

FALL 2021

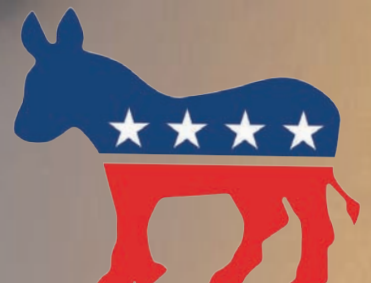
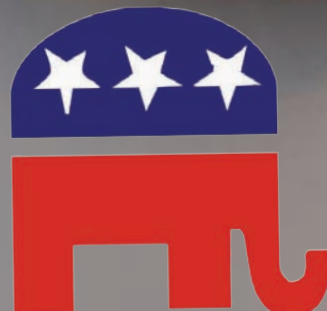


VOLUME 13 - ISSUE 4

ON THE ROAD

THE OFFICIAL COMMUNICATION OF THE NEW JERSEY GASOLINE C-STORE AUTOMOTIVE ASSOCIATION

2021 Voter Guide



2021 VOTER GUIDE: CANDIDATES TAKE ON EMPLOYMENT CRISIS, BUSINESS MANDATES, COVID, AND MORE • Energy Examiner • Compliance Corner •

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Elections Have Consequences

Nothing has changed with my disgust at the annual distortion and negativity surrounding the upcoming election. This year's campaigns for Assembly, Senate, and Governor are as dishonest and repulsive as past year's election campaigns. However, I choose not to make this central to my message in this year's voter guide edition because it frustrates me and I can't change it.

This is a good opportunity for me to remind readers that the NJGCA motto is "serving the small businesses that serve the motorist." I need to make a better effort to remind folks of our motto.

For policy junkies, the phrase "elections have consequences" is thrown around whenever political pundits gather or enlighten the general population in written opinion pieces or in TV appearances. The main reason NJGCA exists is to protect the small businesses that we represent and advocate for their public policy interests. Yes, we do more than just lobby in Trenton and Washington, but our efforts in those two cities are the heart and soul of our existence. Few if any individual members would be capable of persuading an entire legislature to pass good laws that may be beneficial to their business, or stop bad laws that may be harmful to their business. In fact few small business owners have the ability to know what laws are being introduced or who they need to call to influence a potential law. Of course small business owners have the ability to learn who their elected representatives are and contact them to express their opinions. Thankfully many of our members do, but an individual contacting their representative does not have as much of an impact as an organization like NJGCA lobbying all members of a legislative body representing hundreds or thousands of business owners.

So how do elections have consequences? Let's take last year's presidential election as an example. When President Biden enacted policies to address the current COVID pandemic, he extended and expanded Federal Funding of unemployment benefits taking away any incentive for workers to work. Many workers made a calculation that they could have more money in their pockets by collecting unemployment than if they went to work. It is widely discussed how all businesses are experiencing a crisis because they can't find employees. The media reports about this often, and consumers feel the effects of the worker crisis every day. Legislators are also hearing about this problem loud and clear. Even legislators experience the effects of worker shortages when they dine out or purchase products that are back ordered. Would a different outcome in last year's presidential election have made a difference? Would President Biden's opponent who lost the election have expanded unemployment benefits? Did your vote matter with regard to your ability to find employees to work in your shops or gas pumps? Elections have consequences.

When looking back at some of the stupid laws that have been passed in the past few years, I often wonder how much is caused by businesses themselves. One law that still bugs me is the so called "Wage Theft" law. Legislators that sponsored this law were sympathetic to too many instances of employees being cheated by their employers of wages. Employers found ways to take advantage of their workers by shorting hours or intentionally miscalculating wages by using incorrect hourly rates. Many ignored the rules that require overtime wages. Often these workers were low wage and unskilled who were afraid to complain out of fear of losing their jobs. Yes, there were employers that took advantage of their employees. The

result is that today ALL businesses must comply with stricter and more burdensome rules that carry more severe penalties. The law didn't just pass over one instance. It took many years of worker complaints to labor officials before it became an issue noticed by a few legislators. Then it took a few more years for the law to pass. Thankfully organizations like NJGCA went to work to reduce the harmful effects of the proposed law. Bottom line is that bad business owners caused a bad law to be passed that affects ALL employers, even the good ones. Would electing legislators that would be more sympathetic to honest employers and less sympathetic to employees and their advocates have made a difference? Elections have consequences.

Does it matter who you vote for in the upcoming election in November? Let's take a look at some of the issues facing us and then let's find out what legislators support us or oppose us on these issues. This annual voter guide provides information on the candidates running for election.

Are you feeling the pain of not being able to find attendants to pump gas? Do you have to close during the day or have you eliminated late hours of operation because you aren't able to hire employees to work the pumps? Are payroll costs and cumbersome regulations a burden to your business? Will changing the law to permit motorists to pump their own gas ease this problem at your business? Do your representatives in the Assembly and Senate support changing the law? Will the winner of this year's election for governor sign a change in the law if it is passed by the legislature? Will this election have consequences?

There are efforts underway to require employers to set a schedule for their workers at least 2 weeks in advance. Any deviation from the posted schedule will result in additional wages to be paid for employees that are called in when they haven't been scheduled. Additional wages will also have to be paid for employees on call or on stand-by in case another employee doesn't show

up. How often do you need an employee to fill in for another employee who called in sick, or had a family member sick or pass away? How often do employees simply not show up for their shift? How often do you need to make these kind of adjustments to your worker's schedules in order to keep your business running? If this new scheduling law passes will it be a burden for your business? Do your representatives in the Assembly and Senate support passing this scheduling law? Will the winner of this year's election for governor sign this law if it is passed by the legislature? Will this election have consequences?

Most convenience stores around the country sell wine and beer in their stores. New Jersey does not permit any alcoholic beverages to be sold in convenience stores. Would it help boost your profits if your customers could pick up a six pack of beer while filling up their gas tank on their way home from work? Would it help sales if they run inside your store to grab a bottle of wine to have with dinner? Many legislators favor changing New Jersey's law prohibiting alcohol sales in convenience stores, however, many do not want the law changed. Do your representatives in the Assembly and Senate support passing a law to allow you to sell beer and wine? Will the winner of this year's election for governor sign this law if it is passed by the legislature? Will this election have consequences?

Ten years ago the actions of a few unscrupulous towing operators caused numerous legislators to react to a multitude of legitimate consumer complaints by introducing the Predatory Towing Act. The legislation instituted severe regulations, restrictions, and penalties on all towing operators, including the honest operators. After several years of negotiation by NJGCA a less burdensome law was finally passed. However, there are regulations in place today that make it more difficult to own and operate a tow truck. Recently, disturbing reports have been filed with the Attorney General of towing companies acting unscrupulously again in the aftermath of the flooding caused

by Hurricane Ida. Will this result in more legislators reacting and introducing more burdensome laws? Will your legislator vote for the new laws if they are introduced? Will the governor sign another towing bill? Will this election have consequences?

These are only a few examples of the issues on the table in Trenton. There are many other proposals that will affect the gas tax, motor vehicle inspections, credit card fees, and employee benefits. These issues cross over every sector of the small businesses that NJGCA represents. Our efforts to advocate for our members will have consequences for our members, however, besides our efforts, the efforts of our members and their families and employees also have consequences. NJGCA provides the information in this Voter Guide to help you make a more informed choice when you vote. You must review the information we provide, and you must choose who to vote for, and then you must vote. Not doing either may have consequences.




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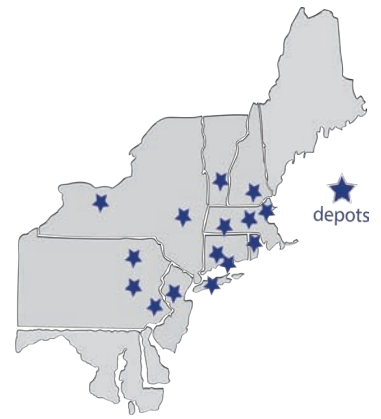
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President's Message



Where does the time go? I hope you all had a great, prosperous and healthy summer, and now here we are: changing seasons, falling leaves and SEMA/APPEX is a few weeks away, November 2nd 2021. Have you been receiving our e-mails and blasts? Are you going to join us? I don't get any enjoyment repeating myself, but I feel this is just too important not to repeat. Technology is changing at an incredible rate of speed. Have you been listening to the news? Electric, hybrid and alternate energy vehicles are here. I feel like a parent yelling at their child or grandchild. ARE YOU HEARING *really* HEARING THE FUTURE? This is the reason I keep pressing the issue to all of you. Make it a point to get to the SEMA/APPEX convention in Las Vegas. The amount of new information about technology and business strategies is mind staggering. Please, reach out to me and try to join us at this amazing convention. NJGCA is hosting a number of activities and we would enjoy your company. It's not too late to register, go for it! Do it! You will not regret it!

Are you gearing up for winter? It will be here before you know it. Get ready, I believe it's going to be a great year. All of the shops that I have been visiting are doing well. Don't get left behind. Check with our MBP's. See what the winter promotions are because now is the time to make plans. If you have questions or need help please do not hesitate to call NJGCA, we are here to help.

FUEL YOUR WAY NJ self-serve update: Our campaign is going amazingly well, we have met with over 60 legislators, and I am so encouraged at the positive responses we have received. The only problem we are facing as we go forward to the next phase of the campaign is financial. We need your financial support. This is and was never a cheap endeavor. Self-serve will save you thousands of dollars at your locations and help with some of the employment problems we all seem to be facing. **DO NOT STAND ON THE SIDELINES.** Get involved and start sending your checks to the association. **WE NEED YOUR HELP** to accomplish this goal. Your association has been working on this for six years. We cannot and must not miss this opportunity to get self-serve for the state of New Jersey. Get on board

so we can get this done. Your future depends on it. Contributions can also be made online www.fuelyourwaynj.com. As always, should you have any questions, concerns or problems, please, please call. Your association, the NJGCA staff, and I are here for you. We have extensive resources at your service, just give us a call.

I hope to see some of you at the SEMA/APPEX convention or I will definitely be seeing some of you as I travel around the state visiting our members. Be safe, be happy and be prosperous.

Until next time.

Joe Ocello, President NJGCA, Member Liaison
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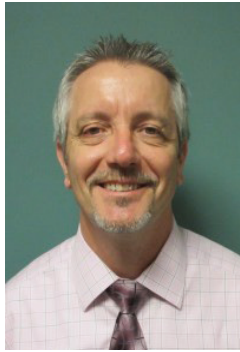
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MEMBERSHIP MEMO

By: **Greg Cannon**



Hello Everyone,

I hope all of you had a nice, albeit hellfire hot summer!

I'd like to give you a brief update and reminders on upcoming changes since my last memo:

- Our online registration portal is complete for PIF Classes & ASE Prep Training Courses.

- As of May 1st 2021, membership dues payments will be remitted by check or by logging on to your account on our website and paying via credit card. NJGCA is no longer able to accept credit card information via invoice form, fax or email and process the payment in a point-of-sale format.

- Letters to members that are participants in the AMT Health Benefit Program, Amato Liability or AmeriTrust Workers Comp Programs will be mailed during the 4th quarter. The purpose of the letter will be to explain the automatic dues renewal requirement that will be forthcoming.

- Beginning in the 1st quarter of 2022 your dues invoices will be sent via email from our new membership management program. In that email

will be a "Make Payment" button that will bring you to a payment portal. This portal will allow you to pay your dues and give you the option to set up a recurring payment based on the payment amount you select.

Finally, I'd like to thank you for taking the time to participate in the membership census project. It was successful and a big help to the association.

We are deeply involved in our data restructuring project. Some updates are mentioned above but please also look in your weekly *Road Warrior* email for more information.

Thank you for reading. Until next time.

Cheers!

Greg



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VACCINE MANDATE UPDATE

By: Steven Horowitz



We continue to bring you news on COVID protocols and mandates as changes are happening quickly due to rising numbers of cases across the country. As employers, you should know by now that President Joe Biden has instituted a Vaccination Mandate for Employers with over 100 employees. While the likelihood is that this Mandate will not affect the Membership of NJGCA, you are still permitted to require employees to be vaccinated as a condition for their continued employment. However, in some circumstances, employees may opt not to be vaccinated due to certain medical conditions or sincerely held religious reasons. In these cases, employers must grant exemptions to receiving the vaccine. Employers are strongly encouraged not to terminate those affected employees. You can require employees who are not vaccinated to wear a mask while on company property and/or to get weekly COVID tests in lieu of getting a vaccine. Additionally, for the safety of your employees, you are also allowed to require proof of weekly COVID tests (although you are lawfully not permitted to seek detailed medical information or a prognosis beyond proof of testing. Nor are you allowed to leak to other employees the name of the co-employee who tested positive). Every request for a religious/medical exemption stands on its own, and should be reviewed independent of any other request of an employee.

You should encourage all employees regardless of vaccination status to wear masks around customers and in areas with other employees, though again, these decisions are up to you as the employer.

If you have any questions around the vaccine and employer rights, please feel free to contact me (see advertisement below for contact information).



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The NJGCA Voter Guide

ELECTION 2021

Introduction by Eric Blomgren

Election Day this year is Tuesday, November 2nd. This year is one of the rare election cycles in which the entire New Jersey state government is on the ballot. In addition to casting a ballot for who should be governor for the next four years, voters will also get to select their state senator and two members of the General Assembly, all three of whom will serve for two years. While the federal government in Washington seems to dominate so much of our news coverage, most of the issues and laws that directly affect your business are managed by the state government in Trenton.

The members of the state Legislature write the bills, then decide which bills to pass and which to ignore. If a majority of both houses of the Legislature can agree on a bill, it is sent to the governor who can either sign it into law, veto it outright, or edit it and send it back to the Legislature for their approval (called a conditional veto). So far in this legislative session (which started in January 2020), nearly 11,000 bills have been introduced and fewer than 5% have made it all the way into law.

The governor also oversees all the state government departments, including the Department of Environmental Protection and Motor Vehicle Commission. They choose the individuals that lead these departments, and any meaningful change must have their approval. Those decisions have a tremendous impact on the culture of each department, including how aggressively they enforce the thousands of regulations they have written. The state is divided up into 40 different

legislative districts, each with about 230,000 residents. Every district elects one person to the state Senate and two people to the Assembly. Democrats have controlled both houses of the state Legislature since 2004. They currently control the state Senate 25-15 and the Assembly 52-28. Every election there are a few races that are decided by just a handful of votes, so make sure your voice is heard! This year the most competitive races appear to be in districts 2, 8, 11, 16, and 21. There are also two public questions on the ballot this year. Voters will be asked whether or not to permit wagering on college sports, and whether certain nonprofit groups can use the proceeds they collect from raffles and bingo to fund their organizations.

How Voting Works in NJ This Year

Last year, due to the shutdowns from COVID-19, the election was conducted entirely through the vote by mail process. That is NOT the case this year, however there is one major change. There are three ways to cast your ballot this year. The first is the traditional in-person voting on a voting machine on Election Day at your local polling place. The polls will open at 6am and close at 8pm.

For the first time, NJ is offering in-person early voting. Early voting will be available starting on Saturday October 23rd and run through Sunday October 31st. Ballots will be cast on machines exactly as they will be on Election Day itself. These polls will open at 10am and close at 8pm, except on Sundays they will close at 6pm. Early voting will only be available at certain locations.

Elections are run by the county government, and you can go to any of the early voting sites located within the county you are registered to vote in. Be sure to visit the county clerk's website for a list of addresses.

Voting by mail continues to be an option for anyone who wants it. Ballots started to be mailed out at the end of September to those who requested one for this election or in the past requested for all their ballots to be cast by mail. The deadline to apply for a vote by mail ballot is October 26th (this is the date the county clerk's office must receive the application). To submit the completed ballot, it must be postmarked on or before Election Day, November 2nd, and received by the clerk by November 8th. Ballots can also be dropped off at secure designated ballot drop boxes by 8pm on November 2nd. Check with your county clerk's website for the list of drop boxes.

For more details or to answer other questions visit the state's Voter Information Portal <https://nj.gov/state/elections/vote.shtml> and the website of your county clerk.

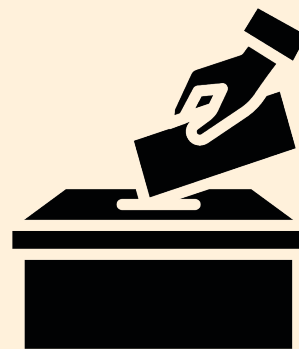
Governor's Race

The Democratic nominee for Governor is the incumbent Phil Murphy, seeking a second term after being elected in 2017. This is the first political office he has been elected to. Before running for governor four years ago he had served as US Ambassador to Germany under President Obama and made his fortune working for the investment firm Goldman Sachs. Originally from Massachusetts, he is a resident of Monmouth County. For his running mate he has again selected Lieutenant Governor Sheila Oliver. She has served in that position for the last four years as well as the head of the Department of Community Affairs. She

previously served as an assemblywoman from Essex County, including four years as Speaker of the Assembly. You can learn more about him on his website: <https://murphy4nj.com/>

The Republican nominee for Governor is Jack Ciattarelli. He previously served six years in the General Assembly representing Somerset County, where he grew up. He served in county and local government before that. He is also a small businessman, having founded a medical publishing company, and previously worked as a certified public accountant. He ran for governor four years ago but came in second in the Republican primary. For his running mate he has selected Diane Allen, who previously represented Burlington County in the state Senate for twenty years. She worked in local broadcast news before election. You can learn more about him on his website: <https://www.jack4nj.com/>

To use this guide, first look up which legislative district you vote in, which is based on which municipality you live in. Then look up the names of the candidates running, and how they responded on our survey (if they chose to respond to your concerns), and if they are an incumbent then how they voted on the issues that matter most to your business.





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WHAT DISTRICT DO I LIVE IN?

ATLANTIC COUNTY: **District 1:** Corbin City, Estell Manor, and Weymouth. **District 2:** Absecon, Atlantic City, Brigantine, Buena, Buena Vista, Egg Harbor City, Egg Harbor Township, Folsom, Hamilton, Linwood, Longport, Margate, Mullica, Northfield, Somers Point, and Ventnor. **District 8:** Hammonton. **District 9:** Galloway and Port Republic.

BERGEN COUNTY: **District 32:** Edgewater and Fairview. **District 35:** Elmwood Park and Garfield. **District 36:** Carlstadt, Cliffside Park, East Rutherford, Little Ferry, Lyndhurst, Moonachie, North Arlington, Ridgefield, Ridgefield Park, Rutherford, South Hackensack, Teterboro, Wallington, and Wood-Ridge. **District 37:** Alpine, Bogota, Cresskill, Englewood, Englewood Cliffs, Fort Lee, Hackensack, Leonia, Northvale, Palisades Park, Rockleigh, Teaneck, and Tenafly. **District 38:** Bergenfield, Fair Lawn, Glen Rock, Hasbrouck Heights, Lodi, Maywood, New Milford, Oradell, Paramus, River Edge, Rochelle Park, and Saddle Brook. **District 39:** Closter, Demarest, Dumont, Emerson, Harrington Park, Haworth, Hillsdale, Mahwah, Montvale, Norwood, Oakland, Old Tappan, Park Ridge, Ramsey, River Vale, Saddle River, Upper Saddle River, Washington, Westwood, and Woodcliff Lake. **District 40:** Allendale, Franklin Lakes, Ho-Ho-Kus, Midland Park, Ridgewood, Waldwick, and Wyckoff.

BURLINGTON COUNTY: **District 6:** Maple Shade. **District 7:** Beverly City, Bordentown City, Bordentown Township, Fieldsboro, Burlington City, Burlington Township, Cinnaminson, Delanco, Delran, Edgewater Park, Florence, Moorestown, Mount Laurel, Palmyra, Riverside, Riverton, and Willingboro. **District 8:** Eastampton, Evesham, Hainesport, Lumberton, Mansfield, Medford, Medford Lakes, Mount Holly, Pemberton Borough, Pemberton Township, Shamong, Southampton, Springfield, Westampton, and Woodland. **District 9:** Bass River, Tabernacle, and Washington. **District 12:** Chesterfield, New Hanover, North Hanover, and Wrightstown.

CAMDEN COUNTY: **District 4:** Chesilhurst, Clementon, Gloucester Township, Laurel Springs, Lindenwold, and Winslow. **District 5:** Audubon, Audubon Park, Barrington, Bellmawr, Brooklawn, Camden, Gloucester City, Haddon Heights, Lawnside, Magnolia, Mount Ephraim, Runnemede, and Woodlynne. **District 6:** Berlin Township, Cherry Hill, Collingswood, Gibbsboro, Haddon Township, Haddonfield, Hi-Nella, Merchantville, Oaklyn, Somerdale, Pennsauken, Stratford, Tavistock, and Voorhees. **District 8:** Berlin Borough, Pine Hill, Pine Valley, and Waterford.

CAPE MAY COUNTY: **District 1:** Entire County.

CUMBERLAND COUNTY: **District 1:** Commercial, Downe, Fairfield, Greenwich, Hopewell, Lawrence, Maurice River, Millville, Shiloh, Stow Creek, and Vineland. **District 3:** Bridgeton, Deerfield, and Upper Deerfield.

ESSEX COUNTY: **District 26:** Fairfield, North Caldwell, Verona, and West Caldwell. **District 27:** Caldwell, Essex Fells, Livingston, Maplewood, Millburn, Roseland, South Orange, and West Orange. **District 28:** Bloomfield, Glen Ridge, Irvington, Newark (part), and Nutley. **District 29:** Belleville and Newark (part). **District 34:** East Orange, Montclair, and Orange. **District 40:** Cedar Grove.

GLOUCESTER COUNTY: **District 3:** Clayton, East Greenwich, Elk, Franklin, Glassboro, Greenwich, Logan, National Park, Newfield, Paulsboro, South Harrison, Swedesboro, West Deptford, Woodbury Heights, and Woolwich. **District 4:** Monroe, Pitman, and Washington Township. **District 5:** Deptford, Harrison, Mantua, Wenonah, Westville, and Woodbury.

HUDSON COUNTY: **District 31:** Bayonne and Jersey City (part). **District 32:** East Newark, Guttenberg,

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Harrison, Kearny, North Bergen, Secaucus, and West New York. **District 33:** Hoboken, Jersey City (part), Union City, and Weehawken.

HUNTERDON COUNTY: **District 15:** East Amwell, Lambertville, and West Amwell. **District 16:** Delaware, Flemington, Raritan, Readington, and Stockton. **District 23:** Alexandria, Bethlehem, Bloomsbury, Califon, Clinton Town, Clinton Township, Franklin, Frenchtown, Glen Gardner, Hampton, High Bridge, Holland, Kingwood, Lebanon Borough, Lebanon Township, Milford, Tewksbury, and Union.

MERCER COUNTY: **District 14:** East Windsor, Hamilton, Hightstown, and Robbinsville. **District 15:** Ewing, Hopewell Borough, Hopewell Township, Lawrence, Pennington, Trenton, and West Windsor. **District 16:** Princeton.

MIDDLESEX COUNTY: **District 12:** Old Bridge. **District 14:** Cranbury, Jamesburg, Monroe, Plainsboro, and Spotswood. **District 16:** South Brunswick. **District 17:** Milltown, New Brunswick, North Brunswick, and Piscataway. **District 18:** East Brunswick, Edison, Helmetta, Highland Park, Metuchen, South Plainfield, and South River. **District 19:** Carteret, Perth Amboy, Sayreville, South Amboy, and Woodbridge. **District 22:** Dunellen and Middlesex Borough.

MONMOUTH COUNTY: **District 11:** Allenhurst, Asbury Park, Colts Neck, Deal, Freehold Borough, Freehold Township, Eatontown, Interlaken, Loch Arbour, Long Branch, Neptune City, Neptune Township, Ocean Township, Red Bank, Shrewsbury Borough, Shrewsbury Township, Tinton Falls, and West Long Branch. **District 12:** Allentown, Englishtown, Manalapan, Matawan, Millstone, Roosevelt, and Upper Freehold. **District 13:** Aberdeen, Atlantic Highlands, Fair Haven, Hazlet, Highlands, Holmdel, Keansburg, Keyport, Little Silver, Marlboro, Middletown, Monmouth Beach, Oceanport, Rumson, Sea Bright, and Union Beach. **District 30:** Avon-by-the-Sea, Belmar, Bradley Beach, Brielle, Farmingdale, Howell, Lake Como, Manasquan, Sea Girt, Spring Lake Borough, Spring Lake Heights, and Wall.

MORRIS COUNTY: **District 21:** Chatham Borough and Long Hill. **District 24:** Mount Olive. **District 25:** Boonton Town, Boonton Township, Chester Borough, Chester Township, Denville, Dover, Mendham Borough, Mendham Township, Mine Hill, Morristown, Mount Arlington, Mountain Lakes, Netcong, Randolph, Rockaway Borough, Roxbury, Victory Gardens, Wharton, and Washington. **District 26:** Butler, Jefferson, Kinnelon, Lincoln Park, Montville, Morris Plains, Parsippany-Troy Hills, and Rockaway Township. **District 27:** Chatham Township, East Hanover, Florham Park, Hanover, Harding, and Madison. **District 40:** Pequannock and Riverdale.

OCEAN COUNTY: **District 9:** Barnegat Township, Barnegat Light, Beach Haven, Beachwood, Berkeley, Eagleswood, Harvey Cedars, Lacey, Little Egg Harbor, Long Beach, Ocean Township, Ocean Gate, Pine Beach, Seaside Park, South Toms River, Ship Bottom, Stafford, Surf City, and Tuckerton. **District 10:** Bay Head, Brick, Island Heights, Manchester, Lakehurst, Lavallette, Mantoloking, Point Pleasant Beach, Seaside Heights, and Toms River. **District 12:** Jackson and Plumsted. **District 30:** Lakewood and Point Pleasant.

PASSAIC COUNTY: **District 26:** West Milford. **District 34:** Clifton. **District 35:** Haledon, North Haledon, Paterson, and Prospect Park. **District 36:** Passaic City. **District 38:** Hawthorne. **District 39:** Bloomingdale, Ringwood, and Wanaque. **District 40:** Little Falls, Pompton Lakes, Totowa, Wayne, and Woodland Park.

SALEM COUNTY: **District 3:** Entire County.

SOMERSET COUNTY: **District 16:** Branchburg, Hillsborough, Manville, Millstone, Montgomery, Rocky Hill, and Somerville. **District 17:** Franklin. **District 21:** Bernards, Far Hills, Warren, and Watchung. **District 22:** Green Brook and North Plainfield. **District 23:** Bedminster, Bound Brook, Bridgewater, Peapack & Gladstone, Raritan, and South Bound Brook. **District 25:** Bernardsville.

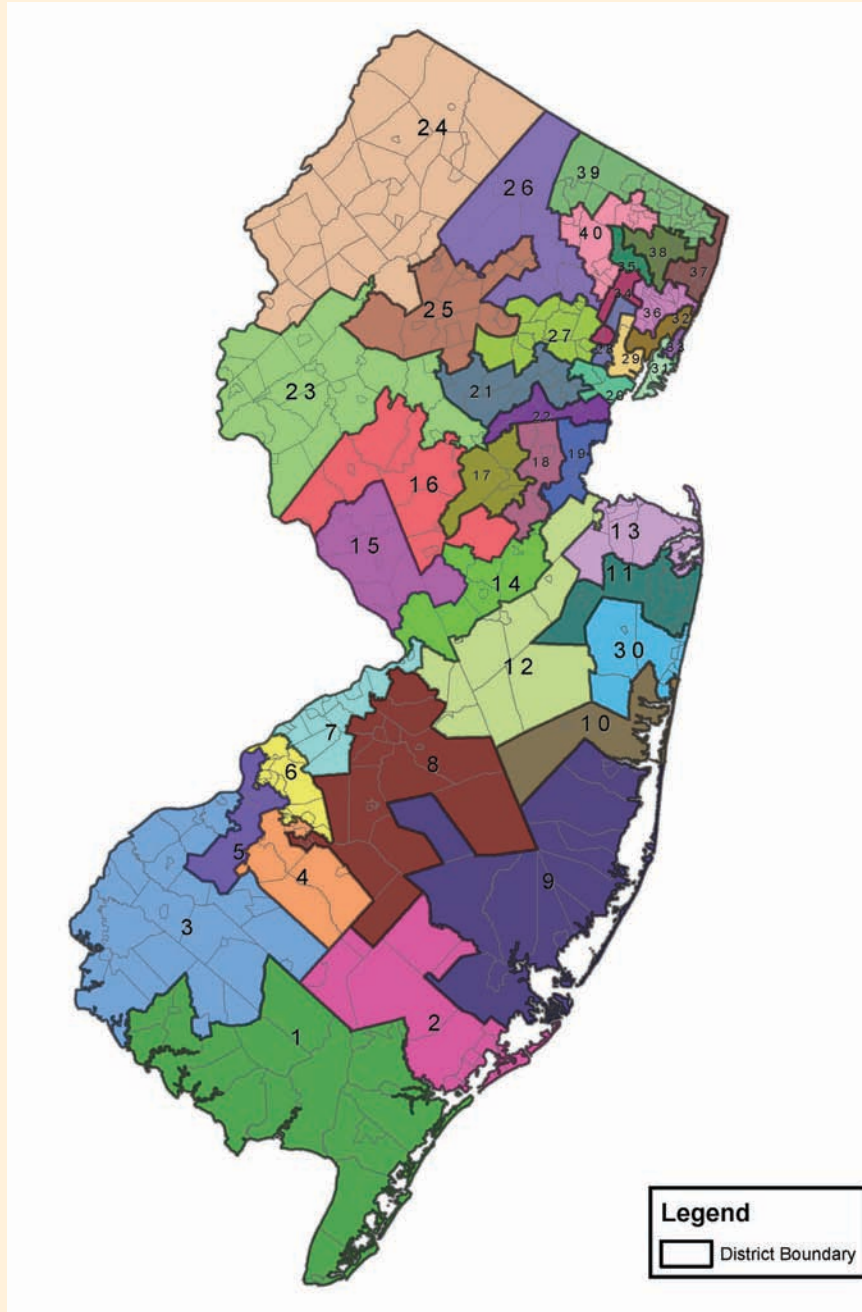
SUSSEX COUNTY: **District 24:** Entire County.

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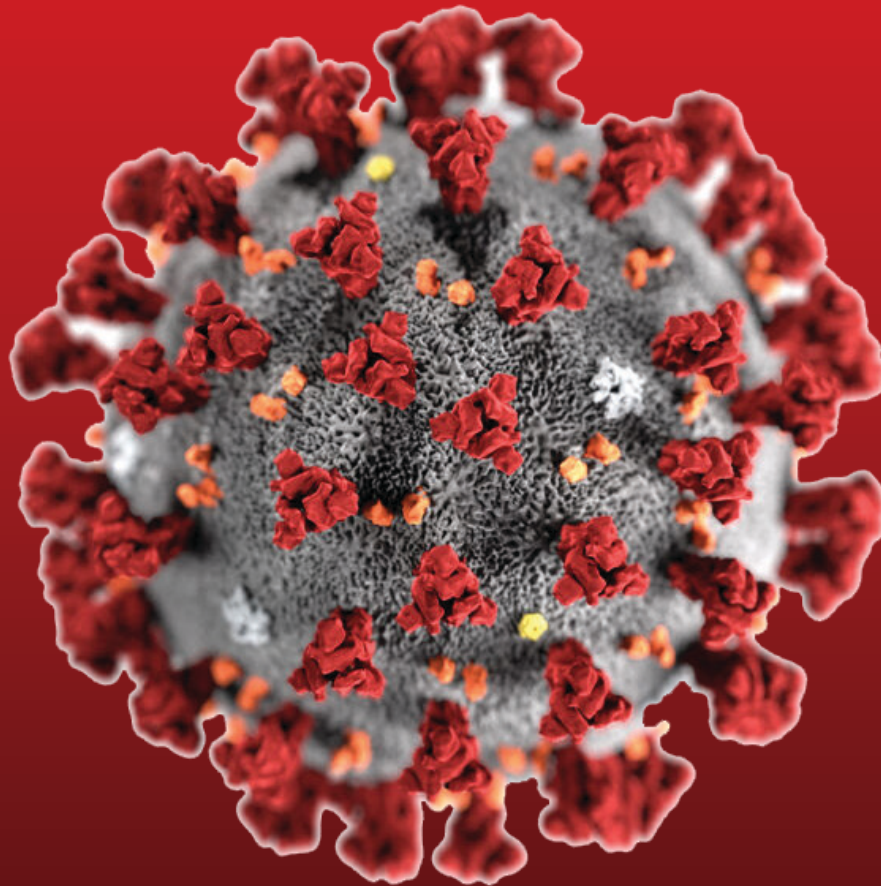
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UNION COUNTY: District 20: Elizabeth, Hillside, Roselle, and Union. **District 21:** Berkeley Heights, Cranford, Garwood, Kenilworth, Mountainside, New Providence, Roselle Park, Springfield, Summit and Westfield. **District 22:** Clark, Fanwood, Linden, Plainfield, Rahway, Scotch Plains, and Winfield.

WARREN COUNTY: District 23: Alpha, Franklin, Greenwich, Hackettstown, Harmony, Lopatcong, Mansfield, Philipsburg, Pohatcong, Washington Borough, and Washington Township. **District 24:** Allamuchy, Belvidere, Blairstown, Frelinghuysen, Hardwick, Hope, Independence, Knowlton, Liberty, Oxford, and White.



Here to help you through
your COVID questions



www.njgca.org/coronavirus

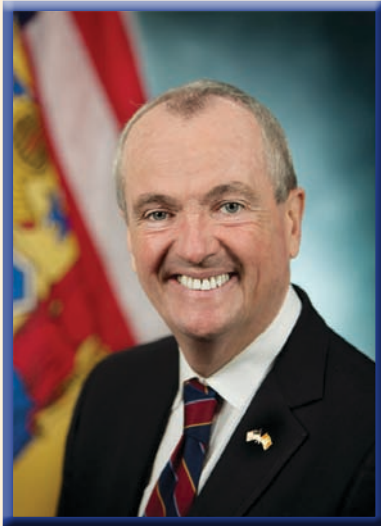
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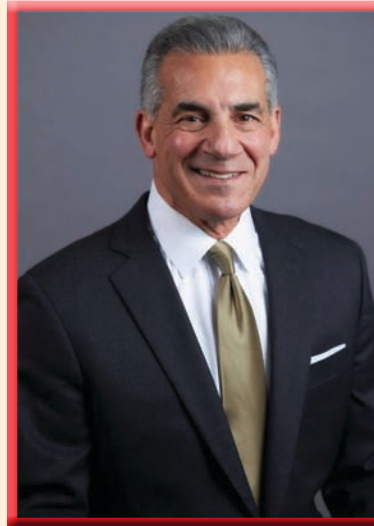
WHO ARE THE CANDIDATES?

Names in *italics* are incumbents running for re-election. Vote for 2 Assembly candidates

Governor/Lieutenant Governor



Governor Phil Murphy
Lt. Gov. Sheila Oliver (D)



Jack Ciattarelli
Diane Allen (R)

District 1

Senate: Sen. Michael Testa (R) & Yolanda Garcia Balicki (D)

Assembly: Asm. Antwan McClellan (R), Asm. Erik Simonsen (R), John Capizola (D), and Julia Hankerson (D)

District 2

Senate: Sen.-elect Vince Polistina (R) & Asm. Vince Mazzeo (D)

Assembly: Asm. John Armato (D), Caren Fitzpatrick (D), Don Guardian (R), and Claire Swift (R)

District 3

Senate: Senate President Steve Sweeney (D) & Edward Durr (R)

Assembly: Asm. John Burzichelli (D), Asm. Adam Taliaferro (D), Bethanne McCarthy Patrick (R), and Beth Sawyer (R)

District 4

Senate: Sen. Fred Madden (D) & Stephen Pakradooni (R)

Assembly: Asm. Paul Moriarty (D), Asw. Gabriela Mosquera (D), Denise Gonzalez (R), and Patricia Kline (R)

District 5

Senate: Sen. Nilsa Cruz-Perez (D) & Clyde Cook (R)

Assembly: Asm. William Moen (D), Asm. William Spearman (D), Sean Sepsey (R), and Samuel DiMatteo (R)

District 6

Senate: Sen. Jim Beach (D) & John Foley (R)

Assembly: Asm. Lou Greenwald (D), Asw. Pamela Lampitt (D), Ed Farmer (R), and Richard Super (R)

District 7

Senate: Sen. Troy Singleton (D) & Michelle Arnold (R)

Assembly: Asm. Herb Conaway (D), Asw. Carol Murphy (D), Douglas Dillon (R), and Joseph Jesuele (R)

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District 8

Senate: Sen. Dawn Marie Addiego (D) & Asw. Jean Stanfield (R)

Assembly: Michael Torrissi (R), Brandon Umba (R), Mark Natale (D), and Allison Eckel (D)

District 9

Senate: Sen. Christopher Connors (R) & David Wright (D)

Assembly: Asm. Brian Rumpf (R), Asw. DiAnne Gove (R), Alexis Jackson (D), and Kristen Henniger-Holland (D)

District 10

Senate: Sen. Jim Holzapfel (R) & Emma Mammano (D)

Assembly: Asm. Gregory McGuckin (R), Asm. John Catalano (R), Tony Kono (D), and Sharon Quilter (D)

District 11

Senate: Sen. Vin Gopal (D) & Lori Annetta (R)

Assembly: Asm. Eric Houghtaling (D), Asw. Joann Downey (D), Marilyn Piperno (R), and Kimberly Eulner (R)

District 12

Senate: Sen. Sam Thompson (R) & Joseph Altomonte (D)

Assembly: Asm. Ron Dancer (R), Asm. Robert Clifton (R), Raya Arbiol (D), and Michael Palazzolla (D)

District 13

Senate: Sen. Declan O'Scanlon (R) & Vincent Solomeno (D)

Assembly: Asm. Gerard Scharfenberger (R), Vicky Flynn (R), Erin Howard (D), and Allison Friedman (D)

District 14

Senate: Sen. Linda Greenstein (D) & Adam Elias (R)

Assembly: Asm. Wayne DeAngelo (D), Asm. Daniel Benson (D), Bina Shah (R), and Andrew Pachuta (R)

District 15

Senate: Sen. Shirley Turner (D) & Susan Gaul (R)

Assembly: Asw. Verlina Reynolds-Jackson (D), Asm. Anthony Verrelli (D), Patricia Johnson (R), and Pedro Reyes (I)

District 16

Senate: Michael Pappas (R) & Asm. Andrew Zwicker (D)

Assembly: Asm. Roy Freiman (D), Sadaf Jaffer (D), Vincent Panico (R), and Councilman Joseph Lukac (R)

District 17

Senate: Sen. Bob Smith (D) & James Abate (R)

Assembly: Asm. Joe Egan (D), Asm. Joe Danielsen (D), Peter Gabra (R), and Catherine Barrier (R)

District 18

Senate: Sen. Patrick Diegnan (D) & Vihal Patel (R)

Assembly: Asm. Robert Karabinchak (D), Asm. Sterley Stanley (D), Angela Fam (R), and Melanie McCann Mott (R)

District 19

Senate: Sen. Joe Vitale (D) & Peter Pisar (R)

Assembly: Asm. Craig Coughlin (D), Asw. Yvonne Lopez (D), Tony Gallo (R), and Bruce Banko (R)

District 20

Senate: Sen. Joe Cryan (D)

Assembly: Asw. Annette Quijano (D) and Reginald Atkins (D)

District 21

Senate: Asm. Jon Bramnick (R) & Mayor Joe Signorello

Assembly: Asw. Nancy Munoz (R), Councilwoman Michele Matsikoudis (R), Elizabeth Graner (D), and Anjali Mehrotra (D)

District 22

Senate: Sen. Nick Scutari (D) & William Michelson (R)

Assembly: Asm. James Kennedy (D), Asw. Linda Carter (D), David Sypher (R), and Hans Herbeg (R)

District 23

Senate: Sen. Michael Doherty (R) & Denise King (D)

Assembly: Asm. Erik Peterson (R), Asm. John DiMaio (R), Nick LaBelle (D), and Hope Kaufman (D)

District 24

Senate: Sen. Steven Oroho (R) & Frederick Cook (D)

Assembly: Asm. Parker Space (R), Asm. Hal Wirths (R), Scott Fadden (D), and Georgianna Carol Cook (D)

District 25

Senate: Sen. Anthony Bucco (R) & Mayor Jeffrey Grayzel (D)

Assembly: Asm. Brian Bergen (R), Asw. Aura Dunn (R), Lauren Barnett (D), and Patricia Veres (D)

District 26

Senate: Sen. Joe Pennachio (R) & Christine Clarke (D)

Assembly: Asm. Jay Webber (R), Christian Barranco (R), Melissa Brown Blaeuer (D), and Pamela Fadden (D)

District 27

Senate: Sen. Dick Codey (D) & Adam Kraemer (R)

Assembly: Asm. John McKeon (D), Asw. Mila Jasey (D), Jonathan Sym (R), & Kevin Ryan (R)

District 28

Senate: Sen. Ron Rice (D) & Frank Contella (R)

Assembly: Asm. Ralph Caputo (D), Asw. Cleopatra Tucker (D), Monique Headen (R), and Anthony D'Angelo (R)

District 29

Senate: Sen. Teresa Ruiz (D)

Assembly: Asw. Eliana Pintor Marin (D), Asw. Shanique Speight (D), and Debra Salters (I)

District 30

Senate: Sen. Robert Singer (R) & Dan Stinger (D)

Assembly: Asm. Sean Kean (R), Asm. Ned Thomson (R), Matthew Filosa (D), and Stephen Dobbins (D)

District 31

Senate: Sen. Sandra Cunningham (D) & Neil Schulman (R)

Assembly: Asw. Angela McKnight (D), William Sampson (D), Rose Javier (R), and Brandon Vila (R)

District 32

Senate: Sen. Nick Sacco (D) & Juan Barbadillo (R)

Assembly: Asw. Angelica Jimenez (D), Asm. Pedro Mejia (D), Tamara Claudio (R), and Marisela Rodriguez (R)

District 33

Senate: Sen. Brian Stack (D) & Agha Khan (R)

Assembly: Asm. Raj Mukherji (D), Asw. Annette Chaparro (D), & Marcos Marte (R), and Jacob Curtis (R)

District 34

Senate: Sen. Nia Gill (D) & Scott Pollack (R)

Assembly: Asm. Tom Giblin (D), Asw. Britnee Timberlake (D), Tafari Anderson (R), and Irene Devita (R)

District 35

Senate: Sen. Nellie Pou (D) & Kenneth Pengitore (R)

Assembly: Asw. Shavonda Sumter (D), Asm. Benjie Wimberly (D), Ramzy Yamisha (R), and Iman Majagah (R)

District 36

Senate: Sen. Paul Sarlo (D) & Chris Auriemma (R)

Assembly: Asm. Gary Schaer (D), Asm. Clinton Calabrese (D), Craig Auriemma (R), and Joe Viso (R)

District 37

Senate: Asm. Gordon Johnson (D) & Michael Koontz (R)

Assembly: Shama Haider (D), Ellen Park (D), Edward Durfree (R), and Perley Patrick (R)

District 38

Senate: Sen. Joe Lagana (D) & Richard Garcia (R)

Assembly: Asw. Lisa Swain (D), Asm. Chris Tully (D), Alfonso Mastrofilippo (R), and Jerry Taylor (R)

District 39

Senate: Sen. Holly Schepisi (R) & Ruth Dugan (D)

Assembly: Asm. Robert Auth (R), Asw. DeAnne DeFuccio (R), Melinda Iannuzzi (D), and Karlito Almeda (D)

District 40

Senate: Sen. Kristin Corrado (R) & Michael Sedon (D)

Assembly: Asm. Kevin Rooney (R), Asm. Christopher DePhillips (R), Genevieve Allard (D), and Nicole McNamara (D)

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WHAT ISSUES DID YOUR LEGISLATORS VOTE ON?

We have included bills that have been voted on since the individual's last election. For members of the Assembly this is since November 2019, for the governor and the state Senators this is since November 2017. We have only included the votes of those legislators running for re-election.

UNEMPLOYMENT TAX INCREASE DELAY

Before the pandemic New Jersey had one of the healthiest Unemployment Insurance Trust Funds in the nation, and employer payroll taxes had been lowered because of it. With the massive spike in unemployment caused by the pandemic, those funds were drained. Under the law, that would have caused the employer tax rate to spike from one of the lowest rates to the highest rate immediately. This bill spread that increase over three years instead of all at once. It also ensured that any layoffs an employer performed in response to the shutdowns would not count against the employer's UI rating. A-4853 passed the Assembly 72-0 in October 2020 and the Senate 39-0 in November 2020 and was signed into law by the Governor in January 2021. A **YES** vote supported NJGCA's position.

EDA GRANTS AUTHORIZATION

This bill authorized the NJ Economic Development Authority (EDA) to provide grants to help small businesses during the COVID-19 emergency and future emergencies. The Legislature has since appropriated \$310 million for grants that NJGCA members have eligible for (depending on number of employees). All of those appropriations passed unanimously. A-3845 passed the Assembly 65-0, the Senate 34-0, and was signed into law by the Governor in March 2020. A **YES** vote supported NJGCA's position.

BAGS, STRAWS, AND STYROFOAM RESTRICTIONS

This bill impacts a variety of products used in convenience stores, though the provisions have not yet taken effect. Starting in November 2021, no restaurant or c-store can provide single-use plastic straws to consumers unless they specifically ask for one, but they are required to maintain a stock of plastic ones in case a consumer requests one. Starting in May 2022, all single-use plastic carryout bags will be banned (there are exceptions for small bags used to hold other items like food prepared to

order). Paper bags will be banned by food retailers that are larger than 2,500 square feet. Also in May 2022 is a ban on "polystyrene foam food service products", (commonly known as Styrofoam), which includes cups and containers. S-864 passed the Assembly 47-24-7 and the Senate 25-13 in in September 2020, and was signed into law by the Governor in November 2020. A **NO** vote supported NJGCA's position.

WORKERS COMP PRESUMPTION

This bill created a presumption that an employee at an essential business (which includes all NJGCA members) who contracts COVID-19 is automatically presumed to have caught it on the job, and is therefore eligible for workers' compensation for any illness now or in the future they have from covid. The increases in premiums paid because of this presumption may total the tens if not hundreds of millions of dollars, all of which will be passed on to employers through higher premiums. S-2380 was passed by the Assembly 42-27-6 and the Senate 27-12 in July 2020 and was signed into law by the Governor in September 2020. A **NO** vote supported NJGCA's position.

PPP DEDUCTION

This bill guaranteed that New Jersey would follow the federal government's lead in its treatment of Paycheck Protection Program (PPP) loans. Without this change, the expenses covered by any PPP loans would not be able to be deducted against state income or corporate taxes, and in fact the forgiven loan would have been taxed as if it were income. This bill ensured that would not happen. S-3234 passed the Assembly 66-0-2 and the Senate 37-0 in March 2021, and was signed by the Governor in May 2021. A **YES** vote supported NJGCA's position.

GEARR COMMISSION

This bill would have established a "Government Efficiency and Regulatory Review Commission" (GEARR), which would have been a permanent bipartisan panel dedicated to reviewing state regulations and making recommendations for which should be amended or repealed. These recommendations would have been nonbinding, it still would have been up to the Governor to decide whether to go through with any changes. A-4810 passed the Assembly 72-1 in November 2020 and the Senate 35-0 in February 2021 but was vetoed by the Governor in May 2021. A **YES** vote supported NJGCA's position.

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ZONING EXEMPTION FOR EV CHARGERS

This bill aims to increase the availability of battery electric vehicle charging infrastructure. One way it does so is by mandating that if a gas station wants to install an EV charger of any kind, the station owner will not be required to first get site plan approval, other land use board review, or seek an additional zoning variant. Some station owners who have wanted to install EV chargers have been tied up with thousands of dollars in legal fees and months of delays working to get approval from local officials. It also requires newly constructed businesses with off-street parking to pre-install the underground wiring necessary to make a portion of their parking spaces EV-ready, however the bill exempts retail locations with 25 or fewer spaces (like convenience stores). S-3223 passed the Assembly 53-23 in May 2021, passed the Senate 25-13 in June 2021, and was signed into law by the Governor in July 2021. A **YES** vote supported NJGCA's position.

"WAGE THEFT" PENALTY EXPANSION

This bill continues a trend of dramatically increasing the penalties for any violation of wage and hour laws with no distinction given to whether the issue was caused by an honest mistake by the employer or one an action taken to deliberately cheat an employee. It allows the Department of Labor to file suit against a company on behalf of an allegedly injured employee, and to issue a stop-work order for all locations operated by an employer, and for the employees at all shut locations to be paid by the employer for up to ten days. A-5890 passed the Assembly 48-22-2 and the Senate 26-9 in June 2021, and was signed into law by the Governor in July 2021. A **NO** vote supported NJGCA's position.

BOND ACT APPROPRIATION FOR VO-TECH SCHOOLS

In November 2020 voters approved the State bonding for \$500 million in upgrades to schools under the "Securing Our Children's Future Bond Act". A-5888 and A-5889 appropriated approximately \$223 million for upgrades to the states county vocational schools and \$27 million to upgrades for career and technical education at county colleges. These investments will help more students get a better education in the various programs at these schools, including training in automotive repair, a field where the industry desperately needs more and better-trained technicians. Both bills passed the Assembly 72-0 and the Senate 40-0 in June 2021 and were signed into law by the Governor in July 2021. A **YES** vote supported NJGCA's position.

TEEN WORKER EXPANSION

This bill allowed teenagers between the ages of 16 and 18 to work up to 50 hours per week between July 1st and Labor Day 2021. In June 2021 A-5898 passed the Assembly 69-3 and the Senate 38-0 and was signed into law by the Governor in July 2021. A **YES** vote supported NJGCA's position.

INCOME TAX INCREASE

This bill increased the NJ gross income tax rate from 8.97% to 10.75% on income between \$1 million and \$5 million (income beyond that already pays this rate). Since many small businesses are organized as pass-through companies they may be impacted by this increase. This gives NJ the fifth highest state income tax on this level of income. A-10 passed the Assembly 52-27 and the Senate 25-14 and was signed into law by the Governor in September 2020. A **NO** vote supported NJGCA's position.

CORPORATE BUSINESS TAX SURCHARGE

This bill increased the existing corporate business tax surcharge on net income over \$1 million from 1.5% to 2.5%. While the existing surcharge was due to expire at the end of 2021, this new surcharge will not expire until the end of 2023. This surcharge is on top of the 9% rate for income over \$100,000. This gives NJ the highest corporate tax rate in the nation. A-4721 passed the Assembly 42-35-1, the Senate 21-17, and was signed into law by the Governor in September 2020. A **NO** vote supported NJGCA's position.

CANNABIS LEGALIZATION BILL

While the voters of the state legalized marijuana (now called cannabis) in 2020, this bill was needed to set up the complex regulatory structure. One provision was especially problematic for employers. While employers maintain the right to ban employees from bringing any cannabis product onto their property or from being intoxicated while on the job, there is no good way for any employer to prove that an employee was in fact high on the job. Current testing only shows that the employee consumed it at some point in the last few weeks. To take action an employer will either need to have an employee trained as a "drug recognition expert" (DRE) by the State so that they can certify the employee is intoxicated, or else pay another company to send someone down and make an official determination. The business community had asked for the ability to have stricter rules in positions where safety might be compromised, but the Legislature felt is more important to protect the employees' ability to use cannabis on their own

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time. A-21 passed the Assembly 49-24-6 and the Senate 23-17 in December 2020, and was signed into law by the Governor in February 2021. A **NO** vote supported NJGCA's position.

SHARED SERVICES

This bill would encourage the state's hundreds of local governments to work together more on providing common services across larger areas, increasing efficiency and lowering costs. NJ has 565 different municipal governments, over 600 school districts, and 21 county governments, and by far the highest property taxes in the nation to pay for it all. Increasing shared services is one of the few actions the state could take to lower property taxes. S-1 passed the Senate 34-1 in June 2021 but has not been voted on by the Assembly. A **YES** vote supported NJGCA's position.

HIRING TAX CREDITS

This bill, called the "New Jobs for New Jersey Act," would give a refundable tax credit to any business with under 100 full-time employees that increases its total workforce relative to the prior year by hiring workers who had been unemployed. The tax credit would be based on the amount of payroll taxes related to that employee. S-1958 passed the Senate 35-0 in March 2021 but has not been voted on by the Assembly. A **YES** vote supported NJGCA's position.

COVID MITIGATION TAX CREDITS

This bill would give tax credits to businesses which have or will invest in a variety of improvements to their business to mitigate the spread of COVID-19, including improved ventilation, sneeze guards and shields, and touchless entryways. It would cover 75% of the cost up to \$100,000. The bill passed the Senate 32-0 in January 2021 but has not been voted on by the Assembly. A **YES** vote supported NJGCA's position.

REPAIR RIGHTS AWARENESS

This bill requires auto manufacturers to send every new car buyer a notification of their rights under the federal Magnuson-Moss Warranty Protection Act of 1975 that their vehicle's warranty cannot be voided simply because they went to an independent repair shop for service or used an aftermarket part. S-1712 passed the Senate 31-0 in September 2019, the Assembly 74-0 in November 2019, and was signed into law by the Governor in January 2020. A **YES** vote supported NJGCA's position.

TOBACCO COUPON BAN

This bill banned the use by retail consumers of any coupons, price reduction promotions, or price rebates related to the sale of any cigarette, tobacco, or vaping product. S-1647 passed the Senate 25-12, the Assembly 52-13-7, and was signed into law by the Governor in January 2020. A **NO** vote supported NJGCA's position.

VAPE FLAVOR BAN

This bill banned the sale within New Jersey of all vaping products with a flavor other than tobacco. Not long after this bill became law the federal government banned flavored cartridge products, but allowed menthol flavor and other types of flavored products to remain for sale. S-3265 passed the Senate 22-15, the Assembly 52-11-10, and was signed into law by the Governor in January 2020. A **NO** vote supported NJGCA's position.

PASS-THROUGH SALT DEDUCTIONS

This bill allows the owners of pass-through businesses the option to change their designation in the eyes of the NJ Division of Taxation so that they are taxed as an entity instead of as an individual. There is no change in the tax rate paid. By being classified as an entity, it allows the business owner to deduct all of their state taxes on their federal income tax returns, whereas individuals now have a \$10,000 cap on the amount they can deduct following the 2017 federal tax cut bill. S-3246 passed the Assembly 77-0 and the Senate 34-0 in December 2019 and was signed into law by the Governor in January 2020. A **YES** vote supported NJGCA's position.

\$15 MINIMUM WAGE

This bill increased the minimum wage to \$15 an hour over the course of several years. The minimum will hit \$15 in January 2024. It will continue to increase beyond \$15 based on inflation. A-15 passed the Assembly 52-25 and the Senate 23-16 in January 2019 and was signed into law by the Governor in February 2019. A **NO** vote supported NJGCA's position.

PAID SICK LEAVE

This bill required every employee be given one hour of paid leave for every 30 hours worked, up to 40 hours per year. Employees are able to use the leave if they report that they or any of their family members are sick. A-1827 passed the Assembly 50-24-1 in March 2018, passed the Senate 24-12 in April 2018 and was signed into law by the

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Governor in May 2018. A **NO** vote supported NJGCA's position.

PAID FAMILY LEAVE EXPANSION

This bill significantly expanded the state's decade old paid family leave program. Employees are now able to take paid leave (paid by the State) for up to 12 weeks (from 6) and be paid more while on leave. All employees are eligible to take the leave but if the business they work at has fewer than 30 employees (formerly 50) then the employer is not required to keep their position open. A-3975 passed the Assembly 53-21-2 and the Senate 26-12 in January 2019 and was signed into law by the Governor in February 2019. A **NO** vote supported NJGCA's position.

"WAGE THEFT"

This bill significantly increased the penalties for all violations of state wage and hour law, however it makes almost no distinction between accidental violations made in good faith and knowing and willful violations made to steal from employees. It also threatens jail time for employers found with three violations of the law. It passed the Assembly 41-26-7 and the Senate 22-12 in June 2019 and was signed into law by the Governor in August 2019. A **NO** vote supported NJGCA's position.

PREDATORY TOWING ACT FIX

This bill fixed an issue in which the Division of Consumer Affairs was applying the provisions of the Predatory Towing Act to police ordered non-consent tows even though those tows are already regulated by the local municipality. If towers charged the fees they needed (and were allowed to) by one entity, the other was threatening to fine them. This bill fixed that issue. A-4782 passed the Assembly 79-0, the Senate 38-0, and was signed into law by the Governor in December 2018. A **YES** vote supported NJGCA's position.

PLASTIC BAG TAX

This bill would have implemented a 5¢ tax on all single-use carryout bags, both paper and plastic. Retailers would have to give the State four of the five cents, and could not collect the fee if the customer was using SNAP (food stamps). A-3267 passed the Assembly 41-32 and the Senate 23-16 in June 2018, but was vetoed by the Governor in August 2018 (he wanted the bill to go further). A **NO** vote supported NJGCA's position.

UNEMPLOYMENT INSURANCE "MISCONDUCT" CHANGE

This bill amended the state's unemployment law by repealing the category of "severe misconduct", which was created several years ago as part of a package of laws to save the state's Unemployment Insurance Fund from bankruptcy. The impact of this change is to not differentiate between employees who are let go because they are not up to their job and those laid off through no fault of their own, increasing UI Fund payouts that could otherwise be returned to employers. A-3871 passed the Assembly 50-25 and the Senate 24-15 in June 2018 and was signed by the Governor in August 2018. A **NO** vote supported NJGCA's position.

CORPORATE BUSINESS TAX INCREASE

This bill added a surcharge to corporate business revenue over \$1 million. For 2018 and 2019 it was 2.5%, and it was supposed to be lowered to 1.5% for 2020 and 2021 before expiring. See above for details about the further increase made in 2020. A-4202 passed the Assembly 41-23 and the Senate 23-15 in June 2018 and was signed into law by the Governor in July 2018. A **NO** vote supported NJGCA's position.

OUT OF NETWORK REFORM

This bill enacted several healthcare reforms, chiefly it increases transparency to reduce the likelihood patients will be surprised with huge bills because they were unknowingly treated by an out-of-network doctor. This will lower healthcare costs for businesses and consumers. A-2039 passed the Assembly 48-21-3 and the Senate 21-13 and was signed by the Governor in June 2018. A **YES** vote supported NJGCA's position.

RAIN TAX

This bill gave municipal governments the ability to create local utilities to manage stormwater runoff and assess a tax on local property owners based on how much impermeable surface (pavement and roof) they have. How much these fees will be (and how heavily they will target commercial properties) is up to each of the 586 different local governments in the state. S-1073 passed the Assembly 45-31 and the Senate 25-11 in January 2019 and was signed by the Governor in March 2019. A **NO** vote supported NJGCA's position.

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NJ	Phil Murphy	D	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	*	*	*	
1	Michael Testa	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes	
2	Vince Mazzeo	D	Yes	Yes	Yes	Abs	Abs	Yes	Yes	Yes	Yes	Yes	No	Yes	*	*	*	
3	Stephen Sweeney	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
4	Fred Madden	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	
5	Nilsa Cruz-Perez	D	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	
6	James Beach	D	Yes	NV	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	
7	Troy Singleton	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	
8	Dawn Addiego	D	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
8	Jean Stanfield	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	*	*	*	
9	Christopher Connors	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	NV	Yes	NV	
10	James Holzapfel	R	Yes	Yes	NV	No	NV	Yes	No	No	Yes	Yes	NV	NV	NV	NV	Yes	
11	Vin Gopal	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
12	Sam Thompson	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes	
13	Declan O'Scanlon	R	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	NV	
14	Linda Greenstein	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	
15	Shirley Turner	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
16	Andrew Zwicker	D	Yes	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	*	*	*	
17	Bob Smith	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
18	Patrick Diegnan	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
19	Joe Vitale	D	NV	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	
20	Joe Cryan	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	
21	Jon Bramnick	R	Yes	Yes	No	No	Abs	Yes	No	No	Yes	Yes	No	No	Abs	*	*	*
22	Nick Scutari	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
23	Michael Doherty	R	Yes	NV	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes	
24	Steve Oroho	R	Yes	Yes	No	No	Yes	Yes	No	NV	Yes	Yes	No	No	Yes	Yes	Yes	
25	Anthony Bucco	R	Yes	Yes	No	NV	Yes	NV	No	NV	Yes	Yes	No	No	Yes	Yes	Yes	
26	Joe Pennacchio	R	Yes	NV	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes	
27	Dick Codey	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
28	Ron Rice	D	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	No	NV	Yes	NV
29	Teresa Ruiz	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
30	Robert Singer	R	Yes	Yes	No	Yes	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	Yes	
31	Sandra Cunningham	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	
32	Nick Sacco	D	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
33	Brian Stack	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
34	Nia Gill	D	Yes	NV	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	
35	Nellie Pou	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
36	Paul Sarlo	D	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	No	Yes	NV	Yes	
37	Gordon Johnson	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	*	*	*	
38	Joe Lagana	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
39	Holly Schepisi	R	Yes	NV	No	No	Yes	NV	No	NV	Yes	NV	No	No	Abs	Yes	Yes	*
40	Kristin Corrado	R	Yes	Yes	No	No	Yes	Yes	No	NV	Yes	Yes	No	No	Yes	Yes	Yes	

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District	Name	Party	Repair Rights Awareness	Tobacco Coupon Ban	Vape Flavor Ban	Pass Through SALT	\$15 Minimum Wage	Paid Sick Leave	Paid Family Leave	Wage Theft	Towing Act Fix	Bag Tax	UI Misconduct Change	CBT Surtax Initial	Out of Network	Rain Tax
NJ	Phil Murphy	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	
1	Michael Testa	R	*	No	No	Yes	*	*	*	*	*	*	*	*	*	*
2	Vince Mazzeo	D	Yes	Abs	Abs	Yes	Yes	Yes	Yes	Abs	Yes	Yes	Yes	No	Yes	No
3	Stephen Sweeney	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4	Fred Madden	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes
5	Nilsa Cruz-Perez	D	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6	James Beach	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7	Troy Singleton	D	NV	NV	NV	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	NV	Yes	Yes
8	Dawn Addiego	D	Yes	Yes	Yes	Yes	Yes	No	Yes	NV	Yes	Yes	No	No	NV	No
8	Jean Stanfield	R	*	*	*	*	*	*	*	*	*	*	*	*	*	*
9	Christopher Connors	R	Yes	No	No	NV	No	No	No	No	Yes	No	No	No	No	No
10	James Holzapfel	R	Yes	No	No	NV	No	NV	No	No	NV	No	No	No	NV	No
11	Vin Gopal	D	NV	NV	NV	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
12	Sam Thompson	R	Yes	No	No	Yes	No	NV	No	No	Yes	No	No	No	No	Yes
13	Declan O'Scanlon	R	Yes	Yes	No	Yes	No	No	No	No	Yes	Yes	No	No	No	No
14	Linda Greenstein	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
15	Shirley Turner	D	Yes	Yes	Yes	Yes	NV	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes
16	Andrew Zwicker	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes
17	Bob Smith	D	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
18	Patrick Diegnan	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
19	Joe Vitale	D	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
20	Joe Cryan	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
21	Jon Bramnick	R	Yes	No	No	Yes	No	No	No	No	Yes	No	No	No	No	No
22	Nick Scutari	D	NV	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
23	Michael Doherty	R	Yes	No	No	NV	No	No	No	No	Yes	No	No	No	No	No
24	Steve Oroho	R	Yes	No	No	Yes	No	No	No	No	Yes	No	No	No	No	No
25	Anthony Bucco	R	NV	No	No	NV	No	No	No	No	Yes	No	No	No	No	No
26	Joe Pennacchio	R	Yes	No	No	Yes	No	NV	No	No	Yes	No	No	No	NV	No
27	Dick Codey	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
28	Ron Rice	D	NV	NV	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes
29	Teresa Ruiz	D	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
30	Robert Singer	R	Yes	No	No	Yes	No	No	Yes	No	Yes	No	No	No	No	No
31	Sandra Cunningham	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
32	Nick Sacco	D	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes
33	Brian Stack	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
34	Nia Gill	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	NV	Yes
35	Nellie Pou	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes
36	Paul Sarlo	D	Yes	Yes	Yes	Yes	Yes	Yes	NV	NV	Yes	Yes	Yes	Yes	No	No
37	Gordon Johnson	D	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
38	Joe Lagana	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
39	Holly Schepisi	R	Yes	NV	NV	Yes	No	NV	Abs	No	Yes	NV	No	NV	No	No
40	Kristin Corrado	R	Yes	No	No	NV	No	No	No	No	Yes	No	No	No	No	No

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1	Antwan McClellan	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	*	*	*	*	*	
1	Erik Simonsen	R	Yes	NV	No	No	Yes	Yes	No	NV	NV	NV	No	No	*	*	*	*	*	
2	John Armato	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Abs	Abs	Yes	Yes	
3	John Burzichelli	D	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abs	Abs	Yes	Yes	
3	Adam Taliaferro	D	Yes	NV	Yes	Yes	Yes	Yes	NV	NV	NV	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	
4	Paul Moriarty	D	NV	NV	Yes	NV	Yes	Yes	NV	Yes	Yes	Yes	NV	Abs	NV	Yes	NV	Yes	Yes	
4	Gabriela Mosquera	D	Yes	Yes	Yes	Yes	NV	Yes	NV	NV	NV	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	
5	William Moen	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	*	*	*	*	*	
5	William Spearman	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
6	Louis Greenwald	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
6	Pamela Lampitt	D	Yes	NV	Yes	Abs	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
7	Herb Conaway	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	
7	Carol Murphy	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
9	DiAnne Gove	R	NV	NV	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Abs	Abs	Yes	No	
9	Brian Rumpf	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Abs	Abs	Yes	No	
10	John Catalano	R	Yes	Yes	No	NV	Yes	Yes	No	No	Yes	Yes	No	No	*	*	*	*	*	
10	Greg McGuckin	R	Yes	Yes	No	No	NV	Yes	No	No	Yes	Yes	No	No	Yes	No	No	Yes	No	
11	Joann Downey	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	
11	Eric Houghtaling	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	
12	Robert Clifton	R	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	No	No	NV	Yes	Yes	Yes	NV	
12	Ron Dancer	R	Yes	Yes	No	No	Yes	Yes	Yes	NV	NV	NV	No	No	Yes	No	Abs	Yes	No	
13	Gerry Scharfenberger	R	Yes	Yes	Abs	No	Yes	Yes	No	No	Yes	Yes	No	No	*	*	*	*	*	
14	Dan Benson	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
14	Wayne DeAngelo	D	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NV	Abs	Yes	Yes	
15	Verlina Reynolds-Jackson	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
15	Anthony Verrelli	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
16	Roy Freiman	D	Yes	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	
17	Joe Daniels	D	Yes	Yes	Yes	Yes	NV	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
17	Joe Egan	D	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
18	Robert Karabinchak	D	NV	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abs	Yes	Yes	
18	Sterley Stanley	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	*	*	*	*	*	
19	Craig Coughlin	D	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
19	Yvonne Lopez	D	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
20	Annette Quijano	D	NV	Yes	Yes	Yes	Yes	NV	NV	NV	NV	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

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21	Nancy Munoz	R	Yes	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	No	No	NV	Yes	Yes	Yes	No	No
22	Linda Carter	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
22	James Kennedy	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
23	John DiMaio	R	Yes	Yes	No	No	Yes	Yes	No	NV	NV	NV	No	No	No	Yes	No	No	Yes	No
23	Erik Peterson	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	No	No	Yes	No
24	Parker Space	R	Yes	Yes	No	NV	Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	No	No	Yes	No
24	Hal Wirths	R	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	No	No	Yes	No
25	Brian Bergen	R	Yes	Yes	No	No	NV	Yes	No	No	Yes	Yes	No	No	No	*	*	*	*	*
25	Aura Dunn	R	Yes	Yes	Abs	No	Yes	Yes	No	No	Yes	No	No	No	Abs	Yes	No	Abs	Yes	*
26	Jay Webber	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	No	Yes	Yes	NV
27	Mila Jasey	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
27	John McKeon	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
28	Ralph Caputo	D	NV	NV	Yes	Yes	NV	NV	Yes	Yes	Yes	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes
28	Cleopatra Tucker	D	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
29	Eliana Pintor Marin	D	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
29	Shanique Speight	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
30	Sean Kean	R	Yes	NV	Abs	No	Yes	Yes	No	No	Yes	Yes	No	No	No	Yes	No	No	Yes	No
30	Ned Thomson	R	Yes	Yes	No	No	Yes	No	No	No	Yes	Yes	No	No	No	Yes	No	No	Yes	No
31	Angela McKnight	D	Yes	Yes	Yes	Yes	Yes	NV	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
32	Angelica Jimenez	D	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
32	Pedro Mejia	D	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
33	Annette Chaparro	D	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abs	Yes	Yes	Yes	Yes
33	Raj Mukherji	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes
34	Tom Giblin	D	Yes	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
34	Britnee Timberlake	D	NV	Yes	Yes	Yes	NV	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
35	Shavonda Sumter	D	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
35	Benjie Wimberly	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
36	Clinton Calabrese	D	NV	NV	Yes	Abs	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
36	Gary Schaer	D	Yes	Yes	Yes	NV	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
38	Lisa Swain	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
38	Chris Tully	D	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
39	Roberth Auth	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	No	No	No	No	Yes	Abs	Abs	Yes	No
39	DeAnne DeFuccio	R	Yes	Yes	No	No	Yes	Yes	No	No	Yes	No	No	No	No	*	*	*	*	*
40	Christopher DePhillips	R	Yes	Yes	No	No	Yes	NV	No	No	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	No
40	Kevin Rooney	R	Yes	Yes	No	No	NV	Yes	No	No	Yes	Yes	No	No	No	Yes	No	No	Yes	No

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CANDIDATE SURVEY

1. New Jersey is now the only state in the nation with a full ban on motorists pumping their own gasoline. This prohibition drives up the cost of gas and is an inconvenience to those who would prefer to save time by pumping their own gas. Would you support a bill which legalized the option of self-serve gas, while still mandating larger locations provide full-serve?
2. Nationwide, about 80% of convenience stores sell beer and wine, where it is often a cornerstone of their business. In New Jersey, almost no c-stores are able to sell these products because of our antiquated liquor laws. Would you support reforming New Jersey's liquor license laws to make it easier for small businesses like convenience stores to sell beer and wine?
3. Thanks to a national Right to Repair movement, in 2014 vehicle owners and independent auto repair shops gained access to the codes and data necessary to perform repair work on modern automobiles. However, a loophole in the national agreement only covers data transmitted through a wired connection, and the latest models of vehicles transmit their data wirelessly. This is known in the industry as telematics. With manufacturers in total control of this data, they can use it to steer customers away from small businesses when it comes time for repair and maintenance. In 2020 75% of Massachusetts voters supported expanding Right to Repair access to include telematics data. Would you support legislation to do the same in New Jersey?
4. Most emissions inspections in NJ are performed at Central Inspection Facilities (CIFs), costing the State about \$40 million per year. The State can save that expense by joining almost every state in the nation and requiring all inspections be performed at Private Inspection Facilities (PIFs). Such a change would save millions of dollars annually and provide a big boost for approximately 1,500 independent small businesses throughout the state. Would you support closing the CIFs and moving to an all PIF inspection system?
5. One of the biggest challenges facing auto repair shops is the inability to find quality, well-trained technicians to fix their customer's cars, particularly given how complex the modern automobile is. Working as an auto technician can provide someone with a good salary performing fulfilling work, and often the ability to own their own business one day. Would you support state funding for workforce development programs which include helping more New Jerseyans become trained auto technicians?
6. Support continues to increase, and technology continues to advance, for alternative forms of powering motor vehicles. Motor fuel retailers are already positioned in the best locations to provide motorists with a way to refuel their vehicle, whether it is powered by gasoline, hydrogen, or electricity. Would you support a program which gave tax credits or other financial incentives to existing motor fuel retailers to promote the installation of hydrogen fuel refilling stations and/or battery fast charging stations?
7. In the last five years, New Jersey's gas tax has increased by more than 36¢ a gallon, from one of the lowest in the nation to one of the highest. As vehicle mileage continues to increase and more residents switch to zero emission vehicles, it is clear that funding the next authorization of the Transportation Trust Fund with another gas tax increase will be ineffective and unsustainable, especially compared with other alternatives like a vehicle miles traveled tax or higher registration fees. Would you oppose a further increase in the gas tax in the next TTF authorization?
8. S-921 is a bill which would add new regulations and requirements to how employers can schedule their employees for work. Among other requirements, employees can turn down any shift unless they have been given at least 14 days advance notice. Any employee who is on-call and not needed, who works a split-shift, or whose shift is changed with less than 14 days of notice would need to be paid an additional hour's salary. This bill would apply to small businesses if they are franchisees or otherwise affiliated with a national brand. Would you oppose this bill?
9. State law currently sets a minimum price at which cigarettes must be sold. As costs for small businesses have increased over the years, fewer and fewer can survive on the small margins earned by selling at the state minimum price. However,

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competition from big chains prevents them from increasing their markup. Would you support an increase in the mandatory minimum price that can be charged for cigarettes?

10. New Jersey state government, like others, has set clear goals to promote the greater adoption of zero emission motor vehicles, and has already provided a variety of incentives to encourage widespread adoption with a view toward eventually having all vehicles be zero emission. Some advocates have demanded that the state government should enact a full ban on the sale of any gasoline or diesel powered vehicle at some arbitrary date in the future. It should not be the role of the government to restrict consumer choice so significantly, especially at the state level. Policymakers should instead rely on incentives to encourage consumers to choose these vehicles. Would you oppose a state ban on the sale of vehicles powered by internal combustion engines?

11. New Jersey, like many states, has longstanding laws which prohibit the sale of motor fuel below cost. Some large national corporations would like to see this law weakened or eliminated so that they can undercut their small business competitors. Once their competitors have been wiped out, they could then charge as high a price as they would like. Do you support continuing the ban on below cost selling?

12. In 2010 the State eliminated its requirement that all passenger vehicles undergo a biennial

safety inspection. This requirement was a vital tool in ensuring that motorists' vehicles were fully road safe and compliant with the law. In the years since, auto repairers have seen a sharp decrease in motorist compliance with safety laws. Would you support the return of required safety inspections?

13. Would you oppose an increase in the state's excise tax on cigarettes (currently \$2.70 per pack)?

14. This year the FDA announced they would move forward with a national ban on the sale of menthol cigarettes. Some have said that New Jersey should enact a state ban immediately, rather than wait for the FDA. Massachusetts did so last year, and while their sales of cigarettes dropped 24%, sales in Rhode Island and New Hampshire jumped 18% and 30% respectively. Smokers buying packs in neighboring states not only hurts local businesses it deprives the State of tax revenue otherwise spent on healthcare. Would you oppose a state-level ban on menthol cigarettes?

15. Credit card interchange fees have become one of the largest expenses a business incurs. Visa and MasterCard have created a virtual monopoly and are able to charge retailers whatever rate they wish, knowing no business in this modern age can survive without accepting credit cards. A-1472 is bipartisan legislation to lower the cost of credit card fees by injecting competition into the market by providing choice in how transactions are routed. Would you support this legislation?

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Senator	1 R	*		Michael Testa	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Assembly	1 R	*		Erik Simonsen	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Assembly	2 R			Don Guardian	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Assembly	4 R			Denise Gonzalez	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		
Senator	6 D	*		James Beach	No	Yes	No	Yes	Yes	Yes	?	Yes	Yes	?	Yes	No	No	Yes	
Assembly	6 D	*		Louis Greenwald	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	
Assembly	6 D	*		Pamela Lampitt	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	
Assembly	7 D	*		Carol Murphy	Yes	Yes	Yes	Yes	Yes	?	?	Yes	Yes	Yes	Yes	?	Yes	Yes	
Assembly	7 R			Douglas Dillon	No	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	7 R			Joseph Jesuele	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	
Assembly	9 D			Kristen Henniger-Holland	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	
Senator	10 D			Emma Mammano	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	
Senator	10 R	*		Jim Holzapfel	No	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	?	Yes	Yes	Yes	
Assembly	10 D			Sharon Quilter	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	?	No	Yes	
Assembly	10 R	*		John Catalano	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes*	Yes	Yes	Yes	Yes	
Senator	11 D	*		Vin Gopal	Yes	Yes	Yes	Yes	Yes	?	?	Yes	Yes	Yes	Yes	No	No	Yes	
Senator	11 R			Lori Annetta	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	11 D	*		Eric Houghtaling	Yes	No	Yes	Yes	Yes	?	?	Yes	No	Yes	Yes	Yes	No	Yes	
Assembly	11 D	*		Joann Downey	Yes	Yes	Yes	Yes	Yes	?	?	Yes	No	Yes	Yes	Yes	Yes	Yes	
Assembly	11 R			Marilyn Piperno	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	11 R			Kimberly Eulner	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Senator	12 R	*		Sam Thompson	?	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	
Assembly	12 D			Raya Arbiol	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	12 R	*		Ron Dancer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	12 R	*		Robert Clifton	Yes	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes	Yes	
Senator	13 D			Vincent Solomeno	Yes	Yes	Yes	No	Yes	Yes	?	No	Yes	Yes	No	Yes	Yes	Yes	
Assembly	13 R	*		Gerard Scharfenberger	Yes	Yes	Yes	?	Yes	Yes	Yes	?	Yes	Yes	?	Yes	Yes	Yes	
Assembly	13 R			Vicky Flynn	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	No	No	Yes	Yes	
Assembly	14 D	*		Wayne DeAngelo	Yes	Yes	Yes	No	Yes	Yes	?	No	No	Yes	Yes	Yes	No	No	Yes
Assembly	14 D	*		Daniel Benson	No	No	Yes	No	Yes	No	No	Yes	Yes	Yes	Yes	No	No	Yes	
Assembly	14 R			Bina Shah	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	
Assembly	14 R			Andrew Pachuta	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	?	No	Yes	No	Yes	Yes	Yes
Senator	15 D	*		Shirley Turner	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	
Senator	15 R			Susan Gaul	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	15 D	*		Verlina Reynolds-Jackson	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	15 D	*		Anthony Verrelli	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	No	No	Yes	
Assembly	16 R			Joseph Lukac	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Senator	17 D	*		Bob Smith	No	?	Yes	?	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes	
Senator	17 D			James Abate	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	
Assembly	17 D	*		Joseph Danielsens	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Assembly	17 R			Catherine Barrier	?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	
Senator	18 D	*		Patrick Diegnan	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	
Assembly	19 R			Tony Gallo	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	
Assembly	19 R			Bruce Banko	Yes	Yes	Yes	Yes	No	Yes	No	?	No	Yes	Yes	No	Yes	?	Yes
Senator	20 D	*		Joseph Cryan	Yes	No	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	?	Yes	No	Yes

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Senator	21	D		Joseph Signorello	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	21	D		Elizabeth Graner	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes
Assembly	21	R	*	Nancy Munoz	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	21	R		Michele Matsikoudis	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Senator	22	R		William Michelson	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Senator	23	D		Denise King	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Senator	23	R	*	Michael Doherty	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	23	D		Hope Kaufman	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	23	R	*	John DiMaio	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	23	R	*	Erik Peterson	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Senator	25	R	*	Anthony Bucco	Yes	Yes [1]	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
Assembly	25	R	*	Brian Bergen	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	25	R	*	Aura Dunn	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	?	Yes	?	Yes	Yes	Yes	Yes
Senator	26	R	*	Joe Pennacchio	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF	RF
Assembly	26	D		Melissa Brown Blaeuer	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes	No	No	Yes	Yes
Assembly	26	D		Pamela Fadden	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Assembly	26	R	*	Jay Webber	?	?	?	?	?	?	Yes	Yes	?	Yes	?	?	Yes	Yes	?
Assembly	26	R		Christian Barranco	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Senator	27	R		Adam Kraemer	Yes*	Yes	Yes	Yes	Yes	No	Yes	No	?	No	Yes	?	Yes	Yes	Yes
Assembly	27	R		Jonathan Sym	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Senator	30	R	*	Robert Singer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	30	D		Matthew Filosa	Yes	Yes	Yes	No	Yes	Yes	Yes	No	No	No	Yes	No	Yes	Yes	Yes
Assembly	30	D		Stephen Dobbins	Yes	Yes	Yes	?	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	?	?	Yes
Assembly	30	R	*	Sean Kean	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	30	R	*	Edward Thomson	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	Yes	Yes	Yes	Yes
Assembly	33	D	*	Raj Mukherji	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	Yes	Yes	Yes
Assembly	33	D	*	Annette Chaparro	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes [2]	Yes	Yes	Yes	Yes
Assembly	34	D	*	Thomas Giblin	Yes	Yes	Yes	Yes	Yes	Yes	No	?	Yes	Yes	?	?	Yes	Yes	Yes
Assembly	34	R		Irene Devita	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes
Senator	36	D	*	Paul Sarlo	Yes	?	?	?	Yes	Yes	?	?	?	?	Yes	?	?	?	?
Senator	36	R		Chris Auriemma	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	36	D	*	Clinton Calabrese	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes [2]	No	Yes	Yes	Yes
Assembly	36	R		Craig Auriemma	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Assembly	36	R		Joseph Viso	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Senator	37	D		Gordon Johnson	Yes	No	No	No	Yes	Yes	Yes	No	Yes	Yes	No	?	?	Yes	Yes
Assembly	37	D		Shama Haider	?	?	?	No	Yes	?	Yes	?	?	Yes	Yes	?	?	?	Yes
Assembly	37	D		Ellen Park	Yes	No	No	No	Yes	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes
Assembly	37	R		Edward Durfree	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	37	R		Perley Patrick	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	38	R		Jerry Taylor	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	39	R	*	DeAnne DeFuccio	No	Yes	Yes	Yes	Yes	Yes	No	No	Yes	No	No	No	No	Yes	Yes
Assembly	40	D		Genevieve Allard	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Assembly	40	R	*	Kevin Rooney	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	Yes	Yes
Assembly	40	R	*	Christopher DePhillips	Yes	Yes	Yes	Yes	Yes	Yes	?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

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Retirement Acknowledgements

NJGCA wishes to say farewell to all those legislators we have worked with who recently retired or are retiring at the end of this legislative session in January. These retirements collectively represent the loss of over 170 years of law-making experience. We wish them good luck in their future endeavors and thank them for their public service. This list also includes the loss of a dear friend to NJGCA Senator Gerald Cardinale who passed away suddenly earlier this year.

Sen. Gerald Cardinale (R-Bergen), 1980-2021, RIP
Sen. Chris A. Brown (R-Atlantic), 2012-2021
Sen. Kip Bateman (R-Somerset), 1994-2022
Sen. Tom Kean, Jr. (R-Union), 2001-2022
Sen. Loretta Weinberg (D-Bergen), 1992-2022
Asm. Ryan Peters (R-Burlington), 2018-2022
Asw. Serena DiMaso (R-Monmouth), 2018-2022
Asw. Nancy Pinkin (D-Middlesex), 2014-2021
Asm. Jamel Holley (D-Union), 2015-2022
Asw. BettyLou DeCroce (R-Morris), 2012-2022
Asm. Nick Chiaravalloti (D-Hudson), 2016-2022
Asw. Valerie Vainieri Huttle (D-Bergen), 2006-2022



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Compliance Corner

*Compliance – Governance – Regulatory –
Administrative Updates*



By Nick De Palma, Counsel and Member Services Director

AN UNTAPPED EMPLOYEE RESOURCE: THE JUDICIARY JOBS PROGRAM

The effects of COVID continue to prolong the nation's wider economic recovery. While safety protocols, mass vaccinations, and an increase in PPE/disinfectant production have undoubtedly created a sense of "normalcy" through much of 2021, the persisting labor shortage is hindering the business community.

Last month, NJGCA learned of an untapped and underutilized resource which may bring some relief to business owners through the NJ Judiciary's Statewide JOBS Program.

In short, the program was created by the Administrative Office of the Courts to help individuals currently on probation find employment opportunities. To do so, the JOBS Program partners with local employers to outline employment and training opportunities for those seeking work. The aim of the program is to help employers find potential employees while also giving individuals on probation a second chance to rebuild their lives through meaningful employment.

The NJ State Judiciary is implementing the program throughout the state via the individual county court systems. As such, each county Probation Division helps connect an appropriate individual with a potential employer or training opportunity. This includes consulting with the employer to determine the type of employee, helping facilitate the interview process, and vetting resumes that would best fit the role.

As an additional safeguard, only those individuals on probation who are in full cooperation and compliance with the Division (including abstaining from illicit substances) qualify. Furthermore, the Division will also host interviews at their offices, organize small scale "job fairs" to match larger number of candidates together, and follow-up with employers post-hire to make sure that the Probationer is performing appropriately in their new job.

The continued labor shortfall can feasibly be attributed to numerous societal and governmental factors. While the business community can anticipate these factors to be rectified in the longer-term, the present demand for

employees is of such critical importance that a solution must be presented in the short-term.

As residents either refrain from re-entering the workforce or continue to be impacted by COVID-related circumstances, the JOBS Program may present a unique opportunity for small business owners to reach meaningful candidates and address their staffing needs. If you would like to explore the possibility of finding new hires through the JOBS Program, please contact Nick at nick@njgca.org to help direct your inquiry or contact your local Probation Division for additional details.

ERT CERTIFICATION EXTENSION

In late June, NJGCA learned that the NJ Department of Environmental Protection (DEP) issued a surprising notice to all Emission Repair Technicians (ERTs) whose credentials were set to expire on June 30, 2021. The notice stipulated that affected ERTs were granted a six-month certification extension, with their credentials now set to expire on December 31, 2021. The official reason for this extension was due to "unforeseen circumstances related to the COVID-19 Pandemic" but was undoubtedly spurred by the number of current ERTs who needed additional time to comply with the "new" ASE-only ETEP requirements.

We are in regular contact with DEP officials and were surprised at the unexpected announcement. Since the new ETEP program requirements went into effect on January 1, 2020, NJGCA has been routinely told that no extensions would be given for current credential holders. Rather, DEP has remained adamant that sufficient warning and explanation was given to existing ERTs to permit them ample time to comply with the new educational requirements.

As a reminder, the former ETEP-educational class track was abolished December 31, 2019. Today, only the ASE-test track remains. All ERTs must now certify or recertify their credentials through ASE to retain their ETEP accreditations. This means that all new and recertifying ERTs must obtain the ASE L1, A6, A8, and complete the NJ-CERT Course Assessment.

You can read more on these requirements by visiting DEP Mobile Source's webpage; or call (609) 913-6433

or email etep@dep.nj.gov with any questions.

If you were granted a six-month extension on your ERT credentials, you now have additional time to earn your ASE credentials and certify to the state's ETEP program.

As outlined in our Training Class Update, NJGCA has created an ASE-prep Training course for ASE-track Emission Repair Technicians. If you would like to take advantage of this extension and study for your ASE's through our prep training course, contact us so we can gauge student interest and organize the next class! Please email us at training@njgca.org so we can record your contact information and reach out once we have a complement of students wishing to take the class.

EMV COMPLIANCE: ONGOING ISSUES, AND CREDIT CHARGEBACKS

Earlier this year, the years-long endeavor to migrate to EMV compliant pump card readers was finally enacted in April. The move comes after the original deadline of October 2017 was pushed back to October 2020; and then delayed again to April due to the continuing COVID crisis.

Since that time, there has been a great deal of feedback from our members on their implementation, challenges, and experiences. We've gathered a few here in hopes of alerting you; as well as seek your active feedback.

At the time of the April EMV deadline, it was estimated that only 50% of gasoline service station facilities had complied with the chip-reader mandate. While some station owners continue to wait for equipment orders to be filled and professionals to install them, others have made a business determination to forgo any costly updates and merely revert to a point-of-sale (POS) system inside their convenience store or island kiosk. While the latter "solution" may seem to have merit at first blush, you should be aware of additional pitfalls.

On this front, we have heard from owners who are now receiving chargebacks from the major credit card companies for processing cards through non-EMV compliant terminals. That is to say, we've heard anecdotally that even non-fraudulent fuel purchases that are made inside at a POS terminal are being charged back and garnished by the credit card companies. More upsetting is that these transactions are not only legitimate, but there is no claim of fraud or deception by the customer. Rather, a select number of credit card companies are randomly issuing the chargebacks based merely on the type of terminal from which the transaction was processed.

We have been in contact with national industry leaders concerning this phenomenon, and have underscored the unilateral unfairness of these actions. After all, the entire point of the EMV migration was to shift any li-

ability for fraud from the major credit card companies to the retailer if they did not comply with the new EMV chip-reader format. In flagging random transactions as "fraud" and issuing a chargeback, even if the transaction as non-fraudulent, the credit card companies are escalating matters past their original motivation and into an unforeseen direction.

At present, the number of chargebacks remain minimal, and few retailers have been impacted. However, if the number of non-compliant establishments remains consistent, one could anticipate that the volume of chargebacks will increase as more time elapses.

If you are experiencing chargebacks, please document them; but note that the only "solution" is to migrate to EMV compliant equipment at your pumps.

An additional layer was added to this landscape in August, as MasterCard announced they will eliminate magnetic stripes on credit and debit cards, starting in 2024. Furthermore, U.S. banks will no longer be required to issue cards with a magnetic stripe in 2027. It is not hard to imagine that MasterCard's plans will likely be mimicked by other major credit card companies. This is only natural, as the wider industry begins to unite around common security standards and practices.

A natural extension of these future events will mean that the elimination of magnetic stripes will have a direct impact on convenience stores and service stations. In totality, the foregoing only underscores the importance to become EMV compliant.

The anecdotal knowledge that some card companies will automatically trigger a chargeback for non-fraudulent purchases processed on non-EMV compliant POS systems is worrisome alone. After all, the funds are automatically garnished, leaving you unable to investigate if there was any actual underlying customer complaint. After speaking with legal counsel and industry insiders, the only possible recourse may be to file small, individual small-claim actions in court for each chargeback -- which is resource-consuming and an inefficient use of your time. What's more, over the long-term, and when combined with the eventual elimination of magnetic stripes on new credit and debit cards, the cost of not migrating to EMV compliant systems may invite the inability to process any credit transactions at all -- which may distress an increasingly cash-less consumer base and limit possible patrons.

Please consider the above as you map out your own compliance strategy.

If you need assistance in connecting with a contractor and purchase EMV compliant equipment, please contact us!

Don't Let This Happen To You!



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THE ENERGY EXAMINER

FROM TRADITIONAL RESOURCES TO ALTERNATIVE ENERGY INNOVATIONS

By Michelle Horowitz Jackson



Since our debut in 2007, NJGCA *On The Road* has brought you timely updates on changes in the energy and automotive industries. Today, each new issue of *On The Road* will bring you more update and information in our *Energy Examiner*. The *Energy Examiner* will offer readers news from around the energy/transportation industry and how it will affect your small business. If you have any questions or comments on what you review in these quarterly pieces, please feel free to reach out to NJGCA.

National Climate News:

In August, the Senate passed President Biden's \$1 Trillion infrastructure bill that will not only promise to repair bridges and roads, but address climate concerns. Funding for upgrading and modernizing the nation's power grid in order to accommodate a massive scale-up of electric vehicles will reach record levels, as would projects to better manage climate risks. Additionally, \$9.5 billion will be devoted for clean hydrogen research, development and demonstration programs. Meanwhile, the Senate's \$3.5 trillion social policy budget will allow Senate committees to draft legislation packed with policies to address climate change among other social policy changes. It includes \$73 billion to update the nation's electricity grid so it can carry more renewable energy, \$7.5 billion to construct electric vehicle charging stations, and \$17.5 billion for clean buses and ferries.

Next, Biden must find compromise in the House on both the infrastructure and climate and social policy bill as more progressive Democrats threaten to not pass the infrastructure bill unless a larger social policy bill is presented. The House passed its own infrastructure bill, which includes more money for climate change mitigation.

New Jersey Climate News:

In New Jersey, Governor Murphy has also signed four pieces of legislation to address climate change, though they, in addition to his 2019 Energy Master Plan, have been met with much skepticism.

1. Establishes a "dual-use" solar project pilot program for unreserved farmland.
2. Establishes a new program for solar renewable energy certificates under the state Board of Public Utilities.
3. Establishes requirements and zoning standards for the installation of electric vehicle supply equipment and parking spaces.
4. Encourages the development of zero-emission vehicle fueling and charging infrastructure in redevelopment projects.

While these efforts aim to help keep New Jersey ahead in the race for clean energy, many industry groups have pushed back on transformative efforts such as these, especially those that could come with a high price tag. The Governor's Energy Master Plan did not include a cost analysis. An outside consultant was recently retained but will require 18 months — until December 2022 — to complete the analysis. Conveniently after the next gubernatorial election. One industry group that has released a campaign to learn more about the costs is the Fuel Merchants Association with its campaign SmartHeatNJ. They list the concerns of New Jerseyans having to convert their homes to less efficient electric heat at a cost of \$20,000 or more. In addition, it may strain an already fragile electric grid and lead to increased winter power outages.

UPDATE: ETHANOL/BIOFUELS/BIODIESEL

BIOFUEL FUNDING; PORSCHE TO PRODUCE SYNTHETIC FUEL

The U.S. House Agriculture Committee's reconciliation bill will include \$1 billion in biofuels funding. The funding will be used to provide grants (over an eight year period) to expand biofuels pump infrastructure, upgrade existing tanks and pumps, and increase the use of higher blends of ethanol and biodiesel. Many in D.C. believe biofuel is a quicker and more obtainable solution for cleaner energy, rather than rely on EV car sales, which have been slow to the market.

Porsche and its international partners have also started building a factory that will produce a new synthetic fuel starting in 2022. According to Porsche, electrolyzers split water into oxygen and hydrogen using wind power. CO2 is then filtered from the air and combined with the hydrogen to produce synthetic methanol, which in turn is converted into fuel that can be burned in a piston engine. The company believes synthetic fuel can serve as a non-electrified alternative to gasoline in markets without requiring mechanical modifications with the caveat of a much larger expense on the motorist. If we end up fueling with this, expect to pay about \$9 per gallon at the current pound to dollar conversion rate.

UPDATE: ELECTRICITY & ELECTRIC POWERED VEHICLES

BIDEN INVESTS IN EVS; MORE CHARGERS COMING; GLOBAL CONSEQUENCES ON EV BATTERIES

In early August, President Biden set an ambitious goal for the transition to electric vehicles: By 2030, half of all new vehicles sold in the U.S. should be electric. In a show of support, executives from Ford and GM along with leaders from the United Auto Workers joined Biden and pledged that 40 to 50 percent of their new car sales would be electric by the end of the decade; and what will likely be a complete overhaul of the auto industry itself. Though symbolic and nonbinding, this only continues to show the seriousness of this administration to compete with other countries that have made more progress in these fields and furthering their climate change agenda. It is clear that automakers are ready and willing to take the leap into alternative fueled vehicles (battery electric, plug-in hybrid and fuel cell all count in the President's proposal), though not without federal support and infrastructure to help achieve their goals. To address the infrastructure issue, Biden also will use \$7.5 billion in federal spending to build a network for a half-million electric vehicle charging stations across the country, though ultimately after negotiations will likely be closer to \$5 billion. The Transportation Department and the Environmental Protection Agency have also begun the process of restoring the Trump-era fuel efficiency and tailpipe emissions standards as well as making them stricter than before. This is all to show that the federal government is serious about moving away from its reliance on gasoline and incentivizing innovation in electric vehicles and other technology that will aid in the President's efforts to address climate change. To try to incentivize more EV purchases, as part of the President's 3.5 trillion spending bill the House has proposed a tax credit expansion on electric vehicle purchases; a \$12,500 credit would apply to EVs made by U.S. unionized automakers, while a \$7,500 tax credit would be available for most other electric cars. It would apply to cars with a purchase price up to \$55,000 and trucks up to \$74,000.

INFRASTRUCTURE:

However, issues remain on the infrastructure side. The national electricity grid will need to adapt in order to allow for all the new electric vehicles on the roads, especially during high volume charging times. Unless there is a corresponding increase in power production and electrical infrastructure, there could be an increase in blackouts due to increased demand on the grid. According to Atlas Public Policy, a D.C. research firm that tracks the EV market, U.S. investor-owned utilities outside California

have approved \$1.49 billion in EV programs and have another \$672 million pending approval at utility commissions which includes plans for more than 9,100 fast chargers, 245,000 other chargers and programs such as transit buses and associated charging. However, nearly \$90 billion in investments would be required this decade to move the U.S. to 100% electric-passenger vehicles and light trucks by 2035. Besides issues with scaling up the grid to accommodate new chargers, issues also remain with vulnerability to hacking. Electric grids are not designed for large swings in power consumption, but that could happen should there be a large hack that turns on or off a sufficient number of DC fast-chargers. Vulnerabilities in charging could allow hackers to get into user accounts, impede charging and turn one of the chargers into a “backdoor” into the owner’s home network. The consequences of a hack to a public charging station network could include theft of electricity at the expense of driver accounts and turning chargers on or off, though rest assured both startups and government entities are working to address this issue. As for scaling up public charging stations, as mentioned above the President’s infrastructure bill does earmark funds with the goal of building 500,000 EV chargers by 2030, though some EV industry experts believe that a fully electrified vehicle fleet will need an investment of between \$20 billion to \$30 billion over the next decade.

Electric Battery Update

Across the globe we are seeing the effects of a massive scale up on batteries and computer chips, and the EV industry is no exception. As the demand for computer chips and electric vehicles grows, so too are the mining operations that dig up cobalt to use in lithium-ion batteries, which is having massive global consequences. The Democratic Republic of Congo has 3.4 million metric tons of cobalt, about half of the entire planet’s supply. Digging up the valuable mineral has failed to lift citizens out of poverty hoping to strike it rich due to global demand. Dangerous conditions are also killing miners as exposure to the metal is poisoning both people and the environment. Child laborers are also forced to work in these dangerous conditions. Due to the controversy surrounding cobalt mining, electric vehicle companies such as Tesla have responded to public pressure to explore alternative battery tech, though heavy reliance on cobalt continues. In an effort to increase mining of materials and production of batteries domestically, General Motors is working to secure U.S.-sourced lithium through investments and partnership with Controlled Thermal Resources (CTR), a lithium resource and renewable energy company. The deal is meant to accelerate the adoption of lithium extraction methods that cause less impact to the environment, while increasing domestic supply of lithium. India is exploring moving away from lithium altogether and is exploring the use of aluminum, which is much more abundant in the country. An aluminum-air battery works by tapping electricity generated when aluminum plates react with oxygen in the air. It could be advantageous over lithium-ion in being potentially cheaper, vehicles using it would have a longer range, and safety. However, batteries would likely need to be replaced rather than use a “refueling” traditional experience, even though replacement of the battery will take about three minutes and aluminum batteries are much safer to recycle. The world is currently focusing its efforts on lithium-ion battery research, though it is clear that other options are available and worth exploring further.

NEW JERSEY:

In New Jersey, the NJBPU opened Year 2 of its Charge Up New Jersey electric vehicle (EV) incentive program, offering rebates of up to \$5,000 toward a new EV purchased or leased in New Jersey. The incentive is available exclusively as a “point-of-sale” rebate applied during the purchase or leasing process at dealerships and requires a valid New Jersey driver’s license to get started. Qualifying vehicles include battery electric vehicles (BEVs), which offer all-electric range, zero emissions, lower fueling costs, and less maintenance, as well as plug-in hybrid electric vehicles (PHEVs), which offer limited all-electric range and an optional gas engine for extended travel without charging. The Charge Up New

Jersey program is funded on an annual basis with \$30 million from the Plug-In Electric Vehicle Incentive Fund, which was established by the EV Act and signed by Governor Murphy on January 17, 2020.

New Jersey is also working to scale up publicly owned EV vehicles as well, with ten BYD trucks now in operation at Port Newark in New Jersey. Port Newark now has the largest deployment of zero-emission battery electric trucks in the eastern United States. The electric yard tractors will be used to move cargo containers at the Red Hook Marine Terminal. Additionally, Bergen County purchased a Tesla Model Y for use by police as part of a pilot program that will allow for public safety agencies throughout Bergen County to experience electrified vehicles. The county already had purchased a Chevy Bolt as well earlier this year and both vehicles will be lent to different departments through the policing division. The program is being implemented in an effort to lower the county's carbon footprint and meet the goals set by the federal and state governments.

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UPDATE: NUCLEAR / WIND / SOLAR / GEOTHERMAL STORMS RENEW PLANS FOR WIND; TAX CREDITS PLANNED TO INCREASE SOLAR

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Wind:

In July, more than 100 former and current New Jersey elected officials released a letter supporting offshore wind projects along the coast, adding that doing nothing to address climate change would result in billions of dollars in losses to communities across the state. The offshore wind projects are expected to invigorate the state's economy, provide thousands of jobs and reduce future impacts from climate change such as flooding and hurricanes. In New Jersey, unabated climate change could lead to as much as \$180 billion in financial losses due to storms, floods and other infrastructure damage. Three offshore wind developments have so far been approved by the state Board of Public Utilities (BPU) to begin construction off the Jersey Shore, pending other approvals.

After September's Hurricane Ida, (largely believed to be a result of climate change) the need for wind projects along New Jersey's coastline became even more apparent. The state is now more than halfway to reaching its goal of 7,500 megawatts, locking in more than 3,700 megawatts of future power from offshore wind. This is enough to power roughly 1.5 million homes according to the BPU. The two projects are expected to create 7,000 new jobs, and bring \$3.5 billion in benefits to New Jersey's economy. In mid-September, the governor attended the groundbreaking for the New Jersey Wind Port in Lower Alloways Creek, Salem County which will help produce and assemble the turbines needed to produce wind power. At least two more wind farm projects are in development and moving through the legislature, and other states along the East Coast are also following suit. Construction on the wind port is expected to begin this year and start operations no later than early 2024.

Solar:

In September, the Biden administration released a blueprint showing how the nation could move toward producing almost half of its electricity from the sun by 2050. To achieve that growth, the country would have to double the amount of solar energy installed every year over the next four years and then double it again by 2030, requiring a vast transformation in technology, the energy industry, the way people live, and trillions of dollars in investments by homeowners, businesses and the government. What's not as clear is exactly how hard the administration will push to advance solar energy through legislation and regulations, though the cost of solar panels has fallen substantially over the last decade. The administration has proposed tax credits to encourage the use of solar power systems and batteries at homes, businesses and utilities, urged local governments to speed up the process obtain permits and build solar projects (in some places it can take months to put panels on a single-family house). Officials also want to offer various incentives to utility companies to encourage solar-energy use.

In New Jersey, legislation was signed in July to promote grid-scale solar projects in New Jersey while also aiming to rein in costs to ratepayers. While the goal of increasing solar projects in New Jersey has largely been a success, annual costs of subsidizing solar projects have increased from \$750 million to \$1.2 billion per year to utility customers. The legislation aims to lower the cost by using grid-scale projects to generate electricity since this will be a much lower cost than residential solar installations and other types of solar projects in New Jersey, like solar carports and rooftops. Some conservation groups have opposed opening up some of New Jersey's prime farmland —about 4,000 acres — to potential conversion to solar farms, though the legislation aims to allow for dual farming, a pilot policy that allows farming to continue on agricultural land along with solar installations.

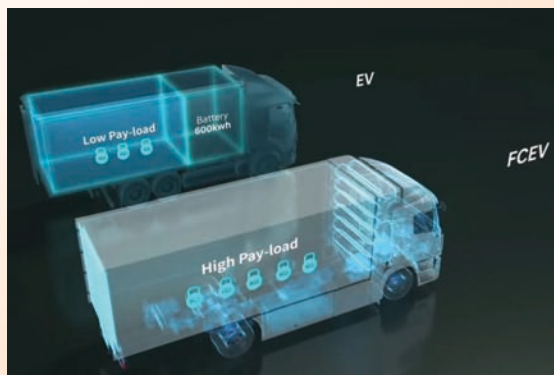
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UPDATE: HYDROGEN/HYDROGEN FUEL CELLS BIG OIL INVESTS IN HYDROGEN; HYUNDAI PLANS HYDROGEN POWERTRAINS

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Big oil companies such as BP, Royal Dutch Shell and TotalEnergies are all pursuing multimillion-dollar hydrogen projects with government support, as we continue to see big oil seek alternative fueling options in order to redefine their future role in a world less reliant on fossil fuels. Hydrogen made using renewable energy can be produced and used without emitting carbon dioxide, though this continues to be a challenge, as most hydrogen today is made from fossil fuels, primarily natural gas. They must figure out how to mass produce hydrogen using renewable power instead in the hope of bringing down costs. Additionally, hydrogen is explosive, as well as difficult to store and transport. BP is exploring the use of hydrogen to replace natural gas in industries such as steel, cement and chemicals, and also as a substitute for diesel in trucks. Overall, BP predicts hydrogen could account for about 16% of the world's energy consumption by 2050 if net zero carbon-emissions goals are to be achieved. Today it accounts for less than 1%. Shell is also looking into lowering costs by building hydrogen projects in strategic locations alongside customers' plants, like at ArcelorMittal SA's steel mill in the German port of Hamburg, where it can also add hydrogen refueling for trucks. In the United States, Chevron has signaled that it sees hydrogen having a role in transportation. They recently partnered with engine maker Cummins Inc. to explore hydrogen infrastructure and fuel-cell vehicles, following a similar agreement in April with car maker Toyota Motor North America Inc.

Also in hydrogen transportation news, Hyundai announced plans in September they would be investing in hydrogen-assisted fuel cell electric vehicles (FCEVs), starting with the launch of its next-generation hydrogen powertrain in 2023. They also expect to launch fuel cell versions of commercial vehicles as early as 2028 with plans to "popularize" the tech by 2040. Their "trailer drone" concept uses two hydrogen-powered e-Bogies (named after the portion of a train car that packages the train's wheelset and primary suspension) to move and steer, and will be 30 percent smaller, 50 percent cheaper, and twice as powerful as its current fuel cell system.



<https://www.thedrive.com/tech/42293/hyundai-wants-hydrogen-to-be-mainstream-by-2040-thats-easier-said-than-done?utm_source=spotim&utm_medium=spotim_recirculation>

In addition to their trucks and vehicles, Hyundai says the same technology can be applied to homes, workplaces and factories. By 2040, the manufacturer believes that its breakthroughs in hydrogen power can help to foster "a worldwide hydrogen society." Though this seems like a short timeline, the automaker has been working on hydrogen powertrains for more than 20 years. The biggest challenge continues to be fueling infrastructure, which will rely on government intervention and other investments as the technology continues to gear up.

And while the world's biggest car manufacturers are focused on building up their electric car fleets, Toyota continues to bet on hydrogen, even as the world throws its efforts in electric vehicles and scales up infrastructure. Toyota's strategy is that, in the longer term, hydrogen fuel cell cars can still be a major technology for passenger cars, with gas-electric hybrids helping reduce emissions in the short term. However, at the moment hydrogen cars remain costlier, and hydrogen as a fuel for passenger cars isn't widely available.

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UPDATE: NATURAL GAS **PENNEAST HALTS PRODUCTION; SHOULD NEW BUILDINGS AND HOMES BAN NATURAL GAS?**

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Though we reported in the last *Energy Examiner* that the Supreme Court ruled in favor of the PennEast Pipeline Co., allowing them to build through state-controlled land, the company recently announced it would halt the acquisition of property needed to build its planned 116-mile natural gas pipeline that would cut across the Lehigh Valley, saying the timeline for construction of the project is uncertain. There continues to be uncertainty over the timing to resolve remaining legal and regulatory hurdles in the pipeline that is critical in meeting the energy needs of southeastern Pennsylvania and New Jersey. Despite this, many who live along the proposed pipeline route have bitterly opposed its construction because of the environmental impacts and disruption of their property. We will continue to follow any news pertaining to the pipeline construction and follow up in future *Energy Examiner's*.

An environmental group, the New Jersey League of Conservation Voters recently released a report that buildings should no longer come with natural gas hookups and recommended that all new residential and commercial buildings be 100% electric by 2030. That means no natural gas stoves, heating systems or other gas-powered appliances. The effect of such a switch — which is effectively a ban on new gas customers — is to curb long-term demand for natural gas, decreasing the justification for building new gas pipelines and sinking new gas wells. The state's Energy Master Plan estimates the costs of installing an electric heating system as falling between \$4,000 and \$7,000, but a study conducted by the Massachusetts-based biofuels firm Diversified Energy Specialists commissioned by the Fuel Merchants Association that examined installation costs found the average electrification cost ranges from \$12,000 and \$22,000, with costs for new homes and gutted buildings falling on the low end. The Fuel Merchants Association recently formed a new campaign, Smart Heat NJ, to raise awareness of the costs associated with these changes and predicted these changes will remain unreliable in cold weather.

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UPDATE: FOSSIL FUELS **EUROPEAN GAS PROHIBITION; EXXONMOBIL REDUCES CARBON FOOTPRINT; CLEAN TRUCKS**

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In July, the regional Brussels government announced a new prohibition on sales of new fossil-fuel powered vehicles. New sales of diesel cars will be banned in 2030, followed by new gasoline car sales in 2035. They will also encourage public transportation usage and build infrastructure for electric vehicles, with a goal of 22,000 charging stations by 2035. Later in July, it was announced that the

European Commission, the E.U.'s bureaucracy comprised of 27 countries, had laid out plans to move away from fossil fuels over the next nine years, potentially setting off future global trade disputes. The plans include, most controversially, to impose tariffs on certain imports from countries with less stringent climate-protection rules, eliminating the sales of new gas- and diesel-powered cars in 14 years, and raising the price of using fossil fuels. It will be interesting to see how countries with varying political ideologies, governments, economies, and lifestyles accommodate and enact such an ambitious plan.

In the United States, ExxonMobil reportedly is considering a commitment to being net zero by 2050. Investors in the company are allegedly applying more pressure on the company to adopt a more decisive plan to lower its carbon footprint, especially as Europe is considering tariffs on less strict countries. The company previously stated they would lower carbon intensity of total energy produced, with some indication they will apply these efforts directly to Exxon asset production.

Additionally, with heavy-duty trucks contributing 30% of carbon dioxide emissions, climate change activists are urging President Biden to take action. They have asked him to match a California requirement proposed last year that calls for truck companies to cut nitrogen oxide emissions from heavy-duty trucks by roughly 75% below current standards beginning in 2024 and 90% in 2027. In response, Biden has pledged a "Clean Trucks Plan" to be finalized in 2022 for model year 2027 trucks to encourage technological development and impose regulations to reduce the sector's greenhouse gas emissions. A second plan will seek even steeper reductions for trucks in model year 2030. ■



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TRAINING CLASS UPDATE

**Classes will be held at NJGCA Headquarters
4900 Route 33 West, Wall Township, NJ 07753
Call Nick at 201-841-7079 or email nick@njgca.org to register**

Are you interested in getting your INL license? Do you need an additional inspector for your PIF location? Are you (or an employee) getting ready to take your A6, A8, or L1 in preparation to recertifying your Emission Repair Technician (ERT) credentials through the State's Emission Technician Education Program (ETEP)?

We can help!

NJGCA wants to hear from students interested in both our INL NJ Emission Inspector classes, and ASE-prep training programs.

As we move through Fall and into Winter, NJGCA will offer the following courses – but we need to hear from you to gauge demand and schedule sessions:

INL NJ Emission Inspector Training:

Our training classes always include the participation of the Motor Vehicle Commission (MVC) to administer the INL exam immediately after our in-class instruction. A recent rash of staff retirements, however, has complicated our ability to schedule new sessions. There is no way to substitute MVC's involvement, as they must be on-hand to proctor the State's exam. This personnel shortfall and the testing date backlog has become an ongoing obstacle.

As of this writing, we are awaiting the hiring of new MVC staff and/or the transferring of existing staff to accommodate new class dates and the existing demand backlog.

In the meantime, please contact us at training@njgca.org so we can add you to our list and notify you when new training sessions are scheduled.

ASE-prep Training: NJ Department of Environmental Protection (NJDEP) has always maintained a "dual-track" system to allow technicians to earn their Emission Repair Technician (ERT) credentials through New Jersey's Emission Technician Education Program (ETEP). In doing so, technicians were allowed to certify as ERTs through either an ASE-test track or an ETEP-educational class track. Starting on January 1, 2020, NJDEP amended the

ETEP criteria, and the ETEP-educational class track was abolished. Today, only the ASE-test track remains, and all ERTs must certify or re-certify their credentials through ASE to remain in the Program.

NJGCA has recently offered (and will host again, if we hear from interested students) an ASE-prep class to help you get ready for the A6, A8, and L1.

At the end of June, NJGCA learned that NJDEP sent out a surprising notice informing all ERTs whose credentials were set to expire at the end of June that they would be granted a six-month certification extension. All affected ERTs have now had their credentials expiration date extended to December 31, 2021.

Please see our Operations Update for more details.

If you were granted a six-month extension on your ERT credentials, you have been given a unique opportunity to take advantage of the additional time and earnestly prepare for your ASE requirements and re-certify through the ETEP program.

If you are interested and would like to be notified once a class is scheduled, please email us at training@njgca.org ASAP. We'll record your interest and reach out once we have a complement of students wishing to take the class.

We need to hear from you. Your feedback and interest help us to gauge student participation and how many sessions we need to schedule. This is especially important when considering MVC manpower shortfalls and scheduling challenges.

If you would like to attend a training session, please email us at training@njgca.org with your interest.

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Four Exceptional Students Receive NJGCA & Utica Insurance Scholarship

In its first year available, four students earn scholarship money from NJGCA and Utica Insurance to help with college and trade school tuition

NJGCA, with the generosity of Utica Insurance, were pleased to award four exceptional students with scholarship funds towards college and trade school tuition. Utica is the company that insures NJGCA members through the Amato Agency. Award recipients were chosen based on qualifications beyond academics. The scholarship committee also evaluated scholarship applicants on their service to their communities, extracurricular activities, and their personal essay which highlighted their future career plans. The students who were awarded funds are as follows:

Eleni Alvarez is a college freshman at Johns Hopkins University and is currently undecided with her major. She is a recipient of the NJGCA scholarship and received \$2,500. Eleni's application was submitted by NJGCA member C-3 Technologies.

Nico Covello is currently attending Lincoln Technical Institute and is studying to earn credentials in Diesel Technology. Nico is a recipient of the NJGCA Scholarship with the generosity of Utica Insurance and received \$2,500. Nico's application was submitted by NJGCA member Pit Crew Lube.

Matthew Roche is a college freshman attending Drexel University studying Automotive Mechanical Engineering. Matthew is a recipient of the NJGCA Scholarship with the generosity of Utica Insurance and received \$2,500. Matthew's application was submitted by NJGCA member Peace of Mind Automotive.

Jessica Twynam is a college freshman at Texas Christian University and hopes to earn her degree in Early Childhood and Elementary Education. She is a recipient of the NJGCA scholarship and received \$2,500. Jessica's application was submitted by NJGCA member Hillcrest Tire.

In addition to the scholarship award, NJGCA hosted a scholarship awards celebratory dinner in the winners honor at

Woolies Seafood House Restaurant, where certificates of achievement were distributed. All recipients and their parents were invited to attend.

Awarding scholarships will be a new tradition that NJGCA is proud to participate in. If you are a current member and/or MBP in good standing at NJGCA with a rising college student, or have an employee with a college student, have them consider applying for next year's scholarship. We will also be looking for members interested in participating on the Scholarship Selection Committee to help evaluate the applications and select the winners. If you are a member in good standing, are interested in participating in an opportunity to help students succeed in their college careers, and do not employ or have a child participating in the application for the scholarship, please contact Sal to learn more about next year's committee at sal@njgca.org.





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Don't Overlook Overtime

What employers in the automotive service industry should know about requirements under the Fair Labor Standards Act

As an employer in the automotive service industry, few expenses affect your weekly bottom line more directly than your staffing budget. You draft your schedule with care, assign the hours you expect your staff to work, and forecast what that will mean to your weekly payroll. Of all the factors that can affect your total expenditures, minimum wage and overtime are among those that can make the biggest difference in the shortest amount of time. Understanding and complying with federal labor regulations regarding minimum wage and overtime under the Fair Labor Standards Act (FLSA) is a critical piece of your payroll puzzle.

The U.S. Department of Labor's Wage and Hour Division (WHD) has found minimum wage and overtime violations of the FLSA among auto repair and maintenance employers across the nation. Many of these violations result from employers failing to pay employees proper overtime when they work over 40 hours in a workweek.

Determining which employees are due overtime, when they are due overtime, and how much overtime they are due requires a clear understanding of the law. Unless a specific exemption applies, employees must be paid at least the federal minimum wage of \$7.25 per hour and ***overtime at time-and-one-half their regular rate of pay for any hours worked in excess of 40 hours in a workweek***. Employees who do not qualify for an exemption and are therefore entitled to overtime pay are commonly referred to as "non-exempt" employees, while those who do qualify for an exemption from overtime pay are referred to as "exempt" employees.

WHD prioritizes opportunities to reach the regulated community and expand our compliance assistance and educational efforts. In 2020 alone, the division conducted more than 4,600 outreach events to help ensure that workers and employers alike have the information they need to understand the law's requirements.

Enforcement is also key to obtaining compliance with federal labor laws, to protecting the wages of

workers, and to leveling the playing field for employers who play by the rules. In fiscal year 2020, WHD concluded nearly 450 investigations in the automotive services industry, recovered more than \$2.9 million in back wages for nearly 2,500 workers, and assessed more than \$115,000 in civil money penalties.

Investigations in the automotive services industry have disclosed the following types of violations:

- * Piece-rate employees paid less than the minimum wage for all the hours they have worked or not being paid overtime when they work more than 40 hours in a workweek
- * Deductions made meal breaks when the employee works through those breaks
- * Work performed off the clock, typically before or after scheduled shifts
- * Workers paid only straight time for flag hours when they work more than 40 hours per week
- * Straight time pay for all hours over 40 in a workweek
- * Overtime pay after 80 hours biweekly instead of after 40 hours in a workweek
- * Bonuses not included in the calculation when employers determine workers' overtime rates
- * Paying non-exempt workers flat salaries and failing to pay them overtime when they work more than 40 hours in a workweek

Violations harm both workers and businesses complying with the law.

Your state may have additional requirements or different statutes or regulations. To find your state labor department's contact information, visit http://www.dol.gov/whd/contacts/state_of.htm.

For additional information on the requirements of the FLSA, visit the U.S. Department of Labor Wage and Hour Division's website at www.dol.gov/agencies/whd, or call 866-4US-WAGE (866-487-9243) to speak confidentially with a trained professional. WHD can communicate with callers in nearly 200 languages, and enforces the law regardless of immigration status.



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Horror Highlight



A PIF Workstation Reminder

Learn from your fellow member. Don't let this happen to you!

By: Nick De Palma

Dealing with any government entity or bureaucratic department is often difficult and frustrating. Whether you are a resident, business owner, or concerned citizen, we often feel that the powers-that-be are either not paying attention or are absent minded. One may believe that “everyone is doing it,” and perhaps “if they got away with it; then so can I” despite any inherent illegality. Together, this can lull you into a false perception of safety; and inadvertently encourage you to take unnecessary risks.

Unfortunately, for one small business owner, there wasn't much that got past the staffers at the Motor Vehicle Commission (MVC) or their ability to decipher how his PIF workstation was operating.

Consider the dilemma faced by a former NJGCA member (who has since rejoined the Association, in full consideration of our Fairness Doctrine and paid SIX years of delinquent dues in order for us to assist him). The factual circumstances were not unique; but worth memorializing, if only as a stark reminder of what not to do.

The owner reached out to seek assistance with his violation. He faced a lifetime suspension (for his PIF location and his personal INL credentials) for fraudulently attempting to pass off one vehicle for another during an ongoing inspection. While this would seem like an obvious “**what not to do**” scenario, the situation unfolded through a series of pitfalls that are worth repeating.

The owner was logged into the PIF workstation with his credentials but had allowed an employee to perform the inspection while he attended to other business matters. This alone was incredibly problematic, and in isolation, verges on being deceptive to MVC auditors.

The vehicle was over 15 years old, had several repairs completed with new parts installed, but would not pass inspection. Thinking that he was clever, the employee unplugged the PIF workstation from the vehicle, and plugged it into the same year/model/make vehicle to trick the system. Satirically, the second vehicle was registered to the shop itself, and was used by the staff as a delivery vehicle, parts-runner, and courtesy car to drop-off/pick-up patrons awaiting repairs.

The attempt to deceive MVC failed miserably.

The owner was slapped with two counts of the following violations: fraudulent conduct by utilizing an alternative vehicle to obtain a valid emission reading for a vehicle on which an inspection was being conducted; fraudulently affixing a certificate of approval on said vehicle; and intentionally passing a vehicle for any portion of the on-board diagnostic (OBD) inspection in violation of state and federal statutes. What's more, thousands of dollars in fines were issued and of his license was permanently revoked (both at his shop and his personal license). Ironically, no citations were issued for his employee passing himself off as the INL license holder in his attempt to perform the inspection.

While there were a series of shortsighted errors, the irony hinged on the fact that the owner was not making profit on the repairs or inspection. Rather, he was only attempting to help a friend, and left it to his employee to do the inspection while other matters needed his attention.

Once the shop owner admitted his guilt and stupidity, and through NJGCA pleaded for mercy and hardship, NJGCA was ultimately able to help the owner reduce his liability and arrive at a more palatable resolution. Doing so helped him avoid a lifetime suspension from the inspection program and maintain his PIF license, but not without incredible monetary costs and a protracted period in which

he will be unable to serve his patrons. The last alone will cost him lost business and (perhaps) potential customers forever.

The ultimate takeaway, of course, is to learn from this member's (now in good standing again) mistake and **"Don't let this happen to you!"** What's more, it is a loud reminder to follow proper MVC procedures and fully consider potential hazards that can endanger your business. The irony in this situation was not only that the owner had failed to consider such obstacles, but that he knowingly engaged in risky behavior for a small (or even non-existent) reward. In the end, this episode cost the owner far more than he could have reaped from even a fully paying customer.

Many of us believe that MVC (or countless governmental bureaucratic agencies) don't pay attention or consistently enforce the rules. In some instances, that may be true, but as this Highlight demonstrates, when it comes to agencies like MVC, they are always watching.

If you have any questions about proper MVC procedures, or this *Horror Highlight*, please email Nick at nick@njgca.org



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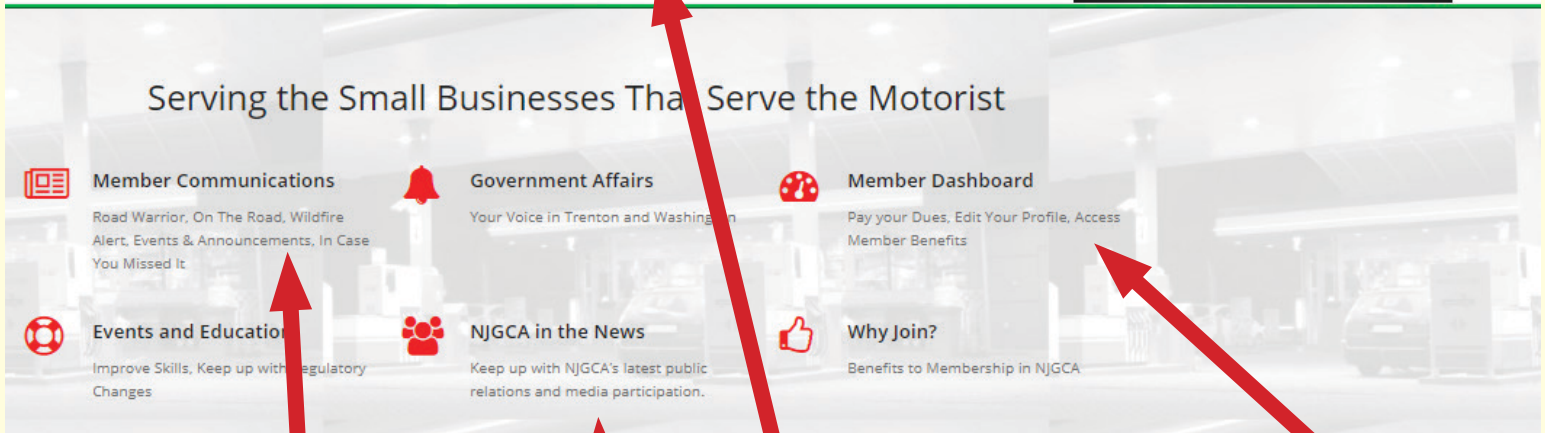
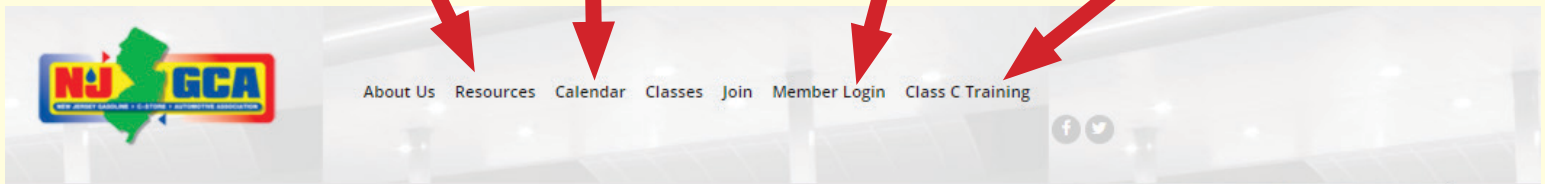
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NJGCA has been working hard to bring you and your business value through our Member Benefit Partners (MBPs). Hopefully, you are already taking advantage of many money-saving plans offered by our Member Benefit Partners. Our 2021 Member Benefit Partner Brochure should have arrived and can be viewed on our website, and this year we introduced new Member Benefit Partners. They are listed in blue and marked with asterisks below. We are excited about the great opportunities that you have to save money with these partners!

Here is a list of our current MBPs:

ABLE-TECH - Computers, Financial Management, Video Security Systems

AFFINITY FEDERAL CREDIT UNION - Business Banking Services, Financing, Mortgages

AMATO INSURANCE AGENCY - Business, Garage Liability, Home and Auto Insurance

AMERITRUST - Workers Compensation Insurance (formerly Meadowbrook Insurance Group)

ASSOCIATION MEMBER TRUST (AMT) - Health Coverage

ATS ENVIRONMENTAL SERVICES - Tank & Vapor Testing, NJDEP Compliance

AUTOPART INTERNATIONAL - Premium Parts Supplier

AUTOMOTIVE TRAINING INSTITUTE (ATI) - Education for a More Profitable Business

AUTOZONE - Auto Parts Supplier

BELLOMO FUELS - Gasoline and Diesel Supplier

BOULDER PETROLEUM - Compliance UST, Vapor Recovery Testing, Pump Calibration

BRENNAN LAW - Environmental, Petroleum and Real Estate Law Specialists

BUYWISE AUTO PARTS - Auto Parts Supplier

***CANARY COMPLIANCE** - Remote Tank Monitoring Technology

CASHA & CASHA LLC. - Legal Services

CBIZ INSURANCE - Business, Garage Liability, Home and Auto Insurance

C-3 TECHNOLOGIES - Tank and Vapor Testing, NJDEP Compliance

cbdelight - Convenience Store Distributor & Manufacturer

CHIESA SHAHINIAN & GIANTOMASI PC - Legal Services

COLE, SCHOTZ, MEISEL, FORMAN & LEONARD - Legal Services

CONSUMERS OIL CORP. - Gasoline and Diesel Supplier

CROMPCO - Tank & Vapor Testing, NJDEP Compliance

DANA TANK INSURANCE SPECIALISTS - Underground Storage Tank Insurance

DANA AUTOMOTIVE - Auto Parts Supplier

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ENVIRONMENTAL ALLIANCE, INC. - Environmental Remediation & LSRP Services

FREEWIRE - Electric Vehicle Charging

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LOEFFELS'S WASTE OIL SERVICE - Waste Oil Removal

MARC LAW - Legal Services

MERCHANT PRO EXPRESS - Credit Card Processing & Consulting

MITCHELL1 - Shop Management System, OEM Information

MURPHY BUSINESS - New Jersey Business Sales

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