

Legislative Update: Fall 2010

This past summer the New Jersey Legislature spent much of their time in Trenton, hard at work for the Garden State. Senate and Assembly committees convened numerous times throughout the past months to review a multitude of bills that will improve the lives of New Jersey residents. For example, the Senate Environment and Energy Committee, in which I serve as the chairman, focused much of their efforts on sustainability. I'd like to take this opportunity to provide you with a brief legislative update of bills I introduced this past summer.

The first bill I would like to bring your attention to is New Jersey Senate Bill 2153. This bill is targeted to combat identity theft by requiring the hard drives of all copy machines to be wiped clean in order to protect sensitive, personal information, which is stored on each machine. Many people are unaware that most digital copy machines use internal hard drives, which store every document that has been scanned, printed, faxed or emailed by the machines, many times numbering in the tens of thousands by the time a copier is resold or returned at the end of a lease agreement. The bill requires that all records stored on a digital copy machine be destroyed when a machine is no longer going to be used by an individual or business. Because the legislature can only regulate copiers used in New Jersey, Assemblywoman Linda Greenstein and I have also introduced a resolution urging Congress to enact similar legislation at the federal level that would require the hard drives of all digital copy machines sold or leased in the United States to be wiped clean.

In mid-July, the Senate Environment and Energy Committee moved Senate Bill 2108, which amends the state's Spill Compensation and Control Act, making the owner or operator of a major facility liable for up to \$1 billion in damages caused by the discharge of petroleum products or other hazardous substances. In the wake of the BP oil spill in the Gulf of Mexico, I introduced this bill to update the decades-old oil spill laws to better ensure that polluters, not taxpayers, foot the bill in the event of an incident affecting the State of New Jersey. While it was unlikely that the oil spilled in the Gulf of Mexico would reach our shores, it was critical to myself and my colleagues that New Jersey taxpayers should not be responsible for the cost involved in such a clean up effort.

Finally, in early August the Senate Environment and Energy Committee and the Assembly Environment and Solid Waste Committee met jointly in the Toms River Municipal Building to review new laws that will help the Barnegat Bay recover from years of misuse and

pollution. The bay generates \$3.3 billion of revenue every year as well as employing tens of thousands of New Jersey residents and it is critical that we work together to clean up this treasure both for environmental and for economic reasons. Four bills were moved out of the committees, each a part of the major clean up initiative revolved around Barnegat Bay. The first bill requires the soil conservation service to issue regulations requiring that soil be restored after construction has occurred at a site. Heavy construction equipment causes soil compaction. The compacted soil acts as if it were concrete or asphalt, increasing storm water runoff into the bay. A second bill would require builders, who develop around the bay, to contribute to off-site storm water improvements.

Next, and perhaps the most influential bill discussed at the hearing, the third bill is designed to restrict the use of fertilizers and to limit the nitrogen content in a bag of fertilizer. Run-off containing fertilizer is causing the Barnegat Bay to undergo a process called eutrophication. Eutrophication results in the stimulation of algae growth and adversely changes the environment to the detriment of the clams, fish and other species and finally to the ultimate filling in of the bay. The Barnegat Bay is now classified as the second worst bay in America because of the extensive eutrophication occurring here. The final piece of legislation considered would allow Ocean County to set up a storm water utility. Under this legislation, Ocean County government would be allowed to include the maintenance and operation of storm water facilities under the umbrella of the Ocean County Utilities Authority.

To read the full text of each of these bills, or to stay informed of any bill going through the New Jersey Legislature, please log on to www.njleg.state.us. Additionally, if you would like to share your concerns regarding these, or any other New Jersey Senate bill, please do not hesitate to contact my office at 732-752-0770.