



Governor Chris Christie is set to give his State of the State address to the joint legislature on **January 8th.**

Photo by: Bob Jagendorf



Legislative action in 2012 sets stage for New Jersey politics in new year

In the final few months of 2012, the legislature passed a series of measures that

will set the stage for the Gubernatorial election next November.

In early December, the Assembly approved a Senate changes to the Assembly bill (A-2162, Oliver, 34th) that would increase minimum wage from its current \$7.25 per hour to a proposed \$8.50 per hour with a provision that would also tie the minimum wage to a consumer price index. This would give the minimum wage automatic adjustments in the future. While this bill currently sits on the Governor's desk, the legislature also passed a resolution (ACR-168, Oliver, 34th) that will set in motion a public vote in November to amend the State Constitution,

adding language to tie the minimum wage to a consumer price index to reach a similar effect.

On December 10th, the Assembly introduced a host of bills that Democrats assert will help the State economy, which currently possesses the fourth highest unemployment rate in the nation with the effects of Hurricane Sandy complicating matters. Among these bills is a third attempt at the Back to Work NJ program that would provide on the job training to individuals who are currently unemployed. Last year, Governor Christie vetoed similar bills citing cost concerns.

Around the same time, Governor Christie made his second attempt at nominating two Justices to fill the vacancies on the Supreme Court. His first nominee, David Bauman currently presides over the civil division of the

Monmouth County Superior Court and is a Japanese born American. The second, Robert Hanna is the current president of the Board of Public Utilities.

The legislature has resisted confirming other Christie nominations, citing his extreme politicization of the Judiciary that began with the refusal to reappoint Justice Wallace to the Supreme Court, last year.

These three topics, along with budgetary and economic concerns are sure to dominate the agenda in Trenton in the upcoming year.

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GluckWalrath wishes you a joyful and healthy

2013

This year, GluckWalrath will celebrate its 10th anniversary and plan to announce more on the festivities soon. Through the years, the firm built up meaningful relationships with hundreds of organizations and individuals that make New Jersey such a robust and distinguished state. Without your assistance, we would not be in the position we are today. Looking forward to 2013, we are excited to grow with you.

To begin the new year, we are excited to share a new visual identity for the firm and welcome your feedback. We invite you to take a look at glucklaw.com. Let us know what you think.

Pending Legislation that interests your organization:

**A-698 (Huttle, 37th)/
S-1176 (Weinberg, 37th)**

Establishes NJ Colorectal Cancer Research Fund

A-989 (Angelini, 11th)/

Requires health insurers to treat oral anticancer medications similarly to intravenous anticancer medications.

**A-2772 (Conaway, 7th)/
S-1887 (Vitale, 19th)**

Increases tobacco products tax rates to ensure tax parity with cigarettes.

**A-343 (Gusciora, 15th)/
S-1785 (Turner, 15th)**

Eliminates Smoking ban exemption for casinos and simulcasting facilities.

**A-1076 (Quijano, 20th)/
S-734 (Sarlo, 36th)**

Increases tax on little cigars

A-1182 (Stender, 22nd)

Prohibits sale on school property of certain foods during breakfast and lunch

**A-2142 (Caputo, 28th)/
S-1172 (Weinberg, 37th)**

Prohibits minors under 16 years of age from using tanning beds.

A-2644 (Greenwald, 6th)
Reduces cigarette tax by 30¢

**A-2906 (Ramos, 33rd)/
S-2041 (Weinberg, 37th)**

Increases penalties for violation of cigarette tax laws.

S-1163 (Weinberg, 37th)

Requires health insurers to provide coverage for screening cervical cancer including HPV testing.

S-970 (Weinberg, 37th)

Concerns worker's compensation for firefighters with cancer.

S-2214 (Turner, 15th)
Prohibits sale of flavored cigarettes

S-2149 (Vitale, 19th)

Treats retailers who sell "roll your own" as manufacturers

**A-987 (DeAngelo, 14th)/
S-144 (Buono, 18th)**

Prohibits smoking at public parks and beaches

In Brief

Christie Vetoes Healthcare exchanges

For the second time, Governor Christie vetoed a bill that would have given the State significant control over the specifics of implementing the Patient Protection and Affordable Care Act (PPACA). Under the PPACA, states had until December to make a determination about whether they would run their own health exchanges (which would act as a stock market of sorts for health insurance).

Initially, Governor Christie vetoed a similar bill this summer, pointing out that he would wait until the U.S. Supreme Court ruled on the matter. After the Supreme Court upheld the central tenets of the PPACA, the legislature presented Governor Christie with a second bill setting up a New Jersey health exchange. Such an exchange would present health insurers within the state to abide by insurance standards according to State law. This time, Governor Christie vetoed the bill explaining that the indefinite answers provided to him by the Federal government on costs gave him concern. As a result of this veto, New Jersey will join at least 25 states that have opted for the Federal government to run and regulate these exchanges.

The Governor has yet to make a decision regarding the PPACA Medicaid expansion.

U.S. House adjourns without voting on Sandy Relief bill

On January 1st, after the House voted to avert the fiscal cliff, House Speaker John Boehner adjourned the session of the 112th Congress without voting on a bill to provide \$60 billion in Hurricane Sandy relief that was passed by the U.S. Senate days earlier. As a result of the adjournment, the current bill will die and new legislation will need to be introduced in the 113th Congress if such funding is to be provided to New Jersey.

On January 2, Governor Christie blasted the U.S. House for failing to take a vote and ignoring the needs of New Jersey Residents.

New Jersey Budget Crisis Task Force releases report

On December 13th, the Ravitch and Volkner Task Force released findings on the threats to long and short term fiscal sustainability in six states including New Jersey.

The findings revealed that education and Medicaid make up an ever expanding percentage of the overall budget (54%) that may crowd out other initiatives. Together with the unpaid pension benefits, the task force found the need for additional revenues in the State to be a top concern. They also warned that cuts to Federal funding to the State may further endanger the State's deficit.

It is clear that new forms of revenue will need to become a priority of the legislature and Administration if New Jersey wishes to solve its budget problems.

November jobs report finds NJ job losses at 8,100

Based on a report from the Labor Department, the State lost 8,100 jobs in November but the State unemployment rate ticked down to 9.6%. The national average is 7.9%.

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Pending Legislation that interests your organization:

A-719 (Ramos, 33rd)/S-2039 (Greenstein, 14th)

Requires nursing care facilities to ensure connection of emergency cords in residential units.

A-3132 (Huttle, 37th)

Establishes bill of rights for continuing care retirement community residents.

A-2261 (Greenwald, 6th)/S-1563 (Weinberg, 37th)

Supplemental appropriation of \$38 million in State and Federal funding to DHSS to fund nursing homes.

A-2790 (McKeon, 27th)
Expands scope of claims subject to Health Claims Authorization, Processing and Payment Act.

A-3068 (Ramos, 33rd)/S-669 (Stack, 33rd)
Requires nursing homes to permit use of electronic monitoring devices at request of resident.

A-3512 (Munoz, 21st)
Consumer Access to Healthcare Act, eliminates requirement of joint protocol with physician for APNs to prescribe medication.

S-852 (Vitale, 19th)
Provides immunity from civil liability for using automated external defibrillator.

S-1033 (Greenstein, 14th)
Requires DHSS to review standard of care at health care facilities in which 40% or more of direct patient care nursing staff are temporary hires.

A-651 (Rumpf, 9th)/A-2457 (Conaway, 7th)/S-197 (Connors, 9th)/S-1463 (Vitale, 19th)
Increases personal needs allowance to \$55 for low

income persons residing in certain facilities.

A-2179 (Conaway, 7th)
Requires assisted living facilities to set aside 10% of beds to Medicaid persons.

A-1589 (Benson, 14th)
Provides for nursing home reimbursement adjustment for cost of energy improvements.

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Pending Legislation that interests your organization:

A-352 (Gusciora, 15th)

Motor Vehicle Owners' Right to Repair Act

A-566 (Wagner, 38th)/S-341 (Greenstein, 14th)

provides corporation business tax credits for installation of certain electric vehicle charging stations.

A-1583 (Benson, 14th)/S-340 (Greenstein, 14th)

Provides corporation business tax credits and gross income tax credits for purchase

of certain electric or plug-in hybrid electric vehicles

A-1198 (Stender, 22nd)

Exempts from sales tax all hybrid and certain highly fuel efficient vehicles

A-1988 (McKeon, 27th)

Establishes the Renewable Energy Infrastructure and Advance Technology Vehicle Task Force

A-2097 (Lampitt, 6th)

Requires State to purchase energy efficient and hybrid vehicles.

A-2215 (Gusciora, 15th)

Provides for sales tax exemption for advanced tech partial zero emission vehicles; imposes surcharge/deletes surcharge on certain vehicles

A-2416 (Eustace, 38th)

Encourages development of electric vehicle charging stations in transportation projects.

A-3028 (Greenwald, 6th)/

S-2198 (B. Smith, 17th)

Establishes Clean Car Commission

A-3417 (Benson, 14th)/S-595

(Beck, 11th)

Exempts from sales tax for two years certain highly fuel efficient vehicles

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