1 7. Section 1:7-4 of the Revised Statutes is amended to read as follows:

2 1:7-4. Any two or more citizens of the State may, within the time pre-
3 scribed by section 1:7-1 of this Title, present to the Appellate Division of
4 the Superior Court an application, such as is authorized by said section 1:7-1
5 to be presented by the Attorney-General, and the court shall proceed thereon
6 in the manner provided by sections 1:7-2 and 1:7-3 of this Title. The ap-
7 plicants may prosecute the application, and the Attorney-General may, if
8 required so to do by the Governor, defend on behalf of the State.

1 8. Section 1:7-5 of the Revised Statutes is amended to read as follows:

2 1:7-5. Any citizen of the State may, when an application is presented
3 under authority of either section 1:7-1 or section 1:7-4 of this Title, appear
4 before the court, in defense and subpoena and examine and cross-examine
5 witnesses.

1 9. Section 1:7-6 of the Revised Statutes is amended to read as follows:

2 1:7-6. If in any application authorized in this chapter, the court shall
3 adjudge any law or joint resolution, or any part thereof, to be void, the clerk
4 of the court shall thereupon make a true copy of the judgment, certify the
5 same under his hand and seal of the court and deliver the copy to the Gov-
6 ernor or person administering the government, who shall issue his pro-
7 clamation under the great seal of the State, setting forth such judgment.
8 The proclamation shall be filed, published and printed with the laws as
9 other proclamations are required to be filed, published and printed, and
10 shall be judicially noticed and received in evidence in all courts of the State in
11 the same manner and to the same extent that the law or joint resolution
12 therein specified would have been if such judgment had not been made. No
13 law or joint resolution, or part thereof, adjudged void shall, after the entry
14 of such judgment as provided in this chapter, be judicially noticed or received
15 in evidence by any of the courts of the State.

1 10. Section 1:7-7 of the Revised Statutes is amended to read as follows:

2 1:7-7. When an application presented under authority of section 1:7-4
3 of this Title is dismissed the court shall allow and tax the costs and neces-

4 sary expenses of the Attorney-General, including a fee to the Attorney-
5 General of not to exceed five hundred dollars (\$500.00) in any one case, and
6 shall order the payment thereof by such citizens, and payment thereof may
7 be enforced by execution.

1 11. This act shall take effect immediately.

Legislative Calendar



January 7, 2022

Posted on: January 7, 2022 3:40 PM

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Past Issues

January 7, 2022



NEW JERSEY ★ LEGISLATIVE CALENDAR ★

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Vol. XLV No. 56 INTERNET UPDATE III CALENDAR SUBJECT TO CHANGE

219th Legislature

Prepared: January 4, 2022

Check Internet site or call this office for updated schedule

Second Annual Session

*Denotes Changes

TUESDAY, JANUARY 4, 2022

SENATE QUORUM 12:00 PM Senate Chambers

THURSDAY, JANUARY 6, 2022

SENATE QUORUM 12:00 PM Senate Chambers

Committees at the Call of the Senate President

Senate Budget and Appropriations Meeting 1:00 PM Committee Room 4, 1st Floor, State House Annex, Trenton, NJ

Chair: Sen. Sarlo, Paul A.

The State House Annex has reopened to the general public. Visitors to the State House Annex are required to show ID and proof of full vaccination or a negative COVID-19 PCR or rapid test conducted within the previous 72 hours.

All visitors are required to undergo a temperature screening prior to proceeding through security. Masks are mandatory at all times inside the State House Annex, including in Committee Rooms and in the hallways and other facilities. Please visit the NJ Legislature's website at www.njleg.state.nj.us/JMC%20Rules.pdf for more information.

A1269 [Greenwald, Louis D./Giblin, Thomas P.+2], Class 4A commercial property transferred, excess of \$1M-elim 1% tax on purchaser
 A3007 [Lampitt, Pamela R./Dunn, Aura K.+12], Higher education institutions-prov. students w/access to mental health care prog
 S1871 [Lagana, Joseph A./Pennacchio, Joseph+1], Veteran of US or organized militia misrepresentation-upgrades certain crimes
 S2544 [Singleton, Troy/Pou, Nellie], Low and moderate income housing-expands financing opportunities
 S2807 [Greenstein, Linda R./Pou, Nellie], Defense Against Porch Pirates Act; amends theft statute
 S3127 [Lagana, Joseph A./Gopal, Vin+3], Higher education institutions-prov. students w/access to mental health care prog
 S3490 [Cruz-Perez, Nilsa I./Beach, James], Class 4A commercial property transferred, excess of \$1M-elim 1% tax on purchaser
 S3809 [Sweeney, Stephen M./O'Scanlon, Declan J.+2], Employing persons w/devel. disability-allow credit against CBT & income tax liab
 S3847 [Sweeney, Stephen M.], Nursing asst., certified-estab. program; prov private duty svcs to cert Medicaid
 S4062 [Sweeney, Stephen M./Lagana, Joseph A.+2], Motor veh regis fee for veteran-exempt honorably discharged & released from pymt
 S4231 [Oroho, Steven V./Smith, Bob], Deer fencing on certain farmland-creates program in Department of Agriculture
 S4244 [Madden, Fred H.], Superintendents of weights and measures, certain-concerns appointment
 S4245 [Ruiz, M. Teresa], Special education due process petitions-extends filing time period, COVID-19
 S4263 [Singleton, Troy], HMFA loans-concerns distribution standards, housing projects during st of emerg
 S4272 [Cunningham, Sandra B.], Funeral, burial, crematory services-suppl. approp, increase reimb Work First;\$8M
 S4277 [Ruiz, M. Teresa/Singleton, Troy], Foreclosure Counseling Fund-establishes
 S4300 [Sweeney, Stephen M.], Plumbing subcode-prohibits certain changes
 S4301 [Sweeney, Stephen M.], Duct cleaning-includes as maintenance work subject to the prevailing wage

THURSDAY, JANUARY 6, 2022 (continued)

Senate Budget and Appropriations Meeting (continued)

Pending Introduction and/or Referral:

A1121 [Murphy, Carol A./Dancer, Ronald S.+8], Veteran of US or organized militia misrepresentation-upgrades certain crimes
 A3870 [Karabinchak, Robert J./Johnson, Gordon M.+11], Defense Against Porch Pirates Act; amends theft statute
 A5484 [Dancer, Ronald S./Caputo, Ralph R.+1], Racing Comm.-adopt procedures to enforce internal controls; req. annual audit
 A6060 [Tucker, Cleopatra G./Caputo, Ralph R.+1], Funeral, burial, crematory services-suppl. approp, increase reimb Work First;\$8M
 ACR217 [Verrelli, Anthony S./DeAngelo, Wayne P.+2], Capitol Complex Security Screening Building & Secure Courtyard Project-approves
 S3817 [Lagana, Joseph A.], Racing Comm.-adopt procedures to enforce internal controls; req. annual audit
 S4096 [Sweeney, Stephen M.], Coastal area development, cert-revise permitting thresholds req CAFRA permit
 S4302 [Sweeney, Stephen M./Singleton, Troy], Estab. Dept. of Diversity, Equity and Inclusion as princ. Dept. of Executive Branch
 S4303 [Sweeney, Stephen M./Singleton, Troy], Req. Dir of Div. on Investment to attempt to use underrepresented financial institutions
 S4308 [Sweeney, Stephen M.], Creates Helmets to Hardhats program in Dept. of Military and Veterans Affairs; makes an appropriation
 S4309 [Sarlo, Paul A.] Awards sch. Security grants under "Securing Our Children's Future Fund"; appropriates \$5,150,531
 SCR164 [Greenstein, Linda R.], Capitol Complex Security Screening Building & Secure Courtyard Project-approves

Senate Education Meeting 10:00 AM

Chair: Sen. Ruiz, M. Teresa

The public may not attend the Committee meeting in person but may view and participate in the meeting via the NJ Legislature home page at <https://www.njleg.state.nj.us/>. The public may also submit written testimony electronically in lieu of oral testimony. Written testimony will be included in the Committee record and distributed to all the Committee members. Written testimony should be submitted to OLSAideSED@njleg.org. The committee will meet to receive testimony from invited guests on the status and results of the Statewide Graduation Assessments, including Start Strong, the current status of school district operations throughout the State, and the status of federal funding received by the State and local districts to address the impact of the COVID-19 pandemic on schools

Senate Health, Human Services and Senior Citizens Meeting 12:00 PM Committee Room 6, 1st Floor, State House Annex, Trenton, NJ

Chair: Sen. Vitale, Joseph F.

The State House Annex has reopened to the general public. Visitors to the State House Annex are required to show ID and proof of full vaccination or a negative COVID-19 PCR or rapid test conducted within the previous 72 hours. All visitors are required to undergo a temperature screening prior to proceeding through security. Masks are mandatory at all times inside the State House Annex, including in Committee Rooms and in the hallways and other facilities. Please visit the NJ Legislature's website at www.njleg.state.nj.us/JMC%20Rules.pdf for more information.
 S4048 [Vitale, Joseph F./Codey, Richard J.+3], Health care entities & collective bargaining agreements-req contracts for sale

Senate Health, Human Services and Senior Citizens Meeting (continued)

S4235 [Singer, Robert W./Gopal, Vin], Paramedics, volunteer-permit to operate within mobile intensive care units
 S4236 [Vitale, Joseph F./Ruiz, M. Teresa], Food Insecurity Advocate, Office-revises and renames
 Pending Referral:
 A6159 [Coughlin, Craig J./McKnight, Angela V.], Food Insecurity Advocate, Office-revises and renames
 S4286 [Vitale, Joseph F.], Animal Health Tech., job title civil svc-reduce credit hr. to 12

****Senate Judiciary Meeting 11:00 AM Committee Room 4, State House Annex, Trenton, NJ**

Chair: Sen. Scutari, Nicholas P.

The State House Annex has reopened to the general public. Visitors to the State House Annex are required to show ID and proof of full vaccination or a negative COVID-19 PCR or rapid test conducted within the previous 72 hours. All visitors are required to undergo a temperature screening prior to proceeding through security. Masks are mandatory at all times inside the State House Annex, including in Committee Rooms and in the hallways and other facilities. Please visit the NJ Legislature's website at www.njleg.state.nj.us/JMC%20Rules.pdf for more information. Considered:

to be a member of the Fish and Game Council:
 Mitchell Jones of Washington to replace Phillip Brodhecker, for the term prescribed by law, currently set to expire on April 1, 2023
 to be a member of the North Jersey District Water Supply Commission:
 Kareem K. Adeem of Newark to replace Robert C. Garofalo, for the term prescribed by law, currently set to expire on January 7, 2022.
 to be a member of the Pinelands Commission:
 Theresa I. Lettman of Manchester to replace Candace McKee Ashmun, for the term prescribed by law, currently set to expire on June 28, 2021 thereafter, June 28, 2024.
 Laura E. Matos of Belmar to replace Richard Prickett, for the term prescribed by law, currently set to expire on June 28, 2023.
 Davon McCurry of Willingboro to replace D'Arcy Rohan Green, for the term prescribed by law, currently set to expire on June 28, 2022.
 to be a member of the State Board of Dietetics:
 Christina D. Frescki of Clark for the term prescribed by law.

Interviewed:
 to be a Judge of the Superior Court:
 Joanne Cocchiola of Nutley for the term prescribed by law, ending 7 years from date of appointment.
 Lori Grifa of Montclair for the term prescribed by law, ending 7 years from date of appointment.
 MeLinda Hawkins Taylor of East Orange for the term prescribed by law, ending 7 years from date of appointment.
 Linda A. Hynes of Westampton for the term prescribed by law, ending 7 years from date of appointment.
 Jill S. Mayer of Cherry Hill for the term prescribed by law, ending 7 years from date of appointment.
 Heather V. Taylor of Montclair for the term prescribed by law, ending 7 years from date of appointment.
 Aldo J. Russo of Florham Park for the term prescribed by law, ending 7 years from date of appointment.
 to be a Workers' Compensation Judge:
 Joseph W. Borucki of Marlton for the term prescribed by law.
 A4771 [Downey, Joann/Armato, John+8], Drug court-expands offenses eligible for expungement upon successful discharge
 A6171 [Quijano, Annette/Lopez, Yvonne+1], Information Privacy, Office-creates; concerns disclosure of public official info
 S2951 [Gopal, Vin/Singleton, Troy+9], Drug court-expands offenses eligible for expungement upon successful discharge
 S4219 [Cryan, Joseph P./Pou, Nellie+1], Information Privacy, Office-creates; concerns disclosure of public official info
 S4251 [Scutari, Nicholas P.], Wrongful death-allows cert. persons not yet estate administrator, pursue lawsuit

ASSEMBLY QUORUM 1:00 PM Assembly Chambers
 Committees at the Call of the Speaker

***Assembly Appropriations Meeting 11:00 AM**
Chair: Asm. Burzichelli, John J.

The public may not attend the Committee meeting in person but may view and participate in the meeting via the NJ Legislature home page at <https://www.njleg.state.nj.us/>. The Committee will take oral testimony on bills, by telephone and video, limited to three minutes. If you are interested in registering your position with the Committee, please fill out the Registration Form located on the NJ Legislature Home Page under the applicable Committee heading. For those individuals who wish to testify, please check the box "Do you wish to testify?" on the Registration Form. Instructions for testifying before the Committee will be forwarded to you after you submit your Registration Form. The form must be submitted by 5:00 PM on Wednesday January 5, 2022. The public may also submit written testimony electronically in lieu of oral testimony. Written testimony will be included in the

***Assembly Appropriations Meeting (continued)**

Committee record and distributed to all the Committee members. Written testimony should be submitted to OLSAideAAP@njleg.org.
 A1772 [Munoz, Nancy F./Dancer, Ronald S.+2], Batterers' Intervention Programs, domestic violence cases-establishes standards
 A2316 [Jimenez, Angelica M./Giblin, Thomas P.+8], Physical therapy-permits dry needling under certain circumstances
 A2396 [Wimberly, Benjie E./Timberlake, Britnee N.+1], Juvenile legal representation-expands Office of Public Defender
 A4651 [Lopez, Yvonne/Dunn, Aura K.+1], Blue envelope-issue, hold documents requiring a person w/autism to operate a veh
 A4698 [Vainieri Huttle, Valerie/Jasey, Mila M.+1], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
 A4847 [Vainieri Huttle, Valerie/Quijano, Annette+4], Harm reduction programs-permits establishment of additional
 A5074 [DeAngelo, Wayne P./Dancer, Ronald S.+3], SPRS members-purchase service credit for prior federal government service
 A5292 [Quijano, Annette/Lampitt, Pamela R.], Teacher workforce-require compilation of data & issuance of annual reports
 A5382 [Benson, Daniel R./Zwicker, Andrew], Microgrids for electric veh use-concerns estab. of demonstration prog to develop
 A5442 [DeAngelo, Wayne P./Dancer, Ronald S.+2], Accidental disability benefit-clarify SPRS member may receive, cert circumstance
 A5576 [Jasey, Mila M./Lampitt, Pamela R.+1], School teacher retired from TPAF-permits return to emp during COVID-19 emerg
 A5603 [Calabrese, Clinton/Johnson, Gordon M.+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
 A5930 [Sumter, Shavonda E.], State contracting process-increases from \$25K to \$250K purchasing threshold
 A6005 [Jasey, Mila M./Greenwald, Louis D.], College and university contracts, State-concerns the awarding of
 A6062 [Greenwald, Louis D./McKnight, Angela V.+2], Loan prog., assist businesses to prov accommodations for disab emp-req EDA estab
 A6093 [Stanley, Sterley S./Benson, Daniel R.+6], Cancer screenings, firefighters-mandate access through health care benefits plan
 A6112 [Lopez, Yvonne], PERS member holding elected office-permits retire
 A6119 [Mukherji, Raj/Egan, Joseph V.], Public works contractors-concerns apprenticeship programs
 A6146 [Burzichelli, John J./Freiman, Roy], Professional limited liability companies-establishes process for formation
 A6220 [Giblin, Thomas P./Egan, Joseph V.], Maritime Pilot & Docking Pilot Comm.-concerns compensation & health benefits
 A6228 [Benson, Daniel R./Speight, Shanique+1], County college-based adult ctr, transition individuals w/devel disab-estab;\$4.5M
 A6230 [Benson, Daniel R./Mejia, Pedro], Direct Support Professional Career Development Center-establishes;\$450K
 A6233 [Burzichelli, John J.], Firemen's Home-revises certain functions & composition of board of managers
 A6234 [Burzichelli, John J.], PERS membership eligibility-changes for certain elected public officials
 A6256 [Reynolds-Jackson, Verlina/Wimberly, Benjie E.+1], NAACP NJ State Conference;\$2M
 A6257 [McKnight, Angela V.], Hotel occupancy, cert cities-impose temp surcharge to fund public safety service
 A6258 [Freiman, Roy], Securing Our Children's Future Fund-awards school security project grants
 A6259 [Johnson, Gordon M.], Eviction actions, confidentiality-provides exception for Legal Svcs & other orgs
 S383 [Weinberg, Loretta/Singleton, Troy+3], Batterers' Intervention Programs, domestic violence cases-establishes standards
 S413 [Turner, Shirley K./Ruiz, M. Teresa+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
 S896 [Pou, Nellie/Turner, Shirley K.+1], Juvenile representation-expands Office of Public Defender
 S991 [Weinberg, Loretta+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
 S2835 [Ruiz, M. Teresa/Cunningham, Sandra B.+1], Teacher workforce-require compilation of data & issuance of annual reports
 S3529 [Addiego, Dawn Marie/Diegnan, Patrick J.+2], Accidental disability benefit-clarify SPRS member may receive, cert circumstance
 S3685 [Ruiz, M. Teresa/Codey, Richard J.+4], School teacher retired from TPAF-permits return to emp during COVID-19 emerg
 S4043 [Cunningham, Sandra B.+1], College and university contracts, State-concerns the awarding of
 S4063 [Sweeney, Stephen M.], Maritime Pilot & Docking Pilot Comm.-concerns compensation & health benefits
 S4102 [Sweeney, Stephen M./Ruiz, M. Teresa], Direct Support Professional Career Development Center-establishes;\$450K
 S4210 [Sweeney, Stephen M./Greenstein, Linda R.+2], Loan prog., assist businesses to prov accommodations for disab emp-req EDA estab
 S4211 [Sweeney, Stephen M./Corrado, Kristin M.+6], County college-based adult ctr, transition individuals w/devel disab-estab;\$4.5M
 Pending Referral:
 A2271 [Armato, John/Murphy, Carol A.+7], Suicide prevention-require additional sch dist personnel, complete training prog

***Assembly Appropriations Meeting (continued)**

A4336 [Houghtaling, Eric/Space, Parker+2], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium
 A4676 [Quijano, Annette/Jasey, Mila M.+1], Packaging products-estab recycled content requirements; proh sale of polystyrene
 A5223 [Zwicker, Andrew/Timberlake, Britnee N.+8], Low embodied carbon concrete-estab St purchasing preference; prov CBT tax credit
 A6009 [Moen, William F./Johnson, Gordon M.+2], Civil svc. law enforce exam req.-permit exemption for county correctional police
 A6015 [DeAngelo, Wayne P./Benson, Daniel R.+2], Health care entities & collective bargaining agreements-req contracts for sale
 A6113 [Stanley, Sterley S.], Governor-remove requirement for promulgation of national census
 A6229 [Mukherji, Raj], Patient medical & billing records-limits fees charged for copies
 S867 [Pou, Nellie+2], Physical therapy-permits dry needling under certain circumstances
 S2515 [Smith, Bob/Greenstein, Linda R.+1], Packaging products-estab recycled content requirements; proh sale of polystyrene
 S3265 [Diegnan, Patrick J./Greenstein, Linda R.], SPRS service credit-permit members to purchase for prior public employment
 S3465 [Oroho, Steven V./Sweeney, Stephen M.+1], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium
 S3672 [Singleton, Troy/Turner, Shirley K.+1], Civil svc. law enforce exam req.-permit exemption for county correctional police
 S3732 [Greenstein, Linda R./Singleton, Troy+5], Low embodied carbon concrete-estab St purchasing preference; prov CBT tax credit
 S4157 [Sweeney, Stephen M./Singleton, Troy], Hotel occupancy, cert cities-impose temp surcharge to fund public safety service
 S4218 [Scutari, Nicholas P.], NAACP NJ State Conference;\$2M

*****SENATE SESSION (continued)**

A3392 [Reynolds-Jackson, Verlina/Timberlake, Britnee N.+9], Student representative-be appointed to board of education of school district
 A4002 [Caputo, Ralph R./Dancer, Ronald S.], Sports wagering-allows deduction of promotional gaming credit from gross revenue
 A4238 [Chiaravalloti, Nicholas/Schaer, Gary S.+6], Adult medical day care services-establish minimum Medicaid reimbursement rate
 A4253 [Conaway, Herb/Pinkin, Nancy J.+4], Clinical labs & electronic med record companies-include gender, race, ethnicity
 A4478 [Vainieri Huttle, Valerie/Speight, Shanique+18], Nursing homes-estab addl. req. for DOH to assess sanctions & impose penalties
 A4569 [Reynolds-Jackson, Verlina/Benson, Daniel R.+4], Electric generation/gas supply svc.-receive signature prior to provision switch
 A4655 [Reynolds-Jackson, Verlina/Wimberly, Benjie E.+7], Police presence at polling places & ballot drop boxes-limits
 A4856 [Lampitt, Pamela R./Benson, Daniel R.+16], School websites & web services-req. to be accessible to persons w/disabilities
 A5033 [Benson, Daniel R./Dancer, Ronald S.+14], Motor vehicle dealers-authorize to sell online & obtain electronic signatures
 A5294 [Speight, Shanique/Vainieri Huttle, Valerie+9], Persons w/significant disab-prov fast track hiring & emp opportunities by State
 A5296 [Speight, Shanique/Vainieri Huttle, Valerie+13], Persons w/disabilities-provides for employment by State
 A5322 [Mosquera, Gabriela M./Vainieri Huttle, Valerie+9], Human trafficking victim-provides for process to vacate and expunge
 A5334 [Lopez, Yvonne/Mazzeo, Vincent+15], Trans. mobility improvements for autism & devel disab persons-study & implement
 A5439 [Caputo, Ralph R./Dancer, Ronald S.+1], Racing Commission-changes deadline for annual report to end of State fiscal year
 A5694 [Houghtaling, Eric/Downey, Joann+5], Military dependents-permits school enrollment prior to relocation to district
 A5814 [Swain, Lisa/Tully, P. Christopher+6], School Bus Safety Ombudsman-creates position in Department of Education
 A5864 [Speight, Shanique/Pintor Marin, Eliana+10], Body worn camera recordings-law enforcement officers review prior to report
 A5997 [Coughlin, Craig J./Lopez, Yvonne], Manual of the Legislature of NJ-remove requirement concerning the purchase of
 A6020 [Conaway, Herb/Jimenez, Angelica M.+3], Tobacco product retailers-req stock & sell nicotine replacement therapy products
 A6157 [Speight, Shanique/Moen, William F.], Law enforce. officer, cert-proh circumventing intergovernmental transfer process
 A6159 [Coughlin, Craig J./McKnight, Angela V.], Food Insecurity Advocate, Office-revises and renames
 A6207 [Greenwald, Louis D./Lampitt, Pamela R.+3], Schools for students w disabilities, private-elim. req to set cert tuition rates
 A6208 [Mosquera, Gabriela M./DeAngelo, Wayne P.+3], Farmland preservation-approp. CBT rev to St Agriculture Devel Committee;\$60.940M
 A6209 [Freiman, Roy/Spearman, William W.], Farmland preservation-approp. CBT rev. for county planning incentive grants;\$18M
 A6210 [Taliaferro, Adam J./Moriarty, Paul D.+2], Farmland preservation-approp CBT revenue for mun planning incentive grants;\$4.5M
 A6211 [Houghtaling, Eric/Reynolds-Jackson, Verlina+4], Farmland preservation-approp. CBT revenues for grants to certain nonprofit orgs
 A6212 [Jimenez, Angelica M./Swain, Lisa+4], St Capital & park devel proj-dedicate CBT rev for recreation/conservation;\$54.5M
 A6213 [Kennedy, James J./Carter, Linda S.+9], Land, recreation & conserv. including Blue/Green Acres-approp. CBT rev.;\$49.932M
 A6214 [Danielsen, Joe/Zwicker, Andrew+8], Open space acquisition and park development projects;\$80.359M
 A6215 [Stanley, Sterley S./Murphy, Carol A.+4], Land, recreation/conservation-approp CBT rev, grants to cert nonprofit entities
 ACR217 [Verrelli, Anthony S./DeAngelo, Wayne P.+2], Capitol Complex Security Screening Building & Secure Courtyard Project-approves
 S52 [Singer, Robert W./Greenstein, Linda R.+2], Drug overdose fatality review team-establish in each county in the State
 S384 [Weinberg, Loretta/Singleton, Troy+17], Judges/judicial personnel-establish certain req. for domestic violence training
 S991 [Weinberg, Loretta+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
 S1149 [Ruiz, M. Teresa/Singleton, Troy+2], Property, vacant and abandoned-requires registration with municipalities
 S1219 [Turner, Shirley K./Beach, James], Student representative-be appointed to board of education of school district
 S1352 [Turner, Shirley K./Pou, Nellie], Gift card fraud-requires certain retailers to train employees
 S1559 [Scutari, Nicholas P./Diegnan, Patrick J.+1], Insurance Fair Conduct Act-unreasonable prices for business insurance
 S1842 [Ryan, Joseph P./Scutari, Nicholas P.+6], Nonprofit Security Grant Program-establishes
 S2160 [Sweeney, Stephen M./Oroho, Steven V.+11], Special education unit-create within Office of Admin. Law; require annual report
 S2224 [Gopal, Vin/Pennacchio, Joseph], Military service members-provides civil service preference for expedition medal
 S2441 [Kean, Thomas H./Diegnan, Patrick J.+1], Deaf and Hard of Hearing Advisory Council-revises and updates membership

FRIDAY, JANUARY 7, 2022

**Legislative Services Commission Meeting 12:00 PM
Virtual Meeting**

SATURDAY, JANUARY 8, 2022

****Apportionment Commission Meeting 12:00 PM**

The Apportionment Commission will meet remotely via Zoom. The Commission will take oral testimony from members of the public on the establishment of State legislative districts in NJ. As required by the NJ Constitution, the Apportionment Commission is charged with redrawing the lines of the State's 40 legislative districts, from which the 40 Senators and 80 Members of the General Assembly are elected. Members of the public may view the live proceedings via the NJ Legislature home page at <https://www.njleg.state.nj.us/> or via the Commission's home page at <https://www.apportionmentcommission.org/default.asp>. Those wishing to testify must register online in advance of the meeting at <https://www.apportionmentcommission.org/schedule.asp>. Registration is also available at <https://www.njleg.state.nj.us/>. Select January 8 on the calendar and click on Apportionment Commission for the registration link. Registrations must be received by Friday, January 7, 2022 at 3:00 PM. Upon successful registration, you will view a printable receipt on screen. At a later date, you will receive an email with instructions for testifying. To ensure that all who wish to testify can do so, the Chair will limit public testimony to 5 minutes per person. Extra time will be allotted for those needing the assistance of a translator. If you require language interpretation services to testify, please contact the Office of Legislative Services at (609) 847-3890 to discuss and arrange for interpretation services in advance of the meeting. You may also submit written testimony instead of, or in addition to, oral testimony by email to OLSaideAPPC@njleg.org by Friday, January 7, 2022 at 3:00 PM. Written testimony will be included in the Commission's record and distributed to all Commission members.

MONDAY, JANUARY 10, 2022

*****SENATE SESSION 1:00 PM Senate Chambers**

Voting Session:
 A259 [DeAngelo, Wayne P./Mukherji, Raj+6], Military service members-provides civil service preference for expedition medal
 A798 [Verrelli, Anthony S./Vainieri Huttle, Valerie+12], Drug overdose fatality review team-establish in each county in the State
 A802 [Verrelli, Anthony S./Reynolds-Jackson, Verlina+5], Gift card fraud-requires certain retailers to train employees
 A998 [Moen, William F./Downey, Joann+2], NJ Social Innovation Act-establishes social innovation loan pilot program
 A1116 [Murphy, Carol A./Greenwald, Louis D.+3], Small wireless facility deployment-provides for uniform regulation
 A1293 [Greenwald, Louis D./Burzichelli, John J.+9], Brewery, distillery industries-estab advisory council; funding thru alco bev tax
 A1663 [Quijano, Annette/Vainieri Huttle, Valerie+7], Nonprofit Security Grant Program-establishes
 A2877 [Dancer, Ronald S./Vainieri Huttle, Valerie+10], Property, vacant and abandoned-requires registration with municipalities

*****SENATE SESSION (continued)**

S2561 [Gopal, Vin/Singer, Robert W.+3], Adult medical day care services-establish minimum Medicaid reimbursement rate
 S2674 [Sweeney, Stephen M./Singleton, Troy+1], Small wireless facility deployment-provides for uniform regulation
 S2723 [Sweeney, Stephen M./Turner, Shirley K.], 21st Century Integrated Digital Experience Act
 S2759 [Vitale, Joseph F./Madden, Fred H.+2], Long-term care facilities-estab addl. req., assess sanctions & impose penalties
 S2768 [Singleton, Troy/Ruiz, M. Teresa+8], Minority/women-owned bus.-conduct disparity study, utilization in St procurement
 S2830 [Ruiz, M. Teresa/Singleton, Troy+1], Educator preparation program-report passing rates of students, certain tests
 S3081 [Singleton, Troy/McKeon, John F.+1], Title insurance-repeals law concerning excess rates & charges
 S3094 [Ruiz, M. Teresa/Beach, James+2], School websites & web services-req. to be accessible to persons w/disabilities
 S3144 [Ruiz, M. Teresa/Beach, James+3], Social Innovation Act-establishes loan pilot program & study commission w/in EDA
 S3173 [Gopal, Vin/Greenstein, Linda R.], Pedicabs and alcohol consumption by passengers-permits
 S3418 [Gopal, Vin/Madden, Fred H.+4], Persons w/significant disab-prov fast track hiring & emp opportunities by State
 S3426 [Kean, Thomas H./Schepisi, Holly T.+4], Persons w/disabilities-provides for employment by State
 S3433 [Cruz-Perez, Nilsa I./Kean, Thomas H.+3], Human trafficking victim-provides for process to vacate and expunge
 S3442 [Diegnan, Patrick J./Kean, Thomas H.+3], Trans. mobility improvements for autism & devel disab persons-study & implement
 S3535 [Turner, Shirley K.], Electric generation/gas supply svc.-receive signature prior to provision switch
 S3595 [Turner, Shirley K.], Polling place/ballot drop box-limit police presence; prof electioneering 100 ft
 S3672 [Singleton, Troy/Turner, Shirley K.+1], Civil svc. law enforce exam req.-permit exemption for county correctional police
 S3760 [Gopal, Vin/Beach, James], Racing Commission-changes deadline for annual report to end of State fiscal year
 S3764 [Gopal, Vin/Weinberg, Loretta+10], Asian Heritage-establish Commission in DOE
 S3783 [Gopal, Vin/Madden, Fred H.+1], Military dependents-permits school enrollment prior to relocation to district
 S3809 [Sweeney, Stephen M./O'Scanlon, Declan J.+2], Employing persons w/devel. disability-allow credit against CBT & income tax liab
 S3847 [Sweeney, Stephen M.], Nursing asst., certified-estab. program; prov private duty svcs to cert Medicaid
 S3851 [Lagana, Joseph A./Diegnan, Patrick J.+1], School Bus Safety Ombudsman-creates position in Department of Education
 S3942 [Gopal, Vin/Singleton, Troy+1], SNAP issuance schedule-req DHS stagger dates of benf to newly eligible enrollees
 S3968 [Singleton, Troy/Beach, James], State contracting process-increases from \$25K to \$250K purchasing threshold
 S3977 [Greenstein, Linda R./Gopal, Vin+1], Brewery, distillery industries-estab advisory council; funding thru alco bev tax
 S4020 [Gopal, Vin/Cunningham, Sandra B.], Higher ed. instit.--expand bonding auth., permit finan for general funding needs
 S4021 [Gopal, Vin/Ruiz, M. Teresa+40], Asian Amer & Pacific Islander instruct on history & contrib-req sch dist provide
 S4058 [Diegnan, Patrick J.+6], Dogs, cruel tethering & confinement-revise law proh; estab procedure for seizure
 S4062 [Sweeney, Stephen M./Lagana, Joseph A.+2], Motor veh regis fee for veteran-exempt honorably discharged & released from pymt
 S4067 [Addiego, Dawn Marie/Sweeney, Stephen M.+1], Farmland not redevelopment/rehab area-provide under Local Redevel & Housing Law
 S4084 [Sweeney, Stephen M./O'Scanlon, Declan J.], Manual of the Legislature of NJ-remove requirement concerning the purchase of
 S4094 [Weinberg, Loretta/Sarlo, Paul A.+3], Film & digital media content production tax credit program-makes changes
 S4096 [Sweeney, Stephen M.], Coastal area development, cert-revise permitting thresholds req CAFRA permit
 S4114 [Codey, Richard J.+1], Tobacco product retailers-req stock & sell nicotine replacement therapy products
 S4133 [Gopal, Vin/Oroho, Steven V.+3], Electric or water heating systems-prohibit State from mandating
 S4148 [Codey, Richard J./Corrado, Kristin M.], St Capital & park devel proj-dedicate CBT rev for recreation/conservation;\$54.5M
 S4149 [Cruz-Perez, Nilsa I./Greenstein, Linda R.], Farmland preservation-approp. CBT revenues for grants to certain nonprofit orgs
 S4150 [Cruz-Perez, Nilsa I./Greenstein, Linda R.], Farmland preservation-approp CBT revenue for mun planning incentive grants;\$4.5M
 S4151 [Greenstein, Linda R./Cruz-Perez, Nilsa I.], Farmland preservation-approp. CBT rev to St Agriculture Devel Committee;\$60.940M
 S4152 [Smith, Bob/Greenstein, Linda R.], Land, recreation/conservation-approp CBT rev, grants to cert nonprofit entities
 S4153 [Greenstein, Linda R./Smith, Bob], Open space acquisition and park development projects;\$80.359M

*****SENATE SESSION (continued)**

S4154 [Turner, Shirley K./Oroho, Steven V.], Farmland preservation-approp. CBT rev. for county planning incentive grants;\$18M
 S4155 [Bateman, Christopher/Smith, Bob], Land, recreation & conserv. including Blue/Green Acres-approp. CBT rev. ;\$49.932M
 S4161 [Beach, James], Governor-remove requirement for promulgation of national census
 S4183 [Cryan, Joseph P.], Rent control & rent leveling ordinances-concerning certain exemptions
 S4189 [Vitale, Joseph F./Cruz-Perez, Nilsa I.], PERS member holding elected office-permits retire
 S4202 [Ruiz, M. Teresa/Beach, James], Law enforce. officer, cert-proh circumventing intergovernmental transfer process
 S4203 [Ruiz, M. Teresa/Oroho, Steven V.+1], School employees, public-eliminates requirement for State residency
 S4206 [Ruiz, M. Teresa], Education funding, federal-req DOE annually report use of fed COVID-19 relief fd
 S4207 [Sweeney, Stephen M.], Public works contractors-concerns apprenticeship programs
 S4221 [Beach, James/Greenstein, Linda R.+2], Libraries, public-approp. from Construction Fund to provide grants for;\$37.174M
 S4222 [Sweeney, Stephen M.+1], Schools for students w disabilities, private-elim. req to set cert tuition rates
 S4231 [Oroho, Steven V./Smith, Bob], Deer fencing on certain farmland-creates program in Department of Agriculture
 S4233 [Scutari, Nicholas P./Gopal, Vin], Patient medical & billing records-limits fees charged for copies of
 S4235 [Singer, Robert W./Gopal, Vin], Paramedics, volunteer-permit to operate within mobile intensive care units
 S4236 [Vitale, Joseph F./Ruiz, M. Teresa], Food Insecurity Advocate, Office-revises and renames
 S4245 [Ruiz, M. Teresa], Special education due process petitions-extends filing time period, COVID-19
 S4246 [Gopal, Vin], Motor vehicle dealers, certain-concerns certain licensure requirements
 S4252 [Madden, Fred H.], Mandatory retirement from SPRS-limits extension to 90 days during emergencies
 S4254 [Singleton, Troy/Cruz-Perez, Nilsa I.+4], Taxpayers accelerate depreciation of cert expenditures-allows, fewer than 50 emp
 S4263 [Singleton, Troy], HMFA loans-concerns distribution standards, housing projects during st of emerg
 S4287 [Cruz-Perez, Nilsa I.], Firemen's Home-revises certain functions & composition of board of managers
 S4301 [Sweeney, Stephen M.], Duct cleaning-includes as maintenance work subject to the prevailing wage
 S4302 [Sweeney, Stephen M./Singleton, Troy], Diversity, Equity, & Inclusion, Department of-establishes in Executive Branch
 S4303 [Sweeney, Stephen M./Singleton, Troy], Req. Dir of Div. on Investment to attempt to use underrepresented financial institutions
 S4308 [Sweeney, Stephen M./Singleton, Troy], Helmets to Hardhats program-establishes in DMVA;\$400K
 S4309 [Sarlo, Paul A.], Securing Our Children's Future Fund-awards school security project grants
 SCR164 [Greenstein, Linda R.], Capitol Complex Security Screening Building & Secure Courtyard Project-approves

***ASSEMBLY SESSION 12:00 PM Assembly Chambers**

Voting Session:
 A1075 [Speight, Shanique/Vainieri Huttle, Valerie+5], Legionnaires's disease-DEP, DOH, DCA & public water systems prevent/control
 A1158 [Freiman, Roy/Lopez, Yvonne+1], Disability benefits provided by transportation network companies-authorize use
 A1489 [Moriarty, Paul D./Mosquera, Gabriela M.+3], Invasive examination of unconscious patient by health care practitioner-prohibit
 A1659 [Quijano, Annette/Bramnick, Jon M.], Insurance Fair Conduct Act-unreasonable prices for business insurance
 A1763 [Munoz, Nancy F./Vainieri Huttle, Valerie+8], Prosecutors, municipal-establishes mandatory domestic violence training
 A2070 [Calabrese, Clinton/Mukherji, Raj+10], Neonicotinoid pesticides-directs DEP to classify as restricted use pesticide
 A2271 [Armato, John/Murphy, Carol A.+7], Suicide prevention-require additional sch dist personnel, complete training prog
 A2316 [Jimenez, Angelica M./Giblin, Thomas P.+8], Physical therapy-permits dry needling under certain circumstances
 A2360 [Chaparro, Annette/Karabinchak, Robert J.+5], Vehicle, electric-concerns electric public utility service rates for charging
 A2396 [Wimberly, Benjie E./Timberlake, Britnee N.+1], Juvenile legal representation-expands Office of Public Defender
 A3369 [Johnson, Gordon M./Stanley, Sterley S.+23], Asian Heritage-establish Commission in DOE
 A4232 [Houghtaling, Eric/Dancer, Ronald S.], Deer fencing on certain farmland-creates program in Department of Agriculture
 A4336 [Houghtaling, Eric/Space, Parker+2], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium

***ASSEMBLY SESSION (continued)**

A4580 [Zwicker, Andrew/Thomson, Edward H.+4], Home baked goods-establish requirements for sale
 A4698 [Vainieri Huttle, Valerie/Jasey, Mila M.+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
 A4847 [Vainieri Huttle, Valerie/Quijano, Annette+4], Harm reduction programs-permits establishment of additional
 A4987 [Houghtaling, Eric/Vainieri Huttle, Valerie+1], Legislative Youth Council-creates
 A5033 [Benson, Daniel R./Dancer, Ronald S.+14], Motor vehicle dealers-authorize to sell online & obtain electronic signatures
 A5074 [DeAngelo, Wayne P./Dancer, Ronald S.+3], SPRS members-purchase service credit for prior federal government service
 A5160 [DeAngelo, Wayne P./Conaway, Herb+25], Energy & water efficiency-establish minimum standards for certain products
 A5292 [Quijano, Annette/Lampitt, Pamela R.], Teacher workforce-require compilation of data & issuance of annual reports
 A5382 [Benson, Daniel R./Zwicker, Andrew], Microgrids for electric veh use-concerns estab. of demonstration prog to develop
 A5442 [DeAngelo, Wayne P./Dancer, Ronald S.+2], Accidental disability benefit-clarify SPRS member may receive, cert circumstance
 A5458 [Vainieri Huttle, Valerie/Mukherji, Raj+1], Hypodermic syringe offense-permit expungement of possession if previous expunged
 A5463 [Jasey, Mila M./Giblin, Thomas P.+2], A. Philip Randolph-direct NJT erect statue in honor of;\$90K
 A5576 [Jasey, Mila M./Lampitt, Pamela R.+1], School teacher retired from TPAF-permits return to emp during COVID-19 emerg
 A5603 [Calabrese, Clinton/Johnson, Gordon M.+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
 A5673 [Vainieri Huttle, Valerie/Downey, Joann+2], Disease, purposely transmit in sexual penetration act-disorderly persons offense
 A5804 [Quijano, Annette/Mukherji, Raj], Transient accommodation taxes & fees-modifies certain definitions related to
 A5862 [Armato, John/Quijano, Annette+15], Responsible Collective Negotiations Act-concerns public employment relations
 A5867 [Chiaravallotti, Nicholas/Jasey, Mila M.], Higher ed. instit.-expand bonding auth., permit finan for general funding needs
 A5930 [Sumter, Shavonda E.], State contracting process-increases from \$25K to \$250K purchasing threshold
 A5963 [Benson, Daniel R./Vainieri Huttle, Valerie+2], Congenital cytomegalovirus-requires newborn infants to be screened
 A6005 [Jasey, Mila M./Greenwald, Louis D.], College and university contracts, State-concerns the awarding of
 A6009 [Moen, William F./Johnson, Gordon M.+2], Civil svc. law enforce exam req.-permit exemption for county correctional police
 A6062 [Greenwald, Louis D./McKnight, Angela V.+2], Loan prog., assist businesses to prov accommodations for disab emp-req EDA estab
 A6070 [Johnson, Gordon M./Spearman, William W.], Film & digital media content production tax credit program-makes changes
 A6073 [Verrelli, Anthony S.], Basic life support services crewmember-temporarily waives certain requirements
 A6093 [Stanley, Sterley S./Benson, Daniel R.+6], Cancer screenings, firefighters-mandate access through health care benefits plan
 A6110 [Benson, Daniel R./Mukherji, Raj+3], Elective pass-through business alternative income tax-revises calculation
 A6112 [Lopez, Yvonne], PERS member holding elected office-permits retire
 A6113 [Stanley, Sterley S.], Governor-remove requirement for promulgation of national census
 A6148 [Karabinchak, Robert J./Mukherji, Raj+6], Libraries, public-approp. from Construction Fund to provide grants for;\$37.174M
 A6150 [DeAngelo, Wayne P.], Professional & occupational licenses, certain-revises penalties for transfer
 A6155 [Conaway, Herb/Stanley, Sterley S.], Health care professionals, certain-extends temporary emergency licensure
 A6172 [Downey, Joann], Community rehab programs-DOLWD and DHS required to conduct assessment
 A6204 [Wimberly, Benjie E.], HMFA loans-concerns distribution standards, housing projects during st of emerg
 A6219 [Burzichelli, John J.+4], Breweries, limited & craft distilleries-auth sell at retail; offer for sampling
 A6220 [Giblin, Thomas P./Egan, Joseph V.], Maritime Pilot & Docking Pilot Comm.-concerns compensation & health benefits
 A6228 [Benson, Daniel R./Speight, Shanique+1], County college-based adult ctr, transition individuals w/devel disab-estab;\$4.5M
 A6230 [Benson, Daniel R./Mejia, Pedro], Direct Support Professional Career Development Center-establishes;\$450K
 A6231 [Houghtaling, Eric/Conaway, Herb], Fruit & vegetables grown & packaged in NJ, only-req, labeled as local to State
 A6245 [Coughlin, Craig J.], Out-of-network arbitration process-revises
 A6246 [Karabinchak, Robert J.], Hotels & disruption of hotel services-concerns changes in control of
 A6248 [Lopez, Yvonne], Goods & services-State agencies required to make good faith effort to purchase
 A6251 [Timberlake, Britnee N./Benson, Daniel R.], Foreclosure Counseling Fund-establishes

***ASSEMBLY SESSION (continued)**

S73 [Bateman, Christopher/Sarlo, Paul A.+6], Home baked goods-establish requirements for sale
 S386 [Weinberg, Loretta/Singleton, Troy+5], Prosecutors, municipal-establishes mandatory domestic violence training
 S413 [Turner, Shirley K./Ruiz, M. Teresa+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
 S867 [Pou, Nellie+2], Physical therapy-permits dry needling under certain circumstances
 S896 [Pou, Nellie/Turner, Shirley K.+1], Juvenile representation-expands Office of Public Defender
 S969 [Ruiz, M. Teresa/Turner, Shirley K.+8], Teacher loan redemption prog.-redeem amounts to assist in low performing schools
 S991 [Weinberg, Loretta+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
 S994 [Sweeney, Stephen M./Singleton, Troy+2], Goods & services-State agencies required to make good faith effort to purchase
 S995 [Sweeney, Stephen M./Bucco, Anthony M.+1], Community rehab programs-DOLWD and DHS required to conduct assessment
 S1016 [Smith, Bob/Bateman, Christopher+1], Neonicotinoid pesticides-directs DEP to classify as restricted use pesticide
 S1559 [Scutari, Nicholas P./Diegnan, Patrick J.+1], Insurance Fair Conduct Act-unreasonable prices for business insurance
 S1934 [Sweeney, Stephen M./Pou, Nellie+4], Disability benefits provided by transportation network companies-authorize use
 S2160 [Sweeney, Stephen M./Oroho, Steven V.+11], Special education unit-create within Office of Admin. Law; require annual report
 S2835 [Ruiz, M. Teresa/Cunningham, Sandra B.+1], Teacher workforce-require compilation of data & issuance of annual reports
 S3164 [Gopal, Vin/Singleton, Troy+3], Legislative Youth Council-creates
 S3265 [Diegnan, Patrick J./Greenstein, Linda R.], SPRS service credit-permit members to purchase for prior public employment
 S3458 [Lagana, Joseph A./Gopal, Vin+1], Out-of-network arbitration process-revises
 S3465 [Oroho, Steven V./Sweeney, Stephen M.+1], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium
 S3488 [Sweeney, Stephen M./Gopal, Vin+5], School dist. regionalization-modify procedures, estab grant prog for cost reimb
 S3493 [Vitale, Joseph F./Gill, Nia H.+1], Hypodermic syringe offense-permit expungement of possession if previous expunged
 S3529 [Addiego, Dawn Marie/Diegnan, Patrick J.+2], Accidental disability benefit-clarify SPRS member may receive, cert circumstance
 S3672 [Singleton, Troy/Turner, Shirley K.+1], Civil svc. law enforce exam req.-permit exemption for county correctional police
 S3673 [Gopal, Vin/Greenstein, Linda R.], Breweries, limited & craft distilleries-auth sell at retail; offer for sampling
 S3685 [Ruiz, M. Teresa/Codey, Richard J.+4], School teacher retired from TPAF-permits return to emp during COVID-19 emerg
 S3715 [Cryan, Joseph P.], Transient accommodation taxes & fees-modifies certain definitions related to
 S3975 [Greenstein, Linda R./Oroho, Steven V.+1], Congenital cytomegalovirus-requires newborn infants to be screened
 S4043 [Cunningham, Sandra B.+1], College and university contracts, State-concerns the awarding of
 S4063 [Sweeney, Stephen M.], Maritime Pilot & Docking Pilot Comm.-concerns compensation & health benefits
 S4094 [Weinberg, Loretta/Sarlo, Paul A.+3], Film & digital media content production tax credit program-makes changes
 S4102 [Sweeney, Stephen M./Ruiz, M. Teresa+3], Direct support prof.-develop training prog; county college administer prog;\$450K
 S4128 [Sweeney, Stephen M./Pou, Nellie+1], Fruit & vegetables grown & packaged in NJ, only-req, labeled as local to State
 S4210 [Sweeney, Stephen M./Greenstein, Linda R.+2], Loan prog., assist businesses to prov accommodations for disab emp-req EDA estab
 S4211 [Sweeney, Stephen M./Corrado, Kristin M.+6], County college-based adult ctr, transition individuals w/devel disab-estab;\$4.5M

TUESDAY, JANUARY 11, 2022

SENATE SESSION 12:00 PM Senate Chambers

Reorganization State of the State Address - Time TBD (Assembly Chamber)

ASSEMBLY SESSION

Reorganization State of the State Address - Time TBD (Assembly Chamber)

THURSDAY, JANUARY 27, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Committees at the Call of the Senate President

MONDAY, JANUARY 31, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

THURSDAY, FEBRUARY 10, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

THURSDAY, FEBRUARY 17, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

TUESDAY, FEBRUARY 22, 2022

SENATE QUORUM 12:00 PM Senate Chambers

Governor's Budget Message (Time and location TBD)

MONDAY, FEBRUARY 28, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

THURSDAY, MARCH 3, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced

MONDAY, MARCH 7, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

THURSDAY, MARCH 10, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

MONDAY, MARCH 14, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Committees at the Call of the Senate President

MONDAY, MARCH 21, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced

Legislative Calendar



January 14, 2022

Posted on: January 14, 2022 4:40 PM

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Past Issues

January 14, 2022



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Vol. XLV No. 57 Internet Update II

CALENDAR SUBJECT TO CHANGE

219th Legislature

Prepared: January 7, 2022

Check Internet site or call this office for updated schedule

Second Annual Session

*Denotes Changes

FRIDAY, JANUARY 7, 2022

Legislative Services Commission Meeting 12:00 PM

Virtual Meeting

SATURDAY, JANUARY 8, 2022

Apportionment Commission Meeting 12:00 PM

The Apportionment Commission will meet remotely via Zoom. The Commission will take oral testimony from members of the public on the establishment of State legislative districts in NJ. As required by the NJ Constitution, the Apportionment Commission is charged with redrawing the lines of the State's 40 legislative districts, from which the 40 Senators and 80 Members of the General Assembly are elected. Members of the public may view the live proceedings via the NJ Legislature home page at <https://www.njleg.state.nj.us/> or via the Commission's home page at <https://www.apportionmentcommission.org/default.asp>.

Those wishing to testify must register online in advance of the meeting at <https://www.apportionmentcommission.org/schedule.asp>. Registration is also available at <https://www.njleg.state.nj.us/>. Select January 8 on the calendar and click on Apportionment Commission for the registration link. Registrations must be received by Friday, January 7, 2022 at 3:00 PM. Upon successful registration, you will view a printable receipt on screen. At a later date, you will receive an email with instructions for testifying. To ensure that all who wish to testify can do so, the Chair will limit public testimony to 5 minutes per person. Extra time will be allotted for those needing the assistance of a translator. If you require language interpretation services to testify, please contact the Office of Legislative Services at (609) 847-3890 to discuss and arrange for interpretation services in advance of the meeting. You may also submit written testimony instead of, or in addition to, oral testimony by email to OLSaideAPPC@njleg.org by Friday, January 7, 2022 at 3:00 PM.

Written testimony will be included in the Commission's record and distributed to all Commission members.

MONDAY, JANUARY 10, 2022

***SENATE SESSION 12:00 PM Senate Chambers**

Voting Session:

A259 [DeAngelo, Wayne P./Mukherji, Raj+6], Military service members-provides civil service preference for expedition medal
 A798 [Verrelli, Anthony S./Vainieri Huttie, Valerie+12], Drug overdose fatality review team-establish in each county in the State
 A802 [Verrelli, Anthony S./Reynolds-Jackson, Verlina+5], Gift card fraud-requires certain retailers to train employees
 A953 [Karabinchak, Robert J./Houghtaling, Eric], Architects-disclose insurance coverage
 A1073 [Speight, Shanique/Pintor Marin, Eliana+7], Preeclampsia testing for certain pregnant women & women who have given birth-req
 A1121 [Murphy, Carol A./Dancer, Ronald S.+8], Veteran of US or organized militia misrepresentation-upgrades certain crimes
 A1219 [Chaparro, Annette/McKnight, Angela V.+5], Rabies-owner notification of testing protocol prior to testing animals
 A1229 [Schaer, Gary S./Mosquera, Gabriela M.+19], Homeless prevention programs-DCA make information available on its website
 A1269 [Greenwald, Louis D./Giblin, Thomas P.+2], Class 4A commercial property transferred, excess of \$1M-elim 1% tax on purchaser
 A1293 [Greenwald, Louis D./Burzichelli, John J.+9], Brewery, distillery industries-estab advisory council; funding thru alco bev tax
 A1663 [Quijano, Annette/Vainieri Huttie, Valerie+7], Nonprofit Security Grant Program-establishes

MONDAY, JANUARY 10, 2022

***SENATE SESSION (continued)**

A1841 [Timberlake, Britnee N./Quijano, Annette+7], Lead or asbestos hazard abatement, primary residency-gross income tax deduction
 A2186 [Mukherji, Raj/Chaparro, Annette+8], Homeless shelter-establish Statewide database of beds
 A2360 [Chaparro, Annette/Karabinchak, Robert J.+5], Vehicle, electric-concerns electric public utility service rates for charging
 A2877 [Dancer, Ronald S./Vainieri Huttie, Valerie+10], Property, vacant and abandoned-requires registration with municipalities
 A3007 [Lampitt, Pamela R./Dunn, Aura K.+12], Higher education institutions-prov. students w/access to mental health care prog
 A3392 [Reynolds-Jackson, Verlina/Timberlake, Britnee N.+9], Student representative-appointed to board of education of school district
 A3450 [Johnson, Gordon M.+1], Income access services & related provider contracts-creates certain requirements
 A3870 [Karabinchak, Robert J./Johnson, Gordon M.+11], Defense Against Porch Pirates Act; amends theft statute
 A4002 [Caputo, Ralph R./Dancer, Ronald S.], Sports wagering-allows deduction of promotional gaming credit from gross revenue
 A4238 [Chiaravalloti, Nicholas/Schaer, Gary S.+6], Adult medical day care services-establish minimum Medicaid reimbursement rate
 A4241 [Downey, Joann/Vainieri Huttie, Valerie+3], SNAP evaluation-require DHS to conduct survey on experience
 A4253 [Conaway, Herb/Pinkin, Nancy J.+4], Clinical labs & electronic med record companies-include gender, race, ethnicity
 A4366 [Taliaferro, Adam J./Sumter, Shavonda E.+6], Police training-contract with crisis intervention training center
 A4478 [Vainieri Huttie, Valerie/Speight, Shanique+18], Nursing homes-estab addl. req. for DOH to assess sanctions & impose penalties
 A4569 [Reynolds-Jackson, Verlina/Benson, Daniel R.+4], Electric generation/gas supply svc.-receive signature prior to provision switch
 A4655 [Reynolds-Jackson, Verlina/Wimberly, Benjie E.+7], Police presence at polling places & ballot drop boxes-limits
 A4771 [Downey, Joann/Armato, John+8], Drug court-expands offenses eligible for expungement upon successful discharge
 A4856 [Lampitt, Pamela R./Benson, Daniel R.+16], School websites & web services-req. to be accessible to persons w/disabilities
 A4958 [Tully, P. Christopher/Armato, John+8], Winterizing small business operations-temporary sales tax exemption
 A5033 [Benson, Daniel R./Dancer, Ronald S.+14], Motor vehicle dealers-authorize to sell online & obtain electronic signatures
 A5294 [Speight, Shanique/Vainieri Huttie, Valerie+9], Persons w/significant disab-prov fast track hiring & emp opportunities by State
 A5296 [Speight, Shanique/Vainieri Huttie, Valerie+13], Persons w/disabilities-provides for employment by State
 A5322 [Mosquera, Gabriela M./Vainieri Huttie, Valerie+9], Human trafficking victim-provides for process to vacate and expunge
 A5334 [Lopez, Yvonne/Mazzeo, Vincent+15], Trans. mobility improvements for autism & devel disab persons-study & implement
 A5439 [Caputo, Ralph R./Dancer, Ronald S.+1], Racing Commission-changes deadline for annual report to end of State fiscal year
 A5484 [Dancer, Ronald S./Caputo, Ralph R.+1], Racing Comm.-adopt procedures to enforce internal controls; req. annual audit
 A5694 [Houghtaling, Eric/Downey, Joann+5], Military dependents-permits school enrollment prior to relocation to district
 A5814 [Swain, Lisa/Tully, P. Christopher+6], School Bus Safety Ombudsman-creates position in Department of Education

***SENATE SESSION (continued)**

A5864 [Speight, Shanique/Pintor Marin, Eliana+10], Body worn camera recordings-law enforcement officers review prior to report
A5997 [Coughlin, Craig J./Lopez, Yvonne], Manual of the Legislature of NJ-remove requirement concerning the purchase of
A6020 [Conaway, Herb/Jimenez, Angelica M.+3], Tobacco product retailers-req stock & sell nicotine replacement therapy products
A6060 [Tucker, Cleopatra G./Caputo, Ralph R.+1], Funeral, burial, crematory services-suppl. approp. increase reimb Work First:\$8M
A6157 [Speight, Shanique/Moen, William F.], Law enforce. officer, cert-proh circumventing intergovernmental transfer process
A6159 [Coughlin, Craig J./McKnight, Angela V.], Food Insecurity Advocate, Office-revises and renames
A6171 [Quijano, Annette/Lopez, Yvonne+1], Information Privacy, Office-creates; concerns disclosure of public official info
A6205 [Coughlin, Craig J./McKeon, John F.], Insurance holding companies-amends certain requirements concerning
A6207 [Greenwald, Louis D./Lampitt, Pamela R.+3], Schools for students w disabilities, private-elim. req to set cert tuition rates
A6208 [Mosquera, Gabriela M./DeAngelo, Wayne P.+3], Farmland preservation-approp. CBT rev to St Agriculture Devel Committee;\$60.940M
A6209 [Freiman, Roy/Spearman, William W.], Farmland preservation-approp. CBT rev. for county planning incentive grants;\$18M
A6210 [Taliaferro, Adam J./Moriarty, Paul D.+2], Farmland preservation-approp CBT revenue for mun planning incentive grants;\$4.5M
A6211 [Houghtaling, Eric/Reynolds-Jackson, Verlina+4], Farmland preservation-approp. CBT revenues for grants to certain nonprofit orgs
A6212 [Jimenez, Angelica M./Swain, Lisa+4], St Capital & park devel proj-dedicate CBT rev for recreation/conservation;\$54.5M
A6213 [Kennedy, James J./Carter, Linda S.+9], Land, recreation & conserv. including Blue/Green Acres-approp. CBT rev.;\$49.932M
A6214 [Danielsen, Joe/Zwicker, Andrew+8], Open space acquisition and park development projects;\$80.359M
A6215 [Stanley, Sterley S./Murphy, Carol A.+4], Land, recreation/conservation-approp CBT rev. grants to cert nonprofit entities
ACR217 [Verrelli, Anthony S./DeAngelo, Wayne P.+2], Capitol Complex Security Screening Building & Secure Courtyard Project-approves
S49 [Weinberg, Loretta/Greenstein, Linda R.], Reproductive choice-codifies consitutional right to freedom of
S52 [Singer, Robert W./Greenstein, Linda R.+2], Drug overdose fatality review team-establish in each county in the State
S73 [Bateman, Christopher/Sarlo, Paul A.+6], Home baked goods-establish requirements for sale
S384 [Weinberg, Loretta/Singleton, Troy+17], Judges/judicial personnel-establish certain req. for domestic violence training
S396 [Weinberg, Loretta/Addiego, Dawn Marie+1], Construction defect in common interest community-adjust statute of limitations
S413 [Turner, Shirley K./Ruiz, M. Teresa+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
S844 [Pou, Nellie/Greenstein, Linda R.+1], Charitable organizations-revises financial reporting requirements
S849 [Pou, Nellie/Corrado, Kristin M.+2], Blue envelope-issue, hold documents requiring a person w/autism to operate a veh
S991 [Weinberg, Loretta+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
S1020 [Ruiz, M. Teresa/Gopal, Vin+13], School discipline data-report on their websites and to Commissioner of Education
S1149 [Ruiz, M. Teresa+2], Property, vacant and abandoned-requires registration with municipalities
S1219 [Turner, Shirley K./Beach, James], Student representative-be appointed to board of education of school district
S1352 [Turner, Shirley K./Pou, Nellie], Gift card fraud-requires certain retailers to train employees
S1411 [Bateman, Christopher/Lagana, Joseph A.+4], Lead, asbestos, other contaminants removal from resid. prop-income tax deduction
S1559 [Scutari, Nicholas P./Diegnan, Patrick J.+1], Insurance Fair Conduct Act-unreasonable prices for business insurance
S1599 [Codey, Richard J./Pou, Nellie], Homeless shelter-establish Statewide database of beds
S1771 [Madden, Fred H./Turner, Shirley K.], Invasive examination of unconscious patient by health care practitioner-prohibit
S1842 [Cryan, Joseph P./Scutari, Nicholas P.+6], Nonprofit Security Grant Program-establishes
S1871 [Lagana, Joseph A./Pennacchio, Joseph+1], Veteran of US or organized militia misrepresentation-upgrades certain crimes
S2160 [Sweeney, Stephen M./Oroho, Steven V.+11], Special education unit-create within Office of Admin. Law; require annual report
S2224 [Gopal, Vin/Pennacchio, Joseph], Military service members-provides civil service preference for expedition medal
S2441 [Kean, Thomas H./Diegnan, Patrick J.+1], Deaf and Hard of Hearing Advisory Council-revises and updates membership
S2544 [Singleton, Troy/Pou, Nellie], Low and moderate income housing-expands financing opportunities
S2561 [Gopal, Vin/Singer, Robert W.+3], Adult medical day care services-establish minimum Medicaid reimbursement rate

***SENATE SESSION (continued)**

S2679 [Beach, James/Smith, Bob+12], Architectural Paint Stewardship Act; paint producers implement or participate
S2723 [Sweeney, Stephen M./Turner, Shirley K.], 21st Century Integrated Digital Experience Act
S2759 [Vitale, Joseph F./Madden, Fred H.+2], Long-term care facilities-estab addl. req., assess sanctions & impose penalties
S2768 [Singleton, Troy/Ruiz, M. Teresa+8], Minority/women-owned bus.-conduct disparity study, utilization in St procurement
S2801 [Pou, Nellie/Greenstein, Linda R.+1], Police training-contract with crisis intervention training center
S2807 [Greenstein, Linda R./Pou, Nellie+1], Defense Against Porch Pirates Act; amends theft statute
S2830 [Ruiz, M. Teresa/Singleton, Troy+1], Educator preparation program-report passing rates of students, certain tests
S2894 [Pou, Nellie], SNAP evaluation-require DHS to conduct survey on experience
S2951 [Gopal, Vin/Singleton, Troy+10], Drug court-expands offenses eligible for expungement upon successful discharge
S3009 [Vitale, Joseph F./Gopal, Vin+2], Harm reduction programs-permits establishment of additional
S3081 [Singleton, Troy/McKeon, John F.+1], Title insurance-repeals law concerning excess rates & charges
S3094 [Ruiz, M. Teresa/Beach, James+2], School websites & web services-req. to be accessible to persons w/disabilities
S3127 [Lagana, Joseph A./Gopal, Vin+4], Higher education institutions-prov. students w/access to mental health care prog
S3173 [Gopal, Vin/Greenstein, Linda R.], Pedicabs and alcoholic consumption by passengers-permits
S3238 [Ruiz, M. Teresa/Pou, Nellie+10], Easy Enrollment Health Insurance Program-establishes
S3285 [Greenstein, Linda R./Stack, Brian P.], Vehicle, electric-concerns electric public utility service rates for charging
S3418 [Gopal, Vin/Madden, Fred H.+4], Persons w/significant disab-prov fast track hiring & emp opportunities by State
S3426 [Kean, Thomas H./Schepisi, Holly T.+4], Persons w/disabilities-provides for employment by State
S3432 [Ruiz, M. Teresa/O'Scanlon, Declan J.], Preeclampsia testing for certain pregnant women & women who have given birth-req
S3433 [Cruz-Perez, Nilsa I./Kean, Thomas H.+3], Human trafficking victim-provides for process to vacate and expunge
S3442 [Diegnan, Patrick J./Kean, Thomas H.+3], Trans. mobility improvements for autism & devel disab persons-study & implement
S3465 [Oroho, Steven V./Sweeney, Stephen M.+1], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium
S3490 [Cruz-Perez, Nilsa I./Beach, James], Class 4A commercial property transferred, excess of \$1M-elim 1% tax on purchaser
S3493 [Vitale, Joseph F./Gill, Nia H.+1], Hypodermic syringe offense-permit expungement of possession if previous expunged
S3535 [Turner, Shirley K.], Electric generation/gas supply svc.-receive signature prior to provision switch
S3594 [Singleton, Troy/Scutari, Nicholas P.+2], Civil actions-damage calculations not be reduced based on race/ethnicity/gender
S3595 [Turner, Shirley K.], Polling place/ballot drop box-limit police presence; proh electioneering 100 ft
S3611 [Scutari, Nicholas P.], Income access services & related provider contracts-creates certain requirements
S3672 [Singleton, Troy/Turner, Shirley K.+1], Civil svc. law enforce exam req.-permit exemption for county correctional police
S3707 [Vitale, Joseph F./Ruiz, M. Teresa+1], Disease, purposely transmit in sexual penetration act-disorderly persons offense
S3740 [Lagana, Joseph A./Oroho, Steven V.+3], Winterizing small business operations-temporary sales tax exemption
S3760 [Gopal, Vin/Beach, James], Racing Commission-changes deadline for annual report to end of State fiscal year
S3764 [Gopal, Vin/Weinberg, Loretta+10], Asian Heritage-establish Commission in DOE
S3783 [Gopal, Vin/Madden, Fred H.+1], Military dependents-permits school enrollment prior to relocation to district
S3809 [Sweeney, Stephen M./O'Scanlon, Declan J.+4], Employing persons w/devel. disability-allow credit against CBT & income tax liab
S3810 [Sweeney, Stephen M./Addiego, Dawn Marie+6], Responsible Collective Negotiations Act-concerns public employment relations
S3817 [Lagana, Joseph A.], Racing Comm.-adopt procedures to enforce internal controls; req. annual audit
S3833 [Gopal, Vin/Singleton, Troy], Dispensing devices, auto-permits use in long-term care fac. & hospice care prog.
S3847 [Sweeney, Stephen M./Beach, James], Nursing asst., certified-estab. program; prov private duty svcs to cert Medicaid
S3851 [Lagana, Joseph A./Diegnan, Patrick J.+1], School Bus Safety Ombudsman-creates position in Department of Education
S3867 [Addiego, Dawn Marie/Singleton, Troy+12], Opioid Recovery & Remediation Fd. and Opioid Recovery Advisory Council-establish
S3942 [Gopal, Vin/Singleton, Troy+1], SNAP issuance schedule-req DHS stagger dates of benf to newly eligible enrollees

***SENATE SESSION (continued)**

S3968 [Singleton, Troy/Beach, James], State contracting process-increases from \$25K to \$250K purchasing threshold
S3977 [Greenstein, Linda R./Gopal, Vin+1], Brewery, distillery industries-estab advisory council; funding thru alco bev tax
S4004 [Weinberg, Loretta/Greenstein, Linda R.+5], Appointed positions & elected offices,certain-establishes database
S4020 [Gopal, Vin/Cunningham, Sandra B.], Higher ed. instit.--expand bonding auth., permit finan for general funding needs
S4021 [Gopal, Vin/Ruiz, M. Teresa+40], Asian Amer & Pacific Islander instruct on history & contrib-req sch dist provide
S4031 [Pou, Nellie], Architects-disclose insurance coverage
S4048 [Vitale, Joseph F./Codey, Richard J.+3], Health care entities & collective bargaining agreements-req contracts for sale
S4058 [Diegnan, Patrick J.+7], Dogs, cruel tethering & confinement-revise law proh; estab procedure for seizure
S4062 [Sweeney, Stephen M./Lagana, Joseph A.+2], Motor veh regis fee for veteran-exempt honorably discharged & released from pymt
S4067 [Addiego, Dawn Marie/Sweeney, Stephen M.+1], Farmland not redevelopment/rehab area-provide under Local Redevel & Housing Law
S4068 [Sarlo, Paul A./Oroho, Steven V.+3], Elective pass-through business alternative income tax-revises calculation
S4084 [Sweeney, Stephen M./O'Scanlon, Declan J.], Manual of the Legislature of NJ-remove requirement concerning the purchase of
S4094 [Weinberg, Loretta/Sarlo, Paul A.+3], Film & digital media content production tax credit program-makes changes
S4096 [Sweeney, Stephen M./Testa, Michael L.+1], Coastal area development, cert-revise permitting thresholds req CAFRA permit
S4114 [Codey, Richard J.+1], Tobacco product retailers-req stock & sell nicotine replacement therapy products
S4119 [Oroho, Steven V./Pou, Nellie], Professional & occupational licenses, certain-revises penalties for transfer
S4133 [Gopal, Vin/Oroho, Steven V.+3], Electric or water heating systems-prohibit State from mandating
S4139 [Vitale, Joseph F./Madden, Fred H.], Health care professionals, certain-extends temporary emergency licensure
S4140 [Vitale, Joseph F.], Basic life support services crewmember-temporarily waives certain requirements
S4148 [Codey, Richard J./Corrado, Kristin M.], St Capital & park devel proj-dedicate CBT rev for recreation/conservation;\$54.5M
S4149 [Cruz-Perez, Nilsa I./Greenstein, Linda R.], Farmland preservation-approp. CBT revenues for grants to certain nonprofit orgs
S4150 [Cruz-Perez, Nilsa I./Greenstein, Linda R.], Farmland preservation-approp CBT revenue for mun planning incentive grants;\$4.5M
S4151 [Greenstein, Linda R./Cruz-Perez, Nilsa I.], Farmland preservation-approp. CBT rev to St Agriculture Devel Committee;\$60.940M
S4152 [Smith, Bob/Greenstein, Linda R.], Land, recreation/conservation-approp CBT rev, grants to cert nonprofit entities
S4153 [Greenstein, Linda R./Smith, Bob], Open space acquisition and park development projects;\$80.359M
S4154 [Turner, Shirley K./Oroho, Steven V.], Farmland preservation-approp. CBT rev. for county planning incentive grants;\$18M
S4155 [Bateman, Christopher/Smith, Bob], Land, recreation & conserv. including Blue/Green Acres-approp. CBT rev.;\$49.932M
S4161 [Beach, James], Governor-remove requirement for promulgation of national census
S4189 [Vitale, Joseph F./Cruz-Perez, Nilsa I.], PERS member holding elected office-permits retire
S4201 [Greenstein, Linda R./Gopal, Vin+1], Cancer screenings, firefighters-mandate access through health care benefits plan
S4202 [Ruiz, M. Teresa/Beach, James], Law enforce. officer, cert-proh circumventing intergovernmental transfer process
S4203 [Ruiz, M. Teresa/Oroho, Steven V.+1], School employees, public-eliminates requirement for State residency
S4206 [Ruiz, M. Teresa], Education funding, federal-req DOE annually report use of fed COVID-19 relief fd
S4207 [Sweeney, Stephen M./Beach, James], Public works contractors-concerns apprenticeship programs
S4219 [Cryan, Joseph P./Pou, Nellie+1], Information Privacy, Office-creates; concerns disclosure of public official info
S4221 [Beach, James/Greenstein, Linda R.+2], Libraries, public-approp. from Construction Fund to provide grants for;\$37.174M
S4222 [Sweeney, Stephen M.+1], Schools for students w disabilities, private-elim. req to set cert tuition rates
S4231 [Oroho, Steven V./Smith, Bob], Deer fencing on certain farmland-creates program in Department of Agriculture
S4233 [Scutari, Nicholas P./Gopal, Vin], Patient medical & billing records-limits fees charged for copies of
S4235 [Singer, Robert W./Gopal, Vin], Paramedics, volunteer-permit to operate within mobile intensive care units
S4236 [Vitale, Joseph F./Ruiz, M. Teresa], Food Insecurity Advocate, Office-revises and renames
S4245 [Ruiz, M. Teresa], Special education due process petitions-extends filing time period, COVID-19

***SENATE SESSION (continued)**

S4246 [Gopal, Vin], Motor vehicle dealers, certain-concerns certain licensure requirements
S4250 [Cryan, Joseph P.], PERS membership eligibility-changes for certain elected public officials
S4252 [Madden, Fred H.], Mandatory retirement from SPRS-limits extension to 90 days during emergencies
S4254 [Singleton, Troy/Cruz-Perez, Nilsa I.+4], Taxpayers accelerate depreciation of cert expenditures-allows, fewer than 50 emp
S4263 [Singleton, Troy], HMFA loans-concerns distribution standards, housing projects during st of emerg
S4270 [Pou, Nellie], Insurance holding companies-amends certain requirements concerning
S4272 [Cunningham, Sandra B.], Funeral, burial, crematory services-suppl. approp, increase reimb Work First;\$8M
S4277 [Ruiz, M. Teresa/Singleton, Troy], Foreclosure Counseling Fund-establishes
S4295 [Sweeney, Stephen M.], Hotels & disruption of hotel services-concerns changes in control of
S4301 [Sweeney, Stephen M./Beach, James], Duct cleaning-includes as maintenance work subject to the prevailing wage
S4308 [Sweeney, Stephen M./Singleton, Troy+1], Helmets to Hardhats program-establishes in DMVA;\$400K
S4309 [Sarlo, Paul A.], Securing Our Children's Future Fund-awards school security project grants
S4311 [Sweeney, Stephen M./Singleton, Troy], Hotel occupancy, cert cities-impose temp surcharge to fund public safety service
S4312 [Ruiz, M. Teresa/Beach, James], NJ Social Innovation Act-establishes social innovation loan pilot program
S4313 [Sweeney, Stephen M.], COVID-19 public health emerg-permit certain admin orders be extended for 45 days
S4314 [Sweeney, Stephen M.], PERS retiree-permit return to Legislature employment after retirement
S4315 [Sweeney, Stephen M.], Legislative Services Commission;\$2M
SCR164 [Greenstein, Linda R.], Capitol Complex Security Screening Building & Secure Courtyard Project-approves
SCR165 [Vitale, Joseph F.], COVID-19 Public Health Emerg. 90-day extension-expresses approval of Legislature
SR84 [Pou, Nellie], CARE for Kids Act of 2019-urges President & Congress to enact
SR142 [Sweeney, Stephen M.], November 1984 anti-Sikh violence in India-condemns as genocide

***ASSEMBLY SESSION 12:00 PM Assembly Chambers**

Voting Session:

A798 [Verrelli, Anthony S./Vainieri Huttle, Valerie+12], Drug overdose fatality review team-establish in each county in the State
A802 [Verrelli, Anthony S./Reynolds-Jackson, Verlina+5], Gift card fraud-requires certain retailers to train employees
A1077 [Speight, Shanique/Vainieri Huttle, Valerie+12], Postpartum depression screening-DOH develop and implement plan, improve access
A1158 [Freiman, Roy/Lopez, Yvonne+1], Disability benefits provided by transportation network companies-authorize use
A1293 [Greenwald, Louis D./Burzichelli, John J.+9], Brewery, distillery industries-estab advisory council; funding thru alco bev tax
A1489 [Moriarty, Paul D./Mosquera, Gabriela M.+3], Invasive examination of unconscious patient by health care practitioner-prohibit
A1659 [Quijano, Annette/Bramnick, Jon M.], Insurance Fair Conduct Act-unreasonable prices for business insurance
A1763 [Munoz, Nancy F./Vainieri Huttle, Valerie+8], Prosecutors, municipal-establishes mandatory domestic violence training
A2070 [Calabrese, Clinton/Mukherji, Raj+10], Neonicotinoid pesticides-directs DEP to classify as restricted use pesticide
A2271 [Armato, John/Murphy, Carol A.+7], Suicide prevention-require additional sch dist personnel, complete training prog
A2316 [Jimenez, Angelica M./Giblin, Thomas P.+8], Physical therapy-permits dry needling under certain circumstances
A2360 [Chaparro, Annette/Karabinchak, Robert J.+5], Vehicle, electric-concerns electric public utility service rates for charging
A2396 [Wimberly, Benjie E./Timberlake, Britnee N.+1], Juvenile legal representation-expands Office of Public Defender
A2772 [Downey, Joann/Houghtaling, Eric+1], Medicaid benefits-concerns recipients remote participation in meetings
A2877 [Dancer, Ronald S./Vainieri Huttle, Valerie+10], Property, vacant and abandoned-requires registration with municipalities
A3369 [Johnson, Gordon M./Stanley, Sterley S.+23], Asian Heritage-establish Commission in DOE
A3392 [Reynolds-Jackson, Verlina/Timberlake, Britnee N.+9], Student representative-be appointed to board of education of school district
A4232 [Houghtaling, Eric/Dancer, Ronald S.], Deer fencing on certain farmland-creates program in Department of Agriculture
A4238 [Chiaravalloti, Nicholas/Schaer, Gary S.+6], Adult medical day care services-establish minimum Medicaid reimbursement rate
A4336 [Houghtaling, Eric/Space, Parker+3], Dairy farmers-Department of Agric. pay Dairy Margin Coverage Prog annual premium
A4478 [Vainieri Huttle, Valerie/Speight, Shanique+18], Nursing homes-estab addl. req. for DOH to assess sanctions & impose penalties

***ASSEMBLY SESSION (continued)**

A4569 [Reynolds-Jackson, Verlina/Benson, Daniel R.+4], Electric generation/gas supply svc.-receive signature prior to provision switch
A4580 [Zwicker, Andrew/Thomson, Edward H.+4], Home baked goods-establish requirements for sale
A4655 [Reynolds-Jackson, Verlina/Wimberly, Benjie E.+7], Police presence at polling places & ballot drop boxes-limits
A4676 [Quijano, Annette/Jasey, Mila M.+1], Packaging products-estab recycled content requirements; proh sale of polystyrene
A4698 [Vainieri Huttle, Valerie/Jasey, Mila M.+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
A4847 [Vainieri Huttle, Valerie/Quijano, Annette+4], Harm reduction programs-permits establishment of additional
A4856 [Lampitt, Pamela R./Benson, Daniel R.+16], School websites & web services-req. to be accessible to persons w/disabilities
A4987 [Houghtaling, Eric/Vainieri Huttle, Valerie+2], Legislative Youth Council-creates
A5033 [Benson, Daniel R./Dancer, Ronald S.+14], Motor vehicle dealers-authorize to sell online & obtain electronic signatures
A5074 [DeAngelo, Wayne P./Dancer, Ronald S.+3], SPRS members-purchase service credit for prior federal government service
A5160 [DeAngelo, Wayne P./Conaway, Herb+25], Energy & water efficiency-establish minimum standards for certain products
A5292 [Quijano, Annette/Lampitt, Pamela R.], Teacher workforce-require compilation of data & issuance of annual reports
A5294 [Speight, Shanique/Vainieri Huttle, Valerie+9], Persons w/significant disab-prov fast track hiring & emp opportunities by State
A5409 [Houghtaling, Eric], Community garden grant program-direct DEP estab. for local govt to support devel
A5442 [DeAngelo, Wayne P./Dancer, Ronald S.+2], Accidental disability benefit-clarify SPRS member may receive, cert circumstance
A5458 [Vainieri Huttle, Valerie/Mukherji, Raj+1], Hypodermic syringe offense-permit expungement of possession if previous expunged
A5463 [Jasey, Mila M./Giblin, Thomas P.+2], A. Philip Randolph-direct NJT erect statue in honor of;\$90K
A5509 [Zwicker, Andrew/Reynolds-Jackson, Verlina+7], Civil actions-damage calculations not to be reduced based on race/ethnicity/gender
A5554 [Houghtaling, Eric/Downey, Joann], Alcoholic beverage-allow mun. designate outdoor areas people may consume
A5576 [Jasey, Mila M./Lampitt, Pamela R.+1], School teacher retired from TPAF-permits return to emp during COVID-19 emerg
A5603 [Calabrese, Clinton/Johnson, Gordon M.+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
A5673 [Vainieri Huttle, Valerie/Downey, Joann+2], Disease, purposely transmit in sexual penetration act-disorderly persons offense
A5804 [Quijano, Annette/Mukherji, Raj], Transient accommodation taxes & fees-modifies certain definitions related to
A5814 [Swain, Lisa/Tully, P. Christopher+6], School Bus Safety Ombudsman-creates position in Department of Education
A5862 [Benson, Daniel R./Quijano, Annette+15], Responsible Collective Negotiations Act-concerns public employment relations
A5867 [Chiaravalloti, Nicholas/Jasey, Mila M.], Higher ed. instit.--expand bonding auth., permit finan for general funding needs
A5930 [Sumter, Shavonda E./Karabinchak, Robert J.], State contracting process-increases from \$25K to \$250K purchasing threshold
A5963 [Benson, Daniel R./Vainieri Huttle, Valerie+2], Congenital cytomegalovirus-requires newborn infants to be screened
A6005 [Jasey, Mila M./Greenwald, Louis D.], College and university contracts, State-concerns the awarding of
A6009 [Moen, William F./Johnson, Gordon M.+3], Civil svc. law enforce exam req.-permit exemption for county correctional police
A6062 [Greenwald, Louis D./McKnight, Angela V.+2], Loan prog., assist businesses to prov accommodations for disab emp-req EDA estab
A6070 [Johnson, Gordon M./Spearman, William W.], Film & digital media content production tax credit program-makes changes
A6073 [Verrelli, Anthony S.], Basic life support services crewmember-temporarily waives certain requirements
A6093 [Stanley, Sterley S./Benson, Daniel R.+7], Cancer screenings, firefighters-mandate access through health care benefits plan
A6110 [Benson, Daniel R./Mukherji, Raj+3], Elective pass-through business alternative income tax-revises calculation
A6112 [Lopez, Yvonne], PERS member holding elected office-permits retire
A6113 [Stanley, Sterley S.], Governor-remove requirement for promulgation of national census
A6119 [Mukherji, Raj/Egan, Joseph V.], Public works contractors-concerns apprenticeship programs
A6132 [Schaer, Gary S./Greenwald, Louis D.+3], Paramedics, volunteer-permit to operate within mobile intensive care units
A6133 [Bramnick, Jon M./Mukherji, Raj], Wrongful death-allows cert. persons not yet estate administrator, pursue lawsuit
A6148 [Karabinchak, Robert J./Mukherji, Raj+8], Libraries, public-approp. from Construction Fund to provide grants for;\$37.174M
A6150 [DeAngelo, Wayne P./Karabinchak, Robert J.+1], Professional & occupational licenses, certain-revises penalties for transfer
A6155 [Conaway, Herb/Stanley, Sterley S.+1], Health care professionals, certain-extends temporary emergency licensure

***ASSEMBLY SESSION (continued)**

A6162 [Benson, Daniel R./Stanley, Sterley S.], Motor vehicle dealers, certain-concerns certain licensure requirements
A6172 [Downey, Joann], Community rehab programs-DOLWD and DHS required to conduct assessment
A6182 [Murphy, Carol A./Chaparro, Annette+1], Mandatory retirement from SPRS-limits extension to 90 days during emergencies
A6204 [Wimberly, Benjie E.], HMFA loans-concerns distribution standards, housing projects during st of emerg
A6219 [Burzichelli, John J.+7], Breweries, limited & craft distilleries-auth sell at retail; offer for sampling
A6220 [Giblin, Thomas P./Egan, Joseph V.], Maritime Pilot & Docking Pilot Comm.-concerns compensation & health benefits
A6228 [Benson, Daniel R./Speight, Shanique+2], County college-based adult ctr, transition individuals w/devel disab-estab;\$4.5M
A6229 [Mukherji, Raj/Jimenez, Angelica M.], Patient medical & billing records-limits fees charged for copies of
A6230 [Benson, Daniel R./Mejia, Pedro+1], Direct Support Professional Career Development Center-establishes;\$450K
A6231 [Houghtaling, Eric/Conaway, Herb], Fruit & vegetables grown & packaged in NJ, only-req, labeled as local to State
A6245 [Coughlin, Craig J.], Out-of-network arbitration process-revises
A6246 [Karabinchak, Robert J.], Hotels & disruption of hotel services-concerns changes in control of
A6248 [Lopez, Yvonne], Goods & services-State agencies required to make good faith effort to purchase
A6251 [Timberlake, Britnee N./Benson, Daniel R.+1], Foreclosure Counseling Fund-establishes
A6256 [Reynolds-Jackson, Verlina/Wimberly, Benjie E.+2], NAACP NJ State Conference;\$2M
A6257 [McKnight, Angela V.], Hotel occupancy, cert cities-impose temp surcharge to fund public safety service
A6258 [Freiman, Roy/McKnight, Angela V.+3], Securing Our Children's Future Fund-awards school security project grants
A6260 [Vainieri Huttle, Valerie/Jasey, Mila M.], Reproductive choice-codifies constitutional right to freedom of
A6261 [Coughlin, Craig J.], COVID-19 public health emerg-permit certain admin orders be extended for 45 days
A6262 [Burzichelli, John J./Reynolds-Jackson, Verlina], PERS retiree-permit return to Legislature employment after retirement
A6263 [Burzichelli, John J./Reynolds-Jackson, Verlina], Legislative Services Commission;\$2M
A6264 [Egan, Joseph V.], PERS membership eligibility-changes for certain elected public officials
ACR223 [Coughlin, Craig J.], COVID-19 Public Health Emerg. 45-day extension-expresses approval of Legislature
S73 [Bateman, Christopher/Sarlo, Paul A.+6], Home baked goods-establish requirements for sale
S386 [Weinberg, Loreta/Singleton, Troy+5], Prosecutors, municipal-establishes mandatory domestic violence training
S413 [Turner, Shirley K./Ruiz, M. Teresa+3], Contraceptives-expand req. for health insurers/Medicaid prog. cover prescription
S705 [Ruiz, M. Teresa/Cunningham, Sandra B.+4], Postpartum depression screening-DOH develop and implement plan, improve access
S867 [Pou, Nellie+2], Physical therapy-permits dry needling under certain circumstances
S896 [Pou, Nellie/Turner, Shirley K.+1], Juvenile representation-expands Office of Public Defender
S969 [Ruiz, M. Teresa/Turner, Shirley K.+8], Teacher loan redemption prog.-redeem amounts to assist in low performing schools
S991 [Weinberg, Loreta+1], Hazardous materials-owner/operator req. to have discharge response cleanup plan
S994 [Sweeney, Stephen M./Singleton, Troy+2], Goods & services-State agencies required to make good faith effort to purchase
S995 [Sweeney, Stephen M./Bucco, Anthony M.+1], Community rehab programs-DOLWD and DHS required to conduct assessment
S1016 [Smith, Bob/Bateman, Christopher+1], Neonicotinoid pesticides-directs DEP to classify as restricted use pesticide
S1559 [Scutari, Nicholas P./Diegnan, Patrick J.+1], Insurance Fair Conduct Act-unreasonable prices for business insurance
S1934 [Sweeney, Stephen M./Pou, Nellie+4], Disability benefits provided by transportation network companies-authorize use
S2160 [Sweeney, Stephen M./Oroho, Steven V.+11], Special education unit-create within Office of Admin. Law; require annual report
S2515 [Smith, Bob/Greenstein, Linda R.+1], Packaging products-estab recycled content requirements; proh sale of polystyrene
S2835 [Ruiz, M. Teresa/Cunningham, Sandra B.+1], Teacher workforce-require compilation of data & issuance of annual reports
S2921 [Gopal, Vin/Greenstein, Linda R.+2], Alcoholic beverage-allow mun. designate outdoor areas people may consume
S3164 [Gopal, Vin/Singleton, Troy+3], Legislative Youth Council-creates
S3265 [Diegnan, Patrick J./Greenstein, Linda R.], SPRS service credit-permit members to purchase for prior public employment
S3342 [Codey, Richard J./Singleton, Troy+4], A. Philip Randolph-direct NJT erect statue in honor of;\$90K

***ASSEMBLY SESSION (continued)**

S3458 [Lagana, Joseph A./Gopal, Vin+1], Out-of-network arbitration process-revises
S3465 [Oroho, Steven V./Sweeney, Stephen M.+1], Dairy farmers-Department of Agric.
pay Dairy Margin Coverage Prog annual premium
S3488 [Sweeney, Stephen M./Gopal, Vin+5], School dist. regionalization-modify
procedures, estab grant prog for cost reimb
S3493 [Vitale, Joseph F./Gill, Nia H.+1], Hypodermic syringe offense-permit
expungement of possession if previous expunged
S3529 [Addiego, Dawn Marie/Diegnan, Patrick J.+2], Accidental disability benefit-clarify
SPRS member may receive, cert circumstance
S3539 [Kean, Thomas H./Gopal, Vin+4], Community garden grant program-direct DEP
estab. for local govt to support devel
S3672 [Singleton, Troy/Turner, Shirley K.+1], Civil svc. law enforce exam req.-permit
exemption for county correctional police
S3673 [Gopal, Vin/Greenstein, Linda R.], Breweries, limited & craft distilleries-auth sell
at retail; offer for sampling
S3685 [Ruiz, M. Teresa/Codey, Richard J.+4], School teacher retired from TPAF-
permits return to emp during COVID-19 emerg
S3715 [Cryan, Joseph P.], Transient accommodation taxes & fees-modifies certain
definitions related to
S3975 [Greenstein, Linda R./Oroho, Steven V.+1], Congenital cytomegalovirus-
requires newborn infants to be screened
S4043 [Cunningham, Sandra B.+1], College and university contracts, State-concerns
the awarding of
S4063 [Sweeney, Stephen M.], Maritime Pilot & Docking Pilot Comm.-concerns
compensation & health benefits
S4094 [Weinberg, Loretta/Sarlo, Paul A.+3], Film & digital media content production tax
credit program-makes changes
S4102 [Sweeney, Stephen M./Ruiz, M. Teresa+3], Direct support prof.-develop training
prog; county college administer prog;\$450K
S4128 [Sweeney, Stephen M./Pou, Nellie+1], Fruit & vegetables grown & packaged in
NJ, only-req, labeled as local to State
S4210 [Sweeney, Stephen M./Greenstein, Linda R.+2], Loan prog., assist businesses
to prov accommodations for disab emp-req EDA estab
S4211 [Sweeney, Stephen M./Corrado, Kristin M.+6], County college-based adult ctr,
transition individuals w/devel disab-estab;\$4.5M
S4218 [Scutari, Nicholas P.], NAACP NJ State Conference;\$2M

Legislative Services Commission Meeting

9:00 AM Virtual Meeting

TUESDAY, JANUARY 11, 2022

SENATE SESSION 12:00 PM Senate Chambers

Reorganization
State of the State Address: 5:00 PM (Remote)

ASSEMBLY SESSION

Reorganization State of the State Address - Time TBD (Assembly Chamber)

TUESDAY, JANUARY 18, 2022

****SENATE QUORUM 12:00 PM Senate Chambers**

THURSDAY, JANUARY 27, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Committees at the Call of the Senate President

MONDAY, JANUARY 31, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced

THURSDAY, FEBRUARY 3, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

THURSDAY, FEBRUARY 10, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

TUESDAY, FEBRUARY 22, 2022

SENATE QUORUM 12:00 PM Senate Chambers

Governor's Budget Message (Time and location TBD)

MONDAY, FEBRUARY 28, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

THURSDAY, MARCH 3, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced

MONDAY, MARCH 7, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (1) Committees scheduled to meet
1:00 PM: Group (2) Committees scheduled to meet

THURSDAY, MARCH 10, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Group (3) Committees scheduled to meet
1:00 PM: Group (4) Committees scheduled to meet

MONDAY, MARCH 14, 2022

SENATE QUORUM 12:00 PM Senate Chambers

10:00 AM: Committees at the Call of the Senate President

MONDAY, MARCH 21, 2022

SENATE SESSION 2:00 PM Senate Chambers

Voting Session: Board list to be announced