

Legislative Update

January 2010

Dear Dennis,

Porzio Governmental Affairs has compiled the following information to keep you apprised of recent New Jersey legislative developments.

New Jersey Welcomes Its 55th Governor and First Lieutenant Governor

Chief Justice Stuart Rabner swore Governor Chris Christie and Lieutenant Governor Kim Guadagno into office on January 19 at the Trenton War Memorial. In his inaugural address, Governor Christie presented himself as an emblem of much-needed change. Additionally, he stressed the need to lower taxes and spending, restore trust in government, save failing school districts, and provide parents and children with school choice. In the speech's most surprising moment, he extended an olive branch to Senate President Steve Sweeney and Assembly Speaker Sheila Oliver by inviting them on stage, for a symbolic handshake.

Governor Christie wasted no time getting to work. He started off his first day as Governor by signing eight far-reaching executive orders. Executive Order 1 freezes all proposed regulations, with the exception of those necessary to protect public safety, security, and health, for a period of 90 days. During this time period, the "Red Tape Review Group," created by Executive Order 3 and headed by Lieutenant Governor Guadagno, will be given the opportunity to review these proposals and determine their impact on the current economic and fiscal situation.

Of note among the other directives is Executive Order 4, which states, "No State agency will recommend, propose, publish or submit any regulation containing an unfunded mandate." However, the order that earned the most discussion was Executive Order 7, which expanded current "pay-to-play" restrictions on political contributions to include Labor Unions or Labor Organizations and brought Legislative Leadership Committees into the list of recipients of political contributions that must conform with "pay-to-play" restrictions. Early the next day, in a much anticipated decision, U.S. Supreme Court ruled 5-4 to ease restrictions on spending by corporations and unions in federal political campaigns.

Cabinet Update

Governor Christie's first post-inaugural appointment was Superior Court Judge Lee Solomon as President of the Board of Public Utilities. Judge Solomon, like many of the Governor's previous selections to key posts, worked with him in the U.S. Attorney's Office. To date, the Governor has named the following individuals to cabinet-level positions: Paula Dow, Attorney General; Tom Considine, Commissioner of Banking and Insurance; Gary Lanigan, Commissioner of the Department of Corrections; Bret Schundler, Commissioner of the Department of Education; Bob Martin, Commissioner of the Department of Environmental Protection; Jennifer Velez, Commissioner of Human Services; Glenn Rieth, Adjutant General; Kim Guadagno, Secretary of State; James Simpson, Commissioner of Transportation; Andrew Eristoff, State Treasurer; Lori Grifa, Commissioner of Community Affairs; and Hal Wirths, Commissioner of Labor.

PGA Lame Duck Victories

The "lame duck" legislative session was frantic as expected but produced some major victories for PGA clients. The New Jersey Council of County Colleges and the New Jersey County College Consortium for Workforce and Economic Development were pleased to see A4325/S3113 signed into law by Acting Governor Sweeney on January 14. The legislation, known as the "New Jersey Basic Skills Training Program for Economic Growth Act," was introduced in early December but moved rapidly through both houses of the legislature. The law dedicates 13 percent of a fund statutorily allocated for workforce training to the County College Consortium. This legislation received quick, bi-partisan support because it dedicates the funds to an entity and program with a proven track record of delivering training to New Jerseyans who need it. This particular effort, undertaken by the Consortium, in partnership with the New Jersey Business and Industry Association, provides basic skills training to more than 11,000 employees at over 1,000 businesses in the state. We send our thanks to the bill's sponsors, Assemblywoman Pam Lampitt (D-Camden) and Senator Sandra Cunningham (D-Hudson), and their legislative staff members, Cort Adelman and Christian Martin, respectively.

On behalf of the American Civil Liberties Union of New Jersey and Families Against Mandatory Minimums, we worked through two-plus legislative sessions to achieve passage of legislation that reforms the sentencing of individuals found guilty of drug crimes in school zones. S1866/A2762, sponsored by Senator Lesniak (D-Union) and Assemblywoman Watson Coleman (D-Mercer), restores judicial discretion in sentencing for drug-free school zone violations. The mandatory minimum sentence would still apply in cases where the crime takes place on actual school property or when violence or a firearm is involved. This measure was signed into law on January 12.

On January 18, Governor Corzine signed A3433/S2215, legislation that changes the Board of Fire Commissioners' petition filing deadline from 28-29 days before the fire district election. This measure was important to our client, the New Jersey Association of Fire Districts, because the 28-day deadline often fell on a Saturday, resulting in unnecessary cost and inconvenience. Assemblyman Scalera (D-Passaic) and Senator VanDrew (D-Cape May) sponsored A3433/S2215.

In addition to working toward the passage of legislation, we were also successful in preventing passage of numerous bills opposed by our clients. Of note, we saw legislation that would have limited consumer access to physical therapy services defeated on the Senate floor. This legislation, S2072/A2123, garnered only 9 yes votes to 24 no votes on the final day of the lame duck session. We represented the American Physical Therapy Association of New Jersey on this issue.

214th Legislature Begins

Senator Steven Sweeney (D-Gloucester) was officially elected President of the Senate on January 12. He plans to prioritize fiscal responsibility and economic growth under his leadership over the next two years. Senator Barbara Buono (D-Middlesex) became the new Senate Majority Leader, while Senator Thomas Kean (R-Union) was reelected to serve as the Senate Minority Leader.

Assembly Speaker Sheila Oliver (D-Essex) was sworn into office on January 12 by Chief Justice Stuart Rabner. Speaker Oliver said the lower house will focus on reviving the state's economy and lowering property taxes. She intends to take her office "on the road" by holding public meetings in all 40 legislative districts during her tenure.

Speaker Oliver is the second woman to serve as New Jersey Speaker. The first woman was Speaker Marion West Higgins back in 1965. She is also the second African-American elected as Speaker, following the Rev. S. Howard Woodson in 1974 and 1975.

Leadership in the Assembly also includes Assemblyman Joseph Cryan (D-Union), who is the new Assembly Majority Leader. The Assembly Republicans re-elected Alex DeCroce (D-Morris) as their Minority Leader.

Prominent Republican Lobbyist Barbara DeMarco Joins PGA

Barbara DeMarco has been named Vice President of Porzio Governmental Affairs. She will continue to represent the needs of her current clients, which include horseracing, childcare, and special needs interest groups. Porzio Governmental Affairs' current client base will also benefit from her lobbying expertise. Prior to joining PGA, Barbara worked as an independent governmental affairs consultant and lobbyist. She also served as Vice President of Marketing and Communication for Nancy H. Becker Associates and Director of Legislative and Advocacy Services for The ARC of New Jersey.

In addition, she served as an aide to Governor Thomas H. Kean and as a legislative analyst with the New Jersey Department of Environmental Protection. Ms. DeMarco has extensive campaign experience on the national, state, county, and local levels. Her strong advocacy on behalf of New Jersey's agricultural community, coupled with her knowledge of gaming and the impact of regional competition on New Jersey's casino and horseracing industry, have made her a prominent speaker and author in this area. We are glad to welcome her to our bi-partisan lobbying team.

Spotlight on New Client: Pinnacle Medical Solutions

Porzio Governmental Affairs started 2010 with a new client. Pinnacle Medical Solutions, located in Southaven, Mississippi, is a regional health care services company. It specializes in providing equipment and supplies that assist diabetic patients in managing their disease. Their customers are currently located in Mississippi, North Carolina, Alabama, Arkansas, Tennessee, Missouri, Louisiana, and northern Texas.

Pay-to-Play Database: We Save you Time and Energy - Grow your Business

New Jersey, along with its counties and municipalities, has a patchwork of ever-evolving laws and ordinances governing political contributions. The Porzio Pay-to-Play Database ("P2P") is a tool that allows you to stay competitive and confident that you are complying with the governing law. P2P will save you time and energy and allows you to focus on what really counts: growing your business. Visit the P2P website at www.porziopaytoplay.com, and schedule your free web demonstration by calling Lauren J. Ira at 609-396-6100; ext 16.

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