

CHAPTER 30 ADMINISTRATIVE RULES

Authority

N.J.S.A. 34:1B-1 et seq.

Source and Effective Date

R.2005 d.274, effective July 22, 2005.
See: 37 N.J.R. 1714(a), 37 N.J.R. 3058(a).

Chapter Expiration Date

Chapter 30, Administrative Rules, expires on July 22, 2010. Pursuant to 28 C.F.R. Part 35, Subchapter 7, Disability Discrimination Complaint Procedure, is exempt from the provisions of Executive Order No. 66(1978).

Chapter Historical Note

Chapter 30, Administrative Rules, was adopted as R.1974 d.332, effective December 3, 1974. See: 6 N.J.R. 455(b), 7 N.J.R. 34(c).

Subchapter 3, Payment of Prevailing Wages in Authority Projects, was adopted as R.1979 d.337, effective August 24, 1979. See: 11 N.J.R. 152(b), 11 N.J.R. 530(b).

Subchapter 4, Targeting of Authority Assistance, was adopted as R.1979 d.338, effective August 24, 1979. See: 11 N.J.R. 264(c), 11 N.J.R. 530(c).

Subchapter 5, Debarment of Applicants and Contractors, was adopted as R.1981 d.167, effective June 4, 1981. See: 12 N.J.R. 356(a), 13 N.J.R. 378(d).

Subchapter 2, Fees and Charges of Authority, was repealed and Subchapter 2, Fees and Charges, was adopted as new rules by R.1981 d.245, effective July 9, 1981. See: 13 N.J.R. 248(c), 13 N.J.R. 465(e).

Subchapter 6, Affirmative Action in Authority-Financed Construction Projects, was adopted as R.1984 d.263, effective July 2, 1984. See: 16 N.J.R. 704(a), 16 N.J.R. 1808(b).

Pursuant to Executive Order No. 66(1978), Subchapter 3, Payment of Prevailing Wages in Authority Projects, was readopted as R.1984 d.320, effective July 16, 1984. See: 16 N.J.R. 1344(a), 16 N.J.R. 2168(a).

Subchapter 7, Private Activity Bonds Reallocation and Carryforward, was adopted as R.1985 d.500, effective October 7, 1985. See: 17 N.J.R. 1750(a), 17 N.J.R. 2454(b).

Subchapter 2, Fees and Charges, was repealed and Subchapter 2, Fees, was adopted as new rules by R.1986 d.311, effective August 4, 1986. See: 18 N.J.R. 1094(b), 18 N.J.R. 1614(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, Administrative Rules, was readopted as R.1990 d.411, effective July 23, 1990. As a part of R.1990 d.411, effective August 20, 1990, Subchapter 2, Fees, was recodified as Subchapter 6; Subchapter 4, Targeting of Authority Assistance, was repealed and Subchapter 3, Payment of Prevailing Wages in Authority Projects, was recodified as Subchapter 4; Subchapter 5, Disqualification of Applicants and Debarment of Contractors, was recodified as Subchapter 2, Disqualification/Debarment/Conflict of Interest; Subchapter 5, Targeting of Authority Assistance, was adopted as new rules; Subchapter 6, Affirmative Action in Authority-Financed Construction Projects, was recodified as Subchapter 3; and Subchapter 7, Private Activity Bonds Reallocation and Carryforward, was repealed. See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Subchapter 7, Disability Discrimination Complaint Procedure, was adopted as R.1994 d.111, effective March 7, 1994. See: 25 N.J.R. 4864(b), 26 N.J.R. 1248(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, Administrative Rules, was readopted as R.1995 d.435, effective July 20, 1995. See: 27 N.J.R. 2377(a), 27 N.J.R. 3216(a).

Subchapter 8, Professional Services Contracts, was adopted as R.2000 d.5, effective January 3, 2000. See: 31 N.J.R. 3244(a), 32 N.J.R. 70(a).

Pursuant to Executive Order No. 66(1978), Chapter 30, Administrative Rules, was readopted as R.2000 d.297, effective June 16, 2000. See: 32 N.J.R. 1705(a), 32 N.J.R. 2602(c).

Chapter 30, Administrative Rules, was readopted by R.2005 d.274, effective July 22, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

19:30-1.1 Purpose and objectives

(a) These rules are established to effectuate, and shall be applied so as to accomplish, the general purposes of "The New Jersey Economic Development Authority Act" (chapter 80, P.L. 1974; C.34:1B-1 et seq.), and the following specific objectives:

1. To foster and promote the economy of the State;
2. To increase opportunities for gainful employment and to improve living conditions;
3. To assist in the economic development or redevelopment of political subdivisions within the State;
4. To contribute to the prosperity, health and general welfare of the State and its inhabitants by making available financial and other assistance to induce manufacturing, industrial, commercial and other employment-promoting enterprises to locate, remain, or expand within the State; and
5. To protect and enhance the quality of the natural environment.

Amended by R.1990 d.411, effective August 20, 1990.
See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).
Authority's general objectives clarified.

19:30-1.2 Definitions

The following words and terms, when used in this chapter and in N.J.A.C. 19:31, shall have the following meanings unless the context clearly indicates otherwise.

"Act" means the New Jersey Economic Development Authority Act (chapter 80, P.L. 1974), as amended and supplemented.

"Authority" means the staff of the New Jersey Economic Development Authority.

"Chief Executive Officer" means the Chief Executive Officer of the New Jersey Economic Development Authority.

Words or terms which are defined in the Act are used in this chapter and in N.J.A.C. 19:31 as defined in the Act.

Amended by R.1990 d.411, effective August 20, 1990.

See: 22 N.J.R. 1537(a), 22 N.J.R. 2532(a).

Definition of authority clarified; definitions apply also.

Amended by R.2005 d.274, effective August 15, 2005.

See: 37 N.J.R. 1714(a), 37 N.J.R. 3058(a).

Substituted "Chief Executive Officer" for "Executive Director".

19:30-1.3 Organization

(a) The governing body of the New Jersey Economic Development Authority, in but not of the Department of Treasury, consists of the Chief Executive Officer of the New Jersey Commerce, Economic Growth and Tourism Commission, the Commissioner of Banking and Insurance, the Commissioner of Labor and Workforce Development, the State Treasurer, the Commissioner of Education and eight public members and three alternate members appointed by the Governor (collectively referred to as Members). Two public members and one alternate member are appointed by the Governor upon the advice and recommendation of the Senate President, and two public members and one alternate member are appointed by the Governor upon the recommendation of the Speaker of the General Assembly. A representative of the Economic Recovery Board shall serve as a non-voting member. The Authority is chaired by a public member appointed by the Governor.

(b) The Authority maintains the following functional divisions to administer its programs:

1. The Program Services Division administers the issuance of tax exempt bonds.
 - i. To manufacturing firms to meet capital financing needs;
 - ii. For certain exempt activities as defined in the United States Internal Revenue Code;
 - iii. To benefit certain nonprofit organizations;
 - iv. To refund eligible projects; and
 - v. To benefit certain local, county and State governmental units or agencies.
2. The Program Services Division also administers the issuance of taxable bonds for projects not eligible for tax-exempt bonds,
3. The Credit Underwriting Division administers guarantees and direct loans for fixed asset financing and for working capital; and