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**Council of NJ State College Locals
AFT/AFL-CIO,
Rutgers University AAUP/AFT/AFL-CIO**

and

**New Jersey State Conference of the American Association of
University Professors (NJSCAAUP)**

**Legislative Session Report
for 2010-2011**

February 15, 2010

**Prepared by
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Bills in bold indicate a priority for at least one of the Higher Education Organizations.

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**COUNCIL OF NJ STATE COLLEGE LOCALS
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RUTGERS UNIVERSITY AAUP/AFT/AFL-CIO
AND
NEW JERSEY STATE CONFERENCE OF THE AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS (NJCAAUP)
LEGISLATIVE SESSION REPORT**

A136 McHose, Chiusano (R24)

These bills require hospital, medical and health service corporations, commercial individual, small employer and larger group insurers, health maintenance organizations and the State Health Benefits Program to provide coverage for medically necessary expenses incurred in screening for ovarian cancer for symptomatic women or women at risk of ovarian cancer, which coverage shall include, but is not limited to, an annual pelvic examination, an ultrasound and blood testing for cancer markers, such as CA 125 levels.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A259 Russo (R40)

This bill prohibits a public institution from permitting direct solicitation of students for credit card accounts. A-2533 only applies to students 17 years of age or younger.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A333 Grove, Rumpf (R9)

This bill eliminates the New Jersey inheritance tax.

Status: In the Assembly Appropriations Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

A380 Bucco/Carroll (R25)

Prohibits public and independent institutions of higher education from admitting any student who is not a United States citizen or who does not hold lawful immigration status.

Status: In the Assembly Higher Education Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Strongly Oppose

A392 Diegnan (D18)/Greenstein (D14)/Moriarty (D4)/Giblin (D34)

These bills add two employees of the respective colleges or universities to the board of trustees of the same institution at which they are employed.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support (Priority)

Rutgers AAUP & NJCAAUP Position: Support

A405 Diegnan (D18)/Egan (D17)

S1456 Turner (D15)

These bills expand the TAG programs to part-time undergraduates.

Status: A405 is in the Assembly Higher Education Committee. S1456 is in the Senate Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A531 Handlin (R13)

The purpose of this bill is to prohibit corporations of any kind and labor organizations from making campaign contributions to any candidate, candidate committee or joint candidates committee, political committee, continuing political committee, legislative leadership committee or political party committee, or the treasurer or deputy treasurer thereof. In addition, the bill bans expenditures by corporations and unions for the passage or defeat of a public question or for certain political communications.

Status: In the Assembly State Government Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

A550 Handlin (R13)

A1387 Carroll (R25)

These bills provide that a person holding employment with the State or with a county, with a municipality, or any governmental agency shall not be a candidate for any elective public or Party office, shall make no contribution thereto, or participate in any campaign therefore.

They also provide that labor unions that represent governmental employees would be prohibited from engaging in political activity and from soliciting or making political contributions.

Status: A550 is in the Assembly State Government Committee. A1387 is in the Assembly State Government Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

A557 Handlin (D13)

S739 Beck (R12)/Weinberg (D37)

These bills provide that after January 1, 2007, or after the expiration of a collective negotiation agreement or an individual employment contract in effect on the bill's effective date, no State, local government, or school district employee, excluding employees who are enrolled in the State Police Retirement System or the Police and Firemen's Retirement System, shall be entitled to receive a payment as supplemental compensation upon retirement for credited accumulated sick leave the equivalent of four weeks of the employee's final compensation, provided that the employee has at least 10 years of service credit in the retirement system. In no event will a payment of supplemental compensation for credited accumulated sick leave to an employee exceed \$10,000.

Current law limits to \$15,000 the maximum amount that may be paid to a State employee for accumulated sick leave when the employee retires; however, there are no comparable legal limits with regard to local government and school board employees. Recent reports have highlighted the significant costs that are imposed upon New Jersey property taxpayers by this practice, especially as a result of the lack of controls and regulations for local government and school board agreements. It has been estimated that this benefit for payments for accumulated sick leave and vacation time to local and school board employees may eventually cost New Jersey property taxpayers at least \$1 billion. The bills will restrict this type of payment to public employees in the future.

In addition, the bills require certain entities to adopt procedures that require the (1) imposition of a fine and issuance of a reprimand against any employee of the State, a local government or school district found for the first time to have violated sick leave policies and regulations, with the fine to be an amount equivalent to one week's compensation, and (2) termination of any person found for the second time to have violated sick leave policies and regulations.

The bills are part of a series of initiatives designed to address the issue of high property taxes in New Jersey.

Status: A557 is in the Assembly State Government Committee. S739 is in the Senate State Government, Wagering, Tourism and Historic Preservation Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position:

A572 Cryan (D20)/Diegnan, Barnes (D18)

S311 Allen (R7)/Turner (D15)

Known as the “New Jersey College Student and Parent Consumer Information Act,” this bill would require each four year public higher education institution to publicize on its website and provide to the Commission of Higher Education detailed information regarding costs, graduation rates, student debt, the composition of the faculty and the percentage of courses taught by different categories of faculty, etc.

The information must be updated annually and linked to the Commission site where comparative data will be displayed.

Status: A572 is in the Assembly Higher Education Committee. S311 is in the Senate Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A587 Cryan D20)

This bill extends binding arbitration to all disciplinary matters and to the withholding of increments for any reason. It gives arbitrators the authority to order reinstatement with back pay and benefits in cases of discharge or non-renewal of a contract. It only applies to K-12 and county colleges and should be amended to cover state colleges and universities as well.

Status: In the Assembly Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A618 Peterson (R23)

A2135 Vandervalk (R39)

A student enrolled in a public institution of higher education may be obligated to fulfill certain class requirements in health, family life education or sexual education which are in conflict with the student’s conscience or sincerely held moral or religious beliefs. These bills excuse a student of a public institution of higher education which requires the fulfillment of those classes, and which does not authorize substitutions for those classes, by allowing the student to present a signed statement to the proper school officials. Moreover, no penalties as to credit or graduation will result for a student who is legitimately excused from instruction that is in conflict with the student’s conscience. The provisions of these bills mirror law currently in place (18A:35-4.7) regarding students enrolled in public elementary and secondary schools.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose – sounds like a David Horowitz bill

A654 Moriarty (D4)

These bills prohibit the State from investing the assets of any State pension or annuity funds in hedge funds or derivations.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A662 Greenstein (D14)/Ramos (D33)

S1255 Madden (D4)

These bills prohibit public employers from unilaterally changing the terms and conditions of employment prior to reaching an agreement with a majority representative of a public employee group, notwithstanding that a collective bargaining agreement may have expired, that the parties are at an impasse in negotiations, or that the parties have exhausted the impasse procedures of the New Jersey Public Employment Relations Commission (PERC).

Status: A662 is in the Assembly Labor Committee. S1255 is in the Senate State Government Committee.

AFT/AFL-CIO Position: Support (Priority)

Rutgers AAUP & NJCAAUP Position: Highest Support

A664 Greenstein (D14)/Scalera (D36)

This bill provides a non-forfeitable right to post-retirement medical benefits provided by law to certain public employees with 25 years of service. Currently, there is no such right for post-retirement benefits. The bills to ensure that the non-forfeitable right to receive post-retirement medical benefits provided by the bill would provide to the recipient the same level of services or substantially equal benefits as the SHBP provides at the time the recipient attains five years of pension service credit.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A669 Greenstein (D14)/Gusciora (D15)

Current law does not allow the State Investment Council or the Director of the Division of Investment in the Department of the Treasury, which are responsible for the investment of assets of the State-administered retirement systems, to delegate management discretion and investment decisions to a private outside entity. This bill explicitly prohibits such delegation.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A672 Greenstein (D14)/Spencer (D29)

These bills clarify that, with respect to public employee collective bargaining, all matters regarding the terms and conditions of the employment of public employees which are not specifically exempted from collective bargaining by State statute are mandatory subjects of collective bargaining. The bill specifies that the matters that are mandatory subjects of collective bargaining include, but are not limited to, any non-exempted matter which has an impact on: compensation and benefits; work to be performed; work load and work obligation; hours and time of the work; performance evaluation; all aspects, criteria and conditions of transfer, assignment and reassignment; discipline and grievances; workplace safety and health; employment security and job retention; and the impact of privatization, contracting and outsourcing.

Status: In the Assembly Labor Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A673 Greenstein (D14)/Oliver (D34)/Vainieri Huttle (D37)

This bill, the "Healthy Workplace Act," makes it an unlawful employment practice for an employer to subject an employee to abusive conduct or to permit an abusive work environment. Moreover, it makes it an unlawful employment practice for an employer to retaliate in any manner against an employee because

he has brought legal action, or because he has made a charge, testified, assisted or participated in any manner in an investigation or proceeding related to the abusive conduct or work environment.

Status: In the Assembly Labor Committee

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A679 Greenstein (D14)

S162 Gil (D34)

This substitute bill provides for the regulation of the activities of pharmacy benefits management companies (PBMs). PBMs administer prescription drug benefits for sponsors of health benefits plans in this State. Sponsors of health benefits plans are referred to as “purchasers” in the substitute bill, and can include health insurance carriers, employers, unions, the federal government, and state and local governments. PBMs are required to act in compliance with the provisions of this bill in order to conduct business in this State.

The bill also:

(1) prohibit a PBM from initiating a substitution for a prescribed drug in situations in which the prescribed drug is a clotting factor therapy used in the treatment of hemophilia or related bleeding disorders.

(2) apply “prompt pay” requirements to PBM’s;

(3) apply restrictions as to how a PBM can limit participation in the company’s network and the circumstances by which a PBM can use pricing systems; and

(4) place certain restrictions on the extent to which a PBM can limit distribution of specialty drugs.

Status: A679 is in Assembly Financial Institutions and Insurance Committee. S162 is in the Senate Commerce Committee.

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position: Support

A688 Greenstein, DeAngelo (D14)

This bill expands the scope of collective bargaining by making employment matters not exempted by statute mandatory subjects of public employment.

Status: A688 is in the Assembly Labor Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A695 Webber (R26)

S300 Allen (R7)

In an effort to create a safer and more efficient workplace, these bills exempts an employer from civil liability when the employer, in good faith, discloses certain information about the employee to a prospective employer, including:

1. the employee’s name, title, compensation, period of employment and reason for, or circumstances of, separation of the individual from employment;
2. information regarding the qualifications or job description of the position which the employee holds or held;
3. information regarding the employee’s attendance; and
4. information regarding workplace accidents which involved the employee.

The immunity also applies if the information is requested or required by a federal, State or industry regulatory authority. Employers who disclose such information shall be presumed to be acting in good faith unless it is shown by clear and convincing evidence that the employer acted with actual malice.

Status: A695 is in the Assembly Labor Committee. S300 is in the Senate Labor Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position:

A705 Thompson (R13)/Steele (D35)

This bill directs the Commission on Higher Education and the Department of Human Services to work with institutions of higher education in the development of certain family programs.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A797 Bramnick (R21)/Handlin (D13)

This bill would amend the “Senator Byron M. Baer Open Public Meetings Act,” P.L.1975, to require the Senate and General Assembly to each set aside a portion of a session of that house at least four times a year for public comment. Currently, the law requires municipal governing bodies and boards of education, but not other public bodies, to allow a period for public comment at each public meeting.

The bill would require that each house adopt reasonable rules governing the order and conduct of the public comment period, including, but not limited to, rules for designating the session at which public comment will be taken, the maximum time allotted to each speaker, the number of speakers per comment period, maintaining order and decorum, and prohibiting personal comments concerning named individuals.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A867 Milam/Albano (D1)

This bill provides that the State as an employer, a local government employer which participates in the State Health Benefits Program (SHBP), or an employer that is an independent authority, commission, board, or instrumentality of the State participating in SHBP, may allow any retired employee who is eligible for other health care coverage that is not under SHBP to waive the SHBP coverage for which the retired employee is eligible.

In consideration of filing a waiver, the employer may pay to the retired employee annually an amount, to be established in the sole discretion of that employer, not in excess of 50% of the amount saved by the employer because of the retired employee's waiver of coverage. A retired employee who waives coverage will be permitted to immediately resume coverage if the retired employee ceases to be eligible for other health care coverage for any reason. A resumption of coverage will require repayment, on a pro rata basis, of any amount received which represents an advance payment for a period of time during which coverage is resumed.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Study

Rutgers AAUP & NJCAAUP Position:

A883 Dancer (D30)/McHose (D24)

This bill amends the “Open Public Meetings Act,” N.J.S.A. 10:4-6 et seq., to require all public bodies, other than the Legislature, to set aside a portion of every meeting for public comment on any governmental issue that a member of the public feels may be of concern to that public body. At present, the law only requires municipal governing bodies to provide a public comment period. Expanding this policy will increase public interest and participation in civil affairs.

Status: In the Housing & Local Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A934 Vanieri Huttle (D37)

These bills require health, hospital, and medical service corporations, individual, small employer, and larger group health insurers, health maintenance organizations and the State Health Benefits Program (SHBP) to provide coverage for cervical cytology screening for the early detection of cervical cancer. The bill defines “cervical cytology screening” to include, as determined medically necessary by the covered person's licensed health care provider: a Pap test, including liquid based cytology, HPV test, and any confirmatory test; and all laboratory costs associated with the tests. The State currently requires larger group health insurers (groups greater than 50 persons), health maintenance organizations and SHBP to provide coverage for expenses incurred in conducting a Pap test, and any confirmatory test, which coverage includes all laboratory costs associated with the Pap test and any confirmatory test. The bills broadens the requirement to include individual and small employer health benefits plans, and to specify that the coverage is for cervical cytology screening for the early detection of cervical cancer, which would include testing for HPV, as well as a Pap test. HPV (human papilloma virus) infections are now recognized as the major cause of cervical cancer. HPVs are a group of more than 100 viruses, some of which are sexually transmitted. HPVs classified as "low risk" seldom are associated with cervical cancer; however, HPVs classified as "high risk" have been linked with genital or anal cancers in both men and women. Most HPV infections do not last very long because the body is able to fight the infection, and most people with HPV do not know they have the virus because they may not have any symptoms. If the HPV does not go away, however, the virus may cause cells in the cervix to change and become precancer cells, which changes can be detected by the Pap test. Further HPV testing can determine the exact type of HPV causing the infection and whether additional testing or treatment is required to prevent the development of cervical cancer.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A955 Johnson (D37)

This bill requires the State Health Benefits Program to provide coverage for annual medically recognized diagnostic examination including, but not limited to, a digital rectal examination and a prostate-specific antigen (PSA) test for men age 50 and over who are asymptomatic and for men 40 and over with a family history of prostate cancer or other prostate cancer risk factors. The PSA blood test is approved by the federal Food and Drug Administration to help detect prostate cancer in men when used in conjunction with a digital rectal examination.

Status: In the Assembly State Government Committee

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A961 Johnson, Vanieri Huttle (D37)

These bills allow a student who is also an undocumented alien to pay in-state tuition at the State’s public institutions of higher education if he meets the following criteria: attended a high school in this State for three years or more; graduated from a high school in this State or attained the equivalent of a high school diploma in the State; registers as an entering student or is currently enrolled in a public institution of higher education not earlier than the fall semester of the 2002-03 academic year; and files an affidavit with the institution of higher education stating that the student has filed an application to legalize his immigration status or will file an application as soon as he is eligible to do so.

Status: In Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A968 Johnson, Vanieri Huttle (D37)/Greenstein (D14)

S796 Vitale (D19)/Buono (D18)

Revises statutory mental health coverage requirements and requires all health insurers and SHBP to cover treatment for alcoholism and other substance-use disorders under same terms and conditions as for other diseases or illnesses.

Status: A968 is in the Assembly Health and Senior Services Committee. S796 is in the Senate Health, Human Services and Senior Citizens Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A982 Johnson (D37)

This bill would provide that a representative of a labor union could not be compelled to disclose any information that the representative obtained in the course of his professional duties or while acting in his representative capacity. The provision would apply in any civil or criminal proceeding, or in any administrative or arbitration proceeding.

Under the bill, exceptions would be made under the following circumstances:

- (1) To the extent that disclosure appears necessary to prevent the commission of a crime;
- (2) In any civil or criminal action against the representative in his professional capacity or against the labor union;
- (3) When required by an order of the Superior Court or an order of an administrative law judge; or
- (4) When the member of the labor union consents to the disclosure. The bill provides that if the member is deceased, the personal representative of the member's estate may consent to the disclosure. If the member has been declared incompetent by a court of competent jurisdiction, his legal representative may consent to the disclosure.

This bill is modeled on 735 ILCS 5/8-803.5, an Illinois statute enacted in 2005.

Status: A982 is in the Assembly Labor Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A1073 Gusciora (D15)

This bill creates the New Jersey Legislative Elections Public Financing Study Commission, which is to consist of nine members. Five of the members are to be appointed by the Governor and must: a. have a background in public legal affairs; or b. have political experience, either as an elected official or due to the study of political affairs in an academic setting; or c. be acquainted with the public financing of elections. The other members of the study commission are to be members of the Legislature, one each appointed by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly and the Minority Leader of the General Assembly.

Status: In the Assembly State Government Committee

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position: Support

A1098 Coyle (R16)/ Schaer (D36)/Addiego (R8)/DeAngelo (D14)/Giblin (D34)

This bill authorizes county colleges and county vocational school districts to enter into partnerships with private entities to develop and establish green job certification programs. Under such programs, the county college or county vocational school district would identify needed skills, develop training programs, and train workers for green jobs in one or more industries such as energy efficient building, construction and retrofits, renewable electric power, energy efficient vehicles, biofuels, and

manufacturing that produces sustainable products and uses sustainable processes and materials. A green jobs certification would be issued to an individual who successfully completes the training program. The committee amended the bill to authorize a county vocational school district and a county college to: (1) review national standards established by various industries in developing a green jobs certification program; and (2) consult with the Department of Community Affairs in the development of such programs.

Status: Reported out of the Assembly Higher Education Committee with Amendments, 2nd Reading

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position:

A1122 Evans (D35)/Tucker (D28)/Rodriguez,Ramos (D33)

S916 Gill (D34)

These bills allow taxpayers who have gross incomes of \$85,000 or less in a taxable year to deduct higher education tuition and fee expenses paid in that year from their gross income for that taxable year. The bill allows the deduction for tuition and fees for the taxpayer, the taxpayer's spouse and the taxpayer's dependents paid to accredited higher education institutions as recognized by the United States Secretary of Education. Under current law, there is no deduction for higher education tuition and fees expenses.

Status: A1122 is in the Assembly Higher Education Committee. S916 is in the Senate Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A1236 Stender (D22) /Chivukula (D17)

S1367 (Turner (D15))

These bills authorize the governing board of a public institution of higher education to establish a textbook rental program for the students at each of the institution's campuses. The textbook rental program must be self-sustained through revenue generated from student tuition and fees; however, it may seek supplemental funding from non-State sources.

These bills specify that a textbook rental program may be established provided that the governing board certifies that: the student government association of the campus has voted to request the establishment of a textbook rental program; and any existing contracts or other established arrangements with entities operating campus bookstores permit, or can be changed, canceled or renewed, to accommodate the establishment of a textbook rental program.

These bills also authorize a governing board of a public institution of higher education to convene a task force to determine recommended procedures and policies for the establishment and operation of a textbook rental program. The task force may include, but need not be limited to, students, faculty, administrators and bookstore managers.

Status: A1236 is in the Assembly Higher Education Committee. S1367 is in the Senate Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1267 Holzapfel/Wolfe (R10)

This bill doubles the amount of certain retirement income that can be excluded from gross income tax from \$20,000 to \$40,000 for married couples or from \$15,000 to \$30,000 for individuals.

Status: In the Assembly Appropriations Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1382 Carroll (R25)

This bill prohibits the use of public sector union dues for political purposes as well as public employees from making voluntary contributions, through their union to a PAC.

Status: In Assembly Labor Committee

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

A1402 Carroll (R25)/McHose(R24)

This bill provides limitations on pregnancy-related benefits for infertility covered under large group contracts, policies, or health benefits plans offered by various health insurance carriers, and under contracts provided through the State Health Benefits Program (SHBP) and the School Employees' Health Benefits Program (SEHBP). With respect to the various health insurance carriers, the bill provides carriers with the option to limit the infertility benefits coverage to a covered person who has fewer than two children, whether by blood or by law. However, with respect to contracts provided through the SHBP and SEHBP, the bill mandates these contracts limit infertility benefits coverage to a covered person who has fewer than two children.

In addition, the SHBP and SEHBP, similar to the various health insurance carriers as currently provided under law, may provide for limitations for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer, by limiting such benefits coverage to a covered person who: (1) has used all reasonable, less expensive and medically appropriate treatments and is unable to become pregnant or carry a pregnancy; (2) has not reached a limit of four completed egg retrievals; and (3) is 45 years of age or younger.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

A1411 Prieto (D32)/ Rumpf (R9)/Scalera (D36)

These bills require all health insurers to cover services provided by chiropractors, osteopaths, dentists and podiatrists at the same rate of reimbursement as other recognized health care providers.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1415 Prieto (D32)

These bills require all health insurers to provide coverage for orthotic and prosthetic devices.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1543 Lampitt (D6)

This bill implements a number of the recommendations of the New Jersey Commission on Higher Education formulated in response to the October 2007 Report of the State Commission of Investigation (SCI) entitled "Vulnerable to Abuse: The Importance of Restoring Accountability, Transparency and Oversight to Public Higher Education Governance."

The bill directs the Commission on Higher Education to take a number of actions that are intended to address issues of accountability and transparency in the operations and governance of the nine State colleges and the three public research universities. Under the bill, the commission is directed to consult with the Office of the State Comptroller, the New Jersey Educational Facilities Authority, and the public

research universities and State colleges in researching and developing effective strategies for enhancing such accountability and transparency. The commission is specifically directed to:

(1) establish criteria to be used in the recruitment and appointment of new members of the governing boards of the institutions;

(2) develop a training and continuing education curriculum for governing board members that includes information on governance responsibilities, ethical standards, due diligence, fiduciary responsibilities, and issues associated with certain applicable State statutes;

(3) develop, in consultation with the New Jersey Educational Facilities Authority and the governing boards of the institutions, a State master plan for the construction and improvement of capital facilities. The plan will be built on the individual long-term capital plan and budget that must be submitted by each institution for the review and approval of the commission;

(4) design, administer, and enforce financial accountability standards applicable to the public research universities and the State colleges. The commission is directed to review the standards of the Financial Accounting Standards Board and the Governmental Accounting Standards Board and to design standards that are relevant to the operations of publicly funded institutions. The bill stipulates the issues that the standards must address including the establishment of an audit committee, a code of conduct, the filing of an annual disclosure of potential conflicts of interest, the certification of financial statements, the notification of key institutional personnel in regard to any report of misconduct that bears on the integrity of the institution, and the establishment of written policies and procedures to protect employees from retaliatory action for reports of wrongdoing.

The bill also provides that any employee of a State college or public research university who is hired on or after the bill's effective date will be required to undergo a criminal history record check. The bill establishes the commission as the entity authorized to receive criminal history record information from the State Bureau of Identification in the Division of State Police and the Federal Bureau of Investigation.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position:

A1554 Lampitt (D6)/Voss (D38)/Vainieri Huttle (D37)

These bills establish the New Jersey College Loans to Assist State Students (NJCLASS) Teacher Loan Redemption Program in the Higher Education Student Assistance Authority. The program would allow a person to redeem a portion of his NJCLASS loan amounts for service as a teacher of science or mathematics in a public school in New Jersey.

Under the bills, in order to participate in the loan redemption program, a person must have been an undergraduate student borrower in the NJCLASS Loan Program. A participant must also be a resident of the State and a certified teacher who obtained initial employment in a public school as a science or mathematics teacher after the effective date of this bill. In order to participate in the loan redemption program a person must execute a contract with the authority. The contract would be for a specified number of periods of service and would specify the total amount of debt, up to 100%, to be redeemed by the State in return for the service.

For teachers in districts that received preschool expansion aid or education opportunity aid in the 2007-2008 school year (former Abbott districts), the redemption of loans under the loan redemption program would amount to 45% of principal and interest of a program participant's NJCLASS loan amounts upon the completion of the first three full years of service as a teacher of science or mathematics and 15% of principal and interest for each additional year of service thereafter. For teachers of science and mathematics in other school districts in the State, the redemption would amount to 30% of principal and interest of the NJCLASS loan amounts upon completion of the first three full years of service and 10% of principal and interest for each additional year of service thereafter.

Status: A1554 is in the Assembly Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A1557 Lampitt (D6)/Diegnan (D18)/Watson Coleman (D15)

This bill requires members of boards of trustees of our institutions to complete a training program designed by the Commission on Higher Education in ethical standards, due diligence, fiduciary responsibilities and compliance with open public meetings and records statutes. Such training must be completed within 6 months of their appointment or within 6 months of the effective date of the bill.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A1567 Scalera (D36)/Greenwald (D6)/McKeon (D27)

This bill allows a gross income tax deduction for amounts contributed to the savings accounts for college costs under the New Jersey Better Educational Savings Trust (NJBEST) program. The deduction from gross income will be for amounts contributed in the taxable year up to \$5,000. This incentive to allow taxpayers to deduct certain college savings from gross income will help in trying to meet the ever increasing costs of higher education.

Status: In the Assembly Appropriations Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP: Support

NJCAAUP Position:

A1568 Scalera (D36)

This bill permits a member of the Public Employees' Retirement System of New Jersey (PERS) who is laid off from employment and subsequently rehired in a position covered by PERS to purchase up to three years of service credit for the time between layoff and rehire. The cost of the purchase is to be based on the member's salary for the last 12 months of creditable service in the position held at the time of layoff, and the member will be responsible for the entire cost for the additional retirement benefit.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support but with an amendment to include TPAF members.

Rutgers AAUP & NJCAAUP Position: Same position as AFT

A1570 Scalera (D36)/Chivukula (D17)/Lampitt (D6)

This bill requires State colleges and universities to disseminate fire safety information to students, parents and employees.

Status: In the Assembly Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1612 O'Scanlon, Casagrande (R12)

S77 Doherty (R23)

This bill bars public employees from using six or more consecutive sick days in the 12 month period prior to retirement without medical verification.

Status: A1612 is in the Assembly State Government Committee. S77 is in the Senate State Government, Wagering, Tourism and Historic Preservation Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position:

A1644 Greenwald (D6)

These bills establish a gross income tax credit for full-time enrollment at four-year institutions of higher education, county colleges and accredited post-secondary schools in New Jersey.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Highest Support

A1655 Greenwald (D6)

This bill, entitles the "Affordability, College Capacity, and Economic and Student Success (ACCESS) Bond Act of 2006," authorizes the issuance of \$2,705,000,000 in State general obligation bonds. Under the bill's provisions, funds resulting from the issuance of the bonds would be used to provide grants to public and independent institutions of higher education to construct, reconstruct, develop, extend, improve and equip classrooms, academic buildings, libraries, computer facilities, and other higher education buildings.

Status: In the Assembly Higher Education Committee.

AFT/AFL-CIO Position: Study

Rutgers AAUP & NJCAAUP Position: Study

A1724 Watson-Coleman (D15)Coutinho (D29)

This bill requires that the State provide financial aid to adults leaving the Work First New Jersey program wishing to attend college.

Status: In the Assembly Human Services Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1744 Watson Coleman (D15)/Greenstein (D14)/Vainieri Huttle (D37)

These bills strengthen the Open Public Meeting Act, to provide greater public access to meetings of public bodies and to information about those meetings.

Status: In the Assembly Financial Institutions and Insurance Committee.

AFT/AFL-CIO Position: More information needed.

Rutgers AAUP & NJCAAUP Position:

A1813 Casagrande, O'Scanlon (R12)

This bill prohibits public employers from reimbursing tuition costs or providing additional compensation based on degrees or certification from institutions of higher education that are not accredited.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

A1821 Casagrande (R12)

This bill prevents any worker who is participating in a strike or other stoppage of work due to a labor dispute from receiving unemployment benefits, whether or not operations at the workplace of the strikers are sustained during the labor dispute. The bill is in response to the finding of the State Supreme Court in Lourdes Medical Center of Burlington County v. Board of Review, 185 L.R.R.M. (BNA) 2939 (Jan. 27, 2009), that striking workers are entitled to unemployment benefits if the operations of their workplace are sustained in their absence.

Status: In the Assembly Labor Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position:

A1825 Casagrande (R12)/O'Scanlon (R12)

These bills allow NJ residents who contribute to the New Jersey Better Educational Savings Trust Fund, a college savings program, to receive a 10% tax credit for a contribution less than or equal to \$5000 or for 5% of a contribution between \$5000 and \$10,000.

Status: In the Assembly Appropriations Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A1909 Fuentes (D-5)

These bills encourage greater opportunities for attendance at county colleges by establishing a gross income tax credit for payment of tuition and maintenance costs for full-time attendance at a New Jersey county college or for part-time attendance if the person is enrolled for at least six credit hours per semester in a curriculum leading to a degree or certificate. The tax credit would be in an amount equal to the amount of the costs of tuition and maintenance paid, up to a maximum of \$750. It would be applicable to a taxpayer who has paid one-half or more of the costs for a dependent under the age of 22 or paid for the taxpayer's own attendance at a county college. The maximum credit of \$750 for full-time attendance at a New Jersey county college would provide a tax savings that is about equal to the average annual New Jersey county college tuition for a full-time semester of 12 credits per semester. The county community college system, comprised of 19 institutions, provides access to higher education for a broad range of New Jersey residents who might otherwise be denied the benefits of a college education. This tax credit for both full-time and part-time students can provide a substantial financial subsidy for those taxpayers who are pursuing this gateway to a post-secondary education for themselves or their dependents.

Status: In the Assembly Higher Education Committee

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position: Highest Support

A2008 Conaway (D-7)

These bills require all health insurers, including the State Health Benefits Program, to provide coverage for medically necessary speech therapy.

Status: In the Assembly Health and Senior Services Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position:

A2059Acs Coutinho (D29)/Amodeo (R2)/Polistina (R2)

A1897 Amodeo (R2)/ Polistina (R2)

S920Sca Lesnisk (D20)/Sweeney (D3)

Revises provisions of "New Jersey Stimulus Act of 2009" concerning public-private higher education construction and improvement projects and municipal ordinances to adopt stimulus measures.

Status: A2059 was referred to the Assembly Commerce and Economic Development Committee; reported from Assembly Committee with committee substitute, 2nd Reading.

A1897 was combined with another bill. S920 was referred to the Senate Economic Growth Committee; reported from Senate Committee with Amendments, 2nd Reading

AFT/AFL-CIO Position:

Rutgers AAUP & NJCAAUP Position:

A2093 Conaway (D-17)

This bill increases TPAF cost of living adjustment from 60% to 100% of Consumer Price Index.

Status: In the Assembly State Government Committee.

AFT/AFL-CIO Position: Amend

Rutgers AAUP & NJCAAUP Position: Support

S110 Connors, L. (R9)/Bucco (R25)

A301 Rumpf (R9)

Requires the Commissioner of Personnel to enact a plan to reduce the State Workforce to levels attained in FY2000 over a period of four years and creates a procedure to control the creation of new State positions and filling of vacancies.

Status: S110 is in the Senate State Government Committee. A301 is in the Assembly State Government Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position: Oppose

S163 S382 Gill (D34)

This bill revises provisions of the Open Public Meetings Act to require sound recordings of closed sessions, provide more stringent standards for compliance and increase penalties for violations.

Status: In the Senate State Government Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

S164 Gill (D34)/Weinberg (D37)

The purpose of this bill is to enhance compliance by public bodies with the provisions of the "Open Public Meetings Act," N.J.S.A.10:4-6 et seq., by strengthening the act's public disclosure and monitoring requirements.

Public access to government information has long been regarded as essential to the democratic process. James Madison called a popular government without popular information "a Prologue to a Farce or a Tragedy; or perhaps both." Openness in the conduct of government affairs also helps to prevent actual or perceived corruption because, as Woodrow Wilson observed, "corruption thrives in secret places and avoids public places."

Status: In the Senate State Government, Wagering, Tourism and Historic Preservation Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support

S318 Codey (D27)/Sweeney (D3)

A2048 DeAngelo (D14)

This bill prohibits any employer, including the State or a local governmental employer, who receives or uses public funds to supply services to the State, a local government, or citizens of the State or receives funds in connection with a contract with the State or local government or a publicly subsidized project, to use any of those public funds to influence employees of the employer with respect to their supporting or opposing union representation. The prohibited expenditures include spending on the training of managers or hiring of consultants to influence employees on issues of unionization, but not spending on normal functions of an employer relating to unions, such as collective bargaining and responding to grievances.

The bill permits any citizen or taxpayer to file a request that the Commissioner of Labor and Workforce Development investigate an alleged violation by a publicly-funded employer. Upon a determination of reasonable cause by the commissioner, he is required to conduct an investigation and deliver a report of his findings to the Attorney General, who is required to review the report and attempt to resolve the matter by agreement of the parties and ensure a cessation of any violation.

The bill also authorizes the Superior Court to restrain and enjoin violations and grant injunctive relief to prevent prohibited expenditures.

Finally, the bill affirms that its purpose is to prohibit public funds from being used to promote or deter employee influenced activity and stipulates that nothing in the bill shall be construed as prohibiting recipients of public funds from engaging in these activities with non-public funds.

Status: S 318 is in the Senate Labor Committee. A2048 is in the Assembly Labor Committee.

AFT/AFL-CIO Position: Support
Rutgers AAUP & NJCAAUP Position: Highest Support

S351 Oroho (R24)/Sweeney (D3)

A193 Chuisano/McHose (R24)

The purpose of this bill is to require the Pension and Health Benefits Review Commission to review all legislation relating to the pension and health care plans or programs for State and other public employees. Currently, most, but not all, pension and health care legislation concerning public employees is reviewed by the commission. Legislation that affects the financing, procedures, or operations of pension or health care plans or programs, including all defined benefit retirement plans or systems, defined contribution retirement plans or programs, or deferred compensation or other individual retirement account-type plans, or that mandates or permits public entities to pay for employee health care benefits in active service or in retirement, are not certified for review by the commission.

Status: S351 is in the Senate State Government, Wagering, Tourism and Historic Preservation Committee. A193 is in the Assembly State Government Committee.

AFT/AFL-CIO Position: Oppose

Rutgers AAUP & NJCAAUP Position:

S1237 Ciesla (R-10)

These bills provide that, during the term of an existing collective bargaining agreement covering its employees, an employer is prohibited from entering into a subcontracting agreement which affects the employment of those employees. The bill define “employer” to include any local or regional school district, educational services commission, jointure commission, county special services school district, county college, State college, college or university under the authority of the Commission on Higher Education, or board or commission under the authority of the Commissioner of Education or the State Board of Education. Following the term of a collective bargaining agreement, an employer is permitted to enter into a subcontracting agreement only if the employer:

- a. provides written notice to both the majority representative of employees in each collective bargaining unit and to the New Jersey Public Employment Relations Commission at least 90 days prior to any effort by the employer to seek the subcontracting agreement; and
- b. offers the majority representative the opportunity to meet and discuss the decision to subcontract and negotiate over its impact.

Under current law, an employer has a duty to negotiate a successor agreement. Given compliance by the employer with subparagraphs a. and b. above, the bill provides that failure to reach a successor agreement, does not preclude the employer from subcontracting. With certain exceptions, the bills make all actions of an employer regarding subcontracting mandatory subjects of negotiations – failure to negotiate would subject the employer to an unfair labor practice charge by the majority representative. Each employee replaced or displaced because of a subcontracting agreement would retain all previously acquired seniority and would have recall rights when the subcontracting terminates. The bill provides that an employer who violates the act has committed an unfair practice and may be subject to an unfair practice charge with the New Jersey Public Employment Relations Commission, under which the employee may be entitled to a remedy including, but not limited to: reinstatement, back pay, back benefits, back emoluments, tenure and seniority credit, and attorney’s fees. The requirements of this bill do not apply to any contract subject to the New Jersey Prevailing Wage Act.

Status: S1237 is in the Senate Education Committee.

AFT/AFL-CIO Position: Support (Priority)

Rutgers AAUP & NJCAAUP Position: Highest Support

S1310 Turner (D-15)

This bill requires New Jersey public institutions of higher education to advertise for bids prior to awarding a contract for professional services. Under the current laws governing contracts at these institutions, contracts for professional services are specifically exempted from the requirement for public competitive bidding.

Status: In the Senate Education Committee.

AFT/AFL-CIO Position: Need more information.

Rutgers AAUP & NJCAAUP Position: Support

S1365 Turner (D-15)

These bills require textbook publishers to provide the faculty members or academic departments at public institutions of higher education responsible for selecting textbooks with the price at which the publisher would make the product available to the college bookstore. The bill also requires publishers to disclose when unbundled textbooks are available in the same edition as the bundled textbooks. Bundling refers to the practice of packaging required textbooks with additional instructional materials, such as CD-ROMs and workbooks, which drives up the price of the textbooks.

Under these bills, the governing board of the institution is required to institute policies that encourage faculty members to place purchasing orders in sufficient time to enable the institution or bookstore to confirm the availability of the requested materials and, when appropriate, the availability of used textbooks or alternative digital formats.

The bills provide that textbooks must be sold in the same manner as ordered. In the event that the product is unavailable as ordered, the bookstore, faculty member, and relevant publisher are required to work together to provide the best possible substitute that most closely matches the requested product, and the publisher must make available the price of the substitute.

These bills also provide that no employee of a public institution of higher education may demand or receive any payment, loan, advance, good, or deposit of money for adopting specific course materials required for coursework or instruction.

The Senate Education committee amended S1263 to include goods within the list of restricted items that an employee cannot demand or receive for adopting specific course material. The committee also amended S1263 to clarify that an employee of a public institution of higher education who receives royalties or other compensation from sales of textbooks that include his own writing or work, must do so in accordance with the provisions of the "New Jersey Conflicts of Interest Law."

Status: In the Senate Education Committee.

AFT/AFL-CIO Position: Study

Rutgers AAUP & NJCAAUP Position: Study

SCR40 Beach (D6)/Girgenti (D35)

Encourages each institution of higher education in NJ to join the Service members Opportunity Colleges (SOC) Consortium which assists members of the military services in completing college degrees due to frequent re-location.

Status: In the Senate Education Committee.

AFT/AFL-CIO Position: Support

Rutgers AAUP & NJCAAUP Position: Support