ACTS

OF THE

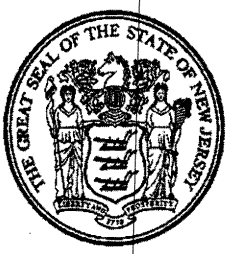
Second Annual Session

OF THE

Two Hundred and Seventeenth Legislature

OF THE

STATE OF NEW JERSEY



2017

New Jersey State Library

The following laws, enacted by the Second Annual Session of the Two Hundred and Seventeenth Legislature, and an index of the laws are published in accordance with R.S.1:3-1 et seq.

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[2]Sworn in 10/5/17
[3]Resigned 7/1/17
[4]Sworn in 10/5/17

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[2]Sworn in 8/24/17

LAWS

ACTS
ENACTED BY THE

Second Annual Session
OF THE

Two Hundred and Seventeenth Legislature

CHAPTER 1

AN ACT concerning international arbitration and supplementing Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.2A:23E-1 Short title.

1. This act shall be known and may be cited as the "New Jersey International Arbitration, Mediation, and Conciliation Act."

C.2A:23E-2 Findings, declarations relative to international arbitration.

2. The Legislature finds and declares that:

a. The State of New Jersey is in a unique position to benefit from the growth of international trade, and the State's position in the region provides important opportunities for the State to participate in international business, trade, and commerce;

b. There will inevitably arise, from time to time, disagreements and disputes arising from international commercial transactions that are amenable to resolution through international arbitration, mediation, conciliation, and other forms of dispute resolution in lieu of international litigation;

c. It is the policy of this State to encourage the use of arbitration, mediation, and conciliation to reduce disputes arising out of international business, trade, commercial, and other relationships; and

d. It is declared that the objective of encouraging the development of New Jersey as an international center for the resolution of international business, commercial, trade, and other disputes be supported through the establishment of certain legal authorities, as set forth in this act.

C.2A:23E-3 Definitions relative to international arbitration.

3. As used in this act:

"Arbitral award" means an award signed by an arbitrator that may be the result of a settlement in arbitration, mediation, conciliation or other form of dispute resolution that involves the assistance of a neutral.

"Center" means any center organized as a non-profit entity, whose principal purpose is to facilitate the resolution of international business, trade, commercial, and other disputes between persons by means of arbitration, mediation, conciliation, and other means as an alternative to litigation.

"Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government, public corporation, or any other legal or commercial entity, including any government subdivision, agency, or instrumentality.

"Resident of the United States" means a person who maintains sole residence within a state, possession, commonwealth, or territory of the United States or within the District of Columbia.

"Written undertaking to arbitrate" means a writing in which a person undertakes to submit a dispute to arbitration, without regard to whether that undertaking is sufficient to sustain a valid and enforceable contract or is subject to defenses. A written undertaking may be part of a contract, may be a separate writing, and may be contained in correspondence, telegrams, telexes, or any other form of written communication.

C.2A:23E-4 Applicability of act.

4. a. This act shall apply only to the arbitration of disputes between:

(1) two or more persons at least one of whom is a nonresident of the United States; or

(2) two or more persons all of whom are residents of the United States if the dispute:

(a) involves property located outside the United States;

(b) relates to a contract which envisages enforcement or performance in whole or in part outside the United States; or

(c) bears some other relation to one or more foreign countries.

b. Notwithstanding subsection a. of this section, this act shall not apply to the arbitration of:

(1) any dispute pertaining to the ownership, use, development, or possession of, or a lien of record upon, real property located in this State, unless the parties expressly submit the resolution of that dispute to this act; or

(2) any dispute involving family or domestic relations law.

c. If, in any arbitration within the scope of this act, reference must be made, under applicable conflict of laws principles, to the arbitration law of this State, that reference shall be to this act.

d. This act shall apply to any arbitration within the scope of this act, without regard to whether the place of arbitration is within or without this State:

(1) if the written undertaking to arbitrate expressly provides that the laws of this State shall apply;

(2) in the absence of a choice of law provision applicable to the written undertaking to arbitrate, if that undertaking forms part of a contract the interpretation of which is to be governed by the laws of this State; or

(3) in any other case, any arbitral tribunal or other panel established pursuant to this act that decides under applicable conflict of laws principles that the arbitration shall be conducted in accordance with the laws of this State.

C.2A:23E-5 Consent by parties to arbitration.

5. Conducting arbitration in this State, or making a written agreement to arbitrate which provides for arbitration within this State subject to this act, shall constitute a consent by the parties to that arbitration or undertaking to the exercise of in personam jurisdiction by the courts of this State, but only for the purposes of that arbitration.

C.2A:23E-6 Authority of center.

6. a. A center shall not be considered a department, agency, or public instrumentality of this State, and shall not be subject to the laws of this State applying to departments, agencies, or public instrumentalities of this State.

b. A center shall permit the participants to an arbitration to select any body of rules and procedures for the conduct, administration, and facilitation of that proceeding, whether those rules and procedures have been prepared by private arbitral organizations, created by the participants themselves, or by the center.

c. A center shall have the authority to establish rules and procedures for the conduct, administration, and facilitation of the resolution of all disputes subject to this act.

d. A center shall have the authority to adopt rules providing, without limitation and by way of illustration only, for the establishment of arbitral tribunals or other panels, which shall provide that arbitral tribunals or other panels may:

(1) determine the relevance and materiality of the evidence without the need to follow formal rules of evidence;

(2) be able to utilize any lawful methods that it deems appropriate to obtain evidence additional to that produced by the parties;

(3) issue subpoenas or other requests for the attendance of witnesses or for the production of books, records, documents, and other evidence;

(4) be empowered to administer oaths, order depositions to be taken or other discovery obtained or produced, without regard to the place where the witness or other evidence is located, and appoint one or more experts to report to it;

(5) fix any fees for the attendance of witnesses it deems appropriate; and

(6) make awards of interest, reasonable attorney's fees and costs of arbitration as agreed to in writing by the parties, or in the absence of an agreement, as it deems appropriate.

e. In assuring the exercise of the powers conferred by this act, the participants to an arbitration may apply for assistance from any court of competent jurisdiction. Any application to a court hereunder shall be made and heard in a summary way in the manner provided for the making and hearing of motions, except as otherwise herein expressly provided.

C.2A:23E-7 Subpoena power of arbitral tribunal or panel.

7. An arbitral tribunal or panel established pursuant to section 6 of this act may subpoena in writing any person to attend before it as a witness and to bring books, papers, records, and documents. The subpoena shall issue in the name of the arbitral tribunal or panel and be signed by a majority of the tribunal or panel, shall be directed to the person being summoned, and shall be served in the same manner as subpoenas to testify before a court of this State. If any person subpoenaed to testify refuses or neglects to obey the subpoena, upon petition a court of competent jurisdiction may compel the attendance of that person before the arbitral tribunal or panel, or punish that person for contempt in the same manner now provided for the attendance of witnesses or punishment in a court of this State. The arbitral panel may also consider and take action within the arbitration, as deemed appropriate by the arbitral tribunal, in response to non-attendance by any subpoenaed person.

C.2A:23E-8 Enforcement of arbitral awards issued by center.

8. a. Arbitral awards issued pursuant to this act by a center shall be enforced by any court of competent jurisdiction as permitted by law and consistent with the Federal Arbitration Act (9 U.S.C. s.1 et seq.), and the enforcement provisions of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, as implemented by the Federal Arbitration Act, except as provided in subsection b. of this section.

b. If the parties specifically submit to jurisdiction under this act pursuant to section 4 of this act, the center may require those parties residing in countries not signatories to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, as implemented by the Federal Arbitration Act, and not having sufficient assets otherwise within the jurisdiction of the courts of this State, to post any bonds or other security as the center shall deem appropriate to assure reasonable likelihood of enforcement of any award or other relief ultimately ordered by the center in the proceeding.

9. This act shall take effect on the 90th day next following enactment.

Approved February 6, 2017.

CHAPTER 2

AN ACT requiring that certain information be provided on the Internet to the public and to State departments and agencies, and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:18A-234.1 Short title.

1. This act shall be known and may be cited as the "New Jersey Open Data Initiative."

C.52:18A-234.2 Findings, declarations relative to provision of certain information on the Internet.

2. The Legislature finds and declares:

a. It is in the interest of this State to increase public awareness of and access to the data created by and available from State agencies because such data can enhance transparency and accountability, encourage public engagement, and stimulate public policy and public service innovation;

b. The data generated by the Executive Branch of State government can spur economic development because it enables private sector companies to use such data to produce innovative and creative items and services that benefit the citizens of this State;

c. The efficient integration, management, and governance of data will greatly improve State government programs and the delivery of a wide range of services to New Jersey's citizens, thereby enhancing their lives;

d. At the same time, it is vitally important that the data held by one State agency be made readily available to other State agencies with a minimum of administrative hurdles, so that data shared across the Executive Branch contribute to the effective and cost-efficient delivery of a wide range of government information and services; and

e. The Office of Information Technology, with the cooperation of the Department of the Treasury, is the appropriate agency to develop, coordinate, and oversee the presentation of government data to the public and the sharing of information among State government agencies so that the information and services those agencies provide can be delivered in the most efficient and cost-effective manner possible.

C.52:18A-234.3 Definitions relative to provision of certain information on the Internet.

3. As used in this act:

"Agency" means any of the principal departments of the Executive Branch, including the Department of the Treasury, and any division, office, board, bureau, commission, authority or entity therein or allocated thereto to comply with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution.

"Data" means final versions of statistical or factual information in alphanumeric form, in as granular form as possible, and reflected in a list, table, graph, chart, map, or other non-narrative form that can be digitally transmitted or processed, and regularly created or maintained by or on behalf of and owned by a State department or agency that records a measurement, transaction, or determination related to the mission of that State department or agency.

"Dataset" means a named collection of related, digitally-stored data with the collection containing individual data units organized or formatted in a specific and prescribed way, often in tabular form, and accessed by a specific access method that is based on the dataset organization, but not including any data that is protected from disclosure under applicable federal or State law.

"Open data" means data that is collected by an agency that is not prohibited from being made available to the public or another State agency by applicable laws, rules, regulations, policies, or other restrictions, requirements or rights associated with such data, including, but not limited to, contractual or other legal orders, restrictions or requirements.

"Open data website" means either the unique, dedicated open data website implemented by the Chief Data Officer or an agency's website upon which open datasets are hosted.

C.52:18A-234.4 Chief Data Officer; appointment, authority, responsibilities; rules, regulations.

4. a. A Chief Data Officer shall be appointed by the Chief Technology Officer, after consultation with the State Treasurer. The Chief Data Officer, in cooperation with the State Treasurer, shall be responsible for overseeing and implementing a unique, dedicated open data website and any additional or existing open data websites linked thereto by an agency. The Chief Data Officer shall have the authority to:

(1) establish, in consultation with the Attorney General, procedures, standards, and best practices regarding the appropriate access and presentation of open data and datasets by each agency;

(2) develop a dataset format standard to be used by all agencies in providing their datasets to the Chief Data Officer, or in making their data available on their own websites, and ensure that under the standard, the datasets shall be accessible in a non-proprietary, machine-readable format that is compliant with federal and State accessibility rules and requirements and implemented on a schedule deemed appropriate by the Chief Data Officer;

(3) monitor and ensure compliance with the procedures, standards, and policies adopted pursuant to this act;

(4) provide such management and technical assistance as the Chief Data Officer deems necessary to ensure that there is ready access to the open data and datasets available to the public and agencies; and

(5) develop, in conjunction with the Attorney General, a methodology to review and reconcile inter-agency disputes regarding access to open data and datasets, and privacy issues.

b. The Chief Data Officer, with the cooperation of the State Treasurer, shall be responsible for:

(1) creating and maintaining a unique, dedicated website that either provides datasets maintained and provided by agencies or searchable links to datasets hosted by agency websites;

(2) updating datasets and links as they are provided by an agency; and

(3) monitoring agency websites to make certain they follow the policies and procedures established by the Chief Data Officer pursuant to this section.

The State Treasurer and an agency may, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt such rules

and regulations as may be deemed necessary to effectuate the purposes of this act.

C.52:18A-234.5 Provision of information by agency.

5. a. Each agency shall either provide datasets to the Chief Data Officer, in a format determined thereby pursuant to section 4 of P.L.2017, c.2 (C.52:18A-234.4), or create and maintain on the agency's website links to the datasets hosted by the agency. Agencies that choose to host their open datasets on their own websites shall provide links to the Chief Data Officer for publication thereof on the dedicated website maintained for that purpose by that officer.

b. Each agency shall adopt policies that are consistent with the open data security and technical standards, policies, and practices established by the Chief Data Officer pursuant to section 4 of P.L.2017, c.2 (C.52:18A-234.4) that govern access to open data and datasets available on the open data website of the agency. In addition, each agency shall:

(1) create, maintain, and post or have posted on the open data website an inventory of all its open data and datasets pursuant to the standards and timetables established by the Chief Data Officer;

(2) include on the open data website appropriate explanations about the open data, its format, how often the open data and datasets are updated, and how notice regarding such updates can be obtained; and

(3) assist users to gain access to the open data and datasets of the agency through the deployment of online access tools, and the development and publication of application program interfaces.

Each agency shall update the open data and datasets on the timetable and in the manner determined by the Chief Data Officer to effectuate the purposes of this act.

Unless a fee is required by law, open datasets shall be provided to the public by an agency without cost to the public.

A dataset that is licensed to the State by a person that is not an employee thereof or by an entity that is not a public entity shall not be made available to the public on the open data website until the dataset has been reviewed by the Attorney General pursuant to guidelines established thereby, and the person or entity licensing the data agrees to the public disclosure and to the form of such disclosure.

All open data and datasets shall be consistent with applicable law, including P.L.1963, c.73 (C.47:1A-1 et seq.), commonly known as the open public records act, and other State and federal laws related to information security and privacy. The open data and datasets made available by an

agency on the open data website shall not include data that is not subject to public disclosure under such laws.

Open data and datasets made available by an agency on the open data website, unless subject to a disclosed legal restriction, shall be treated as license-free, subject to reuse, and not subject to copyright restrictions.

Unless specifically prohibited by a contract, open data and datasets containing data created or maintained by a contractor under contract to, or licensed from, an agency shall be made available on the open data website. Each such contract shall be subject to the provisions of this act and any applicable federal and State law, including but not limited to, P.L.1963, c.73 (C.47:1A-1 et seq.), known commonly as the open public records act.

C.52:18A-234.6 Agency to not warrant fitness of information, immunity from liability.

6. An agency shall not warrant the fitness for any particular purpose of any open data or datasets presented on the open data website, nor shall an agency providing open data or a dataset on the open data website be liable for any deficiencies in its completeness or accuracy, except when the agency's conduct would constitute gross negligence, willful and wanton misconduct, or intentional misconduct.

Each agency, pursuant to standards and policies established by the Chief Data Officer with the cooperation of the State Treasurer, shall verify the accuracy of the open data and datasets it makes available to the public on the open data website and, if possible, correct any errors or inaccuracies discovered by the agency providing the open data or dataset, other agencies, or the public.

Nothing in this section shall require an agency to make its open data and datasets available to the public on the open data website upon the demand of the public. Requests for open data or datasets not posted on the open data website are subject to potential disclosure under P.L.1963, c.73 (C.47:1A-1 et seq.), known commonly as the open public records act.

Unless contrary to specific policies or rules established by the Chief Data Officer, agencies shall not require a user of an open data website to register or provide any user information as a condition to obtaining the open data or datasets provided by the agency on the open data website.

Notwithstanding any rule, regulation or statute to the contrary, agencies shall be actively encouraged by the Chief Data Officer and the State Treasurer to share open data and datasets with each other without formal agreements, provided that no existing laws regarding the security of personal, private, and confidential information are violated. The sharing of personal, private, or confidential data shall be permitted only when in conformity

with restrictions, established by the Chief Data Officer in cooperation with the Attorney General, to ensure that the data is used in a manner that is secure and in conformity with State law.

C.52:18A-234.7 Construction of act.

7. Nothing in P.L.2017, c.2 (C.52:18A-234.1 et seq.) shall be construed as superseding the provisions of P.L.1963, c.73 (C.47:1A-1 et seq.), known commonly as the open public records act.

8. On the first day of the 24th month following the date of enactment of this act, P.L.2017, c.2 (C.52:18A-234.1 et seq.), the Chief Technology Officer, after consultation with the State Treasurer, shall submit a written report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature discussing: a) the progress made on the implementation of the act; b) the act's effectiveness in providing open data and datasets to the public and among agencies compared with the providing and sharing of such data before the enactment of the act; c) the feasibility of requiring the Legislative and Judicial Branches to make open data and datasets available to the public and other agencies; and d) such other items as the Chief Technology Officer or the State Treasurer deems necessary. The report may include any recommendations for changes made by the Chief Technology Officer or the State Treasurer to P.L.2017, c.2 (C.52:18A-234.1 et seq.) or related sections of current law.

9. This act shall take effect on the 90th day following the date of enactment. An agency may take such anticipatory administrative action in advance of the effective date as may be necessary for the implementation of this act.

Approved February 6, 2017.

CHAPTER 3

AN ACT concerning law enforcement officers and firefighters and supplementing Title 52 of the Revised Statutes and Title 40A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:17B-243 Retirement procedure for certain injured law enforcement officers.

1. a. A State, county, or municipal law enforcement officer who has been injured in the performance of the officer's duties shall not be discharged from employment as a result of a determination, based upon a medical examination by a physician designated by the employer of the officer, that the officer is physically incapacitated, due to the injuries, for the performance of the officer's usual duties or any other available duties in the department which the employer is willing to assign to the officer.

b. Pending retirement, the employer of the law enforcement officer shall maintain health insurance for the officer at the level that coverage was provided prior to the injury.

c. The provisions of this section shall apply only when the law enforcement officer has filed an application for retirement with the Police and Firemen's Retirement System, the State Police Retirement System, or the Public Employees' Retirement System and the officer has sick leave or workers' compensation time available.

d. The provisions of this section shall apply to both civil service and non-civil service jurisdictions.

C.40A:14-19.1 Definitions relative to certain firefighter retirement procedures for certain injured firefighters.

2. a. As used in this section:

"Firefighter" shall mean a permanent, full-time, paid employee of a firefighting unit whose primary duties include the control and extinguishment of fires and who is subject to the training and physical and mental fitness requirements applicable to the position of firefighter established by an agency authorized to establish these requirements on a Statewide basis, or comparable training and physical and mental fitness requirements as determined by the board of trustees. The term also shall include an administrative or supervisory employee of a firefighting unit whose duties include general or direct supervision of employees engaged in fire control and extinguishment activities or training responsibility for these employees, and a requirement for engagement in fire control and extinguishment activities if necessary.

"Firefighting unit" shall mean a paid municipal fire department, a fire district, or an agency of a county or the State which is responsible for the control and extinguishment of fires.

b. A firefighter who has been injured in the performance of the firefighter's duties shall not be discharged from employment as a result of a determination, based upon a medical examination by a physician designated

by the employer of the firefighter, that the firefighter is physically incapacitated, due to the injuries, for the performance of the firefighter's usual duties or any other available duties in the firefighting unit which the employer is willing to assign to the firefighter.

c. Pending retirement, the employer of the firefighter shall maintain health insurance for the firefighter at the level that coverage was provided prior to the injury.

d. The provisions of this section shall apply only when the firefighter has filed an application for retirement with the Police and Firemen's Retirement System or the Public Employees' Retirement System and the firefighter has sick leave or workers' compensation time available.

e. The provisions of this section shall apply to both civil service and non-civil service jurisdictions.

3. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 4

AN ACT concerning the filing of birth certificates and amending R.S.26:8-28.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.26:8-28 is amended to read as follows:

Birth certificate required; information furnished.

26:8-28. a. Except as provided by subsection e. of this section, within five days after each birth, there shall be filed with the local registrar of the district in which the birth occurred a certificate of the birth filled out with durable black or blue ink in a legible manner. The name of the father shall be included on the record of birth of the child of unmarried parents only if the father and mother have signed a voluntary acknowledgment of paternity; or a court or an administrative agency of competent jurisdiction has issued an adjudication of paternity.

Nothing in this section shall preclude the State IV-D agency from obtaining an admission of paternity from the father for submission in a judi-

cial or administrative proceeding, or prohibit the issuance of an order in a judicial or administrative proceeding which bases a legal finding of paternity on an admission of paternity by the father and any other additional showing required by State law.

b. As part of the birth record, all information required by the State IV-D agency pursuant to section 7 of P.L.1994, c.164 (C.26:8-28.1) shall be recorded on a separate form provided or approved by the State registrar pursuant to subsection c. of R.S.26:8-24, and filed with the State IV-D agency pursuant to R.S.26:8-30 and R.S.26:8-31 for the establishment and enforcement of child support matters in the State. For the purposes of this subsection, "State IV-D agency" means the agency in the Department of Human Services designated to administer the Title IV-D Child Support Program.

c. The State registrar shall require each parent to provide his Social Security number in accordance with procedures established by the State registrar. The Social Security numbers furnished pursuant to this section shall be used exclusively for child support enforcement purposes.

d. The certificate of birth shall include the blood type of the child.

e. Notwithstanding the provisions of subsection a. of this section to the contrary, the filing of a child's birth certificate may be delayed, based on the parent's religious beliefs, until such time as the child is named; however, no such delay shall result in the filing of the birth certificate more than 15 days after the child's date of birth. Any parent whose religious beliefs necessitate a delay in the filing of a birth certificate pursuant to this subsection, shall: (1) provide notice of the religious need for a filing delay, within five days after the child's date of birth, to the person who is responsible for filing the birth certificate, as provided by R.S.26:8-30 or R.S.26:8-31, except that, if the parent is responsible for such filing, no such notice shall be required; and (2) file the child's birth certificate, or authorize such filing by the person responsible therefor, as soon as possible after the child is named, but in no case more than 15 days after the child's birth. If a child is not named within the 15-day extended timeframe provided by this subsection, the child's birth certificate shall be filed, and the naming procedure outlined in R.S.26:8-34 shall be applied.

2. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 5

AN ACT concerning seniors in certain housing facilities and supplementing chapter 42 of Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.2A:42-143 Procedures for collection of emergency contact information for senior citizen occupants; violations, penalties; definitions.

1. a. An administrator shall establish and implement procedures for the collection of emergency contact information for senior citizen occupants, which information shall be used to provide notice in the event of the death of a senior citizen occupant.

b. The procedures required by subsection a. of this section shall include the provision of notice to, and opportunity for, each current and prospective senior citizen occupant to provide, and update as necessary, emergency contact information to enable the administrator to notify the emergency contact in the event of the death of the senior citizen occupant.

c. Upon learning of the death of a senior citizen occupant, an administrator shall notify the emergency contact for that senior citizen occupant as soon as is practicable, but no later than 24 hours thereafter. An administrator who fails to provide notice as required pursuant to this subsection shall be liable to a civil penalty of $500, which may be collected and enforced by the Commissioner of Community Affairs, the Attorney General, or any other person pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The municipal court and the Superior Court shall have jurisdiction of proceedings for the enforcement of the penalties provided by this subsection.

d. The Commissioner of Community Affairs, in consultation with the Commissioners of Health and Human Services, may adopt regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), regulating the collection of emergency contact information and the notification of an emergency contact as required pursuant to this section.

e. As used in this section:

"Administrator" means the person responsible for the daily administration and operation of a qualified housing facility.

"Qualified housing facility" means any of the following: a rooming or boarding house licensed pursuant to the "Rooming and Boarding House Act of 1979," P.L.1979, c.496 (C.55:13B-1 et al.); a residential health care facil-

ity, an assisted living facility, or a nursing home licensed pursuant to the "Health Care Facilities Planning Act," P.L.1971 c.136 (C.26:2H-1 et seq.); a continuing care retirement community operating under a certificate of authority issued pursuant to the "Continuing Care Retirement Community Regulation and Financial Disclosure Act," P.L.1986, c.103 (C.52:27D-330 et seq.); and public housing designated for seniors that is owned by a housing authority created or continued pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et seq.).

"Senior citizen occupant" means a person 62 years of age or older who resides in a qualified housing facility.

2. This act shall take effect on the first day of the seventh month next following the date of enactment, except the Commissioner of Community Affairs may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved February 6, 2017.

CHAPTER 6

AN ACT concerning special education and supplementing chapter 26 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:26-2.23 Special education requirements for instructional certificate.

1. In addition to any other requirements adopted by the State Board of Education for teacher preparation programs, the State board shall require that the preparation program for an instructional certificate include a minimum of the equivalent of 6 semester credit hours of classroom instruction, clinical experience, including student internships, or a combination thereof, in special education.

C.18A:26-2.24 Credit hours in autism spectrum disorder required.

2. In addition to any other requirements adopted by the State Board of Education for teacher preparation programs, the State Board of Education shall require that the preparation program for an instructional certificate with a teacher of students with disabilities endorsement shall include credit hours in autism spectrum disorder and comprehensive evidence-based in-

structional practices to address the educational strengths and needs of students with autism.

C.18A:26-2.25 Rules, regulations.

3. The State Board of Education shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the rules and regulations necessary to carry out the provisions of this act.

4. This act shall take effect in the first full academic year following enactment.

Approved February 6, 2017.

CHAPTER 7

AN ACT concerning childhood lead poisoning, and amending P.L.1985, c.84, P.L.1995, c.316, and P.L.1995, c.328.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P.L.1985, c.84 (C.26:2-131) is amended to read as follows:

C.26:2-131 Definitions.

2. As used in this act:

"Child" means a person one through five years of age.

"Commissioner" means the Commissioner of Health.

"Department" means the Department of Health.

"Lead poisoning" means the poisoning of the bloodstream that results from prolonged exposure to lead or lead-based substances in water, paint, building materials, or the environment, and which causes uncorrectable developmental delay and decreased mental functioning capacity in children, and in severe cases, can lead to a child's premature death.

2. Section 7 of P.L.1995, c.316 (C.26:2-137.1) is amended to read as follows:

C.26:2-137.1 Specifications for lead screening of children, immunizations.

7. The Department of Health shall specify by regulation, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.):

a. The lead screening requirements provided for under P.L.1995, c.316 (C.17:48E-35.10 et al.), including the age of the child when initial screening should be conducted, the time intervals between screening, when follow-up testing is required, the methods that shall be used to conduct the lead screening, and, in accordance with the latest recommendations of the federal Centers for Disease Control and Prevention and the provisions of P.L.1995, c.328 (C.26:2-137.2 et seq.), the level of lead in the bloodstream that shall necessitate the undertaking of responsive action; and

b. The childhood immunizations recommended by the Advisory Committee on Immunization Practices of the United States Public Health Service and the Department of Health.

3. Section 1 of P.L.1995, c.328 (C.26:2-137.2) is amended to read as follows:

C.26:2-137.2 Findings, declarations relative to lead exposure of children.

1. The Legislature finds and declares that:

a. According to the New Jersey Department of Health, 630,000 children under the age of six are at risk of lead poisoning in New Jersey and should be screened for elevated blood lead levels. Of this number, the Department of Health estimates that 177,000 pre-school children are at particularly high risk of lead poisoning;

b. Approximately 70,000 pre-school children, or almost 10 percent of the population of children under age six, are currently screened for lead poisoning;

c. Screening is an essential element in the fight to reduce and eventually eliminate childhood lead poisoning, and identification of children in the early stages of lead exposure can prevent children from suffering severe cases of lead poisoning;

d. There is no safe level of lead exposure in children, and even low levels of lead in the bloodstream have been shown to affect IQ, attention span, and academic achievement, in a manner that cannot be corrected;

e. Although lead can be found in many sources, lead exposure is entirely preventable, and the federal Centers for Disease Control and Prevention recognizes that the best way to address the problem of lead poisoning is to take action to prevent children from coming into contact with lead, while providing appropriate treatment and case management to those children who are found to have elevated blood lead levels;

f. A universal lead screening program will identify which children require medical evaluation and treatment, and will alert parents about the need to identify and abate lead hazards in their homes;

g. The integration of educational and community outreach programs, as part of a universal lead screening program, will raise public consciousness about the insidious dangers of childhood lead poisoning, encourage parents to take preventive steps to make their homes lead-safe, and encourage communities to strengthen lead exposure prevention programs; and

h. Universal lead screening and universal reporting of lead test results will allow the Department of Health and local boards of health to obtain information on neighborhoods and communities that are at a high risk for lead exposure, and thereby allow for the implementation of targeted lead hazard reduction programs in the areas of greatest need.

4. Section 2 of P.L.1995, c.328 (C.26:2-137.3) is amended to read as follows:

C.26:2-137.3 Definitions relative to lead exposure.

2. As used in this act:

"Commissioner" means the Commissioner of Health.

"Department" means the Department of Health.

"Elevated blood lead level" means a level of lead in the bloodstream that equals or exceeds five micrograms per deciliter or other such amount as may be identified in the most recent recommendations from the federal Centers for Disease Control and Prevention, and that necessitates the undertaking of responsive action.

"Lead poisoning" means the poisoning of the bloodstream that results from prolonged exposure to lead or lead-based substances in water, paint, building materials, or the environment, and which causes uncorrectable developmental delay and decreased mental functioning capacity in children, and in severe cases, can lead to a child's premature death.

"Lead screening" means the application of a detection technique to measure a child's blood lead level and determine the extent of a child's recent exposure to lead.

5. Section 3 of P.L.1995, c.328 (C.26:2-137.4) is amended to read as follows:

C.26:2-137.4 Lead screening performed; requirements.

3. a. A physician or registered professional nurse, as appropriate, shall perform lead screening on each patient under six years of age to whom the

physician or registered professional nurse provides health care services, unless the physician or registered professional nurse has knowledge that the child has already undergone lead screening in accordance with the requirements of this act. If the physician, registered professional nurse, or an authorized staff member cannot perform the required lead screening, the physician or registered professional nurse may refer the patient, in writing, to another physician, registered professional nurse, health care facility, or designated agency or program which is able to perform the lead screening.

b. A health care facility that serves children and is licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), and any other agency or program that serves children and is designated by the commissioner to perform lead screening, shall perform lead screening on each child under six years of age that the facility, agency, or program serves, unless the facility, agency, or program has knowledge that the child has already undergone lead screening in accordance with the requirements of this act. If the health care facility, agency, or program cannot perform the required lead screening, the facility, agency, or program may refer the patient, in writing, to another health care facility, physician, registered professional nurse, or other designated agency or program which is able to perform the lead screening.

c. If a physician, registered professional nurse, or health care facility, agency, or program receives laboratory test results indicating that a child has an elevated blood lead level, the physician, registered professional nurse, or health care facility, agency, or program shall notify the parent or guardian of the child, in writing, about the test results, and shall additionally provide the parent or guardian with an explanation, in plain language, of the significance of lead poisoning. The physician, registered professional nurse, or health care facility, agency, or program shall also take appropriate measures to ensure that any of the child's siblings or other members of the household who are under the age of six either are, or have been, screened for lead exposure.

d. A physician, registered professional nurse, or health care facility, agency, or program shall not be required to conduct lead screening under this act if the parent or guardian of the child objects to the testing in writing.

e. (1) The department shall specify, by regulation, the parameters for lead screening required under this act, including the age of the child when initial screening shall be conducted, the time intervals between screening, when follow-up testing is required, and the methods that shall be used to conduct the lead screening.

(2) (a) The department shall additionally specify, by regulation, in accordance with the most recent recommendations of the federal Centers for Disease Control and Prevention, the elevated blood lead levels that require

responsive action under this act, and the types of responsive action, including environmental follow-up, notice to the family, additional screening of family members, the provision of case management services, and the provision of medical treatment such as chelation therapy, that shall be undertaken when a screening test reveals an elevated blood lead level. The levels of responsive action required by the department pursuant to this paragraph may vary, consistent with the latest recommendations of the federal Centers for Disease Control and Prevention, based on the severity of the elevated blood lead level.

(b) Within 30 days after the enactment of P.L.2017, c.7, and on a biennial basis thereafter, the department shall review and appropriately revise its rules and regulations pertaining to elevated blood lead levels, in order to ensure that they appropriately reflect, and are consistent with, the latest guidance from the federal Centers for Disease Control and Prevention.

f. The department shall develop a mechanism, such as distribution of lead screening record cards or other appropriate means, by which children who have undergone lead screening can be identified by physicians, registered professional nurses, and health care facilities, agencies, and programs that perform lead screening, so as to avoid duplicate lead screening of children.

g. The department shall continuously engage in a public information campaign to inform the parents of young children, as well as physicians, registered professional nurses, and other health care providers, of the lead screening requirements of this act. At a minimum, the public information campaign shall: (1) highlight the importance of lead screening, and encourage parents, especially those who have not yet complied with the lead screening provisions of this act, to have their children screened for lead poisoning at regular intervals, in accordance with the age-based timeframes established by department regulation; and (2) provide for the widespread dissemination of information to parents and health care providers on the dangers of lead poisoning, the factors that contribute to lead poisoning, the recommended ages at which children should be tested for lead poisoning, and the elevated blood lead levels that require responsive action under this act. If the department changes the elevated blood lead levels that require responsive action under this act, as may be necessary to conform its regulations to federal guidance, the information disseminated through the public information campaign shall be appropriately revised to reflect the new action levels, and shall be reissued to parents and health care providers, within 30 days after the change is implemented.

h. The department, to the greatest extent possible, shall coordinate payment for lead screening required pursuant to this act with the State Medicaid program established pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and other federal children's health programs, so as to ensure that the State receives the maximum amount of federal financial participation available for the lead screening services provided pursuant to this act.

6. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 8

AN ACT concerning prescription medications and supplementing Title 24 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.24:21-15.1 Prescriber to discuss risks of dependence on certain drugs with certain patients.

1. a. A health care professional authorized to issue prescriptions shall, prior to issuing a prescription for an opioid drug which is a Schedule II controlled dangerous substance, discuss with a patient who is under 18 years of age and is an emancipated minor, or with the patient's parent or guardian if the patient is under 18 years of age and is not an emancipated minor, the risks of developing a physical or psychological dependence on the opioid drug and, if the prescriber deems it appropriate, such alternative treatments as may be available.

b. A prescriber who engages in a discussion required pursuant to subsection a. of this section shall include a note in the patient's medical record indicating that the discussion took place.

c. The discussion required under subsection a. of this section shall not be required prior to issuing a prescription to any patient who is currently receiving hospice care from a licensed hospice.

2. This act shall take effect immediately.

Approved February 6, 2017.

New Jersey State Library

CHAPTER 9

AN ACT concerning excessive price increases during a state of emergency, and amending P.L.2001, c.297.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P.L.2001, c.297 (C.56:8-109) is amended to read as follows:

C.56:8-109 Unlawful practice to sell merchandise at excessive price during emergency.

3. It shall be an unlawful practice for any person to sell or offer to sell within 30 days after the declaration of a state of emergency, or for such other period of time as the Governor may specify in the declaration of a state of emergency, in the area for which the state of emergency has been declared, any merchandise which is consumed or used as a direct result of an emergency or which is consumed or used to preserve, protect, or sustain the life, health, safety or comfort of persons or their property for a price that constitutes an excessive price increase. The Governor may by executive order extend the period during which this prohibition remains in force.

2. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 10

AN ACT concerning commercial driver license testing, supplementing Title 39 of the Revised Statutes, and amending P.L.1990, c.103.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.39:3-10.21a Commercial Driver License Testing Pilot Program.

1. a. There is established within the Motor Vehicle Commission a Commercial Driver License Testing Pilot Program which shall be implemented by the chief administrator. Pursuant to the provisions of this act, the chief administrator shall appoint three private third party vendors to administer the knowledge and skills tests for a commercial driver license or endorsement. Of the private third party vendors appointed to participate in

the program, one each shall be located in the northern, central, and southern regions of the State.

b. In implementing the pilot program, the chief administrator shall:

(1) develop procedures for identifying private third party vendors eligible to administer the knowledge and skills tests for commercial driver licenses or endorsements;

(2) compile a list of third party vendors eligible to provide the knowledge and skills tests for commercial driver licenses or endorsements;

(3) establish guidelines necessary to establish and oversee the administration of commercial motor vehicle driver testing by private third parties including establishment of maximum fees that may be charged; and

(4) take any other action necessary to implement the provisions of this act.

c. The private third party vendors appointed pursuant to subsection a. of this section shall be fully operational and administering knowledge and skills tests within 90 days following the effective date of this act.

d. Within nine months of the effective date of this act, the chief administrator shall submit to the Governor and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1) an evaluation of the pilot program with recommendations that will facilitate the permanent use of third party vendors to administer knowledge and skills tests for commercial driver licenses or endorsements pursuant to section 13 of P.L.1990, c.103 (C.39:3-10.21).

2. Section 13 of P.L.1990, c.103 (C.39:3-10.21) is amended to read as follows:

C.39:3-10.21 Regulation of third party testing.

13. Within one year of the effective date of P.L.2017, c.10 (C.39:3-10.21a et al.) the chief administrator shall, by contract, by appointment as a motor vehicle agent, or by licensing, authorize any necessary persons, including but not limited to an agency of this or another state, an employer, a private driver training facility or other private institution, or a department, agency or instrumentality of local government to administer the knowledge or skills tests for a commercial driver license or endorsement. The appointments shall be based on the evaluation of the pilot program and recommendations submitted to the Governor pursuant to P.L.2017, c.10 (C.39:3-10.21a et al.).

The chief administrator shall adopt regulations necessary to establish, oversee, and regulate the administration of commercial motor vehicle driver testing by third parties including establishment of maximum fees that may

be charged. The maximum fee for a skills test administered by a third party shall be set at an amount equal to the cost to the State for administering the testing.

The chief administrator may limit the number of persons licensed to administer examinations and may suspend or revoke an authorization on any reasonable ground. A person authorized to administer examinations by appointment as a motor vehicle agent shall so act until this authority is revoked by the chief administrator.

An examiner administering a skills test shall not be held accountable for any violation of Title 39 of the Revised Statutes committed by the person being tested.

3. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 11

AN ACT concerning lottery courier services and supplementing P.L.1970, c.13 (C.5:9-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.5:9-14.3 Lottery courier services.

1. a. For the purposes of this act, "courier service" means a person or business entity that is registered with the State Lottery Commission to purchase State Lottery tickets on behalf of individuals within the State and deliver those tickets to those individuals in the State as a for-profit service.

b. (1) Upon receipt of an application from a courier service, the commission shall register and authorize the courier service to purchase and deliver State lottery tickets within the State of New Jersey. The registration of any courier service shall include, but shall not be limited to, a check of credit reporting sources, other State departments and agencies, and criminal justice agencies. The commission shall substantiate the moral character and integrity of the owners, operators, directors, key personnel, and couriers of a courier service that submits a registration application.

(2) The commission shall supervise registered courier services in a manner necessary to ensure that the integrity and reputation of the New Jersey lottery is maintained. The commission shall accept complaints con-

cerning such services and investigate those complaints. The commission shall investigate suspected violations of the statutes and regulations by such services and impose sanctions for violations. The commission may suspend or revoke the registration of a courier service for violations or for such other reasons as shall be set forth in the rules and regulations promulgated by the commission.

(3) In accordance with the rules and regulation promulgated by the commission, a registered courier service shall maintain an Internet site and shall display prominently on that site:

a warning of the risk of being defrauded if purchasing lottery tickets through a courier service that is not registered by the commission;

the identical gambling addiction warning required of licensed New Jersey casinos; and

information on how to seek help for a gambling problem through education, by telephone, from the Internet, or by other electronic means.

(4) In accordance with the rules and regulations promulgated by the commission, a registered courier service shall safeguard the personal information, including credit card numbers, and properly verify the age and physical location of customers utilizing the service.

(5) In accordance with the rules and regulations promulgated by the commission, the courier service shall be permitted to redeem a lottery ticket on behalf of a customer utilizing the service in a manner that is secure for that customer and transparent to the public.

c. In lieu of delivery of a purchased lottery ticket to a customer utilizing the courier service, a courier service may store such ticket on behalf of that customer, with the customer's consent, if the courier service provides an electronic receipt of the ticket purchased with the numbers of the ticket shown on the receipt. A customer utilizing the courier service shall have the option at all times to obtain the ticket for the purpose of redemption. A courier service storing a ticket on behalf of a customer shall maintain a secure database of all stored lottery tickets, linked to the respective customers. The courier service shall notify the customer of a winning ticket value and maximum prize within 24 hours of a drawing. The commission shall conduct, and a courier service shall submit as a condition of registration, to random audits of the database.

d. No portion or percentage of lottery winnings shall be charged, accepted, given, or payable to the courier service as a fee for the purchase or delivery or for the redemption of a ticket.

The operation of a registered courier service shall not constitute a violation of N.J.S.2C:37-2 or N.J.S.2C:37-3, or the sale of lottery tickets. The

charging of a fee by a courier service for the purchase and delivery of a ticket shall not constitute a violation of section 14 of P.L.1970, c.13 (C.5:9-14).

A courier service shall not be licensed as a lottery sales agent under section 11 of P.L.1970, c.13 (C.5:9-11).

e. A person or business entity operating a lottery courier service without being registered and authorized by the commission pursuant to this section shall be guilty of a crime of the third degree.

f. The commission shall promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (C.52:14B-1 et seq.), as may be needed to effectuate the provisions of this section.

2. This act shall take effect on the first day of the ninth month following enactment, except that the commission may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved February 6, 2017.

CHAPTER 12

AN ACT concerning certain unused portions of tax credits issued to insurance premiums taxpayers under the Business Employment Incentive Program and exempting certain purchasers of business development incentives from certain State tax notification requirements, amending P.L.1996, c.26, P.L.1966, c.30, and P.L.2007, c.100.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 6 of P.L.1996, c.26 (C.34:1B-129) is amended to read as follows:

C.34:1B-129 Employment incentive grant criteria; tax credit transfer certificate.

6. a. The amount of the employment incentive awarded as a grant by the authority shall either be awarded in cash or as a tax credit. In each case, the amount of the grant shall be not less than 10 percent and not more than 50 percent of the withholdings of the business, or not less than 10 percent and not more than 30 percent of the estimated tax of the partners of an eligible partnership whether paid directly by the partner or by the eligible partnership on behalf of the partner's account, or any combination thereof,

and shall be subject to the provisions of sections 10 and 11 of P.L.1996, c.26 (C.34:1B-133 and C.34:1B-134). In no case shall the aggregate amount of the employment incentive grant awarded pursuant to a business employment incentive agreement entered into on or after July 1, 2003 exceed an average of $50,000 for all new employees over the term of the grant. The employment incentive shall be based on criteria developed by the authority after considering the following:

(1) The number of eligible positions to be created;

(2) The expected duration of those positions;

(3) The type of contribution the business can make to the long-term growth of the State's economy;

(4) The amount of other financial assistance the business will receive from the State for the project;

(5) The total dollar investment the business is making in the project;

(6) Whether the business is a designated industry;

(7) Impact of the business on State tax revenues; and

(8) Such other related factors determined by the authority.

b. A business may be eligible to be awarded a grant, either in cash or in tax credits, of up to 80 percent of the withholdings of the business or up to 50 percent of the estimated tax of the partners of an eligible partnership if the grant promotes smart growth and the goals, strategies, and policies of the State Development and Redevelopment Plan, established pursuant to section 5 of P.L.1985, c.398 (C.52:18A-200), as determined by and based upon criteria promulgated by the authority following consultation with the Office of State Planning in the Department of State.

c. The term of the grant shall not exceed 10 years.

d. At the discretion of the authority, the grant may apply to new employees or partners in eligible positions created during the base years, and during the remainder of the term of the grant.

e. Within 180 days of the date of enactment of P.L.2015, c.194 (C.34:1B-137.1 et al.), a business that was approved for a grant prior to the enactment of P.L.2015, c.194 (C.34:1B-137.1 et al.), may direct the authority to convert the grant to a tax credit against the tax liability otherwise due pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and 54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5. The direction to convert the grant to a tax credit shall be irrevocable. An approved tax credit shall be issued in the manner and for the amounts as follows and may only be applied in the tax period for which they are issued and shall not be carried forward:

(1) For grants accrued but not paid during calendar years 2008 through 2013, the tax credit shall be equal to an approved amount and shall be issued in five installments over a five-year period beginning in the 2017 tax accounting or privilege period of the business or tax credit transferee in the following percentages: in year one, five percent of the accrued amount; in year two, 20 percent of the accrued amount; in year three, 25 percent of the accrued amount; in year four, 25 percent of the accrued amount; in year five, 25 percent of the accrued amount. To the extent any amount in this paragraph has not been approved by the authority by the commencement of State fiscal year 2017, the aggregate tax credit that would have been issued in State fiscal year 2017 shall be issued in the year the amount is approved and the five-year period shall commence in that fiscal year;

(2) For a grant accrued but not paid during calendar year 2014, the tax credit shall be equal to any approved amount and shall be issued in four equal installments over a four-year period beginning in the 2019 tax accounting or privilege period of the business or tax credit transferee;

(3) For a grant accrued but not paid during calendar year 2015, the tax credit shall be equal to any approved amount and shall be issued in four equal installments over a four-year period beginning in the 2019 tax accounting or privilege period of the business or tax credit transferee;

(4) For a grant accrued but not paid during calendar year 2016, the tax credit shall be equal to any approved amount and shall be issued in three equal installments over a three-year period beginning in the 2020 tax accounting or privilege period of the business or tax credit transferee;

(5) For a grant accrued but not paid during calendar year 2017, the tax credit shall be equal to any approved amount and shall be issued in three equal installments over a three-year period beginning in the 2020 tax accounting or privilege period of the business or tax credit transferee;

(6) For a grant accrued but not paid during calendar year 2018, the tax credit shall be equal to any approved amount and shall be issued in two equal installments over a two-year period beginning in the 2022 tax accounting or privilege period of the business or tax credit transferee;

(7) For a grant accrued but not paid during calendar year 2019, the tax credit shall be equal to any approved amount and shall be issued in two equal installments over a two-year period beginning in the 2022 tax accounting or privilege period of the business or tax credit transferee;

(8) For a grant accrued but not paid during calendar year 2020, the tax credit shall be equal to any approved amount and shall be issued in two equal installments over a two-year period beginning in the 2023 tax accounting or privilege period of the business or tax credit transferee;

(9) For a grant accrued but not paid during calendar year 2021, the tax credit shall be equal to any approved amount and shall be issued in two equal installments over a two-year period beginning in the 2023 tax accounting or privilege period of the business or tax credit transferee;

(10) For a grant accrued but not paid during calendar year 2022, the tax credit shall be equal to any approved amount and shall be paid in two equal installments over a two-year period beginning in the 2023 tax accounting or privilege period of the business or tax credit transferee;

(11) For a grant accrued but not paid during calendar year 2023, the tax credit shall be equal to any approved amount and shall be issued in two equal installments over a two-year period beginning in the 2023 tax accounting or privilege period of the business or tax credit transferee;

(12) For a grant accrued but not paid during calendar year 2024, the tax credit shall be equal to any approved amount and shall be issued in the 2025 tax accounting or privilege period of the business or tax credit transferee; and

(13) For a grant accrued but not paid during calendar year 2025, the tax credit shall be equal to any approved amount and shall be issued in the 2025 tax accounting or privilege period of the business or tax credit transferee.

f. The amount of the credit allowed pursuant to this section shall be applied against the tax otherwise due under section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and C.54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5, prior to all other credits and payments. If the credit exceeds the amount of tax liability otherwise due from a business that pays taxes under section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and C.54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5, that amount of excess shall be an overpayment for the purposes of R.S.54:49-15, provided, however, that section 7 of P.L.1992, c.175 (C.54:49-15.1) shall not apply.

g. (1) A business that does not pay taxes under section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and 54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5 may apply to the executive director of the authority for a tax credit transfer certificate, covering one or more years.

(2) A business that has received a tax credit pursuant to subsection e. of this section, which credit exceeds the amount of the tax liability otherwise due, may apply to the executive director of the authority for a tax credit transfer certificate, covering one or more years.

(3) Upon the executive director's approval of an application for a tax credit transfer certificate, the division shall review and issue the tax credit transfer certificate. The tax credit transfer certificate, upon receipt thereof by the business, may be sold or assigned, in full or in part, in an amount not less than $100,000, or the amount of the refundable tax credit issued if less than $100,000, of tax credits to any other person that may have a tax liability pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and 54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5. The tax credit transfer certificate provided to the business shall include a statement waiving the business's right to claim that amount of the credit against the taxes that the business has elected to sell or assign. The sale or assignment of any amount of a tax credit transfer certificate allowed under this section shall not be exchanged for consideration received by the business of less than 75 percent of the transferred credit amount before considering any further discounting to present value which shall be permitted. Any amount of a tax credit transfer certificate used by a purchaser or assignee against a tax liability shall be subject to the same privileges, limitations, and conditions that apply to the use of the credit by the business that originally applied for and was allowed the tax credit, including treating the amount of excess as an overpayment under subsection f. of this section. The tax credit transferee may not transfer its tax credit to any other party.

2. Section 22 of P.L.1966, c.30 (C.54:32B-22) is amended to read as follows:

C.54:32B-22 Proceedings to recover tax.

22. (a) Whenever any person required to collect tax shall fail to collect or pay over any tax, penalty or interest imposed by this act as therein provided, or whenever any customer shall fail to pay any such tax, penalty or interest, the Attorney General shall, upon the request of the director, bring or cause to be brought an action to enforce the payment of the same on behalf of the State of New Jersey in any court of the State of New Jersey or of any other State or of the United States.

(b) As an additional or alternate remedy, the director may issue a warrant, directed to the sheriff of any county commanding him to levy upon and sell the real and personal property of any person liable for the tax, which may be found within his county, for the payment of the amount thereof, with any penalties and interest, and the cost of executing the warrant, and to return such warrant to the director and to pay to him the money collected by

virtue thereof within 60 days after the receipt of such warrant. The sheriff shall within 5 days after the receipt of the warrant file with the county clerk a copy thereof, and thereupon such clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of the tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real and personal property of the person against whom the warrant is issued. The sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by law in respect to executions issued against property upon judgments of a court of record and for services in executing the warrant he shall be entitled to the same fees, which he may collect in the same manner. In the discretion of the director a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Division of Taxation, and in the execution thereof such officer or employee shall have all the powers conferred by law upon sheriffs, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the director may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the State had recovered judgment therefor and execution thereon had been returned unsatisfied.

(c) Whenever a person required to collect tax shall make a sale, transfer, or assignment in bulk of any part or the whole of his business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least 10 days before taking possession of the subject of said sale, transfer or assignment, or paying therefor, notify the director by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferrer or assignor, has represented to, or informed the purchaser, transferee or assignee that he owes any tax pursuant to this act, and whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

Whenever the purchaser, transferee or assignee shall fail to give notice to the director as required by the preceding paragraph, or whenever the director shall inform the purchaser, transferee or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferrer or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferrer or assignor to the State, and the purchaser, transferee or assignee is forbidden to transfer to the sell-

er, transferrer or assignor any such sums of money, property or choses in action to the extent of the amount of the State's claim. For failure to comply with the provisions of this section the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of the uniform commercial code, Title 12A of the New Jersey Statutes, shall be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferrer or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this act.

(d) Subsection (c) of this section shall not apply to the sale, transfer, or assignment of a grant, tax credit, or tax credit transfer certificate that has been awarded, issued, or otherwise made available to a person required to collect tax in connection with a State or local business assistance or incentive program or activity authorized by law in effect on the effective date of P.L.2017, c.12.

For purposes of this subsection, "State or local business assistance or incentive program or activity" includes but shall not be limited to: the corporation business tax credit and insurance premiums tax credit certificate transfer program established by section 17 of P.L.2004, c.65 (C.34:1B-120.2); the Business Retention and Relocation Assistance Program established by P.L.1996, c.25 (C.34:1B-112 et seq.); the Business Employment Incentive Program established by P.L.1996, c.26 (C.34:1B-124 et al.); the Urban Transit Hub Tax Credit Program established by P.L.2007, c.346 (C.34:1B-207 et seq.); the Grow New Jersey Assistance Program established by section 3 of P.L.2011, c.149 (C.34:1B-244); and the State or local Economic Redevelopment and Growth Grant program established by section 4 or section 5 of P.L.2009, c.90 (C.52:27D-489d or C.52:27D-489e).

3. Section 5 of P.L.2007, c.100 (C.54:50-38) is amended to read as follows:

C.54:50-38 Notification to director of proposed sale, transfer, assignment of business assets; claim for State taxes; exemptions.

5. a. (1) Whenever a person shall make a sale, transfer, or assignment in bulk of any part or the whole of the person's business assets except as provided by paragraph (2) of this subsection, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall, at least 10 days before taking possession of the subject of the sale, transfer or assignment, or paying therefor, notify the director by registered mail, or other such method as the director may prescribe, of the proposed sale and of the

price, terms and conditions thereof whether or not the seller, transferrer or assignor has represented to, or informed the purchaser, transferee or assignee that the seller, transferrer or assignor owes any State tax and whether or not the purchaser, transferee, or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing. Within 10 days of receiving such notice, the director shall notify the purchaser, transferee or assignee by such means as the director may prescribe that a possible claim for State taxes exists and include the amount of the State's claim.

(2) (a) Paragraph (1) of this subsection shall not apply to the sale, transfer or assignment of a simple dwelling house if the seller, transferrer or assignor is an "individual," "estate," or "trust" as those terms are used for the purposes of the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.; paragraph (1) shall apply to the sale, transfer or assignment of a simple dwelling house if the seller, transferrer or assignor is a business entity, including but not limited to a corporation or a partnership. "Simple dwelling house" means a dwelling unit, attached or detached, and land appurtenant thereto, including but not limited to a one-family or two-family building or structure, a unit of a horizontal property regime established pursuant to the "Horizontal Property Act," P.L.1963, c.168 (C.46:8A-1 et seq.), a unit in a housing cooperative as defined under "The Cooperative Recording Act of New Jersey," P.L.1987, c.381 (C.46:8D-1 et seq.), or a unit of a condominium property established pursuant to the "Condominium Act," P.L.1969, c.257 (C.46:8B-1 et seq.), but does not include a structure or structures containing more than two units of dwelling space or containing, according to the records of the municipal property tax assessor, commercial property including, or in addition to, the units of dwelling space.

(b) Paragraph (1) of this subsection shall not apply to the sale, transfer or assignment of a seasonal rental unit or the sale, transfer or assignment of a lease for the seasonal use or rental of real property if the seller, transferrer or assignor is an "individual," "estate," or "trust" as those terms are used for the purposes of the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.; paragraph (1) shall apply to the sale, transfer or assignment of a seasonal rental unit or the sale, transfer or assignment of a lease for the seasonal use or rental of real property if the seller, transferrer or assignor is a business entity, including but not limited to a corporation or a partnership.

For the purposes of this paragraph:

"seasonal rental unit" means

(i) a "timeshare estate" as that term is defined by section 2 of P.L.2006, c.63 (C.45:15-16.51); and

(ii) a dwelling unit rented for a term of not more than 125 consecutive days for residential purposes by a person having a permanent residence elsewhere; and

"lease for the seasonal use or rental of real property" means

(i) a "timeshare use" as that term is defined by section 2 of P.L.2006, c.63 (C.45:15-16.51); and

(ii) the use or rental for a term of not more than 125 consecutive days for residential purposes by a person having a permanent place of residence elsewhere.

(3) Paragraph (1) of this subsection shall not apply to the sale, transfer, or assignment of a grant, tax credit, or tax credit transfer certificate that has been awarded, issued, or otherwise made available to a person in connection with a State or local business assistance or incentive program or activity authorized by law in effect on the effective date of P.L.2017, c.12.

For purposes of this paragraph, "State or local business assistance or incentive program or activity" includes but shall not be limited to: the corporation business tax credit and insurance premiums tax credit certificate transfer program established by section 17 of P.L.2004, c.65 (C.34:1B-120.2); the Business Retention and Relocation Assistance Program established by P.L.1996, c.25 (C.34:1B-112 et seq.); the Business Employment Incentive Program established by P.L.1996, c.26 (C.34:1B-124 et al.); the Urban Transit Hub Tax Credit Program established by P.L.2007, c.346 (C.34:1B-207 et seq.); the Grow New Jersey Assistance Program established by section 3 of P.L.2011, c.149 (C.34:1B-244); and the State or local Economic Redevelopment and Growth Grant program established by section 4 or section 5 of P.L.2009, c.90 (C.52:27D-489d or C.52:27D-489e).

b. If, upon receiving timely notice of a sale, transfer or assignment from a purchaser, transferee or assignee, the director fails to provide timely notice to the purchaser, transferee or assignee that a possible claim for such State tax or taxes exists, the purchaser, transferee or assignee may transfer over to the seller, transferrer or assignor any sums of money, property or choses in action, or other consideration to the extent of the amount of the State's claim. The purchaser, transferee or assignee shall not be subject to the liabilities and remedies imposed under the provisions of the uniform commercial code, Title 12A of the New Jersey Statutes, and shall not be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferrer or assignor.

c. If the purchaser, transferee or assignee shall fail to give notice to the director as required by the preceding paragraph, or if the director shall inform the purchaser, transferee or assignee that a possible claim for such

State tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferrer or assignor shall be subject to a first priority right and lien for any such State taxes theretofore or thereafter determined to be due from the seller, transferrer or assignor to the State, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferrer or assignor any such sums of money, property or choses in action to the extent of the amount of the State's claim. For failure to comply with the provisions of this section the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of the uniform commercial code, Title 12A of the New Jersey Statutes, shall be personally liable for the payment to the State of any such taxes theretofore or thereafter determined to be due to the State from the seller, transferrer or assignor, and such liability may be assessed and enforced in the same manner as the liability for any State tax under the State Uniform Tax Procedure Law, R.S.54:48-1 et seq.

4. This act shall take effect immediately; provided, however, that section 1 shall apply retroactively to January 11, 2016.

Approved February 6, 2017.

CHAPTER 13

AN ACT authorizing the expenditure of additional funds by the New Jersey Environmental Infrastructure Trust for the purpose of making loans to eligible project sponsors to finance a portion of the cost of construction of environmental infrastructure projects, and amending P.L.2016, c.31.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2016, c.31 is amended to read as follows:

1. a. The New Jersey Environmental Infrastructure Trust, established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), is authorized to expend the aggregate sum of up to $641.576 million and any unexpended balance of the aggregate expenditures authorized pursuant to section 1 of P.L.2000, c.93, section 1 of P.L.2001, c.224, section 1 of P.L.2002, c.71, section 1 of P.L.2003, c.159, section 1 of P.L.2004, c.110, section 1 of P.L.2005, c.197,

section 1 of P.L.2006, c.67, section 1 of P.L.2007, c.140, section 1 of P.L.2008, c.67, section 1 of P.L.2009, c.101, section 1 of P.L.2010, c.62, section 1 of P.L.2011, c.95, section 1 of P.L.2012, c.38, section 1 of P.L.2013, c.94, section 1 of P.L.2014, c.26, and section 1 of P.L.2015, c.107 for the purpose of making loans, to the extent sufficient funds are available, to or on behalf of local government units or public water utilities (hereinafter referred to as "project sponsors") to finance all or a portion of the cost of construction of environmental infrastructure projects listed in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13.

b. The trust is authorized to increase the aggregate sums specified in subsection a. of this section by:

(1) the amounts of capitalized interest and the bond issuance expenses as provided in subsection b. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13;

(2) the amounts of reserve capacity expenses and debt service reserve fund requirements as provided in subsection c. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13;

(3) the interest earned on amounts deposited for project costs pending their distribution to project sponsors as provided in subsection d. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13;

(4) the amounts of the loan origination fee as provided in subsection e. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13; and

(5) the amount appropriated to the Department of Environmental Protection for the purpose of making zero interest and principal forgiveness loans pursuant to section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, in connection with the project costs of a particular project sponsor, to the extent the priority ranking and an insufficiency of funding prevents the department from making the loan as provided in subsection f. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13.

c. (1) Of the sums made available to the trust from the "Water Supply Trust Fund" established pursuant to subsection a. of section 15 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) pursuant to P.L.1997, c.223, the trust is authorized to transfer such amounts to the Department of Environmental Protection as needed for drinking water project loans pursuant to the "Safe Drinking Water Act Amendments of 1996," Pub.L.104-182, and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Safe Drinking Water Act"), under terms and conditions established by the Commissioner of Environmental Protection and trust, and approved by the State Treasurer, which loans shall be jointly administered by the trust and department.

(2) Of the sums appropriated to the trust from the "Wastewater Treatment Trust Fund" established pursuant to section 15 of the "Wastewater Treatment Bond Act of 1985," (P.L.1985, c.329) pursuant to P.L.1987, c.198, the trust is authorized to transfer such amounts as needed to the Clean Water State Revolving Fund established pursuant to section 1 of P.L.2009, c.77 for the purposes of issuing loans or providing the State match as required for the award of the capitalization grants made available to the State for clean water projects pursuant to the "Water Quality Act of 1987" (33 U.S.C. s.1251 et seq.), and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Clean Water Act").

(3) Of the sums appropriated to the trust from the "1992 Wastewater Treatment Trust Fund" established pursuant to section 27 of the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" (P.L.1992, c.88) pursuant to P.L.1996, c.86, the trust is authorized to transfer such amounts as needed to the Clean Water State Revolving Fund for the purpose of providing the State match as required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(4) Of the sums appropriated to the trust from the "Stormwater Management and Combined Sewer Overflow Abatement Fund" created pursuant to section 14 of the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989" (P.L.1989, c.181) pursuant to P.L.1998, c.87, the trust is authorized to transfer such amounts as needed to the Clean Water State Revolving Fund for the purpose of providing the State match as required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(5) Of the sums appropriated to the trust from the "2003 Water Resources and Wastewater Treatment Trust Fund" established pursuant to subsection b. of section 19 of the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003" (P.L.2003, c.162) pursuant to P.L.2004, c.110, the trust is authorized to transfer such amounts as needed to the Clean Water State Revolving Fund for the purpose of providing the State match as required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(6) Of the sums appropriated to the trust from repayments of loans deposited in any account, including the "Clean Water State Revolving Fund," "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund" or the Drinking Water State Revolving Fund,

as appropriate, pursuant to sections 11 and 12 of P.L.1995, c.219, sections 11 and 12 of P.L.1996, c.85, sections 11 and 12 of P.L.1997, c.221, sections 12 and 13 of P.L.1998, c.84, section 11 of P.L.1999, c.174, section 11 of P.L.2000, c.92, section 11 of P.L.2001, c.222, section 11 of P.L.2002, c.70, section 11 of P.L.2003, c.158, section 11 of P.L.2004, c.109, section 11 of P.L.2005, c.196, section 11 of P.L.2006, c.68, section 10 of P.L.2007, c.140, section 10 of P.L.2008, c.67, section 10 of P.L.2009, c.101, section 10 of P.L.2010, c.62, section 10 of P.L.2011, c.95, section 10 of P.L.2012, c.38, section 10 of P.L.2013, c.94, section 10 of P.L.2014, c.26, section 10 of P.L.2015, c.107, and section 10 of P.L.2016, c.31 for deposit into one or more reserve funds or accounts established by the trust pursuant to section 11 of P.L.1985, c.334 (C.58:11B-11), the trust shall transfer to the respective fund of origin the unexpended balance of all such moneys no longer utilized by the trust for such purposes.

d. For the purposes of P.L.2016, c.31, as amended by P.L.2017, c.13:

(1) "capitalized interest" means the amount equal to interest paid on trust bonds which is funded with trust bond proceeds and the earnings thereon;

(2) "debt service reserve fund expenses" means the debt service reserve fund costs associated with reserve capacity expenses, water supply projects for which the project sponsors are public water utilities as provided in section 9 of P.L.1985, c.334 (C.58:11B-9), other drinking water projects not eligible for, or interested in, State or federal debt service reserve funds pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended and supplemented by P.L.1997, c.223, and any clean water projects not eligible for, or interested in, State or federal debt service reserve funds from the Clean Water State Revolving Fund;

(3) "issuance expenses" means and includes, but need not be limited to, the costs of financial document printing, bond insurance premiums or other credit enhancement, underwriters' discount, verification of financial calculations, the services of bond rating agencies and trustees, the employment of accountants, attorneys, financial advisors, loan servicing agents, registrars, and paying agents, and any other costs related to the issuance of trust bonds; and

(4) "loan origination fee" means the fee charged by the Department of Environmental Protection and financed under the trust loan to pay a portion of the costs incurred by the department in the implementation of the New Jersey Environmental Infrastructure Financing Program; and

(5) "reserve capacity expenses" means those project costs for reserve capacity not eligible for loans under rules and regulations governing zero interest loans adopted by the Commissioner of Environmental Protection pursuant to section 4 of P.L.1985, c.329 but which are eligible for loans

from the trust in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27).

e. The trust is authorized to increase the loan amount in the future to compensate for a refunding of the issue, provided adequate savings are achieved, for the loans issued pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62, P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26, P.L.2015, c.107, P.L.2016, c.31, and P.L.2017, c.13.

2. Section 2 of P.L.2016, c.31 is amended to read as follows:

2. a. (1) The New Jersey Environmental Infrastructure Trust is authorized to expend funds for the purpose of making supplemental loans to or on behalf of the project sponsors listed below for the following clean water environmental infrastructure projects:

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Warren Township SA	S340964-01-1	$75,000	$100,000
North Hudson SA	S340952-19-1	$75,000	$100,000
North Hudson SA	S340952-20-1	$675,000	$900,000
Ewing Lawrence SA	S340391-10-1	$3,675,000	$4,900,000
Wanaque Valley RSA	S340780-04-1	$1,125,000	$1,500,000
Warren Township SA	S340964-02-1	$262,500	$350,000
Burlington Township	S340712-14-1	$150,000	$200,000
Ventnor City	S340667-02-1	$3,750,000	$5,000,000
Total projects:	**8**	**$9,787,500**	**$13,050,000**

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to subsection a. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, and the loan amounts certified by the chairman of the trust in State fiscal years 2015 and 2016 and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27). The loans authorized in this subsection shall be made to or

on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 6 of P.L.2016, c.31, as amended by P.L.2017, c.13.

(3) The loans authorized in this subsection shall have priority over the environmental infrastructure projects listed in subsection a. of section 4 of P.L.2016, c.31, as amended by P.L.2017, c.13.

b. (1) The trust is authorized to expend funds for the purpose of making supplemental loans to or on behalf of the project sponsors listed below for the following drinking water environmental infrastructure projects:

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Gloucester City	0414001-020-1	$975,000	$1,300,000
North Jersey District Water Supply Comm.	1613001-017-1	$2,700,000	$3,600,000
Total Projects:	**2**	**$3,675,000**	**$4,900,000**

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amount required by this project based upon final building costs pursuant to subsection a. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, and the loan amount certified by the chairman of the trust in State fiscal years 2015 and 2016 and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27). The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 6 of P.L.2016, c.31, as amended by P.L.2017, c.13.

(3) The loans for the projects authorized in this subsection shall have priority over environmental infrastructure projects listed in subsection b. of section 4 of P.L.2016, c.31, as amended by P.L.2017, c.13.

c. The trust is authorized to adjust the allowable trust loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount and such excess amounts to the extent the priority ranking and an insufficiency of funding prevents the Department of Envi-

ronmental Protection from making the loan as provided in subsection f. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13.

3. Section 3 of P.L.2016, c.31 is amended to read as follows:

3. a. The New Jersey Environmental Infrastructure Trust is authorized to make loans to or on behalf of the project sponsors for the clean water projects listed in subsection a. of section 2 and subsection a. of section 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, up to the individual amounts indicated and in the priority stated, except as any such amount may be reduced by the trust pursuant to subsection a. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, or if a project fails to meet the requirements of section 6 of P.L.2016, c.31, as amended by P.L.2017, c.13. The trust is authorized to increase any such amount pursuant to subsection b., c., d., e. or f. of section 7 or section 8 of P.L.2016, c.31, as amended by P.L.2017, c.13.

b. The trust is authorized to make loans to project sponsors for the drinking water projects listed in subsection b. of section 2 and subsection b. of section 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, up to the individual amounts indicated and in the priority stated, except as any such amount may be reduced by the trust pursuant to subsection a. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, or if a project fails to meet the requirements of section 6 of P.L.2016, c.31, as amended by P.L.2017, c.13. The trust is authorized to increase any such amount pursuant to subsection b., c., d., e. or f. of section 7 or section 8 of P.L.2016, c.31, as amended by P.L.2017, c.13.

4. Section 4 of P.L.2016, c.31 is amended to read as follows:

4. a. The following environmental infrastructure projects shall be known and may be cited as the "Storm Sandy and State Fiscal Year 2017 Clean Water Project Eligibility List":

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Camden County MUA	S340640-15	$6,825,000	$9,100,000
Jersey City MUA	S340928-15	$30,300,000	$40,400,000
Elizabeth City	S340942-18	$6,150,000	$8,200,000
Ocean County UA	S340372-56	$6,000,000	$8,000,000
Bayshore RSA	S340697-05	$21,150,000	$28,200,000

Bayshore RSA	S340697-06	$8,100,000	$10,800,000
Atlantic County UA	S340809-27	$2,400,000	$3,200,000
Atlantic County UA	S340809-23	$5,250,000	$7,000,000
Atlantic County UA	S340809-25	$8,250,000	$11,000,000
Atlantic County UA	S340809-26	$1,125,000	$1,500,000
Middletown Township SA	S340097-04	$15,675,000	$20,900,000
Hoboken City	S340635-05	$3,825,000	$5,100,000
North Hudson SA	S340952-19	$3,225,000	$4,300,000
North Hudson SA	S340952-23	$1,275,000	$1,700,000
North Hudson SA	S340952-26	$675,000	$900,000
Cumberland County UA	S340550-07	$937,500	$1,250,000
Millville City	S340921-07	$9,000,000	$12,000,000
Passaic Valley SC	S340689-22	$2,925,000	$3,900,000
Passaic Valley SC	S340689-25	$6,825,000	$9,100,000
Passaic Valley SC	S340689-31	$3,000,000	$4,000,000
Passaic Valley SC	S340689-34	$2,175,000	$2,900,000
Jersey City MUA	S340928-21	$9,000,000	$12,000,000
Bergen County UA	S340386-17	$7,500,000	$10,000,000
Cinnaminson SA	S340170-07	$6,750,000	$9,000,000
Gloucester County UA	S340902-14	$33,750,000	$45,000,000
Stafford Township	S344100-03	$4,200,000	$5,600,000
Barnegat Township	S344130-01	$337,500	$450,000
Ocean County	S344080-04	$825,000	$1,100,000
Ocean County	S344080-10	$180,000	$240,000
Ocean County	S344080-11	$252,000	$336,000
Jackson Township	S344050-02	$975,000	$1,300,000
Kearny MUA	S340259-07	$4,875,000	$6,500,000
Cumberland County UA	S340550-08	$937,500	$1,250,000
North Wildwood City	S340663-06	$13,575,000	$18,100,000
Willingboro MUA	S340132-08	$1,350,000	$1,800,000
Ocean County UA	S340372-57	$2,100,000	$2,800,000
Perth Amboy City	S340435-15	$1,500,000	$2,000,000
Atlantic County UA	S340809-24	$600,000	$800,000
Rockaway Valley RSA	S340821-06	$4,875,000	$6,500,000
Gloucester Township MUA	S340364-13	$975,000	$1,300,000
Franklin Township SA	S340839-06	$12,825,000	$17,100,000
South Monmouth RSA	S340377-03	$2,250,000	$3,000,000
South Monmouth RSA	S340377-04	$1,200,000	$1,600,000
South Monmouth RSA	S340377-05	$2,550,000	$3,400,000
Washington Township MUA	S340930-03	$1,725,000	$2,300,000
Washington Township MUA	S340930-04	$825,000	$1,100,000
Montclair Township	S340837-03	$1,125,000	$1,500,000
Ocean Township SA	S340750-12	$3,000,000	$4,000,000
Pine Hill MUA	S340274-05	$1,275,000	$1,700,000

Oradell Borough	S340835-04	$1,125,000	$1,500,000
Ocean Township	S340112-07	$2,250,000	$3,000,000
Long Beach Township	S340023-06	$3,750,000	$5,000,000
Somerset Raritan Valley SA	S340801-08	$3,900,000	$5,200,000
Gloucester City	S340958-07	$900,000	$1,200,000
Hillsborough Township	S340099-02	$1,200,000	$1,600,000
Manasquan Borough	S340450-02	$1,350,000	$1,800,000
Burlington County	S340818-07	$1,725,000	$2,300,000
Carteret Borough	S340939-09	$7,950,000	$10,600,000
Hammonton Town	S340927-09	$3,450,000	$4,600,000
Sea Girt Borough	S340468-01	$2,625,000	$3,500,000
Ventnor City	S340667-03	$1,200,000	$1,600,000
Cumberland County IA	S342015-03	$12,075,000	$16,100,000
Salem County IA	S342022-01	$5,775,000	$7,700,000
Somerville Borough	S342013-01	$13,050,000	$17,400,000
Total Projects:	**64**	**$328,744,500**	**$438,326,000**

b. The following environmental infrastructure projects shall be known and may be cited as the "Storm Sandy and State Fiscal Year 2017 Drinking Water Project Eligibility List":

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Hammonton Town	0113001-011	$1,425,000	$1,900,000
Saddle Brook Township	0257001-002	$1,350,000	$1,800,000
Bordentown City	0303001-006	$1,125,000	$1,500,000
Bordentown City	0303001-007	$2,100,000	$2,800,000
Pemberton Township	0329004-004	$900,000	$1,200,000
Willingboro MUA	0338001-009	$5,250,000	$7,000,000
East Orange Water Commission	0705001-011	$7,275,000	$9,700,000
Newark City	0714001-015	$13,650,000	$18,200,000
Washington Township MUA	0818004-009	$600,000	$800,000
Washington Township MUA	0818004-010	$1,425,000	$1,900,000
Washington Township MUA	0818004-011	$1,200,000	$1,600,000
Washington Township MUA	0818004-012	$150,000	$200,000
Washington Township MUA	0818004-014	$675,000	$900,000
Clinton Town	1005001-009	$900,000	$1,200,000
Hightstown Borough	1104001-007	$300,000	$400,000
Hightstown Borough	1104001-008	$150,000	$200,000
Pennington Borough	1108001-001	$900,000	$1,200,000
Milltown Borough	1214001-004	$1,875,000	$2,500,000
Middlesex Water Company	1225001-016	$4,275,000	$5,700,000

Middlesex Water Company	1225001-023	$6,000,000	$8,000,000
Berkeley Township MUA	1505004-007	$525,000	$700,000
Berkeley Township MUA	1505004-008	$2,625,000	$3,500,000
Jackson Township MUA	1511001-010	$6,150,000	$8,200,000
Jackson Township MUA	1511001-011	$1,125,000	$1,500,000
Little Egg Harbor MUA	1516001-003	$3,450,000	$4,600,000
Little Egg Harbor MUA	1516001-500	$750,000	$1,000,000
Ocean Township	1520001-007	$975,000	$1,300,000
Ocean Gate Borough	1521001-001	$600,000	$800,000
Stafford Township	1530004-018	$1,800,000	$2,400,000
Stafford Township	1530004-019	$1,350,000	$1,800,000
Manchester Utilities Authority	1603001-014	$1,500,000	$2,000,000
North Jersey District Water Supply Comm.	1613001-033	$3,000,000	$4,000,000
North Shore Water Association	1904004-002	$337,500	$450,000
Lake Glenwood Village	1922010-008	$675,000	$900,000
Rahway City	2013001-007	$13,650,000	$18,200,000
Rahway City	2013001-008	$2,025,000	$2,700,000
Passaic Valley Water Comm.	1605002-025	$27,450,000	$36,600,000
Netcong Borough	1428001-009	$300,000	$400,000
Trenton City	1111001-010	$7,875,000	$10,500,000
Cape May City	0502001-004	$1,650,000	$2,200,000
Gloucester City	0414001-020A	$187,500	$250,000
Long Beach Township	1517001-500	$6,900,000	$9,200,000
Long Beach Township	1517001-501	$1,425,000	$1,900,000
Clinton Town	1005001-008	$1,125,000	$1,500,000
Total Projects:	**44**	**$138,975,000**	**$185,300,000**

c. The trust is authorized to adjust the allowable trust loan amount for projects authorized in this section to between 0% and 75% of the total allowable loan amount, and such excess amounts to the extent the priority ranking and an insufficiency of funding prevents the Department of Environmental Protection from making the loan as provided in subsection f. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, and up to 100% of the total allowable loan amount for projects certified by the Department of Environmental Protection pursuant to section 1 of P.L.2013, c.93 (C.58:11B-9.5).

5. Section 5 of P.L.2016, c.31 is amended to read as follows:

5. In accordance with and subject to the provisions of sections 5, 6, and 23 of P.L.1985, c.334 (C.58:11B-5, 58:11B-6, and 58:11B-23) and as set forth in the financial plan required pursuant to section 21 of P.L.1985, c.334 (C.58:11B-21), or the financial plan required pursuant to section 25 of

P.L.1997, c.224 (C.58:11B-21.1), any proceeds from bonds issued by the trust to make loans for priority environmental infrastructure projects listed in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, which are not expended for that purpose may be applied for the payment of all or any part of the principal of and interest and premium on the trust bonds whether due at stated maturity, the interest payment dates or earlier upon redemption. A portion of the proceeds from bonds issued by the trust to make loans for priority environmental infrastructure projects pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, may be applied for the payment of capitalized interest and for the payment of any issuance expenses; for the payment of reserve capacity expenses; for the payment of debt service reserve fund expenses for the payment of the loan origination fees; and for the payment of increased costs as defined and determined in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27).

6. Section 6 of P.L.2016, c.31 is amended to read as follows:

6. Any loan made by the New Jersey Environmental Infrastructure Trust pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13 shall be subject to the following requirements:

a. The chairman of the trust has certified that the project is in compliance with the provisions of P.L.1977, c.224, P.L.1985, c.334, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.224, P.L.1997, c.225, P.L.1999, c.175 or P.L.2003, c.162, and any rules and regulations adopted pursuant thereto, and any amendatory and supplementary acts thereto, as applicable. In making this certification, the chairman may conclusively rely on the project review conducted by the Department of Environmental Protection without any independent review thereof by the trust;

b. The loan shall be conditioned upon inclusion of the project on a project eligibility list approved pursuant to section 20 of P.L.1985, c.334 (C.58:11B-20) or section 24 of P.L.1997, c.224 (C.58:11B-20.1);

c. The loan shall be repaid within a period not to exceed 30 years of the making of the loan;

d. The loan, including any portion thereof made by the trust pursuant to subsection f. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, shall not exceed the allowable project cost of the environmental infrastructure facility, exclusive of capitalized interest and issuance expenses as provided in subsection b. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, reserve capacity expenses and the debt service reserve fund expenses as provided in subsection c. of section 7 of P.L.2016, c.31, as amended by

P.L.2017, c.13, interest earned on project costs as provided in subsection d. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, the amounts of the loan origination fee as provided in subsection e. of section 7 of P.L.2016, c.31, as amended by P.L.2017, c.13, refunding increases as provided in section 8 of P.L.2016, c.31, as amended by P.L.2017, c.13, and increased costs as defined and determined in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27);

e. The loan shall bear interest, exclusive of any late charges or administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the project sponsors receiving trust loans, at or below the interest rate paid by the trust on the bonds issued to make or refund the loans authorized by P.L.2016, c.31, as amended by P.L.2017, c.13, adjusted for underwriting discount and original issue discount or premium, in accordance with the terms and conditions set forth in the financial plan required pursuant to section 21 of P.L.1985, c.334 (C.58:11B-21) or the financial plan required pursuant to section 25 of P.L.1997, c.224 (C.58:11B-21.1); and

f. The loan shall be subject to all other terms and conditions as the trust shall determine to be consistent with the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) and any rules and regulations adopted pursuant thereto, and with the financial plan required by section 21 of P.L.1985, c.334 (C.58:11B-21) or the financial plan required pursuant to section 25 of P.L.1997, c.224 (C.58:11B-21.1). The eligibility lists and authorization for the making of loans pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, shall expire on July 1, 2017, and any project sponsor which has not executed and delivered a loan agreement with the trust for a loan authorized in P.L.2016, c.31, as amended by P.L.2017, c.13, shall no longer be entitled to that loan.

7. Section 7 of P.L.2016, c.31 is amended to read as follows:

7. a. The New Jersey Environmental Infrastructure Trust is authorized to reduce the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, based upon final building costs defined in and determined in accordance with rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27) or rules and regulations adopted by the Commissioner of Environmental Protection pursuant to section 4 of P.L.1985, c.329, section 11 of P.L.1977, c.224 (C.58:12A-11) or section 5 of P.L.1981, c.261. The trust is authorized to use any such reduction in the loan amount made available to a project sponsor to cover

that project sponsor's increased costs due to differing site conditions or other allowable expenses as defined and determined in accordance with the rules and regulations adopted by the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27).

b. The trust is authorized to increase each loan amount authorized in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, by the amount of capitalized interest and issuance expenses allocable to each loan made by the trust pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13; provided that the increase for issuance expenses, excluding underwriters' discount, original issue discount or premiums, municipal bond insurance premiums and bond rating agency fees, shall not exceed 0.4% of the principal amount of trust bonds issued to make loans authorized by P.L.2016, c.31, as amended by P.L.2017, c.13.

c. The trust is authorized to increase each loan amount authorized in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, by the amount of reserve capacity expenses, and by the debt service reserve fund expenses associated with the costs identified in paragraphs (3) and (4) of subsection d. of section 1 of P.L.2016, c.31, as amended by P.L.2017, c.13.

d. The trust is authorized to increase each loan amount authorized in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, by the interest earned on amounts deposited for project costs pending their distribution to project sponsors.

e. The trust is authorized to increase each loan amount authorized in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, by the loan origination fee.

f. The trust is authorized to increase each loan amount authorized in sections 2 and 4 of P.L.2016, c.31, as amended by P.L.2017, c.13, by the amount appropriated to the Department of Environmental Protection for the purpose of making the corresponding zero interest loan pursuant to section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, in connection with the project costs of the project sponsor, to the extent the priority ranking and an insufficiency of funding prevents the department from making the loan.

8. Section 8 of P.L.2016, c.31 is amended to read as follows:

8. The New Jersey Environmental Infrastructure Trust is authorized to increase the individual amount of loan funds made available to project sponsors by the trust pursuant to P.L.1989, c.190, P.L.1990, c.97, P.L.1991, c.324, P.L.1992, c.37, P.L.1993, c.192, P.L.1994, c.105, P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000,

c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62, P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26, P.L.2015, c.107, P.L.2016, c.31, or P.L.2017, c.13, provided that adequate savings are achieved, to compensate for a refunding of trust bonds issued to make loans authorized by the aforementioned acts.

9. Section 9 of P.L.2016, c.31 is amended to read as follows:

9. The expenditure of funds authorized pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, is subject to the provisions of P.L.1977, c.224 (C.58:12A-1 et al.), P.L.1985, c.329, P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and supplemented by P.L.1997, c.224, P.L.1992, c.88, P.L.1989, c.181, P.L.1997, c.223, P.L.1997, c.225, P.L.1999, c.175, or P.L.2003, c.162, and the rules and regulations adopted pursuant thereto or the Federal Safe Drinking Water Act, as appropriate.

10. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 14

AN ACT concerning the financing of environmental infrastructure projects in Fiscal Year 2017 and amending P.L.2016, c.32.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2016, c.32 is amended to read as follows:

1. a. (1) There is appropriated to the Department of Environmental Protection from the "Clean Water State Revolving Fund" established pursuant to section 1 of P.L.2009, c.77, an amount equal to the federal fiscal year 2016 capitalization grant made available to the State for clean water project loans pursuant to the "Water Quality Act of 1987" (33 U.S.C. s.1251 et seq.), and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Clean Water Act").

(2) There is appropriated to the Department of Environmental Protection from the "Interim Financing Program Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to subsection

d. of section 9 of P.L.1985, c.334 (C.58:11B-9) such amounts as may be necessary to supplement the sums appropriated from the Clean Water State Revolving Fund for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(3) There is appropriated to the Department of Environmental Protection from the "Disaster Relief Emergency Financing Program Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to section 1 of P.L.2013, c.93 (C.58:11B-9.5) such amounts as may be necessary to supplement the sums appropriated from the Clean Water State Revolving Fund for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(4) There is appropriated to the Department of Environmental Protection from the "Loan Origination Fee Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to section 1 of P.L.2005, c.202 (C.58:11B-10.2), and any repayments of loans and interest therefrom, such amounts as may be necessary to supplement the sums appropriated from the Clean Water State Revolving Fund for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(5) There is appropriated to the Department of Environmental Protection from the "Drinking Water State Revolving Fund" established pursuant to section 1 of P.L.1998, c.84 an amount equal to the federal fiscal year 2016 capitalization grant made available to the State for drinking water projects pursuant to the "Safe Drinking Water Act Amendments of 1996," Pub.L.104-182, and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Safe Drinking Water Act").

The Department of Environmental Protection is authorized to transfer from the Clean Water State Revolving Fund to the Drinking Water State Revolving Fund an amount up to the maximum amount authorized to be transferred pursuant to the Federal Safe Drinking Water Act to meet present and future needs for the financing of eligible drinking water projects, and an amount equal to that maximum amount is hereby appropriated to the department for those purposes.

The Department of Environmental Protection is authorized to transfer from the Drinking Water State Revolving Fund to the Clean Water State

Revolving Fund an amount up to the maximum amount authorized to be transferred pursuant to the Federal Clean Water Act to meet present and future needs for the financing of eligible clean water projects, and an amount equal to that maximum amount is hereby appropriated to the department for those purposes.

(6) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Clean Water State Revolving Fund, including the balances from the Federal Disaster Relief Appropriations Act, and any repayments of loans and interest therefrom, for the purposes of clean water project loans and providing the State match as available on or before June 30, 2017, as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(7) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Wastewater Treatment Fund" established pursuant to section 15 of the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), and any repayments of loans and interest therefrom, as available on or before June 30, 2017, for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(8) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "1992 Wastewater Treatment Fund" established pursuant to section 27 of the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" (P.L.1992, c.88), and any repayments of loans and interest therefrom, as available on or before June 30, 2017, for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(9) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "2003 Water Resources and Wastewater Treatment Fund" established pursuant to subsection a. of section 19 of the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003" (P.L.2003, c.162), and any repayments of loans and interest therefrom, as available on or before June 30, 2017, for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(10) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Drinking Water State Revolving Fund, including the balances from the Disaster Relief Appropriations Act of 2013, for the purposes of drinking water project loans and any repayments of loans and interest therefrom, that are or may become available on or before June 30, 2017.

(11) There is appropriated to the Department of Environmental Protection such sums as may be needed from loan repayments and interest earnings from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the "Drinking Water State Revolving Fund Match Accounts" contained within that fund for the purpose of providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(12) There is appropriated to the Department of Environmental Protection from the "Interim Financing Program Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9) such amounts as may be or become available on or before June 30, 2017, and any repayments of loans and interest therefrom, as may be necessary to supplement the sums appropriated from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Safe Drinking Water Act.

(13) There is appropriated to the Department of Environmental Protection from the "Disaster Relief Emergency Financing Program Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to section 1 of P.L.2013, c.93 (C.58:11B-9.5) such amounts as may be necessary to supplement the sums appropriated from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(14) There is appropriated to the Department of Environmental Protection from the "Loan Origination Fee Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to section 1 of P.L.2005, c.202 (C.58:11B-10.2), and any repayments of loans and interest therefrom, such amounts as may be necessary to supplement the sums appropriated from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and providing the State match as required or will be required for the

award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(15) There is appropriated to the Department of Environmental Protection such sums as may be received by the Department of Community Affairs as the grantee from the United States Department of Housing and Urban Development Community Development Block Grant - Disaster Recovery Program (CDBG-DR), as anticipated and upon availability on or before June 30, 2017, for the purposes of CDBG-DR eligible clean water and drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act and drinking water projects pursuant to the Federal Safe Drinking Water Act, respectively.

(16) There is appropriated to the Department of Environmental Protection such sums as may be or become available on or before June 30, 2017, as repayments of drinking water project loans and any interest therefrom from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(17) Of the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" pursuant to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70 and P.L.2003, c.158, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2017, in such amounts as needed to the Drinking Water State Revolving Fund accounts contained within the Water Supply Fund established for the purposes of providing drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(18) Of the sums appropriated to the Department of Environmental Protection from the "1992 Wastewater Treatment Fund" pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222 and P.L.2002, c.70, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2017, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 1992 Wastewater Treatment Fund for the purposes of providing clean water project loans and providing the State match as required or will be re-

quired for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(19) Of the sums appropriated to the Department of Environmental Protection from the "2003 Water Resources and Wastewater Treatment Fund" pursuant to P.L.2004, c.109, and P.L.2007, c.139, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2017, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 2003 Water Resources and Wastewater Treatment Fund for the purposes of providing clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(20) There is appropriated to the Department of Environmental Protection the sums deposited by the New Jersey Environmental Infrastructure Trust into the Clean Water State Revolving Fund, the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund," established pursuant to the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989" (P.L.1989, c.181), the "2003 Water Resources and Wastewater Treatment Fund" and the Drinking Water State Revolving Fund, as appropriate, pursuant to paragraph (6) of subsection c. of section 1 of P.L.2016, c.31, as available on or before June 30, 2017, for the purposes of providing clean water project loans and drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act and drinking water projects pursuant to the Federal Safe Drinking Water Act.

Any such amounts shall be for the purpose of making zero interest and principal forgiveness financing loans, to the extent sufficient funds are available, to or on behalf of local government units or public water utilities (hereinafter referred to as "project sponsors") to finance a portion of the cost of construction of clean water projects and drinking water projects listed in sections 2 and 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, and for the purpose of implementing and administering the provisions of P.L.2016, c.32, as amended by P.L.2017, c.14, to the extent permitted by the Federal Disaster Relief Appropriations Act, the Federal Clean Water Act, and any amendatory and supplementary acts thereto, P.L.2009, c.77, the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), the "Water Supply Bond Act of 1981" (P.L.1981, c.261), the "Stormwater Manage-

ment and Combined Sewer Overflow Abatement Bond Act of 1989" (P.L.1989, c.181), the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" (P.L.1992, c.88), the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003" (P.L.2003, c.162), the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, and State law.

b. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection a. of section 2 and subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, for clean water projects, up to the individual amounts indicated and in the priority stated, to the extent there are sufficient eligible project applications, and except that any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of P.L.2016, c.32, as amended by P.L.2017, c.14, or by the Commissioner of Environmental Protection pursuant to section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, provided:

(1) a maximum of $3 million in principal forgiveness loans shall be issued to Barnegat Bay Watershed environmental infrastructure projects as provided in subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, wherein principal forgiveness shall be a minimum of 25 percent of the fund loan amount per project sponsor;

(2) a maximum of $60 million shall be issued to finance clean water redevelopment projects as provided in subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14;

(3) a maximum of $3 million in principal forgiveness loans shall be issued as provided in subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, addressing combined sewer overflow abatement projects, including projects that use practices that restore natural hydrology through infiltration, evapotranspiration, or the usage or harvesting of stormwater, wherein principal forgiveness loans shall be a minimum of 25 percent of the fund loan amount per project in an amount not to exceed $1 million of principal forgiveness per project sponsor; and

(4) those projects listed in subsection a. of section 2 and subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, that were previously identified in P.L.2015, c.108 are granted continued priority status and shall be subject to the provisions of P.L.2015, c.108, provided such projects receive short-term funding prior to June 30, 2017.

c. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection b. of section 3 of

P.L.2016, c.32, as amended by P.L.2017, c.14, for drinking water projects, up to the individual amounts indicated and in the priority stated, provided:

(1) a maximum of 30 percent of the 2016 Drinking Water State Revolving Fund loans not to exceed $5 million may be issued as provided in subsection b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, for drinking water systems, as follows:

(a) up to $500,000 of Drinking Water State Revolving Fund loans shall be available for drinking water systems serving up to 500 residents wherein principal forgiveness shall be 100 percent of the total loan amount;

(b) any unexpended funds available pursuant to subparagraph (a) of this paragraph shall be available for drinking water systems serving populations greater than 500 residents and up to 10,000 residents wherein principal forgiveness shall not exceed $500,000 in aggregate when accounting for the principal forgiveness loans issued pursuant to subparagraph (a) of this paragraph, and shall not exceed 50 percent of the total loan amount per project sponsor in an amount not to exceed $1 million per project sponsor.

Loans for drinking water systems serving 500 or fewer residents shall be given the highest priority, followed by systems serving between 501 to 10,000 residents; and

(c) any unexpended funds available pursuant to subparagraphs (a) and (b) of this paragraph shall be available for municipally-owned drinking water systems needing treatment for a national primary drinking water contaminant or a State-regulated primary contaminant wherein the principal forgiveness shall not exceed 20 percent of the total loan amount not to exceed $2 million per project sponsor.

Loans may be made pursuant to this subsection to the extent there are sufficient eligible project applications and as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act. Any such amounts may be reduced by the Commissioner of Environmental Protection pursuant to section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, or if a project fails to meet the requirements of section 4 or 5 of P.L.2016, c.32, as amended by P.L.2017, c.14.

(2) Those projects listed in subsection b. of section 2 and subsection b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, that were previously identified in P.L.2015, c.108 are granted continued priority status and shall be subject to the provisions of P.L.2015, c.108 provided such projects receive short-term funding prior to June 30, 2016.

d. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the

environmental infrastructure projects listed in sections 2 and 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, under the same terms, conditions and requirements as set forth in this section from any unexpended balances of the amounts appropriated pursuant to section 1 of P.L.1987, c.200, section 2 of P.L.1988, c.133, section 1 of P.L.1989, c.189, section 1 of P.L.1990, c.99, section 1 of P.L.1991, c.325, section 1 of P.L.1992, c.38, section 1 of P.L.1993, c.193, section 1 of P.L.1994, c.106, section 1 of P.L.1995, c.219, section 1 of P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2 of P.L.1998, c.84, section 2 of P.L.1999, c.174, section 2 of P.L.2000, c.92, sections 1 and 2 of P.L.2001, c.222, sections 1 and 2 of P.L.2002, c.70, sections 1 and 2 of P.L.2003, c.158, sections 1 and 2 of P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196, sections 1 and 2 of P.L.2006, c.68, sections 1 and 2 of P.L.2007, c.139, sections 1 and 2 of P.L.2008, c.68, sections 1 and 2 of P.L.2009, c.102, sections 1 and 2 of P.L.2010, c.63, sections 1 and 2 of P.L.2011, c.93, sections 1 and 2 of P.L.2012, c.43, sections 1 and 2 of P.L.2013, c.95, sections 1 and 2 of P.L.2014, c.25, sections 1 and 2 of P.L.2015, c.108, and sections 1 and 2 of P.L.2016, c.32, including amounts resulting from the low bid and final building cost reductions authorized pursuant to section 6 of P.L.1987, c.200, section 7 of P.L.1988, c.133, section 6 of P.L.1989, c.189, section 6 of P.L.1990, c.99, section 6 of P.L.1991, c.325, section 6 of P.L.1992, c.38, section 6 of P.L.1993, c.193, section 6 of P.L.1994, c.106, section 6 of P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6 of P.L.1997, c.221, section 7 of P.L.1998, c.84, section 6 of P.L.1999, c.174, section 6 of P.L.2000, c.92, section 6 of P.L.2001, c.222, section 6 of P.L.2002, c.70, section 6 of P.L.2003, c.158, section 6 of P.L.2004, c.109, section 6 of P.L.2005, c.196, section 6 of P.L.2006, c.68, section 6 of P.L.2007, c.139, section 6 of P.L.2008, c.68, section 7 of P.L.2009, c.102, section 6 of P.L.2010, c.63, section 6 of P.L.2011, c.93, section 6 of P.L.2012, c.43, section 6 of P.L.2013, c.95, section 6 of P.L.2014, c.25, section 6 of P.L.2015, c.108, and section 6 of P.L.2016, c.32, and from any repayments of loans and interest from the Clean Water State Revolving Fund, the "Wastewater Treatment Fund," the "Water Supply Fund," the "1992 Wastewater Treatment Fund," the "2003 Water Resources and Wastewater Treatment Fund," and amounts deposited therein during State fiscal year 2015 and State fiscal year 2016 pursuant to the provisions of section 16 of P.L.1985, c.329, and section 2 of P.L.2009, c.77 and any amendatory and supplementary acts thereto, including any Clean Water State Revolving Fund Accounts contained within the "Wastewater Treatment Fund," and from any repayment of loans and interest from the Drinking Water State Revolving Fund.

e. The department is authorized to make zero interest and principal forgiveness Sandy financing loans to or on behalf of the project sponsors for the Sandy environmental infrastructure projects listed in subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, for clean water projects and subsection b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14 for drinking water projects, in a manner consistent with the Federal Disaster Relief Appropriations Act, up to the individual amounts indicated, except that any such amount may be reduced by the Commissioner of Environmental Protection pursuant to section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, or if a project fails to meet the requirements of section 4, 5, or 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, provided:

(1) a maximum of $140 million shall be provided for Sandy financing loans for clean water and $30 million for drinking water projects to provide financial assistance to communities affected by the Storm Sandy, and for projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster; and

(2) a maximum of $10 million shall be provided in the form of principal forgiveness loans for drinking water projects to provide auxiliary power to publicly-owned facilities affected by Storm Sandy.

f. For the purposes of P.L.2016, c.32, as amended by P.L.2017, c.14:

"Base financing" means zero interest loans provided by the Department of Environmental Protection from moneys made available for the purposes of P.L.2016, c.32, as amended by P.L.2017, c.14, from any source other than funds received pursuant to the Federal Disaster Relief Appropriations Act, related State matching funds, and interest earned thereon.

"Federal Disaster Relief Appropriations Act" means the "Disaster Relief Appropriations of 2013" (Pub.L.113-2), and any amendatory and supplementary acts thereto.

"Sandy financing" or "Sandy funding" means grants, zero interest loans or principal forgiveness loans provided by the Department of Environmental Protection from funds made available to the State for clean water projects, clean water project match, drinking water projects or drinking water project match pursuant to the Federal Disaster Relief Appropriations Act.

2. Section 2 of P.L.2016, c.32 is amended to read as follows:

2. a. (1) The department is authorized to expend funds for the purpose of making supplemental zero interest loans to or on behalf of the project sponsors listed below for the following clean water environmental infrastructure projects:

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Allowable Loan Amount
Warren Township SA	S340964-01-1	$75,000	$100,000
North Hudson SA	S340952-19-1	$75,000	$100,000
North Hudson SA	S340952-20-1	$675,000	$900,000
Ewing Lawrence SA	S340391-10-1	$3,675,000	$4,900,000
Wanaque Valley RSA	S340780-04-1	$1,125,000	$1,500,000
Warren Township SA	S340964-02-1	$262,500	$350,000
Burlington Township	S340712-14-1	$150,000	$200,000
Ventnor City	S340667-02-1	$3,750,000	$5,000,000
Total projects:	**8**	**$9,787,500**	**$13,050,000**

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, and the loan amounts certified by the Commissioner of Environmental Protection in State fiscal years 2015 and 2016 and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 4 of P.L.1985, c.329. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4, 5, or 7 of P.L.2016, c.32, as amended by P.L.2017, c.14.

(3) The zero interest loans for the projects authorized in this subsection shall have priority over projects listed in subsection a. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14.

b. (1) The department is authorized to expend funds for the purpose of making supplemental loans to or on behalf of the project sponsors listed below for the following drinking water environmental infrastructure projects:

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Allowable Loan Amount
Gloucester City	0414001-020-1	$975,000	$1,300,000
North Jersey District Water Supply Comm.	1613001-017-1	$2,700,000	$3,600,000
Total Projects:	**2**	**$3,675,000**	**$4,900,000**

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amount required by this project based upon final building costs pursuant to section 6 of P.L.2016, c.32, as amended by P.L.2017, c.14, and the loan amount certified by the Commissioner of Environmental Protection in State fiscal year 2015 and 2016 and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 5 of P.L.1981, c.261. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4, 5, or 7 of P.L.2016, c.32, as amended by P.L.2017, c.14.

(3) The zero interest loans for the projects authorized in this subsection shall have priority over projects listed in subsection b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14.

c. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount.

3. Section 3 of P.L.2016, c.32 is amended to read as follows:

3. a. The following environmental infrastructure projects shall be known and may be cited as the "Storm Sandy and State Fiscal Year 2017 Clean Water Project Eligibility List":

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Camden County MUA	S340640-15	$6,825,000	$9,100,000
Jersey City MUA	S340928-15	$30,300,000	$40,400,000
Elizabeth City	S340942-18	$6,150,000	$8,200,000
Ocean County UA	S340372-56	$6,000,000	$8,000,000
Bayshore RSA	S340697-05	$21,150,000	$28,200,000
Bayshore RSA	S340697-06	$8,100,000	$10,800,000
Atlantic County UA	S340809-27	$2,400,000	$3,200,000
Atlantic County UA	S340809-23	$5,250,000	$7,000,000
Atlantic County UA	S340809-25	$8,250,000	$11,000,000
Atlantic County UA	S340809-26	$1,125,000	$1,500,000
Middletown Township SA	S340097-04	$15,675,000	$20,900,000
Hoboken City	S340635-05	$3,825,000	$5,100,000

North Hudson SA	S340952-19	$3,225,000	$4,300,000
North Hudson SA	S340952-23	$1,275,000	$1,700,000
North Hudson SA	S340952-26	$675,000	$900,000
Cumberland County UA	S340550-07	$937,500	$1,250,000
Millville City	S340921-07	$9,000,000	$12,000,000
Passaic Valley SC	S340689-22	$2,925,000	$3,900,000
Passaic Valley SC	S340689-25	$6,825,000	$9,100,000
Passaic Valley SC	S340689-31	$3,000,000	$4,000,000
Passaic Valley SC	S340689-34	$2,175,000	$2,900,000
Jersey City MUA	S340928-21	$9,000,000	$12,000,000
Bergen County UA	S340386-17	$7,500,000	$10,000,000
Cinnaminson SA	S340170-07	$6,750,000	$9,000,000
Gloucester County UA	S340902-14	$33,750,000	$45,000,000
Stafford Township	S344100-03	$4,200,000	$5,600,000
Barnegat Township	S344130-01	$337,500	$450,000
Ocean County	S344080-04	$825,000	$1,100,000
Ocean County	S344080-10	$180,000	$240,000
Ocean County	S344080-11	$252,000	$336,000
Jackson Township	S344050-02	$975,000	$1,300,000
Kearny MUA	S340259-07	$4,875,000	$6,500,000
Cumberland County UA	S340550-08	$937,500	$1,250,000
North Wildwood City	S340663-06	$13,575,000	$18,100,000
Willingboro MUA	S340132-08	$1,350,000	$1,800,000
Ocean County UA	S340372-57	$2,100,000	$2,800,000
Perth Amboy City	S340435-15	$1,500,000	$2,000,000
Atlantic County UA	S340809-24	$600,000	$800,000
Rockaway Valley RSA	S340821-06	$4,875,000	$6,500,000
Gloucester Township MUA	S340364-13	$975,000	$1,300,000
Franklin Township SA	S340839-06	$12,825,000	$17,100,000
South Monmouth RSA	S340377-03	$2,250,000	$3,000,000
South Monmouth RSA	S340377-04	$1,200,000	$1,600,000
South Monmouth RSA	S340377-05	$2,550,000	$3,400,000
Washington Township MUA	S340930-03	$1,725,000	$2,300,000
Washington Township MUA	S340930-04	$825,000	$1,100,000
Montclair Township	S340837-03	$1,125,000	$1,500,000
Ocean Township SA	S340750-12	$3,000,000	$4,000,000
Pine Hill MUA	S340274-05	$1,275,000	$1,700,000
Oradell Borough	S340835-04	$1,125,000	$1,500,000
Ocean Township	S340112-07	$2,250,000	$3,000,000
Long Beach Township	S340023-06	$3,750,000	$5,000,000
Somerset Raritan Valley SA	S340801-08	$3,900,000	$5,200,000
Gloucester City	S340958-07	$900,000	$1,200,000
Hillsborough Township	S340099-02	$1,200,000	$1,600,000
Manasquan Borough	S340450-02	$1,350,000	$1,800,000

Burlington County	S340818-07	$1,725,000	$2,300,000
Carteret Borough	S340939-09	$7,950,000	$10,600,000
Hammonton Town	S340927-09	$3,450,000	$4,600,000
Sea Girt Borough	S340468-01	$2,625,000	$3,500,000
Ventnor City	S340667-03	$1,200,000	$1,600,000
Cumberland County IA	S342015-03	$12,075,000	$16,100,000
Salem County IA	S342022-01	$5,775,000	$7,700,000
Somerville Borough	S342013-01	$13,050,000	$17,400,000
Total Projects:	**64**	**$328,744,500**	**$438,326,000**

b. The following environmental infrastructure projects shall be known and may be cited as the "Storm Sandy and State Fiscal Year 2017 Drinking Water Project Eligibility List":

Project Sponsor	**Project Number**	**Estimated Allowable DEP Loan Amount**	**Estimated Total Allowable Loan Amount**
Hammonton Town	0113001-011	$1,425,000	$1,900,000
Saddle Brook Township	0257001-002	$1,350,000	$1,800,000
Bordentown City	0303001-006	$1,125,000	$1,500,000
Bordentown City	0303001-007	$2,100,000	$2,800,000
Pemberton Township	0329004-004	$900,000	$1,200,000
Willingboro MUA	0338001-009	$5,250,000	$7,000,000
East Orange Water Commission	0705001-011	$7,275,000	$9,700,000
Newark City	0714001-015	$13,650,000	$18,200,000
Washington Township MUA	0818004-009	$600,000	$800,000
Washington Township MUA	0818004-010	$1,425,000	$1,900,000
Washington Township MUA	0818004-011	$1,200,000	$1,600,000
Washington Township MUA	0818004-012	$150,000	$200,000
Washington Township MUA	0818004-014	$675,000	$900,000
Clinton Town	1005001-009	$900,000	$1,200,000
Hightstown Borough	1104001-007	$300,000	$400,000
Hightstown Borough	1104001-008	$150,000	$200,000
Pennington Borough	1108001-001	$900,000	$1,200,000
Milltown Borough	1214001-004	$1,875,000	$2,500,000
Middlesex Water Company	1225001-016	$4,275,000	$5,700,000
Middlesex Water Company	1225001-023	$6,000,000	$8,000,000
Berkeley Township MUA	1505004-007	$525,000	$700,000
Berkeley Township MUA	1505004-008	$2,625,000	$3,500,000
Jackson Township MUA	1511001-010	$6,150,000	$8,200,000
Jackson Township MUA	1511001-011	$1,125,000	$1,500,000
Little Egg Harbor MUA	1516001-003	$3,450,000	$4,600,000

Little Egg Harbor MUA	1516001-500	$750,000	$1,000,000
Ocean Township	1520001-007	$975,000	$1,300,000
Ocean Gate Borough	1521001-001	$600,000	$800,000
Stafford Township	1530004-018	$1,800,000	$2,400,000
Stafford Township	1530004-019	$1,350,000	$1,800,000
Manchester Utilities Authority	1603001-014	$1,500,000	$2,000,000
North Jersey District Water Supply Comm.	1613001-033	$3,000,000	$4,000,000
North Shore Water Association	1904004-002	$337,500	$450,000
Lake Glenwood Village	1922010-008	$675,000	$900,000
Rahway City	2013001-007	$13,650,000	$18,200,000
Rahway City	2013001-008	$2,025,000	$2,700,000
Passaic Valley Water Comm.	1605002-025	$27,450,000	$36,600,000
Netcong Borough	1428001-009	$300,000	$400,000
Trenton City	1111001-010	$7,875,000	$10,500,000
Cape May City	0502001-004	$1,650,000	$2,200,000
Gloucester City	0414001-020A	$187,500	$250,000
Long Beach Township	1517001-500	$6,900,000	$9,200,000
Long Beach Township	1517001-501	$1,425,000	$1,900,000
Clinton Town	1005001-008	$1,125,000	$1,500,000
Total Projects:	**44**	**$138,975,000**	**$185,300,000**

c. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount and loan amounts to less than 25% to the extent the priority ranking and an insufficiency of funding prevents the department from making the loan.

4. Section 4 of P.L.2016, c.32 is amended to read as follows:

4. Any financing loan made by the Department of Environmental Protection pursuant to P.L.2016, c.32, as amended by P.L.2017, c.14, shall be subject to the following requirements:

a. The Commissioner Environmental Protection has certified that the project is in compliance with the provisions of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and any rules and regulations adopted pursuant thereto;

b. The estimated Department of Environmental Protection allowable loan amount shall not exceed 75% of the total allowable loan amount of the environmental infrastructure facility for projects listed in subsections a. and

b. of section 2 and subsections a. and b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, provided that:

(1) for clean water loans to municipalities that do not satisfy the New Jersey Environmental Infrastructure Trust credit policy but are subject to State financial supervision and oversight pursuant to the "Local Government Supervision Act (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), the Department of Environmental Protection allowable loan amount shall be up to 100% of the total allowable loan amount not to exceed a total of $10,000,000 for all such loans;

(2) for clean water and drinking water loans to municipalities receiving funding under the United States Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery Program (CDBG-DR) the Department of Environmental Protection allowable loan amount shall be up to 100% of the total allowable loan amount; and

(3) for loans to drinking water systems serving 500 or fewer residents the Department of Environmental Protection allowable loan amount shall be 100% of the total allowable loan amount not to exceed a total of $500,000 for all such loans. The loan amount for supplemental loans shall not exceed that percentage of the allowable project cost of the project's initial program loan; and

(4) for loans to communities in a combined sewer overflow sewershed sponsoring construction projects that reduce or eliminate excessive infiltration, inflow, or extraneous flows, the Department of Environmental Protection allowable loan amount shall be up to 100% of the total allowable loan amount;

c. The loan shall be repaid within a period not to exceed 30 years of the making of the loan; and

d. The loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other provision of law to the contrary, subordination of a loan authorized in P.L.2016, c.32, as amended by P.L.2017, c.14, to loans made by the New Jersey Environmental Infrastructure Trust pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, or to administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

5. Section 5 of P.L.2016, c.32 is amended to read as follows:

5. a. Any Sandy financing loan made by the Department of Environmental Protection pursuant to P.L.2016, c.32, as amended by P.L.2017, c.14, shall be subject to the following requirements:

(1) The commissioner has certified that the project is in compliance with the provisions of Title X, Chapter 7 of the Federal "Disaster Relief Appropriations Act of 2013" (Pub.L.113-2), and any amendatory and supplementary acts thereto; and

(2) The commissioner has certified that the project is in compliance with the provisions of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and any rules and regulations adopted pursuant thereto.

b. The total amount of Sandy financing loans received by any project sponsor for drinking water projects listed in subsection b. of section 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, shall not exceed $15 million of which not more than $4.5 million of the principal may be forgiven. In the event a project sponsor's individual loan needs exceed $15 million, the borrower may select which of its projects it will seek funding pursuant to this section, and the borrower may seek a loan for excess costs in a base financing loan. In the event that additional Sandy funding becomes available because project sponsors do not close on loans or the project sponsors loan requests are less than originally applied for, the loan not to exceed amount may be increased to the extent needed to assure full utilization of Sandy funding for drinking water projects, provided:

(1) the loan shall be repaid within a period not to exceed 30 years of the making of the loan;

(2) the loan shall be conditioned upon approval of a loan from the New Jersey Environmental Infrastructure Trust pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, prior to June 30, 2017; and

(3) the loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other provision of law to the contrary, subordination of a loan authorized in P.L.2016, c.32, as amended by P.L.2017, c.14, to loans made by the trust pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, prior to June 30, 2017, or to administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

6. Section 6 of P.L.2016, c.32 is amended to read as follows:

6. The priority lists and authorization for the making of loans pursuant to sections 2 and 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, shall expire on July 1, 2017, and any project sponsor which has not executed and delivered a loan agreement with the department for a loan authorized in P.L.2016, c.32, as amended by P.L.2017, c.14, shall no longer be entitled to that loan.

7. Section 7 of P.L.2016, c.32 is amended to read as follows:

7. The Commissioner of Environmental Protection is authorized to reduce or increase the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, based upon final or low bid building costs defined in and determined in accordance with rules and regulations adopted by the commissioner pursuant to section 4 of P.L.1985, c.329, section 2 of P.L.1999, c.362 (C.58:12A-12.2), or section 5 of P.L.1981, c.261, provided that the total loan amount does not exceed the estimated total allowable loan amount. The commissioner is authorized to reduce or increase the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 3 of P.L.2016, c.32, as amended by P.L.2017, c.14, in an amount not to exceed 10 percent of the total allowable loan amount based upon additional project costs to comply with the Department of Environmental Protection's guidance for asset management, emergency response, flood protection, and auxiliary power.

8. Section 8 of P.L.2016, c.32 is amended to read as follows:

8. The expenditure of the funds appropriated by P.L.2016, c.32, as amended by P.L.2017, c.14, is subject to the provisions and conditions of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and the rules and regulations adopted by the Commissioner of Environmental Protection pursuant thereto, and the provisions of the Federal Disaster Relief Appropriations Act, the Federal Clean Water Act or the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, as appropriate.

9. Section 10 of P.L.2016, c.32 is amended to read as follows:

10. a. Prior to repayment to the Clean Water State Revolving Fund pursuant to sections 1 and 2 of P.L.2009, c.77 and any amendatory and sup-

plementary acts thereto, prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, repayments of loans made pursuant to these acts may be utilized by the New Jersey Environmental Infrastructure Trust established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and supplemented by P.L.1997, c.224, under terms and conditions established by the commissioner and trust, and approved by the State Treasurer, and consistent with the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) and federal tax, environmental or securities law, to the extent necessary to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.2016, c.31, as amended by P.L.2017, c.13, and to secure the administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the project sponsors receiving trust loans.

b. Prior to repayment to the Clean Water State Revolving Fund pursuant to section 1 and 2 of P.L. 2009, c.77 and any amendatory and supplementary acts thereto, prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, the trust is further authorized to utilize repayments of loans made pursuant to P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38, P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109, P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68, P.L.2009, c.102, P.L.2010, c.63, P.L.2011, c.93, P.L.2012, c.43, P.L.2013, c.95, P.L.2014, c.25,

P.L.2015, c.108, P.L.2016, c.32, or P.L.2017, c.14, to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62, P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26, P.L.2015, c.107, P.L.2016, c.31, or P.L.2017, c.13, and to secure the administrative fees payable to the trust under these loans pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

c. To the extent that any loan repayment sums are used to satisfy any trust bond repayment or administrative fee payment deficiencies, the trust shall repay such sums to the department for deposit into the Clean Water State Revolving Fund, the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the Drinking Water State Revolving Fund, the "2003 Water Resources and Wastewater Treatment Fund," or the "Stormwater Management and Combined Sewer Overflow Abatement Fund," as appropriate, from amounts received by or on behalf of the trust from project sponsors causing any such deficiency.

10. This act shall take effect immediately.

Approved February 6, 2017.

CHAPTER 15

AN ACT concerning Superstorm Sandy recovery, and amending and supplementing P.L.2015, c.102.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P.L.2015, c.102 (C.52:15D-4) is amended to read as follows:

C.52:15D-4 Definitions relative to Superstorm Sandy aid money.

2. As used in P.L.2015, c.102 (C.52:15D-3 et seq.), as amended and supplemented:

"Agency" means the New Jersey Housing and Mortgage Finance Agency established pursuant to section 4 of P.L.1983, c.530 (C.55:14K-4).

"Applicant" means an individual or business that has applied for, is waiting for, or is receiving benefits under a recovery and rebuilding program, and shall include individuals who are awaiting the completion of a construction project using benefits received under a recovery and rebuilding program.

"Commissioner" means the Commissioner of Community Affairs.

"Department" means the Department of Community Affairs.

"Forbearance" means a period of time during which obligations for mortgage and interest payments are suspended.

"FRM" means the Fund for Restoration of Multifamily Housing.

"Qualified contractor pool" means a listing of contractors approved by the Department of Community Affairs participating in the RREM program.

"LMI" means Low-to-Moderate Income and the program for which policies and procedures have been adopted by the Department of Community Affairs.

"Mortgage" means a mortgage, trust deed, or other security in the nature of a residential mortgage.

"Recovery and rebuilding program" means the use of funding provided by the federal government for the RREM and LMI programs, which are intended to help individuals rebuild and recover from Superstorm Sandy, the TBRA program, which is intended to assist renters in returning to and residing in areas impacted by Superstorm Sandy, and the FRM program, which is intended to assist developers in repairing or replacing rental housing units damaged or destroyed by Superstorm Sandy.

"RREM" means Reconstruction, Rehabilitation, Elevation and Mitigation.

"Sandy-impacted homeowner" means a homeowner for whom one or both of the following are true:

(1) the homeowner received rental assistance from the Federal Emergency Management Agency as a result of damage to his or her primary residence due to Superstorm Sandy; or

(2) the homeowner has been approved for assistance through the RREM or LMI program.

"Superstorm Sandy" means the major storm that made landfall in New Jersey on October 29, 2012.

"TBRA" means Tenant-Based Rental Assistance.

2. Section 3 of P.L.2015, c.102 (C.52:15D-5) is amended to read as follows:

C.52:15D-5 Responsibilities of the department.

3. Within 60 days of the effective date of P.L.2017, c.15, the department shall:

a. Provide each applicant to the RREM and LMI program with a personal timeline setting forth a general estimation of the time in which an applicant can expect to receive assistance through the RREM program and LMI program and a reasonable estimate of when the applicant can expect completion of the project for which they have requested assistance, based upon the department's past experience administering funds through the RREM program and LMI program. The timeline shall track the process of applying for assistance from the RREM and LMI programs from the time an applicant files his or her application with the department through the completion of the project for which the applicant requested assistance, and shall include:

(1) When the applicant should expect to receive 50 percent of the RREM grant money that the department has awarded the applicant; and

(2) When the applicant should expect to receive 100 percent of the RREM and LMI grant money that the department has awarded the applicant.

b. Provide each applicant to the RREM program and LMI program with information about the status of his or her individual application, including:

(1) the date on which the department received the application;

(2) a list of all required documents or other verifications submitted by the applicant related to the application and the date on which the department received each document; and

(3) a list of all documents or other verifications which still need to be submitted by the applicant in order to complete the RREM application and LMI application and the date on which each item must be received.

c. Upon request from an applicant to the RREM program and LMI program appealing a decision to deny the applicant benefits under the program, provide to the applicant information about the status of his or her appeal, including:

(1) the date on which the applicant filed the appeal;

(2) all pending reviews of the appeal and the date of any upcoming hearings related to the appeal;

(3) the department's final determination, if one is made as of the date the request for information is fulfilled, or otherwise the date on which the applicant can expect that the department will make a final determination concerning the appeal;

(4) a list of all documents related to the appeal and the date on which each document was filed; and

(5) an explanation of any decision to deny an application for aid, and an explanation of how to remedy the application, when possible, and continue the appeal process.

d. In the event the department denies an appeal by a RREM or LMI applicant, the department shall refer the applicant to a housing counselor who is certified by the federal Department of Housing and Urban Development or is part of a program established by the department to provide housing counseling to people impacted by Superstorm Sandy.

e. Extend the one-year deadline for completing a project following a RREM or LMI grant award date for any applicant who demonstrates that the delay is the result of:

(1) the non-performance or non-availability of the contractor, or

(2) delays by the department in approving the contractor associated with the project.

f. Maintain an appeals process for at least six months following the effective date of P.L.2017, c.15, open to any applicant to the RREM program who submitted an initial application by the deadline of August 1, 2013, regardless of the reason the applicant had previously withdrawn, or been denied or removed from the application process.

3. Section 5 of P.L.2015, c.102 (C.52:15D-7) is amended to read as follows:

C.52:15D-7 Development, maintenance of website relative to recovery, rebuilding programs; reports by department.

5. a. Within 180 days of the effective date of P.L.2015, c.102 (C.52:15D-3 et seq.), the department shall develop and maintain an Internet website or webpage providing information concerning recovery and rebuilding programs. At a minimum, the website shall:

(1) Allow an applicant to a recovery and rebuilding program to submit securely through the website a request for specific information on the current status of his or her application for assistance from a recovery and rebuilding program, to which the department shall respond by phone or by email within two business days.

(2) Provide a plain language explanation of every recovery and rebuilding program, all requirements to apply for and receive benefits, how to file appeals, and a description of the process necessary to correct any deficiency with an application.

(3) Provide contact information for each builder in the qualified contractor pool, including each builder's telephone number and Internet website address, and identify any builders that have been removed from the qualified contractor pool.

(4) Provide and update information regarding the expenditure of recovery and rebuilding program funds and related contracts on the Internet website on a monthly basis. A full and current explanation of the criteria and process by which recovery and rebuilding program applications are prioritized shall also appear on the website. Changes to program policy, information on new contractor awards, and the status of work performed pursuant to the contractor awards shall be posted on the Internet website.

(5) Provide information on how all recovery and rebuilding program funding has been and will be allocated on the Internet website, including information about the allocation process for all rounds of funding distribution; and:

(a) the total number of applications submitted for recovery and rebuilding program funding;

(b) the number of applicants that have received 50 percent or more of the recovery and rebuilding program grant money that the department has awarded them;

(c) the number of applicants that have received 100 percent of the recovery and rebuilding program grant money that the department has awarded them;

(d) the number of applicants that have completed recovery and rebuilding program-funded construction or elevation projects in compliance with local, State, and federal building codes and regulations; and

(e) the number of applicants that have received a final certificate of occupancy and grant closeout.

b. The department shall develop and publish on the Internet website a description of how it developed the timelines for the disbursement of recovery and rebuilding program assistance developed pursuant to sections 3, 7, and 8 of P.L.2015, c.102 (C.52:15D-5, C.52:15D-9, and C.52:15D-10). The department shall allow an applicant to request his or her individualized timeline for the disbursement of program funding, developed pursuant to sections 3, 7, and 8 of P.L.2015, c.102 (C.52:15D-5, C.52:15D-9, and C.52:15D-10), through the website, to which the department shall respond by phone or by email within two business days.

c. The department shall publish on the Internet website its quarterly goals for the disbursement of recovery and rebuilding program assistance developed pursuant to section 4 of P.L.2015, c.102 (C.52:15D-6).

d. The department shall publish on the Internet website the commissioner's report on the use of Community Development Block Grant Disaster Recovery funds and other funds that may be available for similar purposes for interim assistance submitted to the Governor and Legislature pursuant to section 6 of P.L.2015, c.102 (C.52:15D-8).

e. In addition to publishing the information as required in this section, the department may distribute the information by any other method it deems appropriate.

f. (1) By the first day of the sixth month next following enactment of P.L.2017, c.15, the department shall publicly report:

(a) The reason for each application denial and wait-list placement from the RREM, TBRA, and LMI programs since the beginning of the recovery effort;

(b) After conducting a reasonable effort to contact withdrawn applicants, the reason for each withdrawal by an applicant from the RREM, TBRA, and LMI programs since the beginning of the recovery effort; and

(c) Concerning application denials, wait-list placements, and withdrawals from the RREM, TBRA, and LMI programs since the beginning of the recovery effort, information on where the associated funding has been allocated.

(2) On a quarterly basis, beginning with the enactment of P.L.2017, c.15, and continuing through the end of 2018, the department shall publicly report:

(a) The reason for each new application denial and wait-list placement from the RREM, TBRA, and LMI programs;

(b) After conducting a reasonable effort to contact withdrawn applicants, the reason for each new withdrawal by an applicant from the RREM, TBRA, and LMI programs; and

(c) Concerning new application denials, wait-list placements, and withdrawals from the RREM, TBRA, and LMI programs, information on where the associated funding is instead being allocated.

4. Section 7 of P.L.2015, c.102 (C.52:15D-9) is amended to read as follows:

C.52:15D-9 Provision of timeline to TBRA applicant.

7. Within 60 days of the effective date of P.L.2015, c.102 (C.52:15D-3 et seq.), the department shall:

a. Provide each applicant to the TBRA program with a timeline setting forth a general estimation of the time in which an applicant can expect to receive assistance through the TBRA program, based upon the department's past experience administering funds through the TBRA program.

The timeline shall track the process of applying for assistance from the TBRA program from the time an applicant files his or her application.

b. Provide each applicant to the TBRA program with information about the status of his or her individual application, including;

(1) the date on which the department received the application;

(2) a list of all required documents or other verifications submitted by the applicant related to the application and the date on which the department received each document; and

(3) a list of all documents or other verifications which still need to be submitted by the applicant in order to complete the TBRA application and the date on which each item must be received.

c. Upon request from an applicant to the TBRA program appealing a decision to deny the applicant benefits under the program, provide to the applicant information about the status of his or her appeal, including:

(1) the date on which the applicant filed the appeal;

(2) all pending reviews of the appeal and the date of any upcoming hearings related to the appeal;

(3) the department's final determination, if one is made as of the date the request for information is fulfilled, or otherwise the date on which the applicant can expect that the department will make a final determination concerning the appeal;

(4) a list of all documents related to the appeal and the date on which each document was filed; and

(5) an explanation for any decision to deny an application for aid, and, if eventual approval is still possible, an explanation for ways to remedy the application.

d. In the event the department denies an appeal by a TBRA applicant, the department shall refer the applicant to a housing counselor who is certified by the federal Department of Housing and Urban Development or is part of a program established by the department to provide housing counseling to people impacted by Superstorm Sandy.

C.52:15D-13 Eligibility for forbearance.

5. a. A Sandy-impacted homeowner shall be eligible for a forbearance regardless of whether the homeowner's primary residence is already the subject of a foreclosure proceeding. The Sandy-impacted homeowner shall apply to the commissioner, on forms to be provided by the department, for a certification of eligibility for the forbearance under this subsection before the first day of the third month next following the date when the commissioner makes the application available pursuant to subparagraph (b) of par-

agraph (1) of subsection e. of this section. The commissioner shall approve or deny an application within 30 days of its delivery to the commissioner. If the application is not approved or denied within 30 days of its delivery, the application shall be deemed approved.

b. The forbearance period shall conclude upon the earlier of:

(1) the conclusion of one year following issuance of a certificate of occupancy for recovery and rebuilding program work;

(2) July 1, 2019; or

(3) regarding a property in foreclosure proceedings, upon the expiration of 10 days following sheriff's sale.

c. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the repayment period of any mortgage subject to the forbearance established in subsection a. of this section shall be extended by the number of months the forbearance is in effect. During the time of the forbearance and during the period constituting an extension of the mortgage, all terms and conditions of the original mortgage, except with regard to default and delinquency during forbearance, shall continue without modification, and there shall be no fees assessed for the forbearance, or penalty for early repayment.

d. A Sandy-impacted homeowner who was the subject of a foreclosure proceeding as of August 10, 2015, the effective date of P.L.2015, c.102 (C.52:15D-3 et seq.) shall, upon good cause shown, be awarded, by the court and upon application by the property owner, a stay in the foreclosure proceedings. An application to the court by a property owner under this subsection shall be made before the first day of the fifth month next following the effective date of P.L.2017, c.15, unless the courts in their discretion permit application submission for a longer period. The receipt of rental assistance from the Federal Emergency Management Agency as a result of damage to the homeowner's primary residence due to Superstorm Sandy, or approval for assistance through the RREM or LMI program, shall constitute good cause for the award of a stay under this subsection for a period concluding upon the earlier of:

(1) the conclusion of one year following issuance of a certificate of occupancy for recovery and rebuilding program work; or

(2) July 1, 2019.

e. (1) Prior to the first day of the second month next following the effective date of P.L.2017, c.15, the commissioner shall:

(a) notify as many Sandy-impacted homeowners as is reasonably possible of eligibility for a forbearance or stay of foreclosure proceedings;

(b) post information on eligibility and the application process for the forbearance and stay of foreclosure proceedings, and make forbearance applications available, on the department's Internet website;

(c) notify the courts of what individuals and associated properties are eligible for a forbearance or stay of foreclosure proceedings; and

(d) to the greatest extent reasonably possible, notify the State's active mortgage lenders of what individuals and associated properties are eligible for a forbearance or stay of foreclosure proceedings.

(2) Upon knowledge of a homeowner's eligibility for a forbearance or stay of foreclosure proceedings, the mortgage lender shall notify the homeowner and the courts.

(3) Upon approval of a forbearance application pursuant to subsection a. of this section, the commissioner shall notify the applicant, the mortgage lender, and the courts.

f. Sandy-impacted homeowners awarded a stay of foreclosure proceedings or forbearance, or both, under this section shall be responsible for the maintenance of the property during the stay or period of forbearance, or both. After service of notice of any proceedings conducted to terminate forbearance, made on the mortgagor at an address determined pursuant to due diligence of the movant mortgagee or creditor to be the actual current residence of the mortgagor, providing opportunity for the mortgagor to respond and contest the proceedings, a stay of foreclosure proceedings or forbearance, or both, awarded under this section shall cease immediately upon a court's determination that the subject residential property has been abandoned by the Sandy-impacted homeowner.

g. Nothing in this section shall be construed as limiting the ability of a mortgagee and residential property owner to participate in a mediation sponsored by the Administrative Office of the Courts in accordance with the requirements of the mediation program. Nothing in this section shall be construed to impact property tax and insurance obligations of a property owner related to any real property in the State.

6. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 16

AN ACT concerning notice of property tax appeal deadline and amending P.L.1991, c.75 and R.S.54:4-38.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 32 of P.L.1991, c.75 (C.54:4-38.1) is amended to read as follows:

C.54:4-38.1 Notice of current assessment, preceding year's taxes, changed assessment, deadline for appeal.

32. a. Except as provided in subsection b. of this section, every assessor, prior to February 1, shall notify by mail each taxpayer of the current assessment and preceding year's taxes. Thereafter, the assessor or county board of taxation shall notify each taxpayer by mail within 30 days of any change to the assessment. This notification of change of assessment shall contain the prior assessment and the current assessment. The director shall establish the form of notice of assessment and change of assessment. Any notice issued by the assessor or county board of taxation shall contain information instructing taxpayers on how to appeal their assessment along with the deadline to file an appeal, printed in boldface type.

b. In the case of a municipality located in a county where the county board of taxation is participating in the demonstration program established in section 4 of P.L.2013, c.15 (C.54:1-104), every assessor, on or before November 15 of the pretax year, shall notify by mail each taxpayer of the preliminary assessment and preceding year's taxes. Thereafter, the assessor or county board of taxation shall notify each taxpayer by mail within 30 days of any change to the assessment. This notification of change of assessment shall contain the prior assessment and the current assessment. The director shall establish the form of notice of assessment and change of assessment. Any notice issued by the assessor or county board of taxation shall contain information instructing taxpayers on how to appeal their assessment along with the deadline to file an appeal, printed in boldface type.

c. The county board of taxation of the demonstration county shall make the preliminary data electronically accessible to the public by posting the data in searchable form on the county's website not later than 15 business days after the submission of the preliminary data.

2. R.S.54:4-38 is amended to read as follows:

Public inspection, notice, advertisement, appeals.

54:4-38. a. Except as provided in subsection b. of this section, every assessor, at least ten days before filing the complete assessment list and duplicate with the county board of taxation, and before annexing thereto his affidavit as

required in section 54:4-36 of this title, shall notify each taxpayer of the current assessment and preceding year's taxes and give public notice by advertisement in at least one newspaper circulating within his taxing district of a time and place when and where the assessment list may be inspected by any taxpayer for the purpose of enabling the taxpayer to ascertain what assessments have been made against him or his property and to confer informally with the assessor as to the correctness of the assessments, so that any errors may be corrected before the filing of the assessment list and duplicate. Thereafter, the assessor shall notify each taxpayer by mail within 30 days of any change to the assessment. This notification of change of assessment shall contain the prior assessment and the current assessment. Any notice issued by the assessor shall contain information instructing taxpayers on how to appeal their assessment along with the deadline to file an appeal, printed in boldface type.

b. In the case of a municipality located in a county where the county board of taxation is participating in the demonstration program established in section 4 of P.L.2013, c.15 (C.54:1-104), every assessor, before filing the preliminary assessment list with the county board of taxation pursuant to subsection b. of R.S.54:4-35, shall notify each taxpayer of the preliminary assessment and preceding year's taxes and give public notice by advertisement in at least one newspaper circulating within his taxing district of a time and place when and where the assessment list may be inspected by any taxpayer for the purpose of enabling the taxpayer to ascertain what assessments have been made against the taxpayer or the taxpayer's property. Thereafter, the assessor shall notify each taxpayer by mail within 30 days of any change to the assessment. This notification of change of assessment shall contain the prior assessment and the current assessment. Any notice issued by the assessor shall contain information instructing taxpayers on how to appeal their assessment along with the deadline to file an appeal, printed in boldface type.

3. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 17

AN ACT establishing the New Jersey Commission on Higher Education and Business Partnerships and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:9ZZ-1 New Jersey Commission on Higher Education and Business Partnerships.

1. The New Jersey Commission on Higher Education and Business Partnerships is created and established in the Executive Branch of the State Government. For the purposes of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the commission is allocated within the Department of State, but notwithstanding this allocation, the commission shall be independent of any supervision or control by the department or by any board or officer thereof.

C.52:9ZZ-2 Membership of the commission.

2. The commission shall consist of 19 members as follows:

a. the Commissioner of the Department of Labor and Workforce Development, or a designee, who shall serve ex officio;

b. the Secretary of Higher Education, or a designee, who shall serve ex officio;

c. the Chief Executive Officer of the New Jersey Economic Development Authority, or a designee, who shall serve ex officio;

d. twelve members appointed by the Governor who shall include: the president of a public research university, a representative of a public college or university located in the State and a representative of an independent college or university located in the State that are actively engaged in business partnerships, a representative of the New Jersey Chamber of Commerce, a representative of the New Jersey Business and Industry Association, a representative of the Commerce and Industry Association of New Jersey, a representative of the New Jersey Technology Council, a representative of BioNJ, a representative of the HealthCare Institute of New Jersey, a representative of the New Jersey Association of State Colleges and Universities, a representative of the New Jersey Council of County Colleges, and a representative of the New Jersey Association of Independent Colleges and Universities;

e. four members of the public with backgrounds in higher education, public-private partnerships, private sector innovation, or a combination of those experiences. The President of the Senate, Speaker of the General Assembly, Minority Leader of the Senate, and the Minority Leader of the General Assembly shall each appoint one of these members.

C.52:9ZZ-3 Terms; vacancies; designation of chairperson.

3. a. The terms of the appointed members of the commission shall be for five years, except that of the appointments first made to the commission, six

shall serve for terms of three years, five shall serve for terms of four years, and five shall serve for terms of five years. Each appointed member shall serve for the term of the appointment and until his successor is appointed. A member appointed to fill a vacancy occurring in the membership of the commission for any reason other than the expiration of the term shall have a term of appointment for the unexpired term only. Any vacancy shall be filled in the same manner as the original appointment. The commission members shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

b. The Governor shall designate the chairperson of the commission from among his appointed members.

C.52:9ZZ-4 Duties of the commission.

4. The commission shall:

a. Explore how to best foster innovation in the State through public-private partnerships in higher education;

b. Stimulate academic-industrial collaboration through such mechanisms as business incubation facilities and clinical research and clinical trials;

c. Identify and support research opportunities at New Jersey academic institutions and other institutions that can advance economic development and employment;

d. Facilitate collaborations between businesses and institutions of higher education, with a greater emphasis on research and development in the pharmaceutical, biosciences, biotechnology, medical technology, information technology, and telecommunications industries;

e. Identify and support opportunities for partnerships between institutions of higher education and pharmaceutical, biosciences, and biotechnology companies that can accelerate the commercialization of new therapies, drugs, and technologies;

f. Identify strategies to significantly increase the number of clinical trials conducted by public and independent institutions of higher education in the State;

g. Identify the workforce and economic development needs of the State and strategies for meeting those needs;

h. Study the current roles of the four-year public and independent institutions of higher education, the county colleges, and the county vocational school districts in meeting and advancing the workforce and economic development needs of the State, and make recommendations on improving the role of each of these sectors in advancing these needs; and

i. Provide the Governor, and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), with a report by January 30 of each year describing the status of the commission's activities and the efforts of the ombudsman pursuant to section 6 of this act.

C.52:9ZZ-5 Authority of the commission.

5. The commission is authorized to:

a. Adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), concerning the operation of the commission, the functions and responsibilities of its officers and employees, and other matters as may be necessary to carry out the purposes of this act;

b. Maintain offices at such places within the State as it may designate;

c. Employ, subject to the availability of funds, an executive director and other personnel as may be necessary, whose employment shall be in the unclassified service of the Civil Service, except that employees performing stenographic or clerical duties shall be in the career service and appointed pursuant to Title 11A of the New Jersey Statutes;

d. Conduct meetings and public hearings in connection with the purposes of this act;

e. Enter into contracts with individuals, organizations, and institutions necessary or incidental to the performance of its duties and the execution of its powers under this act; and

f. Take any and all necessary or convenient actions to carry out its purposes and exercise the powers granted in this act.

C.52:9ZZ-6 Higher Education-Business Partnership Ombudsman.

6. In addition to any other duties and responsibilities that the commission may assign to the executive director, the executive director shall serve as the Higher Education-Business Partnership Ombudsman. A business that seeks to form a partnership with an institution of higher education may collaborate and work with the ombudsman in the establishment of that partnership. The ombudsman shall:

a. Assist business and industry in making the appropriate contacts at the institutions of higher education that may be necessary to foster a partnership;

b. Make available to business and industry information on research efforts, either planned or in progress, at institutions of higher education that may be applicable to the work of that business or industry and may foster its interest in establishing a collaboration or partnership with the institution;

c. Collaborate with institutions of higher education in the establishment of strategies that an institution might implement to inform business

and industry of the expertise and achievements of the institution's faculty and research staff applicable to the business or industry's area of interest;

d. Conduct annual outreach efforts to pharmaceutical companies to assess the interest of those companies in establishing clinical trials at institutions of higher education in the State;

e. Determine the specific reasons for any lack of interest in conducting clinical trials at institutions of higher education and then work with the institutions to implement actions that address the concerns and issues raised; and

f. Annually assess the success of institutions of higher education in meeting the research and development needs of business and industry.

7. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 18

AN ACT concerning certain prosecutorial information posted on websites and supplementing Title 52 of the Revised Statutes and Title 2A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:17B-244 Removal of certain information from websites concerning prosecutions by the Attorney General.

1. a. For all indictments and prosecutions by the Attorney General of persons who were thereafter acquitted of all criminal charges against them arising from the indictment or prosecution or persons who had all criminal charges against them dismissed with prejudice, if the Attorney General published on its website a press release or information, other than information required to be made available to the public under section 3 of P.L.1963, c.73 (C.47:1A-3), concerning the indictment or prosecution which identified the person by name, upon written request of that person, the Attorney General shall cause that press release or information to be removed from its website or inform the public on its website that the person who was indicted or prosecuted was acquitted of the criminal charges or that the criminal charges were dismissed.

b. Upon written request, the Attorney General shall provide a letter to any person who was indicted by the State or prosecuted by the Attorney

General and was thereafter acquitted of all criminal charges arising from the indictment or prosecution or who had all criminal charges against him dismissed with prejudice, indicating that the person was acquitted of, or that there was a dismissal with prejudice of, all criminal charges arising from the indictment or prosecution.

C.2A:158-22 Removal of certain information from websites concerning prosecutions by county prosecutors.

2. a. For all indictments and prosecutions by the county prosecutor of persons who were thereafter acquitted of all criminal charges against them arising from the indictment or prosecution or persons who had all criminal charges against them dismissed with prejudice, if the county prosecutor published on its website a press release or information, other than information required to be made available to the public under section 3 of P.L.1963, c.73 (C.47:1A-3), concerning the indictment or prosecution which identified the person by name, upon written request of that person, the county prosecutor shall cause that press release or information to be removed from its website or inform the public on its website that the person who was indicted or prosecuted was acquitted of the criminal charges or that the criminal charges were dismissed.

b. Upon written request, the county prosecutor shall provide a letter to any person who was indicted or prosecuted by the county prosecutor and was thereafter acquitted of all criminal charges arising from the indictment or prosecution or who had all criminal charges against him dismissed with prejudice, indicating that the person was acquitted of, or that there was a dismissal with prejudice of, all criminal charges arising from the indictment or prosecution.

3. This act shall take effect on the first day of the seventh month following enactment.

Approved February 10, 2017.

CHAPTER 19

AN ACT concerning affordable housing occupancy preferences for veterans and related individuals, supplementing P.L.1979, c.275 (C.40:37A-106 et seq.) and P.L.1992, c.79 (C.40A:12A-1 et al.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.40:37A-114.1 Definitions relative to affordable housing occupancy preferences.

1. a. As used in this section:

"Disabled veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States and who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability.

"Veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States, or any honorably discharged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits.

b. In addition to any other federal or State law regarding providing a veteran's affordable housing preference, the Commissioner of Community Affairs shall establish rules and regulations to provide a preference for affordable housing in a housing project, as defined under subsection f. of section 2 of P.L.1979, c.275 (C.40:37A-107), to homeless veterans, disabled veterans, and family members who are the primary residential caregivers to disabled veterans residing with them. All applicants for the housing preference as specified herein shall also be required to meet the income requirements for admission to the housing project.

c. Among applicants eligible to receive a housing project preference provided under subsection b. of this section, priority for the preference shall be given to applicants as follows: (1) homeless veterans shall receive first priority; (2) disabled veterans shall receive second priority; and (3) family members who are the primary residential caregivers to disabled veterans residing with them shall receive third priority.

C.40A:12A-20.2 Definitions relative to affordable housing occupancy preferences.

2. a. As used in this section:

"Disabled veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States and who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability.

"Veteran" means any resident of the State who has been honorably discharged or released under honorable circumstances from active service in any branch of the armed forces of the United States, or any honorably dis-

charged member of the American Merchant Marine who served during World War II and is declared by the United States Department of Defense to be eligible for federal veterans' benefits.

b. In addition to any other federal or State law regarding providing a veteran's affordable housing preference, the Commissioner of Community Affairs shall establish rules and regulations to provide a preference for affordable housing in a housing project to homeless veterans, disabled veterans, and family members who are the primary residential caregivers to disabled veterans residing with them. All applicants for the housing preference as specified herein shall also be required to meet the income requirements for admission to the housing project.

c. Among applicants eligible to receive a housing project preference provided under subsection b. of this section, priority for the preference shall be given to applicants as follows: (1) homeless veterans shall receive first priority; (2) disabled veterans shall receive second priority; and (3) family members who are the primary residential caregivers to disabled veterans residing with them shall receive third priority.

3. This act shall take effect on the first day of the third month next following enactment.

Approved February 10, 2017.

CHAPTER 20

AN ACT concerning discounted motor bus and rail passenger fares for disabled veterans and amending P.L.1973, c.126 and P.L.1987, c.99.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.1973, c.126 (C.27:1A-64) is amended to read as follows:

C.27:1A-64 Findings, declarations.

1. The Legislature hereby finds and declares that:

a. Many senior citizens and persons with disabilities, including disabled veterans, in this State depend on public transportation facilities to obtain the necessities of life, including food, clothing, and medical services,

and to visit their families and friends; ready access to transportation services is thus essential to their health, safety, and welfare.

b. Many senior citizens and persons with disabilities, including disabled veterans, live on fixed or limited incomes, and the high cost of transportation services makes it difficult for them to take advantage of these services.

c. (Deleted by amendment, P.L.1999, c.179).

d. (Deleted by amendment, P.L.1999, c.179).

e. It is therefore a valid public purpose, and in the best interest of all the people of this State, to provide for reduced bus and rail fares for senior citizens, persons with disabilities, and all disabled veterans at State expense.

2. Section 2 of P.L.1973, c.126 (C.27:1A-65) is amended to read as follows:

C.27:1A-65 Definitions.

2. For the purposes of P.L.1973, c.126 (C.27:1A-64 et seq.), unless the context clearly indicates otherwise:

"Carrier" means any individual, copartnership, association, corporation, joint stock company, public agency, trustee, or receiver operating motor buses or rail passenger service on established routes within this State or between points in this State and points in adjacent states.

"Commissioner" means the Commissioner of Transportation; provided, however, that the commissioner may delegate any of the commissioner's powers or duties under P.L.1973, c.126 (C.27:1A-64 et seq.) to any subordinate division, agency, or employee of the Department of Transportation or to the New Jersey Transit Corporation.

"Disabled veteran" means "disabled veteran" as defined in N.J.S.11A:5-1.

"Motor bus" means "autobus" as defined in R.S.48:4-1, and includes those autobuses, commonly called jitneys, as defined in R.S.48:16-23.

"Offpeak times" means the hours from 9:30 a.m. to 4 p.m. and from 7 p.m. to 6 a.m. during the weekdays, and all day on Saturdays, Sundays, and holidays.

"Person with disabilities" means any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected.

"Senior citizen" means any individual 62 years of age or over.

3. Section 3 of P.L.1973, c.126 (C.27:1A-66) is amended to read as follows:

C.27:1A-66 Program to provide motor bus and rail passenger service at reduced rates for certain individuals.

3. The Commissioner of Transportation is hereby authorized and directed to establish and implement a program to provide motor bus and rail passenger service for senior citizens during offpeak times and to provide motor bus and rail passenger service for senior citizens age 65 and older, persons with disabilities, and all disabled veterans at all times bus or rail service is offered, on regular routes of carriers within the State or between points in this State and points in adjacent states at one-half of the regular adult rates of fare, except that the reduced fare shall not be available to senior citizens, persons with disabilities, or disabled veterans traveling on commuter railroad trains operated during peak times which have been designated by the New Jersey Transit Corporation as ineligible for round trip excursion fares. The commissioner may take any action that the commissioner deems necessary to implement this program, including contracts with carriers for the provision of transportation services under this program, purchase of regular tickets and resale to senior citizens, persons with disabilities, and disabled veterans at one-half the ordinary fare, or direct payments to carriers for services provided to senior citizens, persons with disabilities, and disabled veterans under this program. Where carriers may be entitled to receive or do receive funds from sources other than the Department of Transportation for the provision of service to senior citizens, persons with disabilities, and disabled veterans, reimbursement payments which may be made by the Department of Transportation to the carriers may be adjusted accordingly.

4. Section 4 of P.L.1973, c.126 (C.27:1A-67) is amended to read as follows:

C.27:1A-67 Establishment of program.

4. In establishing this program, the commissioner shall, after consulting with the Commissioner of Community Affairs, the Deputy Commissioner of the Division of Aging Services in the Department of Human Services, and the Board of Public Utilities, establish uniform procedures for:

a. Determining the eligibility of persons to receive the reduced fares provided pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.);

b. Making reduced fares available to eligible persons; and

c. Auditing and accounting to insure that no carrier receives payments in excess of the value of services actually rendered to senior citizens, persons with disabilities, and disabled veterans pursuant to P.L.1973, c.126 (C.27:1A-64 et seq.).

5. Section 7 of P.L.1973, c.126 (C.27:1A-70) is amended to read as follows:

C.27:1A-70 Provision of further fare reductions.

7. Nothing in P.L.1973, c.126 (C.27:1A-64 et seq.) shall preclude any carrier from providing further fare reductions for senior citizens, persons with disabilities, and disabled veterans or preclude any municipality from contracting for further reductions pursuant to P.L.1973, c.67 (C.40:48-4.1 et seq.), or any other law.

6. Section 8 of P.L.1973, c.126 (C.27:1A-71) is amended to read as follows:

C.27:1A-71 Employees, advertisement of program.

8. The commissioner is hereby authorized to hire, employ, or assign secretarial, clerical, and other personnel as shall be required for complying with the provisions of P.L.1973, c.126 (C.27:1A-64 et seq.). The commissioner may also expend a reasonable sum, not to exceed $50,000 annually, for advertising to make senior citizens, persons with disabilities, and disabled veterans aware of the program and the availability of the reduced fares thereunder.

7. Section 9 of P.L.1973, c.126 (C.27:1A-72) is amended to read as follows:

C.27:1A-72 Transportation at reduced fare.

9. Notwithstanding any of the provisions of chapter 3 of Title 48 of the Revised Statutes or of any other law to the contrary, any eligible senior citizen, person with disabilities, or disabled veteran may be transported by any motor bus carrier at less than the usual and ordinary fare charged to one person.

8. Section 1 of P.L.1987, c.99 (C.27:1A-73) is amended to read as follows:

C.27:1A-73 Reduced fare for travel attendant, guide.

1. Notwithstanding the provisions of P.L.1973, c.126 (C.27:1A-64 et seq.) or any other law to the contrary, a person with disabilities and the per-

son's travel attendant or guide shall be transported by any motorbus or rail carrier operated pursuant to the "New Jersey Public Transportation Act of 1979," P.L.1979, c.150 (C.27:25-1 et seq.) at the fare charged to one person with disabilities during peak or offpeak times, as the case may be. For the purposes of this section, a "person with disabilities" is one defined pursuant to section 2 of P.L.1973, c.126 (C.27:1A-65) who requires the assistance of a travel attendant or guide in order to use public transportation.

9. Section 2 of P.L.1987, c.99 (C.27:1A-74) is amended to read as follows:

C.27:1A-74 Regulations.

2. The Commissioner of Transportation shall, after consulting with other relevant departments and agencies, adopt reasonable regulations necessary to carry out the purposes of P.L.1987, c.99 (C.27:1A-73 et seq.) pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). The regulations shall include a procedure by which the commissioner shall issue an identification card, upon certification of a physician or upon certification of another person as prescribed by the commissioner, that a person with disabilities requires the assistance of a travel attendant or guide in order to use public transportation.

10. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 21

AN ACT permitting local units of government to enter into shared services agreements with federal military installations located in the State and amending P.L.2007, c.63.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.2007, c.63 (C.40A:65-4) is amended to read as follows:

C.40A:65-4 Agreements for shared services.

4. a. (1) Any local unit may enter into an agreement with any other local unit or units to provide or receive any service that each local unit partic-

ipating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units including services from licensed or certified professionals required by statute to be appointed.

In the case of pilot municipalities, tenure rights shall not prohibit the sharing of services for a municipal clerk, a chief financial officer, an assessor, a tax collector, a municipal treasurer, or a municipal superintendent of public works. The statutory requirements that each municipality must appoint a municipal clerk, a chief financial officer, an assessor, a tax collector, a municipal treasurer, a municipal engineer, and a principal public works manager shall, for those pilot municipalities, permit and include the provision of the services of any of those municipal employees through a shared service agreement pursuant to the provisions of P.L.2007, c.63 (C.40A:65-1 et seq.). The shared service agreement shall be subject to the provisions of subsection d. of this section and of section 3 of P.L.2013, c.166 (C.40A:65-4.2).

In a shared service agreement between pilot municipalities for the services of a municipal clerk, a chief financial officer, an assessor, a tax collector, a municipal treasurer, or a municipal superintendent of public works, the agent-party, as that term is used in subsection d. of section 7 of P.L.2007, c.63 (C.40A:65-7), shall select for employment under the agreement one of the employees of the pilot municipalities that are party to the agreement who was employed in that same capacity prior to the approval of the agreement.

(2) Notwithstanding any law, rule or regulation to the contrary, any agreement between local units for the provision of shared services shall be entered into pursuant to sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.); provided, however, that agreements regarding shared services that are otherwise regulated by statute, rule, or regulation are specifically excluded from sections 1 to 37 of P.L.2007, c.63 (C.40A:65-1 et al.).

(3) The board is authorized to render a decision in the determination of the statutory basis under which a specific shared service is governed.

b. Any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, together with an estimate of the cost savings anticipated to be achieved by the local units that are the parties to the agreement in the case of an agreement between pilot municipalities, pursuant to rules and regulations promulgated by the director.

c. In the case of a pilot municipality, a tenured municipal clerk, chief financial officer, assessor, tax collector, municipal superintendent of public works, or municipal treasurer may be dismissed to effectuate the sharing of a service entered into pursuant to the provisions of P.L.2007, c.63 (C.40A:65-

1 et seq.) and such dismissal shall be deemed to be in the interest of the economy or efficiency of the participants in the shared service agreement.

d. In the case of a pilot municipality, a tenured municipal clerk, chief financial officer, assessor, tax collector, municipal superintendent of public works, or municipal treasurer who has been dismissed to effectuate a shared service agreement entered into pursuant to the provisions of P.L.2007, c.63 (C.40A:65-1 et seq.) shall be reappointed to his or her former position, and shall regain his or her tenured status, if the shared service agreement is cancelled, or expires, within the two-year period immediately following the dismissal of that person.

e. Notwithstanding any law, rule, or regulation to the contrary, a local unit or units may enter into a shared service agreement with a federal military base, to the extent permitted by 10 U.S.C. s.2679, under which services would be provided to the extent a local unit involved in the agreement is empowered to provide those services within its own jurisdiction. This subsection shall not be construed to impact existing federal or State civil service laws, rules, or regulations with respect to federal employees or employees of a local unit. Where federal law and State law conflict regarding the content and duration of such agreements, federal law shall control.

2. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 22

AN ACT giving preference to certain employers applying for workforce development grants and amending P.L.1992, c.43.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.1992, c.43 (C.34:15D-4) is amended to read as follows:

C.34:15D-4 Workforce Development Partnership Program.

4. a. The Workforce Development Partnership Program is hereby established in the Department of Labor and Workforce Development and shall be administered by the Commissioner of Labor and Workforce Devel-

opment. The purpose of the program is to provide qualified displaced, disadvantaged and employed workers with the employment and training services most likely to enable the individual to obtain employment providing self-sufficiency for the individual and also to provide the greatest opportunity for long-range career advancement with high levels of productivity and earning power. To implement that purpose, the program shall provide those services by means of training grants or customized training services in coordination with funding for the services from federal or other sources. The commissioner is authorized to expend moneys from the Workforce Development Partnership Fund to provide the training grants or customized training services and provide for each of the following:

(1) The cost of counseling required pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7), to the extent that adequate funding for counseling is not available from federal or other sources;

(2) Reasonable administrative costs, which shall not exceed 10% of the revenues collected pursuant to section 2 of P.L.1992, c.44 (C.34:15D-13) during any fiscal year ending before July 1, 2001, except for additional start-up administrative costs approved by the Director of the Office of Management and Budget during the first year of the program's operation;

(3) Reasonable costs, which shall not exceed 0.5% of the revenues collected pursuant to section 2 of P.L.1992, c.44 (C.34:15D-13) during any fiscal year ending before July 1, 2001, as required by the State Employment and Training Commission to design criteria and conduct an annual evaluation of the program; and

(4) The cost of reimbursement to individuals for excess contributions pursuant to section 6 of P.L.1992, c.44 (C.34:15D-17).

b. Not more than 10% of the moneys received by any service provider pursuant to this act shall be expended on anything other than direct costs to the provider of providing the employment and training services, which direct costs shall not include any administrative or overhead expense of the provider.

c. Training and employment services or other workforce investment services shall be provided to a worker who receives counseling pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7) only if the counselor who evaluates the worker pursuant to that section determines that the worker can reasonably be expected to successfully complete the training and instruction identified in the Employability Development Plan developed pursuant to that section for the worker.

d. All occupational training provided under this act:

(1) Shall be training which is likely to substantially enhance the individual's marketable skills and earning power; and

(2) Shall be training for a labor demand occupation, except for:

(a) Customized training provided to the present employees of a business which the commissioner deems to be in need of the training to prevent job loss caused by obsolete skills, technological change or national or global competition; or

(b) Customized training provided to employees at a facility which is being relocated from another state into New Jersey; or

(c) Entrepreneurial training and technical assistance supported by training grants provided pursuant to subsection b. of section 6 of P.L.1992, c.43 (C.34:15D-6).

e. During any fiscal year ending before July 1, 2001, not less than 25% of the total revenues dedicated to the program during any one fiscal year shall be reserved to provide employment and training services for qualified displaced workers; not less than six percent of the total revenues dedicated to the program during any one fiscal year shall be reserved to provide employment and training services for qualified disadvantaged workers; not less than 45% of the total revenues dedicated to the program during any one fiscal year shall be reserved for and appropriated to the Office of Customized Training; not less than 3% of the total revenues dedicated to the program during any one fiscal year shall be reserved for occupational safety and health training; and 5% of the total revenues dedicated to the program during any one fiscal year shall be reserved for and appropriated to the Youth Transitions to Work Partnership created pursuant to P.L.1993, c.268 (C.34:15E-1 et seq.).

f. Funds available under the program shall not be used for activities which induce, encourage or assist: any displacement of currently employed workers by trainees, including partial displacement by means such as reduced hours of currently employed workers; any replacement of laid off workers by trainees; or any relocation of operations resulting in a loss of employment at a previous workplace located in the State.

g. On-the-job training shall not be funded by the program for any employment found by the commissioner to be of a level of skill and complexity too low to merit training. The duration of on-the-job training funded by the program for any worker shall not exceed the duration indicated by the Bureau of Labor Statistics' Occupational Information Network, or "O*NET," for the occupation for which the training is provided and shall in no case exceed 26 weeks. The department shall set the duration of on-the-job training for a worker for less than the indicated maximum, when training for the maximum duration is not warranted because of the level of the individual's previous training, education or work experience. On-the-job

training shall not be funded by the program unless it is accompanied, concurrently or otherwise, by whatever amount of classroom-based or equivalent occupational training, remedial instruction or both, is deemed appropriate for the worker by the commissioner. On-the-job training shall not be funded by the program unless the trainee is provided benefits, pay and working conditions at a level and extent not less than the benefits and working conditions of other trainees or employees of the trainee's employer with comparable skills, responsibilities, experience and seniority.

h. Employment and training services funded by the program shall not replace, supplant, compete with or duplicate in any way approved apprenticeship programs.

i. No activities funded by the program shall impair existing contracts for services or collective bargaining agreements, except that activities which would be inconsistent with the terms of a collective bargaining agreement may be undertaken with the written concurrence of the collective bargaining unit and employer who are parties to the agreement.

j. All staff who are hired and supported by moneys from the Workforce Development Partnership Fund, including any of those staff located at any One Stop Career Center, but not including any staff of a service provider providing employment and training services supported by a customized training grant pursuant to section 5 of P.L.1992, c.43 (C.34:15D-5) or an individual training grant pursuant to section 6 of P.L.1992, c.43 (C.34:15D-6), shall be hired and employed by the State pursuant to Title 11A, Civil Service, of the New Jersey Statutes, be hired and employed by a political subdivision of the State, or be qualified staff hired and employed by a nonprofit organization which began functioning as the One Stop Career Center operator with the written consent of the chief elected official and the commissioner prior to the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be qualified staff hired and employed by an approved community-based or faith-based organization to provide services at the level of staffing provided in an agreement entered into by the organization before the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.).

k. Employers in the State who apply for grants for training and employment services or other workforce investment services for their employees in the State shall be evaluated by the commissioner and preference shall be given to those employers who:

(1) provide equipment, supplies, or services to military bases and installations pursuant to a procurement or military contract with the United States Department of Defense, the United States Department of Veterans Affairs, or any branch of the United States Armed Forces;

(2) are engaged in one or more of the following fields or industries: science, technology, engineering, mathematics, or advanced manufacturing within these fields or industries; or

(3) intend to train veterans.

Pursuant to this paragraph, "veteran" means a person who has served in the Army, Navy, Air Force, Marines or Coast Guard of the United States or a Reserve component thereof or the National Guard of this State as defined in section 1 of P.L.1963, c.109 (C.38A:1-1), and has been honorably discharged or released under conditions other than dishonorable from that service.

2. Section 5 of P.L.1992, c.43 (C.34:15D-5) is amended to read as follows:

C.34:15D-5 Office of Customized Training established.

5. a. There is hereby established, as part of the Workforce Development Partnership Program, the Office of Customized Training. Moneys allocated to the office from the fund shall be used to provide employment and training services to eligible applicants approved by the commissioner.

b. An applicant shall be eligible for customized training services if it is one of the following:

(1) An individual employer that seeks the customized training services to create, upgrade or retain jobs in a labor demand occupation;

(2) An individual employer that seeks customized training services to upgrade or retain jobs in an occupation which is not a labor demand occupation, if the commissioner determines that the services are necessary to prevent the likely loss of the jobs or that the services are being provided to employees at a facility which is being relocated from another state into New Jersey;

(3) An employer organization, labor organization or community-based or faith-based organization seeking the customized training services to provide training in labor demand occupations in a particular industry;

(4) A consortium made up of one or more educational institutions and one or more eligible individual employers or labor, employer or community-based or faith-based organizations that seeks the customized training services to provide training in labor demand occupations in a particular industry;

(5) An individual employer who provides equipment, supplies, or services to military bases and installations pursuant to a procurement or military contract with the United States Department of Defense, the United States Department of Veterans Affairs, or any branch of the United States Armed Forces;

(6) An individual employer who is engaged in one or more of the following fields or industries: science, technology, engineering, mathematics, or advanced manufacturing within these fields or industries; or

(7) An individual employer who intends to train veterans. For the purposes of this subparagraph, a "veteran" is a person who has served in the Army, Navy, Air Force, Marines or Coast Guard of the United States or a Reserve component thereof or the National Guard of this State as defined in section 1 of P.L.1963, c.109 (C.38A:1-1), and has been honorably discharged or released under conditions other than dishonorable from that service.

c. Each applicant seeking funding for customized training services shall submit an application to the commissioner in a form and manner prescribed in regulations adopted by the commissioner. The application shall be accompanied by a business plan of each employer which will receive customized training services if the application is approved. The business plan shall include:

(1) A justification of the need for the services and funding from the office, including information sufficient to demonstrate to the satisfaction of the commissioner that the applicant will provide significantly less of the services if the requested funding is not provided by the office;

(2) A comprehensive long-term human resource development plan which:

(a) Extends significantly beyond the period of time in which the services are funded by the office;

(b) Significantly enhances the productivity and competitiveness of the employer operations located in the State and the employment security of workers employed by the employer in the State; and

(c) States the number of current or newly-hired workers who will be trained under the grant and the pay levels of jobs which will be created or retained for those workers as a result of the funding and the plan.

(3) Evidence, if the training sought is for an occupation which is not a labor demand occupation, that the customized training services are needed to prevent job loss caused by obsolete skills, technological change or national or global competition or that the services are being provided to employees at a facility which is being relocated from another state into New Jersey;

(4) Information demonstrating that most of the individuals receiving the services will be trained primarily for work in the direct production of goods or services;

(5) A commitment to provide the information needed by the commissioner to evaluate the success of the funding and the plan in creating and

retaining jobs, to assure compliance with the provisions of P.L.1992, c.43 (C.34:15D-1 et seq.); and

(6) Any other information or commitments which the commissioner deems appropriate to assure compliance with the provisions of P.L.1992, c.43 (C.34:15D-1 et seq.).

The commissioner may provide whatever assistance he deems appropriate in the preparation of the application and business plan, which may include labor market information, projections of occupational demand and information and advice on alternative training and instruction strategies.

d. Each employer that receives a grant for customized training services shall contribute a minimum of 50% of the total cost of the customized training services, except that the commissioner shall set a higher or lower minimum contribution by an employer, if warranted by the size and economic resources of the employer or other factors deemed appropriate by the commissioner, and except that, for individuals hired by the employer through a One Stop Career Center who receive classroom training under the grant and were recipients of benefits under the Work First New Jersey program at any time during the 12 months preceding the date of employment, the employer shall be eligible for reimbursement of up to 50% of wages paid to the individual during the classroom training in addition to reimbursement for tuition and other direct costs of the training as determined to be appropriate by the office, and provided, further, that no individual shall be hired or placed in a manner which results in a violation of the restrictions of subsection f. of section 4 of P.L.1992, c.43 (C.34:15D-4) against displacing current employees.

e. Each employer receiving a grant for customized training services shall hire or retain in permanent employment each worker who successfully completes the training and instruction provided under the customized training. The employer shall be entitled to select the qualified employed, disadvantaged or displaced workers who will participate in the customized training, except that if any collective bargaining unit represents a qualified employed worker, the selection shall be conducted in a manner acceptable to both the employer and the collective bargaining unit. The commissioner shall provide for the withholding, for a time period he deems appropriate, of whatever portion he deems appropriate of program funding as a final payment for customized training services, contingent upon the hiring and retention of a program completer as required pursuant to this section. If an employer receiving a grant for customized training services pursuant to this section relocates or outsources any or all of the jobs out of the State for which the customized training services were provided under the grant with-

in three years following the end date of the customized contract, the employer shall, if all of the jobs are relocated or outsourced, return all of the moneys provided to the employer by the State for customized training services, or, if only a portion of the jobs are relocated or outsourced, return a part of the moneys, deemed by the commissioner to be appropriate and proportional to the portion of the jobs relocated or outsourced, and the returned amount shall be deposited into the Workforce Development Partnership Fund.

f. The customized training services provided to an approved applicant may include any combination of employment and training services or any single employment and training service approved by the commissioner, including remedial instruction provided to upgrade workplace literacy. Each service may be provided by a separate approved service provider. No training or employment service shall be funded through a customized training grant, unless the service is provided directly by an employer or is provided by an approved service provider. An employer who directly provides training and employment services to his own employees shall not be regarded as a service provider and shall not be subject to any requirement to obtain approval by the State as a service provider, including the requirements of section 13 of P.L.2005, c.354 (C.34:15C-10.1) to be approved as a qualifying school or the requirements of section 14 of P.L.2005, c.354 (C.34:15C-10.2) to be included on the State Eligible Training Provider List.

g. Customized training services shall include any remedial instruction determined necessary pursuant to section 7 of this act. Applications for customized training services shall include estimates of the total need for remedial instruction determined in a manner deemed appropriate by the commissioner.

h. Any business seeking customized training services shall, in the manner prescribed by the commissioner, participate in the development of a plan to provide the services. Any business seeking customized training services for workers represented by a collective bargaining unit shall notify the collective bargaining unit and permit it to participate in developing the plan. No customized training services shall be provided to a business employing workers represented by a collective bargaining unit without the written consent of both the business and the collective bargaining unit.

i. Any business receiving customized training services shall be responsible for providing workers' compensation coverage for any worker participating in the customized training.

j. The commissioner shall establish an annual goal that 15% or more of the jobs to be created or retained in connection with training supported

by grants from the office shall be jobs provided to individuals who were recipients of benefits under the Work First New Jersey program at any time during the 12 months prior to being placed in the jobs. The means to attain the goal shall include coordinated efforts between the office and One Stop Career Centers to prepare recipients for employment and make them available to employers, but shall not include any policy which may penalize employers or discourage employers from using customized training service provided by the office.

3. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 23

AN ACT concerning access to drug treatment programs in State correctional facilities and supplementing Title 30 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.30:1B-10.2 Inmate access to drug treatment program; rules, regulations.

1. a. Notwithstanding any rules or regulations to the contrary, no person incarcerated in a State correctional facility shall be denied access to participation in a drug treatment program which operates within a State correctional facility if the denial is based solely on that person having any detainer or open charge issued against him which precludes eligibility for full minimum custody status.

b. The Commissioner of Corrections shall promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the purposes of this act.

2. This act shall take effect on the first day of the fourth month next following enactment, but the commissioner may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved February 10, 2017.

CHAPTER 24

AN ACT concerning voluntary contributions through gross income tax returns to support autism programs, supplementing chapter 9 of Title 54A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.54A:9-25.41 "Autism Programs Fund."

1. a. There is established in the Department of the Treasury a special fund within the "Autism Medical Research and Treatment Fund" to be known as the "Autism Programs Fund."

b. A taxpayer shall have the opportunity to indicate on the taxpayer's New Jersey gross income tax return that a portion of the taxpayer's tax refund or an enclosed contribution shall be deposited in the "Autism Programs Fund" in accordance with the provisions of section 1 of P.L.1999, c.21 (C.54A:9-25.14).

c. Any costs incurred by the Division of Taxation for collection or administration attributable to this section may be deducted from receipts collected pursuant to this section, as determined by the Director of the Division of Budget and Accounting in the Department of the Treasury. The State Treasurer shall deposit net contributions collected pursuant to this section into the "Autism Programs Fund."

d. The Legislature shall annually appropriate all funds deposited in the "Autism Programs Fund" to the Department of Health to be used exclusively for the support of service-oriented autism programs throughout the State.

2. This act shall take effect immediately and shall apply to taxable years beginning on or after January 1 next following the date of enactment.

Approved February 10, 2017.

CHAPTER 25

AN ACT concerning microenterprise development, amending P.L.1992, c.48 and P.L.1992, c.43, and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

New Jersey State Library

1. Section 4 of P.L.1992, c.48 (C.34:15B-38) is amended to read as follows:

C.34:15B-38 Counseling requirement.

4. a. No individual shall receive employment and training services paid for with federal job training funds other than counseling unless the individual first receives counseling pursuant to this section. The counseling shall be provided by a job counselor hired and employed by the State pursuant to Title 11A, Civil Service, of the New Jersey Statutes, or hired and employed by a political subdivision of the State, or be provided by a qualified job counselor hired and employed by a non-profit organization which began functioning as the One Stop Career Center operator with the written consent of the chief elected official and the commissioner prior to the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be provided by a qualified job counselor hired and employed by an approved community-based or faith-based organization to provide counseling which the organization entered into an agreement to provide before the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be provided by a qualified business counselor hired and employed by an approved community-based or faith-based organization to provide counseling for individuals seeking to embark upon a microenterprise self-employment venture. The purpose of any job counseling provided pursuant to this section is to assist each individual in obtaining the employment and training services most likely to enable the individual to obtain employment providing self-sufficiency for the individual and also to provide the individual with the greatest opportunity for long-range career advancement with high levels of productivity and earning power. The purpose of any business counseling provided pursuant to this section is to assist each individual seeking to embark upon a microenterprise self-employment venture with counseling by qualified business counselors determined to be necessary and appropriate for the success of the microenterprise self-employment venture. The counseling shall include:

(1) Testing and assessment of the individual's job skills and aptitudes, including the individual's literacy skills and other basic skills. Basic skills testing and assessment shall be provided to the individual unless information is provided regarding the individual's educational background and occupational or professional experience which clearly demonstrates that the individual's basic skill level meets the standards established pursuant to section 14 of P.L.1989, c.293 (C.34:15C-11) or unless the individual is already participating in a remedial instruction program which meets those standards;

(2) An evaluation by a qualified job counselor of what remedial instruction, or by a qualified business counselor of what microenterprise self-employment training, if any, is determined to be necessary for the individual to advance in his current career or occupation, or microenterprise self-employment venture, or to succeed in any particular occupational training which the individual would undertake under the program, provided that the remedial instruction shall be at a level not lower than that needed to meet the standards established pursuant to section 14 of P.L.1989, c.293 (C.34:15C-11);

(3) The provision of information to the individual regarding the labor demand occupations, including the information about the wage levels in those occupations, the profitability of self-employed microentrepreneurs in those occupations, and information regarding the effectiveness of approved service providers of occupational training or microenterprise training in labor demand occupations which the individual is considering, including a consumer report card on service providers showing the long-term success of former trainees of each provider in obtaining permanent employment, or establishing a microenterprise self-employed business and increasing earnings over one or more time periods following the completion or other termination of training, including a period of two years following the completion or other termination of training;

(4) The timely provision of information to the individual regarding the services and benefits available to the individual, and all actions required of the individual to obtain the services and benefits, under programs supported by federal job training funds or the provisions of P.L.1992, c.47 (C.43:21-57 et al.), and the provision to the individual of a written statement of the individual's rights and responsibilities with respect to programs for which the individual is eligible, which includes a full disclosure to the individual of his right to obtain the services most likely to enable the individual to obtain employment providing self-sufficiency and the individual's right not to be denied employment and training services for any of the reasons indicated in section 5 of P.L.1992, c.48 (C.34:15B-39), including the individual's right not to be denied training services because the individual already has identifiable vocational skills, if those existing skills are for employment with a level of earnings lower than the level of self-sufficiency;

(5) Discussion with the counselor of the results of the testing and evaluation; and

(6) The development of a written Employability Development Plan identifying the training and employment services or other workforce investment services, including any needed remedial instruction, to be provided to the individual.

b. Federal job training funds shall be used to provide training and employment services, microenterprise self-employment training, or other workforce investment services to an individual identified in an Employability Development Plan developed pursuant to this section only if the counselor who evaluates the individual pursuant to this section determines that the individual can reasonably be expected to successfully complete the training and instruction identified in the plan.

c. All information regarding an individual applicant or trainee which is obtained or compiled in connection with the testing, assessment and evaluation and which may be identified with the individual shall be confidential and shall not be released to an entity other than the individual, the counselor, the department, the commission or partners of the One-Stop system as necessary for them to provide training and employment services or other workforce investment services to the individual, unless the individual provides written permission to the department for the release of the information or the information is used solely for program evaluation.

2. Section 7 of P.L.1992, c.43 (C.34:15D-7) is amended to read as follows:

C.34:15D-7 Counseling.

7. Counseling shall be made available by the department to each qualified displaced worker or qualified disadvantaged worker applying to participate in the Workforce Development Partnership program and, in the case of a qualified disadvantaged worker who is a recipient of, or eligible for, benefits under the Work First New Jersey Program, to participate in the Workforce Development Partnership program or in any of those employment-directed workforce development programs or activities transferred to the Department of Labor and Workforce Development pursuant to section 2 of P.L.2004, c.39 (C.34:1A-1.3) which provide employment and training services as defined in section 3 of P.L.1992, c.43 (C.34:15D-3), including the services indicated in paragraphs (11) through (16) of subsection b. of section 2 of P.L.2004, c.39 (C.34:1A-1.3). Counseling may also be made available to a qualified employed worker who seeks remedial instruction or is selected to participate in a customized training program, if the worker's employer requests the counseling. The counseling shall be provided by a job counselor hired and employed by the State pursuant to Title 11A, Civil Service, of the New Jersey Statutes, or hired and employed by a political subdivision of the State, or be provided by a qualified job counselor hired and employed by a non-profit organization which began functioning as the

One Stop Career Center operator with the written consent of the chief elected official and the commissioner prior to the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be provided by a qualified job counselor hired and employed by an approved community-based or faith-based organization to provide counseling which the organization entered into an agreement to provide before the effective date of P.L.2004, c.39 (C.34:1A-1.2 et al.), or be provided by a qualified business counselor hired and employed by an approved community-based or faith-based organization to provide counseling for individuals seeking to embark upon a microenterprise self-employment venture. In the case of a qualified disadvantaged worker who is a recipient of, or is eligible for, benefits under the Work First New Jersey Program, the counseling provided pursuant to this section shall be the counseling for the provision of employment and training services either under the Workforce Development Partnership program or under programs or activities transferred to the Department of Labor and Workforce Development pursuant to section 2 of P.L.2004, c.39 (C.34:1A-1.3), but the counseling provided pursuant to this section shall be provided in conjunction and in coordination with counseling provided in connection with any services, other than training and employment services, made available to the disadvantaged worker under programs or activities transferred to the Department of Labor and Workforce Development pursuant to section 2 of P.L.2004, c.39 (C.34:1A-1.3). The purpose of any job counseling made available pursuant to this section is to assist each worker in obtaining the employment and training services most likely to enable the worker to obtain employment providing self-sufficiency for the worker and also to provide the worker with the greatest opportunity for long-range career advancement with high levels of productivity and earning power. The purpose of any business counseling provided pursuant to this section is to assist each individual seeking to embark upon a microenterprise self-employment venture with counseling by qualified business counselors determined to be necessary and appropriate for the success of the microenterprise self-employment venture. The counseling shall include:

a. Testing and assessment of the worker's job skills and aptitudes, including the worker's literacy skills and other basic skills. Basic skills testing and assessment shall be provided to the worker unless information is provided regarding the worker's educational background and occupational or professional experience which clearly demonstrates that the worker's basic skill level meets the standards established pursuant to section 14 of P.L.1989, c.293 (C.34:15C-11) or unless the worker is already participating in a remedial instruction program which meets those standards;

b. An evaluation by a qualified job counselor of what remedial instruction, or by a qualified business counselor of what microenterprise self-employment training, if any, is determined to be necessary for the worker to advance in his current career or occupation, or microenterprise self-employment venture, or to succeed in any particular occupational training which the worker would undertake under the program, provided that the remedial instruction shall be at a level not lower than that needed to meet the standards established pursuant to section 14 of P.L.1989, c.293 (C.34:15C-11);

c. The provision to the worker of information regarding any of the labor demand occupations for which training meets the requirements of section 4 of P.L.1992, c.43 (C.34:15D-4) in the worker's case, including information about the wage levels in those occupations, the profitability of self-employed microentrepreneurs in those occupations, and information regarding the effectiveness of approved service providers of occupational training, or microenterprise training, in occupations which the worker is considering, including a consumer report card on service providers showing the long-term success of former trainees of each provider in obtaining permanent employment, or establishing a self-employed microenterprise business, and increasing earnings over one or more time periods following the completion or other termination of training, including a period of two years following the completion or other termination of training;

d. The timely provision of information to the worker regarding the services and benefits available to the worker, and all actions required of the worker to obtain the services and benefits, under the provisions of P.L.1992, c.43 (C.34:15D-1 et seq.) and P.L.1992, c.47 (C.43:21-57 et al.), and under the Work First New Jersey program in the case of a qualified disadvantaged worker receiving or eligible for benefits under that program; and the provision to the worker of a written statement of the worker's rights and responsibilities with respect to programs for which the worker is eligible, which includes a full disclosure to the worker of the worker's right to obtain the services most likely to enable the worker to obtain employment providing self-sufficiency and the workers' right not to be denied training services for any of the reasons indicated in subsection d. of section 6 of P.L.1992, c.43 (C.34:15D-6), including the worker's right not to be denied training services because the worker already has identifiable occupational skills, if those existing skills are for employment with a level of earnings lower than the level of self-sufficiency;

e. Discussion with the counselor of the results of the testing and evaluation; and

f. The development of a written Employability Development Plan identifying the training, employment and other workforce investment services, including any needed remedial instruction, to be provided to the worker pursuant to this act. In the case of a qualified disadvantaged worker, the Employability Development Plan will be, to the greatest extent possible while remaining in compliance with any applicable federal requirements, coordinated and made consistent with any individual responsibility plan developed for the worker under the Work First New Jersey program. In the case of a qualified disadvantaged worker who is or was receiving, or who is eligible for but not receiving, benefits under the Work First New Jersey program, and who does not have a marketable bachelor's degree, the counselor may approve, as part of the workers' Employability Development Plan, the replacement of Work First New Jersey program benefits by Supplemental Workforce Development Benefits paid to the disadvantaged worker for full-time educational activity without, or with insufficient, other work activity from available resources for employment-directed and workforce development programs and activities transferred from the Department of Human Services pursuant to section 2 of P.L.2004, c.39 (C.34:1A-1.3) or from the account of the Workforce Development Partnership Fund reserved for qualified disadvantaged workers pursuant to subsection b. of section 9 of P.L.1992, c.43 (C.34:15D-9), for any period of time for which the counselor determines that:

(1) Full-time remedial instruction to obtain a high school diploma or G.E.D. or full-time post-secondary education in a two-year or four-year degree-granting educational program with a course of study related to work, even if the duration of the full-time education is longer than two years, is the training and employment service that is most likely to enable the worker to obtain employment providing self-sufficiency;

(2) The worker has responsibility during that period of time for the care of dependent children or other family members unable to care for themselves the magnitude of which, if added to the full-time instructional or educational activities indicated in paragraph (1) of this subsection, make it likely that any additional work activity will jeopardize the success of the instructional or educational activity; and

(3) Providing Work First New Jersey program benefits to the worker during that period of time for the full-time instructional or educational activity without, or with insufficient, work activities would result in a loss of benefits for the worker pursuant to section 9 of P.L.1997, c.38 (C.44:10-63) or would be counted toward the maximum limit of 60 cumulative months

of Work First New Jersey program benefits provided to the worker pursuant to section 2 of P.L.1997, c.37 (C.44:10-72).

With respect to the use of the funds deposited during any fiscal year in the account of the Workforce Development Partnership Fund reserved for qualified disadvantaged workers pursuant to subsection b. of section 9 of P.L.1992, c.43 (C.34:15D-9), first priority shall be given for the payment of Supplemental Workforce Development Benefits pursuant to this subsection. Not more than 1,500 qualified disadvantaged workers shall receive Supplemental Workforce Development Benefits pursuant to this subsection at any one time. With respect to using available resources for employment-directed and workforce development programs and activities transferred from the Department of Human Services pursuant to section 2 of P.L.2004, c.39 (C.34:1A-1.3) for Supplemental Workforce Development Benefits, no federal funds which are part of those resources may be used for Supplemental Workforce Development Benefits which result in the imposition of conditions of participation other than those established by this subsection. If federal funds are used for childcare costs of a participant, the Department of Human Services may transfer the funds to the Child Care and Development Block Grant, as permitted by law and as needed to permit the use of the federal funds while preventing any loss of benefits to the participant and preventing the childcare time from being counted toward the participant's maximum limit of 60 cumulative months of Work First New Jersey program benefits. The counselor shall assist in facilitating the use, to the maximum extent possible, of Pell grants or other available educational grants to pay for tuition and other educational costs of a recipient of Supplemental Workforce Development Benefits provided pursuant to this section. The requirements for receiving Supplemental Workforce Development Benefits may include work-site experience which will enhance the participant's employability in the participant's field, provided that the required sum of class hours for a full-time class schedule, hours of study time at not less than one and one half times class time, and hours of work-site experience, shall not exceed 40 hours per week and that the commissioner shall adopt regulations for reasonable adjustments in participation requirements for good cause, including verifiable needs related to physical or mental health problems, illness, accident or death or serious personal or family problems that necessitate reduced participation, provided further that no individual shall receive Supplemental Workforce Development Benefits for a period of more than five years. The commissioner shall adopt regulations setting standards for satisfactory academic progress for continued participation. Participation may not be denied for any of the reasons which subsection d. of section 6 of P.L.1992, c.43

(C.34:15D-6) prohibits from being used to deny training grants. For the purposes of this section, "Work First New Jersey benefits" means benefits for which a worker and the worker's family would be eligible if the worker was participating in the Work First New Jersey program or any successor program to the Work First New Jersey program.

Counseling made available at the request of an employer participating in a customized training program may include only those components requested by the employer.

All information regarding a worker applicant or trainee which is obtained or compiled in connection with the testing, assessment and evaluation and which may be identified with the worker shall be confidential and shall not be released to an entity other than the worker, the counselor, the department or partners of the One-Stop system as necessary for them to provide training and employment services or other workforce investment services to the individual, unless the worker provides written permission to the department for the release of the information or the information is used solely for program evaluation.

C.52:27D-495.1 Microenterprise programs, certain, emphasis on project applications.

3. a. In its determination of qualified projects proposed by nonprofit organizations, pursuant to section 6 of P.L.2001, c.415 (C.52:27D-495), the Department of Community Affairs shall give emphasis to project applications that involve the development or expansion of a microenterprise, benefit low and moderate income neighborhoods, and improve the quality of life for neighborhood residents.

b. As used in this section, "microenterprise" means a commercial enterprise that has five or fewer employees, one or more of whom owns the enterprise.

4. This act shall take effect immediately.

Approved February 10, 2017.

CHAPTER 26

AN ACT concerning transportation network companies and supplementing Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.39:5H-1 Short title.

1. Sections 1 through 27 of P.L.2017, c.26 (C.39:5H-1 et seq.) shall be known and may be cited as the "Transportation Network Company Safety and Regulatory Act."

C.39:5H-2 Definitions relative to transportation network companies.

2. As used in P.L.2017, c.26 (C.39:5H-1 et seq.):

"Applicant" means a person who applies to a transportation network company to be a transportation network company driver.

"Chief Administrator" means the Chief Administrator of the New Jersey Motor Vehicle Commission.

"Commission" means the New Jersey Motor Vehicle Commission.

"Digital network" means any online-enabled technology application, service, website, or system offered or utilized by a transportation network company that enables the prearrangement of rides between transportation network company riders and transportation network company drivers.

"Division" means the Division of Consumer Affairs in the Department of Law and Public Safety.

"Personal vehicle" means a motor vehicle that is used by a transportation network company driver to provide prearranged rides and is owned, leased, or otherwise authorized for use by the transportation network company driver. A personal vehicle shall not be considered an autocab or taxi as defined in R.S.48:16-1, a limousine as defined in R.S.48:16-13 or section 2 of P.L.1997, c.356 (C.48:16-13.1), an autobus or jitney as defined in R.S.48:16-23, a motor bus as defined in section 1 of P.L.1991, c.154 (C.17:28-1.5), or any other for-hire vehicle. A personal vehicle shall not be considered an automobile as defined in subsection a. of section 2 of P.L.1972, c.70 (C.39:6A-2) while a transportation network company driver is providing a prearranged ride.

"Prearranged ride" means the provision of transportation by a transportation network company driver to a transportation network company rider, beginning when a driver accepts a ride requested by a rider through a digital network controlled by a transportation network company, continuing while the driver transports a requesting rider, and ending when the last requesting rider departs from the personal vehicle. A prearranged ride shall not include transportation provided using an autocab, taxi, limousine, autobus, jitney, motor bus, or other for-hire vehicle. A prearranged ride shall not include ridesharing, as defined in R.S.39:1-1.

"Transportation network company" means a corporation, partnership, sole proprietorship, or other entity that is registered as a business in the State

or operates in this State, and uses a digital network to connect a transportation network company rider to a transportation network company driver to provide a prearranged ride. A transportation network company shall not include an individual, corporation, partnership, sole proprietorship, or other entity arranging non-emergency medical transportation for individuals qualifying for Medicaid under P.L.1968, c.413 (C.30:4D-1 et seq.) or Medicare under Pub.L.89-97 (42 U.S.C. s.1395 et seq.) pursuant to a contract with the State or a managed care organization, whereby Medicaid or Medicare funding is used to pay for the non-emergency medical transportation services.

"Transportation network company driver" or "driver" means a person who receives connections to potential riders and related services from a transportation network company in exchange for payment of a fee to the transportation network company, and uses a personal vehicle to offer or provide a prearranged ride to a rider upon connection through a digital network controlled by a transportation network company in return for compensation or payment of a fee.

"Transportation network company rider" or "rider" means a person who uses a transportation network company's digital network to connect with a transportation network company driver to receive a prearranged ride from the driver using the driver's personal vehicle.

C.39:5H-3 Restrictions.

3. A transportation network company or a transportation network company driver shall not provide a taxi, limousine, or other for-hire vehicle service, or freight service except as authorized pursuant to applicable law. A transportation network company driver shall not be required to register the driver's personal vehicle used to provide prearranged rides as a commercial or for-hire vehicle.

C.39:5H-4 Issuance, revocation of permit; fees.

4. a. The commission shall issue a transportation network company a permit to allow for the lawful operation of a transportation network company in this State upon receipt of the following information:

(1) proof of insurance as required pursuant to section 10 of P.L.2017, c.26 (C.39:5H-10);

(2) proof that the transportation network company is registered as a business in this State;

(3) a written description of the transportation network company's zero tolerance policy, as required by section 14 of P.L.2017, c.26 (C.39:5H-14);

(4) a written description of the transportation network company's policy of non-discrimination, as required by section P.L.2017, c.26 (C.39:5H-15); and

(5) a written description of how the transportation network company will comply with the criminal background check requirements pursuant to section 17 of P.L.2017, c.26 (C.39:5H-17).

b. A transportation network company shall pay an initial and annual permit fee of $25,000.

c. The commission may revoke the permit, after notice and a hearing, if the transportation network company fails to comply with the provisions of P.L.2017, c.26 (C.39:5H-1 et seq.).

d. A transportation network company shall not operate in this State prior to obtaining a permit from the commission; except that, any transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) may continue to operate in this State until the commission issues a written decision regarding the transportation network company's permit application, provided that the transportation network company has conducted a driving record check of each driver that logs on to the transportation network company's digital network as a driver and provides to the commission proof of insurance required pursuant to section 10 of P.L.2017, c.26 (C.39:5H-10).

e. A transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) shall apply to the commission for a permit pursuant to this section on or before the 30th day after the commission begins accepting permit applications.

f. A transportation network company that operates without a permit in violation of this section shall be subject to a penalty of $500. Actions to impose a penalty under this subsection shall be brought, and the penalty shall be collected, in a summary proceeding pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court shall have jurisdiction to hear any action brought pursuant to this subsection. All penalties collected pursuant to this subsection shall be forwarded as provided in R.S.39:5-40 and subsection b. of R.S.39:5-41. If the violation is of a continuing nature, each day during which it continues shall constitute an additional, separate, and distinct offense.

C.39:5H-5 Appointment, maintenance of agent for service of process.

5. a. A transportation network company operating in the State shall appoint and maintain an agent for service of process in this State.

b. The transportation network company shall submit to the commission within 10 days of receiving a permit, the name, address, telephone number, or other contact information of the agent. The transportation network company shall notify the commission of any change of the agent, or address, telephone number, or other contact information for the agent, within 10 days of the effective date of the change.

C.39:5H-6 Memorandum of understanding.

6. a. A transportation network company and the Department of Transportation shall enter into a memorandum of understanding concerning the transportation network company's submission of data collected from all prearranged rides provided wholly within the boundaries of the State and provided through the company's digital network.

b. Any data submitted to the Department of Transportation pursuant to a memorandum of understanding under this section shall be deemed confidential, shall not be disclosed to a third party except with the prior written consent of the transportation network company, and shall not be considered a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning access to government records. Nothing in this section shall be construed as limiting the applicability of any other exemptions under P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

C.39:5H-7 Collection of fare.

7. A transportation network company may, on behalf of a transportation network company driver, collect a fare for a prearranged ride provided to a transportation network company rider; provided that, if a fare is collected from a rider, the transportation network company shall disclose to the rider on its website or digital network the fare or method by which the transportation network company calculates fares. The transportation network company shall provide riders with the applicable rates being charged by a transportation network company driver and the option to receive an estimated fare prior to the rider entering the driver's personal vehicle.

C.39:5H-8 Picture of driver, other information provided to rider.

8. A transportation network company shall provide to a transportation network company rider on its website or digital network a picture of the transportation network company driver that is to provide the prearranged ride and the license plate number of the driver's personal vehicle that is to be used to provide the prearranged ride prior to the rider entering the driver's personal vehicle.

C.39:5H-9 Electronic receipt.

9. Within 48 hours following completion of a prearranged ride, a transportation network company shall provide a transportation network company rider with an electronic receipt which shall include:

a. the points of origin and destination of the prearranged ride;

b. the total time and distance of the prearranged ride; and

c. an itemization of the total fare paid, if any.

C.39:5H-10 Automobile insurance required.

10. a. On or before the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), a transportation network company driver, transportation network company, or any combination of the two shall maintain primary automobile insurance that recognizes that the driver is a transportation network company driver, or otherwise uses a personal vehicle to provide prearranged rides, and covers the driver: (1) while the driver is logged on to the transportation network company's digital network but is not providing a prearranged ride; or (2) while the driver is providing a prearranged ride.

b. Whenever a transportation network company driver is logged on to the transportation network company's digital network and is available to receive a prearranged ride request, but is not providing a prearranged ride, the transportation network company driver, transportation network company, or any combination of the two shall maintain the following insurance coverage:

(1) primary automobile liability insurance in the amount of at least $50,000 for death or bodily injury per person, $100,000 for death or bodily injury per incident, and $25,000 for property damage;

(2) primary personal injury protection benefits that provide coverage amounts selected pursuant to section 4 of P.L.1972, c.70 (C.39:6A-4); and

(3) uninsured and underinsured motorist coverage to the extent required pursuant to section 2 of P.L.1968, c.385 (C.17:28-1.1).

c. Whenever a transportation network company driver is providing a prearranged ride, the transportation network company driver, transportation network company, or any combination of the two shall maintain the following insurance coverage:

(1) primary automobile liability insurance in the amount of at least $1,500,000 for death, bodily injury, and property damage;

(2) primary automobile insurance for medical payments benefits in an amount of at least $10,000 per person per incident, which shall only apply to and provide coverage for the benefit of the transportation network company driver; and

(3) uninsured and underinsured motorist coverage in an amount of at least $1,500,000.

d. If the insurance coverage maintained by a transportation network company driver pursuant to subsections b. and c. of this section has lapsed or does not provide the required coverage, insurance maintained by the transportation network company shall provide the coverage required by subsections b. and c. of this section beginning with the first dollar of a claim and the transportation network company shall have the duty to defend the claim.

e. Coverage under an automobile insurance policy maintained by the transportation network company shall not be dependent upon a private passenger automobile insurer first denying a claim nor shall a private passenger automobile insurance policy be required to first deny a claim.

f. Insurance coverage required by this section may be obtained from an insurance company duly licensed to transact business under the insurance laws of this State or by an eligible surplus lines insurer under section 11 of P.L.1960, c.32 (C.17:22-6.45).

g. The coverage required pursuant to subsections b. and c. of this section shall be deemed to meet the financial responsibility requirements of the "Motor Vehicle Security-Responsibility Law," P.L.1952, c.173 (C.39:6-23 et seq.), P.L.1972, c.197 (C.39:6B-1 et seq.), and P.L.1972, c.70 (C.39:6A-1 et seq.).

h. A transportation network company driver shall carry proof of insurance required pursuant to subsections b. and c. of this section at all times while using a personal vehicle in connection with a transportation network company's digital network. In the event of an accident, a transportation network company driver shall, upon request, provide insurance coverage information to the directly interested parties, automobile insurers, and investigating law enforcement officers. The insurance coverage information may be displayed or provided in either paper or electronic form as provided in R.S.39:3-29. A transportation network company driver shall, upon request, disclose to the directly interested parties, automobile insurers, and investigating law enforcement officers whether the driver was logged on to a digital network as a driver or whether the driver was providing a prearranged ride at the time of the accident.

i. If a transportation network company's insurer makes a payment for a claim for damage to a motor vehicle in which a lienholder holds a security interest, then the transportation network company shall cause its insurer to issue the payment directly to the business repairing the motor vehicle or jointly to the owner of the motor vehicle and the primary lienholder on the covered motor vehicle.

j. The limitation on lawsuit option set forth in subsection a. of section 8 of P.L.1972, c.70 (C.39:6A-8) shall not be assertable by a transportation network company or a transportation network company driver in any action for damages arising from a prearranged ride, or be asserted against any party not receiving personal injury protection benefits in any action for damages arising from a prearranged ride.

C.39:5H-11 Disclosures to driver relative to automobile insurance.

11. A transportation network company shall not permit a transportation network company driver to accept a request for a prearranged ride on the transportation network company's digital network until the transportation network company discloses in writing to the driver:

a. the insurance coverage, including the types and limits of coverage, that the transportation network company provides while the driver uses a personal vehicle in connection with a transportation network company's digital network; and

b. that the driver's own private passenger automobile insurance policy, depending on the driver's private passenger automobile insurance policy, may or may not provide any coverage while the driver is logged on to the transportation network company's digital network as a driver and is available to receive requests for prearranged rides or is providing a prearranged ride.

C.39:5H-12 Insurance company, option to exclude coverage under certain circumstances.

12. a. Notwithstanding the "Motor Vehicle Security-Responsibility Law," P.L.1952, c.173 (C.39:6-23 et seq.) and P.L.1972, c.197 (C.39:6B-1 et seq.), an insurance company duly licensed to transact business under the insurance laws of this State may exclude any and all coverage afforded under a private passenger automobile insurance policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while the personal vehicle is being used by a transportation network company driver and the driver is logged on to a transportation network company's digital network or is providing a prearranged ride. This right to exclude all coverage may apply to any coverage included in a private passenger automobile insurance policy including, but not limited to:

(1) liability coverage for bodily injury and property damage;

(2) personal injury protection coverage;

(3) uninsured and underinsured motorist coverage;

(4) medical payments coverage;

(5) comprehensive physical damage coverage; and

(6) collision physical damage coverage.

Nothing in this section shall imply or require that a private passenger automobile insurance policy provide coverage while the driver is logged on to a transportation network company's digital network, is providing a prearranged ride, or is otherwise using a vehicle to transport riders for compensation.

Nothing in this section shall be construed to require an insurer to use any particular policy language or reference to this section in order to exclude any and all coverage for any loss or injury that occurs while a driver is logged on to a transportation network company's digital network or while a driver is providing a prearranged ride.

Nothing in this section shall be deemed to preclude an insurer from providing primary or excess coverage by contract or endorsement for the transportation network company driver's personal vehicle while the transportation network company driver is logged on to a digital network or while the driver is providing a prearranged ride.

b. An insurance company duly licensed to transact business under the insurance laws of this State that excludes coverage pursuant to subsection a. of this section shall have no duty to defend or indemnify any claim expressly excluded thereunder. Nothing in this section shall be deemed to invalidate or limit an exclusion contained in a policy, including any policy in use or approved for use in the State prior to enactment of P.L.2017, c.26 (C.39:5H-1 et seq.), that excludes coverage for vehicles used to carry persons or property for a charge or available for hire by the public. An automobile insurance company that defends or indemnifies a claim against a driver that is excluded under the terms of its policy shall have a right of contribution against other insurers that provide automobile liability insurance to the same driver in satisfaction of the coverage required pursuant to subsections b. and c. of section 10 of P.L.2017, c.26 (C.39:5H-10) at the time of loss.

c. In a claims coverage investigation, transportation network companies shall immediately provide upon request by directly involved parties or any insurer of the transportation network company driver, if applicable, the precise times that a transportation network company driver logged on and off of the transportation network company's digital network in the 12-hour periods immediately preceding and immediately following the accident. Any insurer providing coverage under subsections b. and c. of section 10 of P.L.2017, c.26 (C.39:5H-10) shall disclose, upon request by any other insurer involved in the particular claim, the applicable coverage, exclusions, and limits provided under any automobile insurance maintained under section 10 of P.L.2017, c.26 (C.39:5H-10).

C.39:5H-13 Maintenance of system relative to communication.

13. a. A transportation network company shall maintain a system that permits:

(1) a transportation network company driver to opt out of any communication with the transportation network company at the driver's discretion;

(2) a driver to establish, at the sole discretion of the driver, an independent business while engaging with the transportation network company's digital network; and

(3) a driver, at the sole discretion of the driver, to operate in any municipality in the State without providing prior notice to the transportation network company.

b. A transportation network company shall not restrict a driver's ability to utilize another transportation network company's digital network.

C.39:5H-14 Zero tolerance policy on use of controlled dangerous substances, alcohol.

14. a. A transportation network company shall implement a zero tolerance policy on the use of controlled dangerous substances and alcohol that may impair a transportation network company driver while the driver is providing a prearranged ride or while the driver is logged on to the transportation network company's digital network as a driver but is not providing a prearranged ride.

b. The transportation network company shall provide on its website, digital network, or electronic receipt, notice of the zero tolerance policy and procedures for a transportation network company rider to report a complaint about a driver of a prearranged ride suspected of driving under the influence of a controlled dangerous substance or alcohol.

c. Upon receiving a complaint from a rider alleging that a driver violated the zero tolerance policy, the transportation network company shall conduct an investigation into the reported incident and, if the results of the investigation corroborate the rider's complaint, revoke the driver's access to the transportation network company's digital network within 72 hours from the time when results of the investigation corroborate the rider's complaint.

d. The transportation network company shall maintain records relevant to the enforcement of the zero tolerance policy required under this section for a period of at least two years from the date that the transportation network company receives a rider's complaint.

C.39:5H-15 Adoption of policy of non-discrimination.

15. a. The transportation network company shall adopt a policy of nondiscrimination on the basis of destination, race, color, national origin, reli-

gious belief or affiliation, sex, disability, age, sexual orientation, or gender identity with respect to transportation network company riders and potential riders. The transportation network company shall notify a transportation network company driver of the non-discrimination policy.

b. A transportation network company shall make its non-discrimination policy available on its website or digital network.

c. A transportation network company driver shall comply with all applicable laws regarding non-discrimination against riders or potential riders on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity and shall comply with all applicable laws relating to accommodation of service animals.

d. A transportation network company shall provide a transportation network company driver with information on accessibility compliance for persons with disabilities, including information about accommodating a rider with a disability.

e. A transportation network company shall not impose any additional fee for accommodation of a person with a physical disability because of the person's disability.

f. If a transportation network company does not provide access to wheelchair accessible personal vehicles, the transportation network company shall provide on its website or digital network the contact information of providers of wheelchair accessible vehicle transportation services available in New Jersey, if those services are available in the State.

C.39:5H-16 Submission of application by driver.

16. A transportation network company shall require an applicant, as defined in section 2 of P.L.2017, c.26 (C.39:5H-2), to submit a transportation network company driver application to the transportation network company. The application shall include the applicant's address, age, and social security number, a copy of the applicant's driver's license, motor vehicle registration, and automobile liability insurance, and any other information required by the transportation network company.

C.39:5H-17 Criminal background checks for drivers.

17. a. (1) A transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) shall have six months from the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) to have the Attorney General approve the method that a transportation network company, or third party designated

by the transportation network company, proposes to use to conduct a criminal background check for an applicant or driver.

If the Attorney General does not approve the method that a transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), or third party designated by the transportation network company, proposes to use to conduct a criminal background check within six months of the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), the transportation network company shall not permit an applicant to log on to its digital network as a driver or provide a prearranged ride as a driver until the applicant submits to a criminal history record background check pursuant to subsection e. of this section and the Division of State Police provides the transportation network company with information concerning the applicant's eligibility to be a driver pursuant to paragraph (3) of subsection e. of this section.

(2) A transportation network company that is not registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) shall not operate in the State prior to:

(a) the Attorney General approving, within six months of submission, the method that the transportation network company, or third party designated by the transportation network company, proposes to use to conduct a criminal background check; or

(b) the transportation network company's applicants submitting to a criminal history record background check pursuant to subsection e. of this section.

b. The Attorney General shall not approve a criminal background check conducted by a transportation network company, or a third party designated by the transportation network company, pursuant to subsection a. of this section unless the check includes a search of:

(1) a multi-state and multi-jurisdictional criminal records locator or other similar commercial nationwide database with validation; and

(2) the United States Department of Justice's Dru Sjodin National Sex Offender Public Website.

c. If the Attorney General approves the method that a transportation network company, or a third party designated by the transportation network company, proposes to use to conduct a criminal background check, the transportation network company, or a third party designated by the transportation network company, shall conduct a criminal background check approved by the Attorney General prior to allowing an applicant to log on to the transportation network company's digital network as a transportation

network company driver or to provide a prearranged ride as a transportation network company driver.

d. If the Attorney General approves the method that a transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), or a third party designated by the transportation network company, proposes to use to conduct a criminal background check, the transportation network company shall have 30 days from the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) to conduct, or have a third party designated by the transportation network company conduct, a criminal background check for a driver utilizing the transportation network company's digital network as a driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) using the method approved by the Attorney General, unless the transportation network company, or a third party designated by the transportation network company, conducted a criminal background check for the driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) using the method approved by the Attorney General.

e. (1) If the Attorney General does not approve the method that a transportation network company, or a third party designated by the transportation network company, proposes to use to conduct a criminal background check, an applicant shall provide to the Division of State Police the applicant's name, address, fingerprints, and written consent for a criminal history record background check to be performed by the Division of State Police, in accordance with regulations adopted under chapter 59 of Title 13 of the New Jersey Administrative Code, prior to logging on to a transportation network company's digital network as a driver or providing a prearranged ride as a transportation network company driver. The Division of State Police may exchange fingerprint data with, and receive criminal history record information from, the Federal Bureau of Investigation for the use in determining an applicant's eligibility to be a transportation network company driver pursuant to subsection a. of section 20 of P.L.2017, c.26 (C.39:5H-20) based upon results of the applicant's criminal history record background check.

(2) If the Attorney General does not approve the method that a transportation network company registered as a business in the State or operating in the State prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), or a third party designated by the transportation network company, proposes to use to conduct a criminal background check, a transportation network company shall require a driver utilizing the transportation network company's digital network as a driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) to provide to the Division of State Police

the driver's name, address, fingerprints, and written consent for a criminal history record background check to be performed by the Division of State Police, in accordance with regulations adopted under chapter 59 of Title 13 of the New Jersey Administrative Code. The Division of State Police may exchange fingerprint data with, and receive criminal history record information from, the Federal Bureau of Investigation for the use in determining a driver's eligibility to be a transportation network company driver pursuant to subsection a. of section 20 of P.L.2017, c.26 (C.39:5H-20) based upon results of the driver's criminal history record background check.

(3) The Superintendent of State Police shall inform the transportation network company that an applicant or driver is ineligible to be a transportation network company driver pursuant to subsection a. of section 20 of P.L.2017, c.26 (C.39:5H-20).

(4) The cost of the criminal history record background check conducted pursuant to this subsection, including all costs of administering and processing the criminal history record background check, shall be borne by the applicant or driver, as applicable.

C.39:5H-18 Driving record check.

18. a. Prior to allowing an applicant to log on to a transportation network company's digital network as a transportation network company driver or to provide a prearranged ride as a transportation network company driver, the transportation network company, or a third party designated by the transportation network company, shall conduct a driving record check, which shall include information concerning the applicant's driving violations and driver's status.

b. A transportation network company shall have 30 days from the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) to conduct, or have a third party designated by the company conduct, a driving record check of a driver utilizing the transportation network company's digital network as a driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), unless the transportation network company, or a third party designated by the transportation network company, conducted a driving record check for the driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.).

C.39:5H-19 Social security number trace.

19. a. Prior to allowing an applicant to log on to a transportation network company's digital network as a transportation network company driver or to provide a prearranged ride as a transportation network company driver, the transportation network company, or a third party designated by

the transportation network company, shall conduct a social security number trace that identifies the addresses of the applicant for at least seven years prior to the date the application is received by the transportation network company. An applicant shall provide at least three of the following documents, in paper or electronic form, to the transportation network company for purposes of conducting a social security number trace:

(1) the applicant's driver's license;

(2) the applicant's motor vehicle registration;

(3) the applicant's automobile liability insurance policy;

(4) a utility or credit card statement containing the applicant's name and address issued within the past 90 days;

(5) a high school or college transcript containing the applicant's name and address issued within the past two years;

(6) a current lease or rental agreement containing the applicant's name as the lessee or renter; or a property tax bill containing the applicant's name as the property owner or co-owner issued within the past year;

(7) a letter or correspondence addressed to the applicant and received from the Internal Revenue Service or the Division of Taxation in the New Jersey Department of the Treasury within the past year;

(8) first-class mail addressed to the applicant and received from a federal, state, or local government agency within the past six months;

(9) a valid active duty United States military photo identification card;

(10) a valid United States passport; or

(11) a valid United States permanent resident card.

b. A transportation network company shall have 30 days from the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.) to conduct, or have a third party designated by the transportation network company conduct, a social security number trace pursuant to subsection a. of this section for a driver utilizing the transportation network company's digital network as a driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.), unless the transportation network company, or third party designated by the transportation network company, conducted a social security number trace meeting the requirements of subsection a. of this section for the driver prior to the effective date of P.L.2017, c.26 (C.39:5H-1 et seq.).

C.39:5H-20 Prohibition for applicant, driver to access digital network.

20. An applicant or driver shall be prohibited from utilizing the transportation network company's digital network as a transportation network company driver or from providing a prearranged ride as a transportation network company driver if:

a. The applicant or driver has been convicted of one or more of the following crimes:

(1) In New Jersey, any crime as follows: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault, or endangering the welfare of a child pursuant to N.J.S.2C:24-4, whether or not armed with or having possession of any weapon enumerated in subsection r. of N.J.S.2C:39-1, a crime pursuant to the provisions of N.J.S.2C:39-3, N.J.S.2C:39-4, or N.J.S.2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.2C:35-2.

(2) In any other state, territory, commonwealth, or other jurisdiction of the United States, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction is comparable to one of the crimes enumerated in paragraph (1) of this subsection.

If an applicant or driver who has been convicted of one of the crimes enumerated in paragraph (1) or (2) of this subsection produces a valid certificate of rehabilitation issued pursuant to section 2 of P.L.2007, c.327 (C.2A:168A-8) or, if the criminal offense occurred outside the State, an equivalent certificate from the jurisdiction where the criminal offense occurred, the criminal offense shall not disqualify the applicant or driver from accessing the transportation network company's digital network as a transportation network company driver or from providing prearranged rides as a transportation network company driver. A transportation network company, or a third party designated by the transportation network company, shall take reasonable measures to confirm the validity of the certificate, such as contacting the relevant court or government agency;

b. The applicant's or driver's driving record check reveals more than three moving violations in the prior three-year period, or one of the following violations in the prior three-year period:

(1) driving under the influence pursuant to R.S.39:4-50;

(2) resisting arrest; eluding an officer pursuant to N.J.S.2C:29-2;

(3) reckless driving pursuant to R.S.39:4-96;

(4) driving with a suspended or revoked license pursuant to R.S.39:3-40; or

(5) a violation committed in any other state, territory, commonwealth, or other jurisdiction of the United States that is comparable to one of the violations enumerated in paragraph (1), (2), (3), or (4) of this subsection;

c. The applicant or driver is a match in the United States Department of Justice's Dru Sjodin National Sex Offender Public Website;

d. The applicant or driver is not a holder of a valid basic driver's license;

e. The applicant or driver does not possess proof of valid vehicle registration for the driver's personal vehicle to be used to provide prearranged rides;

f. The applicant or driver does not possess proof of valid automobile liability insurance for the personal vehicle; or

g. The applicant or driver is under 21 years of age.

C.39:5H-21 Prevention of access by unauthorized drivers.

21. A transportation network company shall take steps to prohibit unauthorized drivers from logging on to the transportation network company's digital network as a transportation network company driver, including:

a. assigning a unique network access key, which shall include a username and password, for each authorized transportation network company driver to enable the driver to log on to the transportation network company's digital network;

b. requiring each driver to keep the network access key confidential and prohibiting the driver from sharing this information with a third party; and

c. establishing procedures for responding to complaints from a transportation network company rider claiming the picture provided of the driver on the transportation network company's website or digital network does not match the driver of the prearranged ride.

C.39:5H-22 Driver's personal vehicle required to meet inspection criteria.

22. A transportation network company shall require an applicant's personal vehicle to be used to provide a prearranged ride to meet the motor vehicle inspection requirements pursuant to R.S.39:8-1 prior to permitting the applicant to log on to its digital network as a transportation network company driver or to provide a prearranged ride as a transportation network company driver. A transportation network company shall require a transportation network company driver to maintain a valid inspection certificate of approval for the driver's personal vehicle used to provide prearranged rides.

C.39:5H-23 Maintenance of electronic information by driver accessible to law enforcement.

23. a. Each transportation network company driver shall maintain electronic information while using the transportation network company's digital network that will allow any law enforcement officer, or other city, State, or federal official, to confirm the following information for any transportation network company driver: (1) the driver's identity and a color photo; (2) the make and model of the driver's personal vehicle; (3) the license plate number of the driver's personal vehicle; and (4) an electronic record of a prear-

ranged ride underway, if any. Each transportation network company driver shall be able to produce this information, upon the lawful request of any law enforcement officer or other city, State, or federal official.

b. A transportation network company shall create an identifying marker which shall be submitted to the commission for recording, issued to every transportation network company driver, and displayed on the driver's personal vehicle when the driver logs on to the transportation network company's digital network as a driver or provides a prearranged ride.

C.39:5H-24 Driver to not solicit non-prearranged rides.

24. A transportation network company driver shall not solicit or accept any ride that is not prearranged through a transportation network company's digital network.

C.39:5H-25 Maintenance of records.

25. a. Notwithstanding any other provision of law, a transportation network company shall maintain the following records: (1) individual prearranged ride records for at least six years following the date of the prearranged ride; and (2) individual records of each transportation network company driver, including, but not limited to, any records provided to the transportation network company pursuant to sections 16 through 19 of P.L.2017, c.26 (C.39:5H-16 through C.39:5H-19), for at least five years after the driver terminates status as a transportation network company driver.

b. The New Jersey Motor Vehicle Commission or the Division of Consumer Affairs in the Department of Law and Public Safety may inspect records held by the transportation network company necessary to investigate and resolve a specific complaint filed against a transportation network company driver if the commission or division provides a written request for the records and a basis for the request. A record provided to the commission or division pursuant to this section may exclude information that tends to identify specific drivers or transportation network company riders, unless the identity of the driver or rider is relevant to the complaint.

c. The commission or division may require transportation network company records maintained in-State or out-of-State to be available to the commission or division within 14 business days of the commission's or division's request to inspect records to investigate and resolve a complaint pursuant to subsection b. of this section. The transportation network company may request an extension if the 14 business day deadline imposes an undue burden upon the transportation network company.

In the event of exigent circumstances, the commission or division may require a transportation network company to make its records available before 14 business days from the time of the commission's or division's request if receipt of the records before 14 business days is reasonably necessary under the circumstances for the investigation or resolution of a complaint pursuant to subsection b. of this section.

d. For the purpose of verifying that a transportation network company is in compliance with the requirements of P.L.2017, c.26 (C.39:5H-1 et seq.) or to assure the integrity and performance of a transportation network company or a transportation network company driver, the commission, division, or an authorized representative may inspect transportation network company records including all books, records, documents, papers, reports, or data relating to the operation of a transportation network company, in whatever form kept, including, but not limited to, records required to be maintained by a transportation network company pursuant to subsection a. of this section. The inspection shall take place at a mutually agreed upon location in the State. Any record provided to the commission, division, or authorized representative may exclude information that tends to identify specific drivers or riders.

e. Any records inspected by the commission, division, or authorized representative under this section, shall be deemed confidential, shall not be disclosed to a third party except with the prior written consent of the transportation network company, and shall not be considered a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.), P.L.2001, c.404 (C.47:1A-5 et al.), or the common law concerning access to government records. Nothing in this section shall be construed as limiting the applicability of any other exemptions under P.L.1963, c.73 (C.47:1A-1 et seq.) or P.L.2001, c.404 (C.47:1A-5 et al.).

f. A transportation network company's failure to comply with the provisions of this section or permit the commission or division on the transportation network company's premises during regular business hours to conduct investigations or reviews shall be cause for suspension or revocation of the permit issued by the commission to operate as a transportation network company pursuant to section 4 of P.L.2017, c.26 (C.39:5H-4), or any other fine, penalty, or enforcement action as determined by the commission or division. The commission's or division's investigation or review of the transportation network company may include, but shall not be limited to, discussions with customers and transportation network company drivers, examination of motor vehicle records, questioning of employees, and the use of other investigatory techniques as may be necessary for the

enforcement of this section and regulations adopted by the commission or division.

g. The commission and division shall enter into a memorandum of understanding to effectuate the authority granted to the commission and division pursuant to this section.

C.39:5H-26 Exclusive governing of company, driver.

26. Notwithstanding any other provision of law, a transportation network company and a transportation network company driver shall be governed exclusively by P.L.2017, c.26 (C.39:5H-1 et seq.), any supplements or amendments thereto, and any rules promulgated by the commission or division pursuant to P.L.2017, c.26 (C.39:5H-1 et seq.).

A county or municipality shall not require a transportation network company or transportation network company driver to obtain a license or permit to provide a prearranged ride in that county or municipality, or require a driver to obtain a license or permit for the driver's personal vehicle in order to provide a prearranged ride in that county or municipality.

A county or municipality shall not impose a tax or fee that only applies to a transportation network company or transportation network company driver; provided that a transportation network company or driver shall be subject to a tax or fee that applies generally to all businesses or residents of the county or municipality.

Except for the initial and annual permit fee imposed pursuant to subsection b. of section 4 of P.L.2017, c.26 (C.39:5H-4), the State shall not impose a tax or fee that only applies to a transportation network company or transportation network company driver; provided that, a transportation network company or driver shall be subject to a tax or fee that applies generally to all businesses or residents of the State.

Nothing in this section shall be construed to alter, supersede, or prohibit a financial access agreement between a transportation network company and a city of the first class with an international airport terminal, provided the transportation network company complies with all other provisions of P.L.2017, c.26 (C.39:5H-1 et seq.).

C.39:5H-27 Rules, regulations.

27. The Chief Administrator of the New Jersey Motor Vehicle Commission and the Director of the Division of Consumer Affairs in the Department of Law and Public Safety are authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),

rules and regulations to implement the provisions of P.L.2017, c.26 (C.39:5H-1 et seq.).

28. This act shall take effect on the first day of the third month following enactment, except the New Jersey Motor Vehicle Commission and the Division of Consumer Affairs in the Department of Law and Public Safety may take anticipatory actions necessary to implement the provisions of this act.

Approved February 10, 2017.

CHAPTER 27

AN ACT concerning limousine service, amending P.L.1966, c.30 and P.L.1980, c.105.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P.L.1966, c.30 (C.54:32B-3) is amended to read as follows:

C.54:32B-3 Taxes imposed.

3. There is imposed and there shall be paid a tax of 7% on or before December 31, 2016, 6.875% on and after January 1, 2017 but before January 1, 2018, and 6.625% on and after January 1, 2018 upon:

(a) The receipts from every retail sale of tangible personal property or a specified digital product for permanent use or less than permanent use, and regardless of whether continued payment is required, except as otherwise provided in P.L.1966, c.30 (C.54:32B-1 et seq.).

(b) The receipts from every sale, except for resale, of the following services:

(1) Producing, fabricating, processing, printing, or imprinting tangible personal property or a specified digital product, performed for a person who directly or indirectly furnishes the tangible personal property or specified digital product, not purchased by the person for resale, upon which these services are performed.

(2) Installing tangible personal property or a specified digital product, or maintaining, servicing, repairing tangible personal property or a specified digital product not held for sale in the regular course of business, whether or not the services are performed directly or by means of coin-

operated equipment or by any other means, and whether or not any tangible personal property or specified digital product is transferred in conjunction therewith, except (i) such services rendered by an individual who is engaged directly by a private homeowner or lessee in or about his residence and who is not in a regular trade or business offering his services to the public, (ii) such services rendered with respect to personal property exempt from taxation hereunder pursuant to section 13 of P.L.1980, c.105 (C.54:32B-8.1), (iii) (Deleted by amendment, P.L.1990, c.40), (iv) any receipts from laundering, dry cleaning, tailoring, weaving, or pressing clothing, and shoe repairing and shoeshining, and (v) services rendered in installing property which, when installed, will constitute an addition or capital improvement to real property, property or land, other than landscaping services and other than installing carpeting and other flooring.

(3) Storing all tangible personal property not held for sale in the regular course of business; the rental of safe deposit boxes or similar space; and the furnishing of space for storage of tangible personal property by a person engaged in the business of furnishing space for such storage.

"Space for storage" means secure areas, such as rooms, units, compartments, or containers, whether accessible from outside or from within a building, that are designated for the use of a customer and wherein the customer has free access within reasonable business hours, or upon reasonable notice to the furnisher of space for storage, to store and retrieve property. Space for storage shall not include the lease or rental of an entire building, such as a warehouse or airplane hangar.

(4) Maintaining, servicing, or repairing real property, other than a residential heating system unit serving not more than three families living independently of each other and doing their cooking on the premises, whether the services are performed in or outside of a building, as distinguished from adding to or improving the real property by a capital improvement, but excluding services rendered by an individual who is not in a regular trade or business offering his services to the public, and excluding garbage removal and sewer services performed on a regular contractual basis for a term not less than 30 days.

(5) Mail processing services for printed advertising material, except for mail processing services in connection with distribution of printed advertising material to out-of-State recipients.

(6) (Deleted by amendment, P.L.1995, c.184)

(7) Utility service provided to persons in this State, any right or power over which is exercised in this State.

(8) Tanning services, including the application of a temporary tan provided by any means.

(9) Massage, bodywork, or somatic services, except such services provided pursuant to a doctor's prescription.

(10) Tattooing, including all permanent body art and permanent cosmetic make-up applications, except such services provided pursuant to a doctor's prescription in conjunction with reconstructive breast surgery.

(11) Investigation and security services.

(12) Information services.

(13) (Deleted by amendment, P.L.2017, c.27)

(14) Telephone answering services.

(15) Radio subscription services.

Wages, salaries, and other compensation paid by an employer to an employee for performing as an employee the services described in this subsection are not receipts subject to the taxes imposed under subsection (b) of this section.

Services otherwise taxable under paragraph (1) or (2) of subsection (b) of this section are not subject to the taxes imposed under this subsection, where the tangible personal property or specified digital product upon which the services were performed is delivered to the purchaser outside this State for use outside this State.

(c) (1) Receipts from the sale of prepared food in or by restaurants, taverns, or other establishments in this State, or by caterers, including in the amount of such receipts any cover, minimum, entertainment, or other charge made to patrons or customers, except for meals especially prepared for and delivered to homebound elderly, age 60 or older, and to persons with disabilities, or meals prepared and served at a group-sitting at a location outside of the home to otherwise homebound elderly persons, age 60 or older, and otherwise homebound persons with disabilities, as all or part of any food service project funded in whole or in part by government or as part of a private, nonprofit food service project available to all such elderly or persons with disabilities residing within an area of service designated by the private nonprofit organization; and

(2) Receipts from sales of food and beverages sold through vending machines, at the wholesale price of such sale, which shall be defined as 70% of the retail vending machine selling price, except sales of milk, which shall not be taxed. Nothing herein contained shall affect other sales through coin-operated vending machines taxable pursuant to subsection (a) above or the exemption thereto provided by section 21 of P.L.1980, c.105 (C.54:32B-8.9).

The tax imposed by subsection (c) of this section shall not apply to food or drink which is sold to an airline for consumption while in flight.

(3) For the purposes of this subsection:

"Food and beverages sold through vending machines" means food and beverages dispensed from a machine or other mechanical device that accepts payment; and

"Prepared food" means:

(i) A. food sold in a heated state or heated by the seller; or

B. two or more food ingredients mixed or combined by the seller for sale as a single item, but not including food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the Food and Drug Administration in Chapter 3, part 401.11 of its Food Code so as to prevent food borne illnesses; or

C. food sold with eating utensils provided by the seller, including plates, knives, forks, spoons, glasses, cups, napkins, or straws. A plate does not include a container or packaging used to transport the food;

provided however, that

(ii) "prepared food" does not include the following sold without eating utensils:

A. food sold by a seller whose proper primary NAICS classification is manufacturing in section 311, except subsector 3118 (bakeries);

B. food sold in an unheated state by weight or volume as a single item; or

C. bakery items, including bread, rolls, buns, biscuits, bagels, croissants, pastries, donuts, danish, cakes, tortes, pies, tarts, muffins, bars, cookies, and tortillas.

(d) The rent for every occupancy of a room or rooms in a hotel in this State, except that the tax shall not be imposed upon a permanent resident.

(e) (1) Any admission charge to or for the use of any place of amusement in the State, including charges for admission to race tracks, baseball, football, basketball or exhibitions, dramatic or musical arts performances, motion picture theaters, except charges for admission to boxing, wrestling, kick boxing, or combative sports exhibitions, events, performances, or contests which charges are taxed under any other law of this State or under section 20 of P.L.1985, c.83 (C.5:2A-20), and, except charges to a patron for admission to, or use of, facilities for sporting activities in which the patron is to be a participant, such as bowling alleys and swimming pools. For any person having the permanent use or possession of a box or seat or lease or a license, other than a season ticket, for the use of a box or seat at a place of

amusement, the tax shall be upon the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by the holder, licensee, or lessee, and shall be paid by the holder, licensee, or lessee.

(2) The amount paid as charge of a roof garden, cabaret, or other similar place in this State, to the extent that a tax upon these charges has not been paid pursuant to subsection (c) hereof.

(f) (1) The receipts from every sale, except for resale, of intrastate, interstate, or international telecommunications services and ancillary services sourced to this State in accordance with section 29 of P.L.2005, c.126 (C.54:32B-3.4).

(2) (Deleted by amendment, P.L.2008, c.123)

(g) (Deleted by amendment, P.L.2008, c.123)

(h) Charges in the nature of initiation fees, membership fees or dues for access to or use of the property or facilities of a health and fitness, athletic, sporting, or shopping club or organization in this State, except for: (1) membership in a club or organization whose members are predominantly age 18 or under; and (2) charges in the nature of membership fees or dues for access to or use of the property or facilities of a health and fitness, athletic, sporting, or shopping club or organization that is exempt from taxation pursuant to paragraph (1) of subsection (a) of section 9 of P.L.1966, c.30 (C.54:32B-9), or that is exempt from taxation pursuant to paragraph (1) or (2) of subsection (b) of section 9 of P.L.1966, c.30 (C.54:32B-9) and that has complied with subsection (d) of section 9 of P.L.1966, c.30 (C.54:32B-9).

(i) The receipts from parking, storing, or garaging a motor vehicle, excluding charges for the following: residential parking; employee parking, when provided by an employer or at a facility owned or operated by the employer; municipal parking, storing, or garaging; receipts from charges or fees imposed pursuant to section 3 of P.L.1993, c.159 (C.5:12-173.3) or pursuant to an agreement between the Casino Reinvestment Development Authority and a casino operator in effect on the date of enactment of P.L.2007, c.105; and receipts from parking, storing, or garaging a motor vehicle subject to tax pursuant to any other law or ordinance.

For the purposes of this subsection, "municipal parking, storing, or garaging" means any motor vehicle parking, storing, or garaging provided by a municipality or county, or a parking authority thereof.

2. Section 6 of P.L.1966, c.30 (C.54:32B-6) is amended to read as follows:

C.54:32B-6 Imposition of compensating use tax.

6. Unless property or services have already been or will be subject to the sales tax under P.L.1966, c.30 (C.54:32B-1 et seq.), there is hereby imposed on and there shall be paid by every person a use tax for the use within this State of 7% on or before December 31, 2016, 6.875% on and after January 1, 2017 but before January 1, 2018, and 6.625% on and after January 1, 2018, except as otherwise exempted under P.L.1966, c.30 (C.54:32B-1 et seq.), (A) of any tangible personal property or specified digital product purchased at retail, including energy, provided however, that electricity consumed by the generating facility that produced it shall not be subject to tax, (B) of any tangible personal property or specified digital product manufactured, processed, or assembled by the user, if items of the same kind of tangible personal property or specified digital products are offered for sale by him in the regular course of business, or if items of the same kind of tangible personal property are not offered for sale by him in the regular course of business and are used as such or incorporated into a structure, building, or real property, (C) of any tangible personal property or specified digital product, however acquired, where not acquired for purposes of resale, upon which any taxable services described in paragraphs (1) and (2) of subsection (b) of section 3 of P.L.1966, c.30 (C.54:32B-3) have been performed, (D) of intrastate, interstate, or international telecommunications services described in subsection (f) of section 3 of P.L.1966, c.30 (C.54:32B-3), (E) (Deleted by amendment, P.L.1995, c.184), (F) of utility service provided to persons in this State for use in this State, provided however, that utility service used by the facility that provides the service shall not be subject to tax, (G) of mail processing services described in paragraph (5) of subsection (b) of section 3 of P.L.1966, c.30 (C.54:32B-3), (H) (Deleted by amendment, P.L.2008, c.123), (I) of any services subject to tax pursuant to subsection (11), (12), (14), or (15) of subsection (b) of section 3 of P.L.1966, c.30 (C.54:32B-3), and (J) of access to or use of the property or facilities of a health and fitness, athletic, sporting, or shopping club or organization in this State. For purposes of clause (A) of this section, the tax shall be at the applicable rate, as set forth hereinabove, of the consideration given or contracted to be given for the property or for the use of the property including delivery charges made by the seller, but excluding any credit for property of the same kind accepted in part payment and intended for resale. For the purposes of clause (B) of this section, the tax shall be at the applicable rate, as set forth hereinabove, of the price at which items of the same kind of tangible personal property or specified digital products are offered for sale by the user, or if items of the same kind of tangible personal

property are not offered for sale by the user in the regular course of business and are used as such or incorporated into a structure, building, or real property the tax shall be at the applicable rate, as set forth hereinabove, of the consideration given or contracted to be given for the tangible personal property manufactured, processed, or assembled by the user into the tangible personal property the use of which is subject to use tax pursuant to this section, and the mere storage, keeping, retention, or withdrawal from storage of tangible personal property or specified digital products by the person who manufactured, processed, or assembled the property shall not be deemed a taxable use by him. For purposes of clause (C) of this section, the tax shall be at the applicable rate, as set forth hereinabove, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property or specified digital product transferred in conjunction with the performance of the service, including delivery charges made by the seller. For the purposes of clause (D) of this section, the tax shall be at the applicable rate on the charge made by the telecommunications service provider; provided however, that for prepaid calling services and prepaid wireless calling services the tax shall be at the applicable rate on the consideration given or contracted to be given for the prepaid calling service or prepaid wireless calling service or the recharge of the prepaid calling service or prepaid wireless calling service. For purposes of clause (F) of this section, the tax shall be at the applicable rate on the charge made by the utility service provider. For purposes of clause (G) of this section, the tax shall be at the applicable rate on that proportion of the amount of all processing costs charged by a mail processing service provider that is attributable to the service distributed in this State. For purposes of clause (I) of this section, the tax shall be at the applicable rate on the charge made by the service provider. For purposes of clause (J) of this section, the tax shall be at the applicable rate on the charges in the nature of initiation fees, membership fees or dues.

3. Section 23 of P.L.1980, c.105 (C.54:32B-8.11) is amended to read as follows:

C.54:32B-8.11 Transportation charges, exceptions.

23. Receipts from charges for the transportation of persons or property are exempt from the tax imposed under the "Sales and Use Tax Act," except for delivery charges; and the transportation of energy.

4. This act shall take effect immediately and apply to services rendered on or after the first day of the third month following the date of enactment.

Approved February 10, 2017.

CHAPTER 28

AN ACT concerning substance use disorders and revising and supplementing various parts of the statutory law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.17:48-6nn Hospital service corporation to provide benefits for treatment of substance use disorder.

1. a. A hospital service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the hospital service corporation of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a hospital service corporation shall provide necessary exceptions to its network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical ex-

penses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the contract.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No hospital service corporation shall initiate concurrent review more frequently than at two-week intervals. If a hospital service corporation determines that continued inpatient care in a facility is no longer medically necessary, the hospital service corporation shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The hospital service corporation shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the hospital service corporation's determination is upheld and it is determined continued inpatient care is not medically necessary, the hospital service corporation shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the contract. The covered person shall not be discharged or released from the inpatient

facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the hospital service corporation and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to all hospital service corporation contracts in which the hospital service corporation has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to a hospital service corporation contract which, pursuant to a contract between the hospital service corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17:48A-7kk Medical service corporation to provide benefits for treatment of substance use disorder.

2. a. A medical service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall noti-

fy the medical service corporation of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a medical service corporation shall provide necessary exceptions to its network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the contract.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No medical service corporation shall initiate concurrent review more frequently than at two-week intervals. If a medical service corporation determines that continued inpatient care in a facility is no longer medically necessary, the medical service corporation shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The medical service corporation shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the medical ser-

vice corporation's determination is upheld and it is determined continued inpatient care is not medically necessary, the medical service corporation shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the contract. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the medical service corporation and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for medication-assisted treatments for substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to all medical service corporation contracts in which the medical service corporation has reserved the right to change the premium.

n. The Attorney General's office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to a medical service corporation contract which, pursuant to a contract between the medical service corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17:48E-35.38 Health service corporation to provide benefits for treatment of substance use disorder.

3. a. A health service corporation contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed

health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the health service corporation of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a health service corporation shall provide necessary exceptions to its network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the contract.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No health service corporation shall initiate concurrent review more frequently than at two-week intervals. If a health service corporation determines that continued inpatient care in a facility is no longer medically necessary, the health service corporation shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The health service corporation shall review and make a determination with respect to the internal appeal within 24 hours and communi-

cate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the health service corporation's determination is upheld and it is determined continued inpatient care is not medically necessary, the health service corporation shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the health service corporation and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to all health service corporation contracts in which the health service corporation has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to a health service corporation contract which, pursuant to a contract between the health service corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.) or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17B:26-2.1hh Individual health insurance policy to provide benefits for treatment of substance use disorder.

4. a. An individual health insurance policy that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the insurer of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, an insurer shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered policy shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the policy.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously

approved. No insurer shall initiate concurrent review more frequently than at two-week intervals. If an insurer determines that continued inpatient care in a facility is no longer medically necessary, the insurer shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The insurer shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the insurer's determination is upheld and it is determined continued inpatient care is not medically necessary, the insurer shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the insurer and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the policy.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to those policies in which the insurer has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to an individual health insurance policy which, pursuant to a contract between the insurer and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17B:27-46.1nn Group health insurance to provide benefits for treatment of substance use disorder.

5. a. A group health insurance policy that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the insurer of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, an insurer shall provide necessary exceptions to its network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered insurance policy shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the policy.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No insurer shall initiate concurrent review more frequently than at two-week intervals. If an insurer determines that continued inpatient care in a facility is no longer medically necessary, the insurer shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The insurer shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the insurer's determination is upheld and it is determined continued inpatient care is not medically necessary, the insurer shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the insurer and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the policy.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to those policies in which the insurer has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to a group health insurance policy which, pursuant to a contract between the insurer and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or

any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17B:27A-7.21 Individual health benefits plan to provide benefits for treatment of substance use disorder.

6. a. An individual health benefits plan that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the carrier of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a carrier shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered health benefits plan shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the plan.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No carrier shall initiate concurrent review more frequently than at two-week intervals. If a carrier determines that continued inpatient care in a facility is no longer medically necessary, the carrier shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The carrier shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the carrier's determination is upheld and it is determined continued inpatient care is not medically necessary, the carrier shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review

of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the carrier and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the health benefits plan.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to all individual health benefits plans in which the carrier has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to an individual health benefits plan which, pursuant to a contract between the carrier and the Department of Human Services, provides benefits to persons who are

eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.17B:27A-19.25 Small employer health benefits plan to provide benefits for treatment of substance use disorder.

7. a. A small employer health benefits plan that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the carrier of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a carrier shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered health benefits plan shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the plan.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No carrier shall initiate concurrent review more frequently than at two-week intervals. If a carrier determines that continued inpatient care in a facility is no longer medically necessary, the carrier shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The carrier shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the carrier's determination is upheld and it is determined continued inpatient care is not medically necessary, the carrier shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the cov-

ered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the carrier and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the health benefits plan.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to all small employer health benefits plans in which the carrier has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), including fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Ad-

ministrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance abuse withdrawal.

C.26:2J-4.39 Health maintenance organization contract to provide benefits for substance use disorder.

8. a. A health maintenance organization contract that provides hospital or medical expense benefits and is delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the health maintenance organization of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, a health maintenance organization shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the policy.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. No health maintenance organization shall initiate concurrent review more frequently than at two-week intervals. If a health maintenance organization determines that continued inpatient care in a facility is no longer medically necessary, the health maintenance organization shall within 24 hours provide written notice to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. The health maintenance organization shall review and make a determination with respect to the internal appeal within 24 hours and communicate such determination to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the health maintenance organization's determination is upheld and it is determined continued inpatient care is not medically necessary, the carrier shall remain responsible to provide benefits for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and coinsurance for the stay through that date as applicable under the policy. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the

date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to the medical necessity determination of the health maintenance organization and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. The provisions of this section shall apply to those contracts in which the health maintenance organization has reserved the right to change the premium.

n. The Attorney General's Office shall be responsible for overseeing any violations of law that may result from P.L.2017, c.28 (C.17:48-6nn et al.), in-

cluding fraud, abuse, waste, and mistreatment of covered persons. The Attorney General's Office is authorized to adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.).

o. The provisions of this section shall not apply to a health maintenance organization contract which, pursuant to a contract between the health maintenance organization and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et seq.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

p. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.52:14-17.29u SHBP to provide benefits for treatment of substance use disorder.

9. a. The State Health Benefits Commission shall ensure that every contract purchased by the commission on or after the effective date of this act provides unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the benefit payer of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, the contract

shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the policy.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. The contract shall not initiate concurrent review more frequently than at two-week intervals. If it is determined that continued inpatient care in a facility is no longer medically necessary, the contract shall provide that within 24 hours, written notice shall be provided to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. A determination shall be made with respect to the internal appeal within 24 hours and shall be communicated to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the determination is upheld and it is determined continued inpatient care is not medically necessary, the contract shall state that benefits are provided for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the

stay through that date as applicable under the contract. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to medical necessity determination and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.52:14-17.46.6f School Employees' Health Benefit Commission to provide benefits for treatment of substance use disorder.

10. a. The School Employees' Health Benefits Commission shall ensure that every contract purchased by the commission on or after the effective date of this act provides unlimited benefits for inpatient and outpatient treatment of substance use disorder at in-network facilities. The services for the treatment of substance use disorder shall be prescribed by a licensed physician, licensed psychologist, or licensed psychiatrist and provided by licensed health care professionals or licensed or certified substance use disorder providers in licensed or otherwise State-approved facilities, as required by the laws of the state in which the services are rendered.

b. The benefits for the first 180 days per plan year of inpatient and outpatient treatment of substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements. The facility shall notify the benefit payer of both the admission and the initial treatment plan within 48 hours of the admission or initiation of treatment. If there is no in-network facility immediately available for a covered person, the contract shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours.

c. Providers of treatment for substance use disorder to persons covered under a covered contract shall not require pre-payment of medical expenses during this 180 days in excess of applicable co-payment, deductible, or co-insurance under the policy.

d. The benefits for outpatient visits shall not be subject to concurrent or retrospective review of medical necessity or any other utilization management review.

e. (1) The benefits for the first 28 days of an inpatient stay during each plan year shall be provided without any retrospective review or concurrent review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of inpatient care shall be subject to concurrent review as defined in this section. A request for approval of inpatient care beyond the first 28 days shall be submitted for concurrent review before the expiration of the initial 28-day period. A request for approval of inpatient care beyond any period that is approved under concurrent review shall be submitted within the period that was previously approved. The contract shall not initiate concurrent review more frequently than at two-week intervals. If it is determined that continued inpatient care in a facility is no longer medically necessary, the contract shall provide that within 24 hours, written notice shall be provided to the covered person and the covered person's physician of its decision and the right to file an expedited internal appeal of the determination pursuant to an expedited process pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.5, as applicable. A determination shall be made with respect to the internal appeal within 24 hours and shall be communicated to the covered person and the covered person's physician. If the determination is to uphold the denial, the covered person and the covered person's physician have the right to file an expedited external appeal with the Independent Health Care Appeals Program in the Department of Banking and Insurance pursuant to sections 11 through 13 of P.L.1997, c.192 (C.26:2S-11 through 26:2S-13) and N.J.A.C.11:24A-3.6, as applicable. An independent utilization review organization shall make a determination within 24 hours. If the determination is upheld and it is determined continued inpatient care is not medically necessary, the contract shall state that benefits are provided for the inpatient care through the day following the date the determination is made and the covered person shall only be responsible for any applicable co-payment, deductible and co-insurance for the stay through that date as applicable under the contract. The covered person shall not be discharged or released from the inpatient facility until all internal appeals and independent utilization review organization appeals are exhausted. For any costs incurred after the day following the date of determination until the day of discharge, the covered person shall only be responsible for any applicable cost-sharing, and any additional charges shall be paid by the facility or provider.

f. (1) The benefits for the first 28 days of intensive outpatient or partial hospitalization services shall be provided without any retrospective review of medical necessity and medical necessity shall be as determined by the covered person's physician.

(2) The benefits for days 29 and thereafter of intensive outpatient or partial hospitalization services shall be subject to a retrospective review of the medical necessity of the services.

g. Benefits for inpatient and outpatient treatment of substance use disorder after the first 180 days per plan year shall be subject to medical necessity determination and may be subject to prior authorization or, retrospective review and other utilization management requirements.

h. Medical necessity review shall utilize an evidence-based and peer reviewed clinical review tool to be designated through rulemaking by the Commissioner of Human Services in consultation with the Department of Health.

i. The benefits for outpatient prescription drugs to treat substance use disorder shall be provided when determined medically necessary by the covered person's physician, psychologist or psychiatrist without the imposition of any prior authorization or other prospective utilization management requirements.

j. The first 180 days per plan year of benefits shall be computed based on inpatient days. One or more unused inpatient days may be exchanged for two outpatient visits. All extended outpatient services such as partial hospitalization and intensive outpatient, shall be deemed inpatient days for the purpose of the visit to day exchange provided in this subsection.

k. Except as stated above, the benefits and cost-sharing shall be provided to the same extent as for any other medical condition covered under the contract.

l. The benefits required by this section are to be provided to all covered persons with a diagnosis of substance use disorder. The presence of additional related or unrelated diagnoses shall not be a basis to reduce or deny the benefits required by this section.

m. As used in this section:

"Concurrent review" means inpatient care is reviewed as it is provided. Medically qualified reviewers monitor appropriateness of the care, the setting, and patient progress, and as appropriate, the discharge plans.

"Substance use disorder" is as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition and any subsequent editions and shall include substance use withdrawal.

C.24:21-15.2 Limitation on amount of opiod initially prescribed under certain circumstances.

11. a. A practitioner shall not issue an initial prescription for an opioid drug which is a prescription drug as defined in section 2 of P.L.2003, c.280

(C.45:14-41) in a quantity exceeding a five-day supply for treatment of acute pain. Any prescription for acute pain pursuant to this subsection shall be for the lowest effective dose of immediate-release opioid drug.

b. Prior to issuing an initial prescription of a Schedule II controlled dangerous substance or any other opioid drug which is a prescription drug as defined in section 2 of P.L.2003, c.280 (C.45:14-41) in a course of treatment for acute or chronic pain, a practitioner shall:

(1) take and document the results of a thorough medical history, including the patient's experience with non-opioid medication and non-pharmacological pain management approaches and substance abuse history;

(2) conduct, as appropriate, and document the results of a physical examination;

(3) develop a treatment plan, with particular attention focused on determining the cause of the patient's pain;

(4) access relevant prescription monitoring information under the Prescription Monitoring Program pursuant to section 8 of P.L.2015, c.74 (C.45:1-46.1); and

(5) limit the supply of any opioid drug prescribed for acute pain to a duration of no more than five days as determined by the directed dosage and frequency of dosage.

c. No less than four days after issuing the initial prescription pursuant to subsection a. of this section, the practitioner, after consultation with the patient, may issue a subsequent prescription for the drug to the patient in any quantity that complies with applicable State and federal laws, provided that:

(1) the subsequent prescription would not be deemed an initial prescription under this section;

(2) the practitioner determines the prescription is necessary and appropriate to the patient's treatment needs and documents the rationale for the issuance of the subsequent prescription; and

(3) the practitioner determines that issuance of the subsequent prescription does not present an undue risk of abuse, addiction, or diversion and documents that determination.

d. Prior to issuing the initial prescription of a Schedule II controlled dangerous substance or any other opioid drug which is a prescription drug as defined in section 2 of P.L.2003, c.280 (C.45:14-41) in a course of treatment for acute or chronic pain and again prior to issuing the third prescription of the course of treatment, a practitioner shall discuss with the patient, or the patient's parent or guardian if the patient is under 18 years of age and is not an emancipated minor, the risks associated with the drugs being prescribed, including but not limited to:

(1) the risks of addiction and overdose associated with opioid drugs and the dangers of taking opioid drugs with alcohol, benzodiazepines and other central nervous system depressants;

(2) the reasons why the prescription is necessary;

(3) alternative treatments that may be available; and

(4) risks associated with the use of the drugs being prescribed, specifically that opioids are highly addictive, even when taken as prescribed, that there is a risk of developing a physical or psychological dependence on the controlled dangerous substance, and that the risks of taking more opioids than prescribed, or mixing sedatives, benzodiazepines or alcohol with opioids, can result in fatal respiratory depression.

The practitioner shall include a note in the patient's medical record that the patient or the patient's parent or guardian, as applicable, has discussed with the practitioner the risks of developing a physical or psychological dependence on the controlled dangerous substance and alternative treatments that may be available. The Division of Consumer Affairs shall develop and make available to practitioners guidelines for the discussion required pursuant to this subsection.

e. At the time of the issuance of the third prescription for a prescription opioid drug, the practitioner shall enter into a pain management agreement with the patient.

f. When a Schedule II controlled dangerous substance or any other prescription opioid drug is continuously prescribed for three months or more for chronic pain, the practitioner shall:

(1) review, at a minimum of every three months, the course of treatment, any new information about the etiology of the pain, and the patient's progress toward treatment objectives and document the results of that review;

(2) assess the patient prior to every renewal to determine whether the patient is experiencing problems associated with physical and psychological dependence and document the results of that assessment;

(3) periodically make reasonable efforts, unless clinically contraindicated, to either stop the use of the controlled substance, decrease the dosage, try other drugs or treatment modalities in an effort to reduce the potential for abuse or the development of physical or psychological dependence and document with specificity the efforts undertaken;

(4) review the Prescription Drug Monitoring information in accordance with section 8 of P.L.2015, c.74 (C. 45:1-46.1); and

(5) monitor compliance with the pain management agreement and any recommendations that the patient seek a referral.

g. As used in this section:

"Acute pain" means pain, whether resulting from disease, accidental or intentional trauma, or other cause, that the practitioner reasonably expects to last only a short period of time. "Acute pain" does not include chronic pain, pain being treated as part of cancer care, hospice or other end of life care, or pain being treated as part of palliative care.

"Initial prescription" means a prescription issued to a patient who:

(1) has never previously been issued a prescription for the drug or its pharmaceutical equivalent; or

(2) was previously issued a prescription for the drug or its pharmaceutical equivalent, but the date on which the current prescription is being issued is more than one year after the date the patient last used or was administered the drug or its equivalent.

When determining whether a patient was previously issued a prescription for a drug or its pharmaceutical equivalent, the practitioner shall consult with the patient and review the patient's medical record and prescription monitoring information.

"Pain management agreement" means a written contract or agreement that is executed between a practitioner and a patient, prior to the commencement of treatment for chronic pain using a Schedule II controlled dangerous substance or any other opioid drug which is a prescription drug as defined in section 2 of P.L.2003, c.280 (C.45:14-41), as a means to:

(1) prevent the possible development of physical or psychological dependence in the patient;

(2) document the understanding of both the practitioner and the patient regarding the patient's pain management plan;

(3) establish the patient's rights in association with treatment, and the patient's obligations in relation to the responsible use, discontinuation of use, and storage of Schedule II controlled dangerous substances, including any restrictions on the refill of prescriptions or the acceptance of Schedule II prescriptions from practitioners;

(4) identify the specific medications and other modes of treatment, including physical therapy or exercise, relaxation, or psychological counseling, that are included as a part of the pain management plan;

(5) specify the measures the practitioner may employ to monitor the patient's compliance, including but not limited to random specimen screens and pill counts; and

(6) delineate the process for terminating the agreement, including the consequences if the practitioner has reason to believe that the patient is not complying with the terms of the agreement.

"Practitioner" means a medical doctor, doctor of osteopathy, dentist, optometrist, podiatrist, physician assistant, certified nurse midwife, or advanced practice nurse, acting within the scope of practice of their professional license pursuant to Title 45 of the Revised Statutes.

h. This section shall not apply to a prescription for a patient who is currently in active treatment for cancer, receiving hospice care from a licensed hospice or palliative care, or is a resident of a long term care facility, or to any medications that are being prescribed for use in the treatment of substance abuse or opioid dependence.

i. Every policy, contract or plan delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, and every contract purchased by the School Employees' Health Benefits Commission or State Health Benefits Commission, on or after the effective date of this act, that provides coverage for prescription drugs subject to a co-payment, coinsurance or deductible shall charge a co-payment, coinsurance or deductible for an initial prescription of an opioid drug prescribed pursuant to this section that is either:

(1) proportional between the cost sharing for a 30-day supply and the amount of drugs the patient was prescribed; or

(2) equivalent to the cost sharing for a full 30-day supply of the opioid drug, provided that no additional cost sharing may be charged for any additional prescriptions for the remainder of the 30-day supply.

12. Section 1 of P.L.1997, c.249 (C.45:9-22.19) is amended to read as follows:

C.45:9-22.19 Schedule II controlled dangerous substance prescription quantities, conditions.

1. a. Except in the case of an initial prescription issued pursuant to section 11 of P.L.2017, c.28 (C.24:21-15.2), a physician licensed pursuant to chapter 9 of Title 45 of the Revised Statutes may prescribe a Schedule II controlled dangerous substance for the use of a patient in any quantity which does not exceed a 30-day supply, as defined by regulations adopted by the State Board of Medical Examiners in consultation with the Department of Health. The physician shall document the diagnosis and the medical need for the prescription in the patient's medical record, in accordance with guidelines established by the State Board of Medical Examiners.

b. Except in the case of an initial prescription issued pursuant to section 11 of P.L.2017, c.28 (C.24:21-15.2), a physician may issue multiple prescriptions authorizing the patient to receive a total of up to a 90-day

supply of a Schedule II controlled dangerous substance, provided that the following conditions are met:

(1) each separate prescription is issued for a legitimate medical purpose by the physician acting in the usual course of professional practice;

(2) the physician provides written instructions on each prescription, other than the first prescription if it is to be filled immediately, indicating the earliest date on which a pharmacy may fill each prescription;

(3) the physician determines that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse; and

(4) the physician complies with all other applicable State and federal laws and regulations.

C.24:21-15.3 Rules, regulations.

13. a. The Director of the Division of Consumer Affairs, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of sections 11 and 12 of P.L.2017, c.28 (C.24:21-15.2 and C.45:9-22.19).

b. Notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the Director of the Division of Consumer Affairs may adopt, immediately upon filing with the Office of Administrative Law, and no later than the 90th day after the effective date of this act, such regulations as the director deems necessary to implement any of the provisions of P.L.2017, c.28 (C.17:48-6nn et al.). Regulations adopted pursuant to this subsection shall be effective until the adoption of rules and regulations pursuant to subsection a. of this section, and may be amended, adopted, or readopted by the director in accordance with the requirements of P.L.1968, c.410 (C.52:14B-1 et seq.).

14. Section 3 of P.L.1991, c.97 (C.45:10-19) is amended to read as follows:

C.45:10-19 Qualifications for nurse midwife to prescribe drugs.

3. To qualify to prescribe drugs pursuant to section 2 of P.L.1991, c.97 (C.45:10-18), a certified nurse midwife shall have completed 30 contact hours, as defined by the National Task Force on the Continuing Education Unit, in pharmacology or a pharmacology course, acceptable to the board, in an accredited institution of higher education approved by the Department of Higher Education or the board. Such contact hours shall include one credit of educational programs or topics on issues concerning prescription opioid drugs, including responsible prescribing practices, al-

ternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion.

15. Section 10 of P.L.1991, c.377 (C.45:11-49) is amended to read as follows:

C.45:11-49 Permitted duties of advanced practice nurse.

10. a. In addition to all other tasks which a registered professional nurse may, by law, perform, an advanced practice nurse may manage preventive care services and diagnose and manage deviations from wellness and long-term illnesses, consistent with the needs of the patient and within the scope of practice of the advanced practice nurse, by:

(1) initiating laboratory and other diagnostic tests;

(2) prescribing or ordering medications and devices, as authorized by subsections b. and c. of this section; and

(3) prescribing or ordering treatments, including referrals to other licensed health care professionals, and performing specific procedures in accordance with the provisions of this subsection.

b. An advanced practice nurse may order medications and devices in the inpatient setting, subject to the following conditions:

(1) the collaborating physician and advanced practice nurse shall address in the joint protocols whether prior consultation with the collaborating physician is required to initiate an order for a controlled dangerous substance;

(2) the order is written in accordance with standing orders or joint protocols developed in agreement between a collaborating physician and the advanced practice nurse, or pursuant to the specific direction of a physician;

(3) the advanced practice nurse authorizes the order by signing the nurse's own name, printing the name and certification number, and printing the collaborating physician's name;

(4) the physician is present or readily available through electronic communications;

(5) the charts and records of the patients treated by the advanced practice nurse are reviewed by the collaborating physician and the advanced practice nurse within the period of time specified by rule adopted by the Commissioner of Health pursuant to section 13 of P.L.1991, c.377 (C.45:11-52);

(6) the joint protocols developed by the collaborating physician and the advanced practice nurse are reviewed, updated, and signed at least annually by both parties; and

(7) the advanced practice nurse has completed six contact hours of continuing professional education in pharmacology related to controlled substances, including pharmacologic therapy, addiction prevention and management, and issues concerning prescription opioid drugs, including responsible prescribing practices, alternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion, in accordance with regulations adopted by the New Jersey Board of Nursing. The six contact hours shall be in addition to New Jersey Board of Nursing pharmacology education requirements for advanced practice nurses related to initial certification and recertification of an advanced practice nurse as set forth in N.J.A.C.13:37-7.2.

c. An advanced practice nurse may prescribe medications and devices in all other medically appropriate settings, subject to the following conditions:

(1) the collaborating physician and advanced practice nurse shall address in the joint protocols whether prior consultation with the collaborating physician is required to initiate a prescription for a controlled dangerous substance;

(2) the prescription is written in accordance with standing orders or joint protocols developed in agreement between a collaborating physician and the advanced practice nurse, or pursuant to the specific direction of a physician;

(3) the advanced practice nurse writes the prescription on a New Jersey Prescription Blank pursuant to P.L.2003, c.280 (C.45:14-40 et seq.), signs the nurse's own name to the prescription and prints the nurse's name and certification number;

(4) the prescription is dated and includes the name of the patient and the name, address, and telephone number of the collaborating physician;

(5) the physician is present or readily available through electronic communications;

(6) the charts and records of the patients treated by the advanced practice nurse are periodically reviewed by the collaborating physician and the advanced practice nurse;

(7) the joint protocols developed by the collaborating physician and the advanced practice nurse are reviewed, updated, and signed at least annually by both parties; and

(8) the advanced practice nurse has completed six contact hours of continuing professional education in pharmacology related to controlled substances, including pharmacologic therapy, addiction prevention and management, and issues concerning prescription opioid drugs, including responsible prescribing practices, alternatives to opioids for managing and

treating pain, and the risks and signs of opioid abuse, addiction, and diversion, in accordance with regulations adopted by the New Jersey Board of Nursing. The six contact hours shall be in addition to New Jersey Board of Nursing pharmacology education requirements for advanced practice nurses related to initial certification and recertification of an advanced practice nurse as set forth in N.J.A.C.13:37-7.2.

d. The joint protocols employed pursuant to subsections b. and c. of this section shall conform with standards adopted by the Director of the Division of Consumer Affairs pursuant to section 12 of P.L.1991, c.377 (C.45:11-51) or section 10 of P.L.1999, c.85 (C.45:11-49.2), as applicable.

e. (Deleted by amendment, P.L.2004, c.122.)

f. An attending advanced practice nurse may determine and certify the cause of death of the nurse's patient and execute the death certification pursuant to R.S.26:6-8 if no collaborating physician is available to do so and the nurse is the patient's primary caregiver.

16. R.S.45:12-1 is amended to read as follows:

Practice of optometry defined.

45:12-1. Optometry is hereby declared to be a profession, and the practice of optometry is defined to be the employment of objective or subjective means, or both, for the examination of the human eye and adnexae for the purposes of ascertaining any departure from the normal, measuring its powers of vision and adapting lenses or prisms for the aid thereof, or the use and prescription of pharmaceutical agents, excluding injections, except for injections to counter anaphylactic reaction; and excluding controlled dangerous substances as provided in sections 5 and 6 of P.L.1970, c.226 (C.24:21-5 and C.24:21-6), except as otherwise authorized by section 9 of P.L.1991, c.385 (C.45:12-9.11), for the purposes of treating deficiencies, deformities, diseases, or abnormalities of the human eye and adnexae, including the removal of superficial foreign bodies from the eye and adnexae.

An optometrist utilizing pharmaceutical agents for the purposes of treatment of ocular conditions and diseases shall be held to a standard of patient care in the use of such agents commensurate to that of a physician utilizing pharmaceutical agents for treatment purposes.

A person shall be deemed to be practicing optometry within the meaning of this chapter who in any way advertises himself as an optometrist, or who shall employ any means for the measurement of the powers of vision or the adaptation of lenses or prisms for the aid thereof, practice, offer or attempt to practice optometry as herein defined, either on his own behalf or

as an employee or student of another, whether under the personal supervision of his employer or perceptor or not, or to use testing appliances for the purposes of measurement of the powers of vision or diagnose any ocular deficiency or deformity, visual or muscular anomaly of the human eye and adnexae or prescribe lenses, prisms or ocular exercise for the correction or the relief thereof, or who uses or prescribes pharmaceutical agents for the purposes of diagnosing and treating deficiencies, deformities, diseases or abnormalities of the human eye and adnexae or who holds himself out as qualified to practice optometry.

17. Section 3 of P.L.1975, c.24 (C.45:12-9.3) is amended to read as follows:

C.45:12-9.3 Credits necessary.

3. Fifty credits of continuing professional optometric education shall be required biennially of each New Jersey optometrist holding an active license during the period preceding the established license renewal date. Each credit shall represent or be equivalent to one hour of actual course attendance or in the case of those electing an alternative method of satisfying the requirements of this act shall be approved by the board and certified to the board on forms to be provided for that purpose. Of the 50 credits biennially required under this section, at least one credit shall be for educational programs or topics that concern the prescription of hydrocodone, or the prescription of opioid drugs in general, including responsible prescribing practices, the alternatives to the use of opioids for the management and treatment of pain, and the risks and signs of opioid abuse, addiction, and diversion.

C.45:6-10.2a Continuing education for dentists relative to opiods.

18. a. The New Jersey State Board of Dentistry shall require that the number of credits of continuing dental education required of each person licensed as a dentist, as a condition of biennial registration pursuant to R.S.45:6-10 and section 1 of P.L.1972, c.108 (C.45:1-7), include one credit of educational programs or topics concerning prescription opioid drugs, including responsible prescribing practices, alternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion. The continuing dental education requirement in this subsection shall be subject to the provisions of P.L.1991, c.490 (C.45:6-10.1 et seq.), including, but not limited to, the authority of the board to waive the provisions of this section for a specific individual if the board deems it is appropriate to do so.

b. The New Jersey State Board of Dentistry, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as are necessary to effectuate the purposes of this section.

C.45:9-7.8 Credits of continuing medical education relative to opiods.

19. a. The State Board of Medical Examiners shall require that the number of credits of continuing medical education required of each person licensed as a physician, as a condition of biennial registration pursuant to section 1 of P.L.1971, c.236 (C.45:9-6.1), include one credit of educational programs or topics concerning prescription opioid drugs, including responsible prescribing practices, alternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion. The continuing medical education requirement in this subsection shall be subject to the provisions of section 10 of P.L.2001, c.307 (C.45:9-7.1), including, but not limited to, the authority of the board to waive the provisions of this section for a specific individual if the board deems it is appropriate to do so.

b. The State Board of Medical Examiners, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as are necessary to effectuate the purposes of this section.

C.45:9-27.25a Continuing education for physician assistant relative to opiods.

20. a. The State Board of Medical Examiners shall require that the number of credits of continuing medical education required of each person licensed as a physician assistant, as a condition of biennial renewal pursuant to section 4 of P.L.1991, c.378 (C.45:9-27.13), include one credit of educational programs or topics concerning prescription opioid drugs, including responsible prescribing practices, alternatives to opioids for managing and treating pain, and the risks and signs of opioid abuse, addiction, and diversion. The continuing medical education requirement in this subsection shall be subject to the provisions of section 16 of P.L.1991, c.378 (C.45:9-27.25), including, but not limited to, the authority of the board to waive the provisions of this section for a specific individual if the board deems it is appropriate to do so.

b. The State Board of Medical Examiners, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as are necessary to effectuate the purposes of this section.

C.45:11-26.3 Continuing education for nurses relative to opiods.

21. a. The New Jersey Board of Nursing shall require that the number of credits of continuing education required of each person licensed as a professional nurse or a practical nurse, as a condition of biennial license renewal, include one credit of educational programs or topics concerning prescription opioid drugs, including alternatives to opioids for managing and treating pain and the risks and signs of opioid abuse, addiction, and diversion.

b. The board may, in its discretion, waive the continuing education requirement in subsection a. of this section on an individual basis for reasons of hardship, such as illness or disability, retirement of the license, or other good cause. A waiver shall apply only to the current biennial renewal period at the time of board issuance.

c. The New Jersey Board of Nursing, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as are necessary to effectuate the purposes of this section.

C.45:14-54.1 Continuing education for pharmacists relative to opiods.

22. a. The New Jersey State Board of Pharmacy shall require that the number of credits of continuing pharmacy education required of each person registered as a pharmacist, as a condition of biennial renewal certification, include one credit of educational programs or topics concerning prescription opioid drugs, including alternatives to opioids for managing and treating pain and the risks and signs of opioid abuse, addiction, and diversion. The continuing pharmacy education requirement in this subsection shall be subject to the provisions of section 15 of P.L.2003, c.280 (C.45:14-54), including, but not limited to, the authority of the board to waive the provisions of this section for a specific individual if the board deems it is appropriate to do so.

b. The New Jersey State Board of Pharmacy, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as are necessary to effectuate the purposes of this section.

23. The Commissioner of Health, in consultation with the Commissioner of Banking and Insurance, shall submit reports at two intervals to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the Governor. The first report shall be submitted six months, and the second report shall be submitted 12 months, after the date of enactment of this act. The reports shall evaluate the implementation and impact of the act's provisions and make recommendations regarding revisions to the statutes

that may be appropriate. The report shall include, but not be limited to, an evaluation of the following:

a. The effects of the five-day supply limitation on prescriptions, and other requirements concerning the prescribing of opioids and other drugs pursuant to section 11 of this act, including the impact of these provisions on patients with chronic pain and the impact on patient cost sharing; and

b. The effects of the provisions of the bill providing that if there is no in-network facility immediately available for a covered person to receive treatment, a carrier shall provide necessary exceptions to their network to ensure admission in a treatment facility within 24 hours, including the impact of these provisions on the availability of treatment beds for patients, the impact on facilities in the State, and the costs associated with these provisions.

Repealer.

24. The following sections are repealed:
P.L.1977, c.115 (C.17:48-6a);
P.L.1977, c.116 (C.17B:27-46.1);
P.L.1977, c.117 (C.17:48A-7a);
P.L.1977, c.118 (C.17B:26-2.1); and
Section 34 of P.L.1985, c.236 (C.17:48E-34).

25. This bill shall take effect on the 90th day next after enactment.

Approved February 15, 2017.

CHAPTER 29

AN ACT concerning rental assistance and amending P.L.2004, c.140.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2004, c.140 (C.52:27D-287.1) is amended to read as follows:

C.52:27D-287.1 Rental assistance program for low income households, senior citizens, veterans.

1. The Commissioner of Community Affairs shall establish a rental assistance program for low income individuals or households. This program shall be in addition to and supplement any existing programs estab-

lished pursuant to the "Prevention of Homelessness Act (1984)," P.L.1984, c.180 (C.52:27D-280 et al.).

a. The program shall provide rental assistance grants comparable to the federal section 8 program, but shall be available only to State residents who are not currently holders of federal section 8 vouchers.

b. Assistance to an individual or household under the State program shall be terminated upon the award of federal section 8 rental assistance to the same individual or household.

c. The program shall reserve a portion of the grants for assistance to senior citizens aged 62 or older who otherwise meet the criteria of subsection a. of this section.

d. The program shall reserve a portion of the grants for assistance to veterans who have successfully completed the Veterans Transitional Housing Program, or "Veterans Haven," a vocational and transitional housing program for homeless veterans administered by the New Jersey Department of Military and Veterans' Affairs.

e. The program shall reserve a portion of the funds available to it for tenant-based vouchers to veterans, other than those veterans eligible for assistance pursuant to subsection d. of this section.

2. This act shall take effect immediately.

Approved March 13, 2017.

CHAPTER 30

AN ACT concerning the purchase of certain real property by public institutions of higher education and supplementing chapter 3B of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:3B-6.2 Regulation of purchase of certain real property by representative of public institution of higher education.

1. a. The president or any other officer or employee of a public institution of higher education shall not take final action on behalf of the institution for the purchase of real property the cost of which is equal to or greater than the amount set forth in paragraph (1) of subsection b. of section 10 of

P.L.2007, c.52 (C.52:15C-10), unless the president or other officer or employee notifies the governing board of the institution and the general counsel of the institution of the proposed action and the governing board approves the final action. Final action shall not include any ministerial or non-substantive changes made to a contract subsequent to the governing board's approval, or any action that falls within the authority previously granted to the president or any other officer or a board trustee by the governing board.

b. The public institution of higher education shall submit a report to the Governor, the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the Secretary of Higher Education, and the State Comptroller, on the purchase of real property the cost of which is equal to or greater than the amount set forth in paragraph (1) of subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10). The report shall be filed within five days following the submission of the institution's binding offer to the seller for the purchase of the real property. The report shall be in addition to any notice of award or notice of the commencement of any procurement process that is required to be provided to the State Comptroller in accordance with section 10 of P.L.2007, c.52 (C.52:15C-10).

c. Nothing in this act shall be construed to compel any action on the part of a public institution of higher education that is governed pursuant to N.J.S.18A:65-1 et seq.

2. This act shall take effect immediately.

Approved March 13, 2017.

CHAPTER 31

AN ACT concerning the New Jersey Hall of Fame, supplementing P.L.1985, c.325, amending P.L.1985, c.325 and P.L.2005, c.232, and repealing section 4 of P.L.2005, c.232.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.5:10-6.6a Dissolution, transfer of certain entities to the Foundation for the New Jersey Hall of Fame.

1. The New Jersey Hall of Fame Advisory Commission, established pursuant to section 4 of P.L.2005, c.232 (C.5:10-6.6), and the New Jersey

Hall of Fame corporation, established pursuant to subsection b. of section 1 of P.L.1985, c.325 (C.5:10-6.1), shall be dissolved as of the first day of the third month after enactment of P.L.2017, c.31. All property, funds, and assets of the New Jersey Hall of Fame Advisory Commission and the New Jersey Hall of Fame corporation shall be vested in and transferred to the Foundation for the New Jersey Hall of Fame, which, in addition to the powers and authority vested in it pursuant to section 6 of P.L.2005, c.232 (C.5:10-6.8), shall carry out the duties of the commission set forth in section 5 of P.L.2005, c.232 (C.5:10-6.7) as amended.

2. Section 1 of P.L.1985, c.325 (C.5:10-6.1) is amended to read as follows:

C.5:10-6.1 Establishment of New Jersey Hall of Fame.

1. a. The New Jersey Sports and Exposition Authority created by P.L.1971, c.137 (C.5:10-1 et seq.) is authorized to establish a New Jersey Hall of Fame as a project either within the Meadowlands complex, or within the State of New Jersey, but outside of the Meadowlands complex, at a site that the board of trustees of the Foundation for the New Jersey Hall of Fame determines to be appropriate to meet the requirements of the New Jersey Hall of Fame project and to best serve the interests of the public. With respect to this project, the authority may exercise all the rights and powers relating to the Meadowlands complex granted to the authority under P.L.1971, c.137 (C.5:10-1 et seq.) as though the rights and powers were granted under P.L.1985, c.325 (C.5:10-6.1) and P.L.2005, c.232 (C.5:10-6.4 et al.), and made applicable to a New Jersey Hall of Fame.

b. (Deleted by amendment, P.L.2017, c.31)

c. (Deleted by amendment, P.L.2017, c.31)

3. Section 5 of P.L.2005, c.232 (C.5:10-6.7) is amended to read as follows:

C.5:10-6.7 Duties, authority of foundation.

5. a. It shall be the duty of the foundation to develop plans for maintaining and operating a New Jersey Hall of Fame and to provide information to the authority with respect to the operation, management and location of the New Jersey Hall of Fame as a project at a site either within the Meadowlands complex, or within the State of New Jersey, but outside of the Meadowlands complex, that the foundation determines to be appropriate to meet the requirements of the New Jersey Hall of Fame project and to best serve

the interests of the public, giving due consideration to architectural designs, development of new structures or the adapting of existing structures within which the New Jersey Hall of Fame may be located, criteria for selection of nominees to the Hall of Fame, the annual ceremonies for the induction of nominees into the Hall of Fame and other areas the foundation may deem relevant to the creation at a site either within the Meadowlands complex, or within the State of New Jersey, but outside of the Meadowlands complex, of a New Jersey Hall of Fame including, but not limited to, such programs and events in connection with the foundation's fund-raising activities to support the operation, maintenance, support and promotion of the New Jersey Hall of Fame and to support charitable organizations that directly benefit children in need in New Jersey and throughout the world.

b. The foundation shall also develop policies to improve the image of New Jersey, promote the heritage of the residents of this State and instill pride in the State by increasing the public's awareness of the contributions made to society by past and present residents of New Jersey, make recommendations for local and State actions to follow up the foundation's goals and consider such other matters relating to the accomplishment of its goals as the foundation may deem appropriate.

c. (Deleted by amendment, P.L.2017, c.31)

d. (Deleted by amendment, P.L.2017, c.31)

e. The foundation is authorized to receive and administer gifts, contributions, and funds from public and private sources to be expended solely for the purposes provided in this section.

4. Section 6 of P.L.2005, c.232 (C.5:10-6.8) is amended to read as follows:

C.5:10-6.8 Foundation for the New Jersey Hall of Fame.

6. a. The authority is authorized to establish a nonprofit, educational and charitable organization to be known as the Foundation for the New Jersey Hall of Fame, hereinafter referred to as the "foundation." The foundation shall be incorporated as a New Jersey nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et seq.), and organized and operated in such manner as to be eligible under applicable federal law for tax-exempt status and for the receipt of tax-deductible contributions, and shall be authorized to sue and to be sued as a legal entity separate from the authority and from the State of New Jersey.

b. In addition to the duties specified under section 5 of P.L.2005, c.232 (C.5:10-6.7), the foundation shall be responsible for the planning,

promoting and coordinating of fund-raising drives and the soliciting of contributions for the purposes set forth in P.L.2005, c.232 (C.5:10-6.4 et al.) and for determining how such funds and contributions shall be allocated for: (1) the support of the New Jersey Hall of Fame project including, but not limited to, the annual induction ceremonies for nominees to the New Jersey Hall of Fame and other events sponsored in connection with the New Jersey Hall of Fame project; (2) the support of charitable organizations that directly benefit children in need in New Jersey and throughout the world; (3) the administrative and other expenses of the hall of fame; and (4) other purposes of P.L.2005, c.232 (C.5:10-6.4 et al.).

5. Section 9 of P.L.2005, c.232 (C.5:10-6.11) is amended to read as follows:

C.5:10-6.11 Annual report to Governor, Legislature, public.

9. The foundation shall annually report its findings and recommendations to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the public. The report shall address the responsibilities of the foundation and all other issues which the foundation finds to be necessarily related.

6. Section 11 of P.L.2005, c.232 (C.5:10-6.13) is amended to read as follows:

C.5:10-6.13 Expenses payable from funds raised by foundation.

11. All expenses incurred by the foundation shall be payable from funds raised by the foundation, and from such other funds as may be made available to the foundation, and no liability or obligation, in tort or contract, shall be incurred by the State for the operation of the foundation. The foundation shall, if necessary, obtain private counsel, and shall not be represented by the Attorney General or indemnified by the State of New Jersey.

Repealer.

7. Section 4 of P.L.2005, c.232 (C.5:10-6.6) is repealed.

8. The 15 appointed members of the New Jersey Hall of Fame Advisory Commission, established pursuant to section 4 of P.L.2005, c.232 (C.5:10-6.6), serving on the effective date of P.L.2017, c.31 shall continue to serve for one year following the effective date of P.L.2017, c.31 as mem-

bers of the board of trustees of the foundation, established pursuant to section 7 of P.L.2005, c.232 (C.5:10-6.9).

9. This act shall take effect on the first day of the first month next following enactment.

Approved March 13, 2017.

CHAPTER 32

AN ACT appropriating $34,293,697 from the "Building Our Future Bond Act," P.L.2012, c.41, reallocating a previous bond appropriation, for the purpose of capital project grants for New Jersey's public and private institutions of higher education.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. There is appropriated to the Office of the Secretary of Higher Education in the Department of State from the "Building Our Future Fund" established pursuant to section 14 of the "Building Our Future Bond Act," P.L.2012, c.41, the sum of $34,293,697, plus an amount to be requested by the Secretary of Higher Education and approved by the Joint Budget Oversight Committee pursuant to section 27 of P.L.2012, c.41, remaining from project grants not awarded but appropriated pursuant to P.L.2013, c.96, for the purpose of capital project grants for increasing academic capacity at New Jersey's public and private institutions of higher education. This sum shall be allocated to institutions of higher education according to the list of eligible projects submitted by the Secretary of Higher Education on June 27, 2016 to the presiding officers of each House of the Legislature pursuant to the provisions of the "Building Our Future Bond Act," P.L.2012, c.41.

2. Expenditures of sums appropriated by this act are subject to the provisions and conditions of P.L.2012, c.41.

3. This act shall take effect immediately.

Approved March 13, 2017.

CHAPTER 33

AN ACT concerning recycling achievements and supplementing Title 13 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.13:1E-96.8 "New Jersey Recycling Awards Program."

1. a. The Department of Environmental Protection, in coordination with the Association of New Jersey Recyclers or another recycling organization in this State as determined by the department, shall establish a program to be known as the "New Jersey Recycling Awards Program."

The program shall annually recognize outstanding recycling achievements, which may include those made by:

(1) the implementation of a new recycling program or the expansion of an existing recycling or buy-recycled program by:

(a) an institution, such as a pre-school, elementary or secondary school, hospital, long-term care facility, nursing home, or college or university;

(b) a large or small business;

(c) a large or small retail merchant;

(d) a municipal, county, or State agency or entity; and

(e) a municipal, county, business, school, or other recycling coordinator;

(2) a rising star, such as an individual or program, that has achieved exemplary results through innovation and persistence;

(3) an outstanding educator or educational program, such as a teacher, administrator, community or student group, environmental educator or individual student, whose actions have resulted in increased participation in recycling;

(4) the recycling industry, such as a processing facility, equipment manufacturer, or collector, who has contributed to the expansion of recycling in New Jersey;

(5) a source reduction and resource management program that has reduced waste at its source and managed its resources in a more efficient manner; and

(6) a volunteer citizen, who shall be a New Jersey resident who has, in a voluntary capacity, assisted in the promotion and implementation of recycling in New Jersey.

b. The department shall establish an application procedure and criteria and guidelines for the eligibility, nomination, and judging of applications for the award program. Applications shall be evaluated using performance

criteria, including but not limited to: (1) measurable outcomes and documentation; (2) education and outreach; (3) coverage and replicability; (4) leadership and innovation; and (5) exceeding regulatory standards.

c. The department shall post the names of the recipients of the New Jersey Recycling Awards prominently on the department's website, and shall recognize the recipients through the award of a certificate, a press announcement, or another form of recognition deemed appropriate to highlight the achievements of these recipients. The department may coordinate with the Association of New Jersey Recyclers, or another recycling organization if appropriate, in recognizing the award recipients.

2. This act shall take effect immediately.

Approved March 13, 2017.

CHAPTER 34

AN ACT concerning emergency assistance payments and supplementing P.L.1997, c.14.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.44:10-51.1 Emergency assistance payments, repayments.

1. The Commissioner of Human Services shall not count months of emergency assistance, which were repaid to a county or municipal agency, in accordance with the agreement to repay, toward a recipient's time limit, as established by section 8 of P.L.1997, c.14 (C.44:10-51), for the receipt of emergency assistance.

C.44:10-51.2 Rules, regulations.

2. The Commissioner of Human Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of this act.

3. This act shall take effect on the first day of the seventh month next following enactment, except the commissioner may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved March 13, 2017.

CHAPTER 35

AN ACT concerning the payroll tax levied by certain municipalities and amending P.L.1970, c.326.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 15 of P.L.1970, c.326 (C.40:48C-15) is amended to read as follows:

C.40:48C-15 Collection of employer, payroll tax by municipality.

15. Any municipality may by ordinance impose and collect an employer payroll tax for general municipal purposes of the municipality at a rate of up to 1% of the employer's payroll. Any reduction in the employer payroll tax while the municipality is in receipt of transitional aid shall be subject to approval by the Department of Community Affairs.

2. This act shall take effect immediately.

Approved March 22, 2017.

CHAPTER 36

AN ACT concerning property tax and local government budget information posted on the web page of the Division of Local Government Services in the Department of Community Affairs and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:27D-18.3 Posting of certain property tax, budget data on Internet web page.

1. The Division of Local Government Services in the Department of Community Affairs shall post on its Internet web page a summary of property tax data, based on information provided by the Division of Taxation in the Department of the Treasury, for the current calendar year, and for each of the immediately preceding 10 calendar years. The division shall also post on its web page a summary of local government budget data for the current calendar year, and for each of the immediately preceding 10 calen-

dar years, except that the first calendar year such data shall be published for is calendar year 2015.

The property tax data summary shall provide the public with information about the property tax levy for the previous year in each county, municipality, fire district, and school district in the State, and shall include such other statistical information as the division determines to be useful for the public's understanding of the individual components that make up each taxpayer's property tax bill.

In each year, the data shall include, but shall not be limited to, the amount of the average residential property tax bill, the number of residential taxpayers who received a homestead credit payment, and the amount of the average homestead credit payment for each municipality in the State. The property tax data summary shall also include information about the following property tax relief programs: the "Homestead Property Tax Credit Act," sections 1 through 10 of P.L.1990, c.61 (C.54:4-8.57 through 54:4-8.66) and sections 3, 14 through 16, 18 and 19 of P.L.1999, c.63 (C.54:4-8.58a and C.54:4-8.66a through C.54:4-8.66e); the "Property Tax Deduction Act," P.L.1996, c.60 (C.54A:3A-15 et seq.); the homestead property tax reimbursement program, P.L.1997, c.348 (C.54:4-8.67 et al.); the disabled veterans property tax exemption, P.L.1948, c.259 (C.54:4-3.30 et seq.); the veterans property tax deduction, P.L.1963, c.171 (C.54:4-8.10 et seq.); and the senior and disabled property tax deduction, P.L.1963, c.172 (C.54:4-8.40 et seq.).

The data shall also include, but shall not be limited to, the following information:

a. total net valuation taxable,
b. State equalization table average ratio,
c. net county taxes,
d. county library levy,
e. county health services levy,
f. county open space preservation levy,
g. total county levy,
h. school property tax levy,
i. school property tax levy for consolidated, joint, and regional school districts,
j. municipal levy required for debt service of Type I school districts,
k. total school levy,
l. municipal purposes property tax levy,
m. municipal open space preservation levy,
n. municipal library levy,

o. total municipal levy,

p. the total levy used to determine the tax rate for each county, municipality, fire district, and school district; and

q. the equalized and non-equalized tax rates for each local unit.

2. This act shall take effect immediately.

Approved March 22, 2017.

CHAPTER 37

AN ACT concerning motor vehicle payment assurance devices and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.56:8-205 Definitions relative to motor vehicle payment assurance devices.

1. As used in this act:

"Consumer" means a purchaser or lessee of a motor vehicle normally used for personal, family, or household purposes.

"Creditor" means a dealer or lender, or any assignee of a dealer or lender.

"Dealer" means a person who is licensed as a motor vehicle dealer or leasing dealer under R.S.39:10-19 and actively engaged in the business of buying, selling, exchanging, or leasing new or used motor vehicles at retail and who has an established place of business.

"Financing agreement" means an agreement, through a bargained communication or written contract, of an extension of a loan or other line of credit by a lender to a borrower toward the purchase of a motor vehicle.

"Lease agreement" has the same meaning as defined in section 2 of P.L.1988, c.123 (C.56:12-30).

"Lender" means an agent, officer, director, and employee of a lender, or any person who solicits, arranges for, or otherwise participates or assists in the making of loans, or in any way acts as an intermediary between a borrower and a lender in effecting loans related to the sale or lease of a motor vehicle.

"Lessee" has the same meaning as defined in section 2 of P.L.1988, c.123 (C.56:12-30).

"Motor vehicle" has the same meaning as defined in R.S.39:1-1.

"Payment assurance device" means a device installed on a motor vehicle with global positioning system capability, starter interrupt capability allowing for the remote enabling or disabling of the motor vehicle, or both, and which is installed pursuant to a motor vehicle consumer's financing agreement or lease agreement.

C.56:8-206 Installation of payment assurance device on motor vehicle.

2. a. No person other than a creditor may install or have installed a payment assurance device on a motor vehicle.

b. A creditor may install or have installed a payment assurance device on a motor vehicle only if:

(1) Prior to or at the time the motor vehicle is purchased or leased, the creditor provides, and the consumer acknowledges in writing the receipt of, written notification of the installation of the payment assurance device, which shall include, but is not limited to, a statement in at least 10-point boldface type indicating that the motor vehicle is equipped with a device that the creditor can use to remotely disable the vehicle, advising the consumer of the grace period and warning provided for in paragraphs (3) and (4) of this subsection, and identifying the name, address, and a telephone number of the creditor;

(2) The consumer is not billed or charged a fee for the installation of the device;

(3) The creditor or an agent thereof does not remotely disable the motor vehicle until the consumer is in default on any term under the financing agreement or lease agreement, including but not limited to the periodic payment due on the purchase or lease, for five or more calendar days on a financing agreement or lease agreement whose terms call for at least one weekly payment or for 10 or more calendar days on any other financing agreement or lease agreement;

(4) The consumer is provided a warning no less than 72 hours before the motor vehicle is disabled remotely, and the warning is transmitted by the creditor through at least two modes of communication, such as by email, mail, telephone, text message, or through the payment assurance device or motor vehicle, provided that the warning method shall not violate any applicable State or federal law;

(5) The payment assurance device cannot remotely disable the motor vehicle while it is being operated; and

(6) The consumer in default is provided with the ability to start a remotely disabled motor vehicle and use it for a period of at least 48 hours.

c. A violation of the provisions of subsection a. of this section by a creditor is an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.).

3. This act shall take effect on the first day of the fourth month next following enactment.

Approved March 22, 2017.

CHAPTER 38

AN ACT to amend "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2017 and regulating the disbursement thereof," approved June 30, 2016 (P.L.2016, c.10).

BE IT ENACTED *by the Senate and the General Assembly of the State of New Jersey:*

1. The following language provision is added to section 1 of P.L.2016, c.10, the annual appropriations act for fiscal year 2017:

78 DEPARTMENT OF TRANSPORTATION
60 Transportation Programs
61 State and Local Highway Facilities
CAPITAL CONSTRUCTION

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et al.), there is appropriated the sum of $260,000,000 from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for capital purposes as follows:

Description	County	Amount
Immediate Bridge and Road Repairs	Various	($260,000,000)

2. The following language provision is added to section 1 of P.L.2016, c.10, the annual appropriations act for fiscal year 2017:

78 DEPARTMENT OF TRANSPORTATION
60 Transportation Programs
62 Public Transportation
CAPITAL CONSTRUCTION

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et al.), there is appropriated the sum of $140,000,000 from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for capital purposes as follows:

Description	County	Amount
New Jersey Transit Corporation		
Technology Improvements and		
System Safety	Various	($140,000,000)

3. This act shall take effect immediately.

Approved March 27, 2017.

CHAPTER 39

AN ACT concerning voting by New Jersey's overseas residents, and amending and supplementing various parts of the statutory law.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P.L.1976, c.23 (C.19:59-2) is amended to read as follows:

C.19:59-2 Definitions.

2. As used in this act:

a. "United States" means each of the several states, the District of Columbia, Commonwealth of Puerto Rico, Guam, American Samoa and the United States Virgin Islands; the term does not mean or include the Canal Zone or any other territory or possession of the United States.

b. "Residing abroad" means residing outside the United States.

c. "Federal election" means any general, special or primary held for the purpose of nominating or electing any candidate for the office of President or Vice President of the United States, Presidential elector, United States Senator or member of the United States House of Representatives.

d. "Election" shall have the same meaning as defined in R.S.19:1-1, and include any federal, State, or local election, and any public question placed before the voters.

e. "Overseas voter" means any person in military service, or that person's spouse, partner in civil union, domestic partner, or dependent, who,

by reason of the person's active duty or service, is, in the case of the person, absent on the date of an election from the place of residence in New Jersey where the person is or would be qualified to vote, or in the case of the person's spouse, partner in civil union, domestic partner, or dependent, absent on the date of an election from the place of residence in New Jersey where that spouse, partner in civil union, domestic partner, or dependent, is or would be qualified to vote.

The term also means any citizen of the United States temporarily residing abroad who (1) immediately prior to departure from the United States was domiciled in New Jersey and (a) was last registered to vote, or last eligible to register and vote, in New Jersey; or (b) would have been eligible to register and vote in New Jersey except that the citizen had not attained 18 years of age the requirement of which has since been met; or (c) would have been eligible to register and vote in New Jersey except that the citizen had not met the residency requirement; (2) is not registered or qualified to vote elsewhere in the United States; and (3) holds a valid passport or passport card or other proof of citizenship issued under authority of the Secretary of State of the United States.

f. "Overseas federal election voter" means any citizen of the United States residing abroad who does not intend to return or whose intent to return is uncertain and who (1) immediately prior to departure from the United States was domiciled in New Jersey and (a) was last registered to vote, or last eligible to register and vote, in New Jersey; or (b) would have been eligible to register and vote in New Jersey except that the citizen had not attained 18 years of age the requirement of which has since been met; or (c) would have been eligible to register and vote in New Jersey except that the citizen had not met the residency requirement; (2) is not registered or qualified to vote elsewhere in the United States; and (3) holds a valid passport or passport card or other proof of citizenship issued under authority of the Secretary of State of the United States.

The term also means any citizen of the United States who was born outside of the United States, is not described above, and, except for the residency requirement of New Jersey, otherwise satisfies the State's voter eligibility requirements, if the last place where a parent, legal guardian, spouse, partner in civil union, or domestic partner of the voter was, or under P.L.1976, c.23 (C.19:59-1 et seq.) would have been, eligible to register and vote before departure from the United States is within New Jersey and the voter has not previously registered to vote elsewhere in the United States.

g. "Electronic means" means any transmission made by an electronic telefacsimile machine or a similar device or by any other form of electronic

transmission including, but not exclusive to electronic mail, that transports an authentic copy of a document from one user to another.

h. "Dependent" means an individual recognized as a dependent by a military service.

i. "Federal postcard application" means the application prescribed under section 101 of Pub.L.99-410 (42 U.S.C. s.1973ff(b)(2)).

j. "Federal write-in absentee ballot" means the ballot described under section 103 of Pub.L.99-410 (42 U.S.C. s.1973ff-2).

k. "Military service" means the active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States; the Merchant Marine; the commissioned corps of the Public Health Service or the commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or the National Guard or State militia.

2. Section 3 of P.L.1976, c.23 (C.19:59-3) is amended to read as follows:

C.19:59-3 Registration of overseas voter, overseas federal election voter.

3. Upon compliance with the provisions of this act, P.L.1976, c.23 (C.19:59-1 et seq.), as amended by P.L.2017, c.39: a. any person meeting the qualifications of an overseas voter may register to vote and may apply for and vote by mail-in ballot in any election held in the election district of this State in which the voter was formerly domiciled; and b. any person meeting the qualifications of an overseas federal election voter may register to vote and may apply for and vote by mail-in ballot in any federal election held in the election district of this State in which the voter, or in the case of an overseas federal election voter who was born outside of the United States described in subsection f. of section 2 of P.L.1976, c.23 (C.19:59-2), in which the voter's parent, legal guardian, spouse, partner in civil union, or domestic partner was formerly domiciled.

3. Section 4 of P.L.1976, c.23 (C.19:59-4) is amended to read as follows:

C.19:59-4 Request for application; qualification to vote.

4. a. Requests for an application to vote in an election as an overseas voter or a federal election as an overseas federal election voter may be made by or on behalf of an applicant to the county clerk of the county in which the applicant, or in the case of an overseas federal election voter who was born outside of the United States described in subsection f. of section 2 of P.L.1976, c.23 (C.19:59-2), in which the voter's parent, legal guardian,

spouse, partner in civil union, or domestic partner, was formerly domiciled, or to the Secretary of State of New Jersey if the applicant does not know the county of former domicile. All such applications shall be forwarded to such voters by air mail or electronic means, if so requested by the voter. Any overseas voter or overseas federal election voter requesting that an application for a ballot be sent to that voter by electronic means shall supply in the request to the Secretary of State or the county clerk, as appropriate, the telephone number and location to which the application is to be sent or the electronic address of the voter, as may be appropriate, and, if known, the address where the voter, or the voter's parent, legal guardian, spouse, partner in civil union, or domestic partner, as appropriate, was domiciled before departure from the United States. To qualify for a ballot to be sent by air mail, the applicant's completed application shall be received by the appropriate county clerk or the Secretary of State on or before the thirtieth day preceding the election. To qualify for a ballot to be distributed by electronic means, the applicant's completed application shall be received by the appropriate county clerk or the Secretary of State on or before the fourth day preceding the election.

b. An overseas voter or overseas federal election voter may use the federal postcard application form to register to vote or to apply for an overseas ballot for any election in which the voter is eligible to vote. The voter may send the form by air mail or electronic means to either the appropriate county clerk or the Secretary of State and, in the case of the use of a federal postcard application for a ballot, may request that the ballot be sent by air mail or electronic means. Any voter sending the form by electronic means shall also mail simultaneously the federal postcard application form to the appropriate county clerk or the Secretary of State. Any federal postcard application for a ballot sent by an overseas voter or overseas federal election voter and received by a county clerk or the Secretary of State shall also be considered a request for registration if that voter is not already registered.

4. Section 5 of P.L.1976, c.23 (C.19:59-5) is amended to read as follows:

C.19:59-5 Application form.

5. a. Other than a federal postcard application, an application for a ballot by an overseas voter or overseas federal election voter shall be in substantially the following form:

I, the undersigned, certify the following as a basis for an application as citizen of the United States residing outside the United States to receive a

ballot to be voted at the election to be held on ..... (date of election) for ..... (fill in elected office or public question, or both):

1. I am a citizen of the United States;

2. I presently reside at ..... (if mail should be addressed other than to my residence, also provide address for mail);

3. I was born on ..... (month, day, year)

4. I hold a:

a. valid U.S. Passport # ....., dated ....., or

b. valid U.S. Passport Card # ....., dated ....., or

c. valid Certificate of Citizenship, dated ....., or

d. other valid form of identification recognized as such under federal or state law: ..... (form of identification), dated .....

5. a. Immediately prior to taking up residence abroad I was domiciled in New Jersey and resided at ..... (street address), ... (municipality), ... (county) (If formerly registered to vote from that address check here [ ]), or

b. I was born outside of the United States and my parent, legal guardian, spouse, partner in civil union, or domestic partner, before leaving the United States, was last domiciled in New Jersey, residing at ..... (street address), ... (municipality), ... (county).

6. I am not registered, entitled or applying to vote in any state other than New Jersey.

7. I understand that any false statement knowingly made in this application subjects me to the penalties provided by law for fraudulent voting.

.....Applicant
(Signature)

Dated:..... .....Applicant
(Print or type name)

b. There shall also be sent to the applicant by air mail or electronic means such instructions and portions of the law or regulations as the Secretary of State shall direct.

c. Any overseas voter or overseas federal election voter requesting that a ballot be sent to that voter by electronic means shall indicate on the application for the ballot the telephone number and location to which the ballot is to be sent or the electronic address of the voter, as may be appropriate.

5. Section 6 of P.L.1976, c.23 (C.19:59-6) is amended to read as follows:

C.19:59-6 Approval; lists; inspection; delivery to county board.

6. Each county clerk, upon receipt of an application for a ballot by an overseas voter or overseas federal election voter, including a federal postcard application, shall determine whether or not the applicant is qualified to vote such a ballot, make a list of those applications approved and disapproved, which list shall be open to inspection by election officials and the public, and shall forward an overseas ballot to each person whose application is approved. For each voter whose application is approved, the county clerk shall deliver to the county board of elections the completed application form for retention by the board for signature comparison with that on the certificate on the inner envelope containing the ballot upon its receipt.

6. Section 7 of P.L.1976, c.23 (C.19:59-7) is amended to read as follows:

C.19:59-7 Form of ballot.

7. The county clerk shall prescribe the form of the ballot for overseas voters and overseas federal election voters.

7. Section 10 of P.L.1976, c.23 (C.19:59-10) is amended to read as follows:

C.19:59-10 Completion, transmittal of ballot.

10. a. For ballots sent to overseas voters or overseas federal election voters, other than such ballots sent to the voter by electronic means, the procedure for completing the ballot shall be as follows:

Upon completion of the ballot by indicating the voter's choice of candidates for the offices named or the voter's choice regarding a public question, or both, the ballot shall be placed in the inner envelope and sealed. Upon completion and signing in the voter's handwriting the certificate attached to the inner envelope, the inner envelope shall be placed in the outer envelope, which when sealed shall be mailed postage prepaid to the county board of elections whose address is printed thereon.

b. For ballots sent to overseas voters or overseas federal election voters by electronic means, the procedure for completing the ballot shall be as follows:

After the ballot is received and completed by the voter by indicating that person's choice of candidates for the offices named or that person's choice regarding a public question, or both, the ballot shall be placed in a secure envelope. Upon completion and signing in the voter's handwriting of the certificate sent to the voter pursuant to section 8 of P.L.1976, c.23

(C.19:59-8), it shall be placed in the same envelope as the voted ballot. The envelope shall then be sealed securely and sent immediately by air mail to the appropriate county board of elections in this State.

c. Notwithstanding the provisions of subsections a. and b. of this section, a copy of an overseas voter's or overseas federal election voter's ballot may be transmitted by electronic means to the appropriate county board of elections in this State. Such a ballot shall be subject to the provisions of sections 3 and 4 of P.L.1995, c.195 (C.19:59-14 and C.19:59-15).

8. Section 12 of P.L.1976, c.23 (C.19:59-12) is amended to read as follows:

C.19:59-12 Request for ballots, transmittal.

12. An overseas voter or overseas federal election voter may request, on any application form used, a ballot for all elections held during the calendar year in which the request is made and in which the voter is eligible to vote. Any instructions sent to an applicant pursuant to section 5 of P.L.1976, c.23 (C.19:59-5) shall inform the applicant that such a request may be made. If such a request is made, a ballot shall be sent in a timely manner to the voter for all such elections in which the voter is eligible to vote and by the transmission method first requested by the voter unless the voter instructs otherwise.

9. Section 26 of P.L.2011, c.37 (C.19:59-16) is amended to read as follows:

C.19:59-16 Information provided to overseas voters, overseas federal elections voters.

26. For the purpose of complying with the federal "Uniformed and Overseas Citizens Absentee Voting Act," 42 U.S.C. s.1973ff-1 et seq., the office of the Secretary of State shall:

a. be designated as the single State office responsible for providing information to all overseas voters and overseas federal election voters who wish to register to vote or vote in any jurisdiction in the State with respect to voter registration procedures and vote by mail procedures to be used by overseas voters and overseas federal election voters for all elections in which the voter is eligible to vote;

b. work with the federal Election Assistance Commission and the federal Department of Defense to develop standards to report data on the number of ballots transmitted and received by mail or electronic means by overseas voters or overseas federal election voters pursuant to the "Overseas Residents Absentee Voting Law," P.L.1976, c.23 (C.19:59-1 et seq.) and section 7 of P.L.2004, c.88 (C.19:61-7); and

c. provide such additional information relating to voting by overseas voters and overseas federal election voters from this State as the Department of Defense determines is necessary.

10. R.S.19:31-6 is amended to read as follows:

Registration places, time, requirements.

19:31-6. Any person qualified to vote in an election shall be entitled to vote in the election if the person shall have registered to vote on or before the 21st day preceding the election by:

a. registering in person at any offices designated by the commissioner of registration for providing and receiving registration forms;

b. completing a voter registration form while applying for a motor vehicle driver's license from an agent of the New Jersey Motor Vehicle Commission, as provided for in section 24 of P.L.1994, c.182 (C.39:2-3.2);

c. completing and returning to the Secretary of State or having returned thereto a voter registration form received from a voter registration agency, as defined in subsection a. of section 26 of P.L.1994, c.182 (C.19:31-6.11), while applying for services or assistance or seeking a recertification, renewal or change of address at an office of that agency;

d. completing and returning to the Secretary of State a voter registration form obtained from a public agency, as defined in subsection a. of section 15 of P.L.1974, c.30 (C.19:31-6.3);

e. completing and returning to the Secretary of State or having returned thereto a voter registration form received from a door-to-door canvass or mobile registration drive, as provided for in section 19 of P.L.1974, c.30 (C.19:31-6.7);

f. completing and returning to the Secretary of State a federal mail voter registration form, as prescribed in subsection (b) of section 9 of the "National Voter Registration Act of 1993" (42 U.S.C. s.1973gg et seq.);

g. completing and returning to the Secretary of State or the appropriate county clerk an application for a federal postcard application form to register to vote, as permitted pursuant to the "Overseas Absentee Voting Act" (42 U.S.C. s.1973ff-1 et seq.) and section 4 of P.L.1976, c.23 (C.19:59-4); or

h. completing a provisional ballot affirmation statement and voting the provisional ballot in the previous election, if the person who submitted the provisional ballot in that election is determined not to be a registered voter.

When the commissioner has designated a place or places other than his office for receiving registrations, the commissioner shall cause to be pub-

lished a notice in a newspaper circulated in the municipality wherein such place or places of registration shall be located. Such notice shall be published pursuant to R.S.19:12-7.

Any office designated by the commissioner of registration for receiving registration forms shall have displayed, in a conspicuous location, registration and voting instructions. These instructions shall be the same as those provided for polling places under R.S.19:9-2 and shall be provided by the commissioner.

11. Section 8 of P.L.1976, c.23 (C.19:59-8) is amended to read as follows:

C.19:59-8 Instructions for completion, return of ballots; notice.

8. a. Each county clerk shall send by air mail, with each ballot for an overseas voter or overseas federal election voter transmitted by such means, appropriate printed instructions for its completion and return, together with an inner and outer envelope similar to that required as to civilian vote by mail ballots with a legend on the inner envelope stating "Ballot for Overseas Voter" or "Ballot for Overseas Federal Election Voter," as appropriate.

b. Each county clerk shall send to each overseas voter or overseas federal election voter requesting that a ballot be sent to that voter by electronic means all appropriate printed instructions for its completion and return. The printed instructions sent to each such voter shall include a certificate substantially the same as provided for in section 9 of P.L.1976, c.23 (C.19:59-9).

c. The printed instructions sent with each ballot to an overseas voter or overseas federal election voter, including instructions sent by electronic means, shall include a copy of the following notice:

PENALTY FOR FRAUDULENT VOTING

Any person who knowingly violates any of the provisions of the Overseas Residents Absentee Voting Law, or who, not being entitled to vote thereunder, fraudulently votes or attempts to vote thereunder or enables or attempts to enable another person, not entitled to vote thereunder, to vote fraudulently thereunder or who prevents or attempts to prevent by fraud the voting of any person legally entitled to vote under this act, shall be guilty of an indictable offense, and upon conviction thereof shall be subject, in addition to such other penalties as are authorized by law, to disenfranchisement unless and until pardoned or restored by law to the right of suffrage.

12. Section 12 of P.L.1993, c.73 (C.19:59-8.1) is amended to read as follows:

C.19:59-8.1 Processing overseas voter, overseas federal election voter requests, transmittal by electronic means.

12. Whenever a county clerk receives a request by electronic means from an overseas voter or overseas federal election voter that a ballot be sent to that person by electronic means, the county clerk shall verify the voter's eligibility to vote as an overseas voter or overseas federal election voter in the State and the county desired. If the overseas voter or overseas federal election voter is eligible to vote therein, the county clerk shall send the appropriate ballot to the voter at least 45 days before the day of the election and thereafter by electronic means using the telephone number or electronic address supplied by the voter for that purpose. If the overseas voter or overseas federal election voter is not eligible to vote in the State or the county desired, notice of noneligibility shall be provided to the voter by electronic means as soon as practicable after the receipt of the request.

13. Section 9 of P.L.1976, c.23 (C.19:59-9) is amended to read as follows:

C.19:59-9 Printing of certificate upon margin of flap of inner envelope.

9. Upon the margin of the flap of the inner envelope to be sent to an overseas voter or overseas federal election voter shall be printed a certificate substantially as follows:

I, the undersigned, residing at ..... am the person who applied for, received and voted the enclosed Ballot.

Dated:..... .....Applicant
(Signature)

.....Applicant
(Print or type name)

14. Section 11 of P.L.1976, c.23 (C.19:59-11) is amended to read as follows:

C.19:59-11 Receiving and handling of ballots.

11. Upon receipt of each ballot from an overseas voter or overseas federal election voter, other than a ballot which had been sent by electronic means to an overseas voter or overseas federal election voter, the signature

on the certificate on the inner envelope shall be compared to that on the person's application. All ballots, whether originally sent to an overseas voter or overseas federal election voter by air mail or electronic means, shall be approved, disapproved, processed, counted and disputes in connection therewith shall be handled in the same manner as is applicable to other vote by mail ballots. No ballot received after the time designated for the closing of the polls shall be counted.

15. Section 3 of P.L.1995, c.195 (C.19:59-14) is amended to read as foll

C.19:59-14 Validity of voted overseas ballot transmitted by electronic means.

3. Notwithstanding any law, rule or regulation to the contrary, a copy of an overseas voter's or overseas federal election voter's voted ballot, or a voted federal write-in absentee ballot, which is transmitted by electronic means to the appropriate county board of elections in this State shall be considered valid and counted if it:

a. is from a qualified voter;

b. has been transmitted to the appropriate county board of elections no later than the time designated by law for the closing of the polls on that day; and

c. is accompanied by the following statement, which shall be certified by the voter's signature: "I understand that by transmitting by electronic means a copy of my voted ballot I am voluntarily waiving my right to a secret ballot. At the same time, I pledge to place the original voted ballot in a secure envelope, together with any other required certification, and send the documents immediately by air mail to the appropriate county board of elections."

16. Section 4 of P.L.1995, c.195 (C.19:59-15) is amended to read as follows:

C.19:59-15 Procedure relative to ballot transmission by electronic means.

4. a. Immediately after a copy of an overseas voter's or overseas federal election voter's voted ballot, or a voted federal write-in absentee ballot, has been transmitted by electronic means to the appropriate county board of elections, as permitted pursuant to section 3 of P.L.1995, c.195 (C.19:59-14), the overseas voter or overseas federal election voter shall place the original voted ballot in a secure envelope, together with a certificate substantially the same as provided for in section 9 of P.L.1976, c.23 (C.19:59-9), and send the documents by air mail to the appropriate county board of elections.

b. All copies of voted ballots received by electronic means shall be approved, disapproved, processed and counted, and disputes in connection therewith shall be handled, in the same manner as is applicable to other vote by mail ballots. No ballot received after the time designated for the closing of the polls shall be counted.

c. The county board of elections shall take all necessary precautions to preserve the security of the ballot materials and specifically shall ensure that the vote cast by a voter using a ballot transmitted by electronic means is not revealed, except to the extent necessary by law or judicial determination. Upon the completion of all inspections of a ballot transmitted by electronic means required by law, the board or any employee thereof acting under its direction shall promptly separate the waiver certification from the ballot transmitted by electronic means. Any person handling such a ballot shall not identify the votes cast by any voter, except upon judicial determination.

d. Prior to certification of the results of the election, the county board shall:

(1) compare the information on the copy transmitted by electronic means of each voted ballot with the same on the original voted ballot sent by air mail by the voter who transmitted to the county board a copy of the voted ballot by electronic means, and the signature on the statement received by electronic means with the signature on the certificate received by air mail; and

(2) ascertain whether an original voted ballot has been received for each copy of a voted ballot received by electronic means and counted.

Whenever the particulars of the copy of a voted ballot transmitted by electronic means do not conform exactly with the particulars of the original voted ballot sent by air mail to the county board afterwards by that voter and whenever an original voted ballot has not been received which corresponds to a copy of a voted ballot transmitted by electronic means which has been received and counted by the county board, those ballots and all other pertinent documents and information relative to those ballots shall be turned over to the superintendent of elections in counties having a superintendent and the prosecutor in all other counties for further investigation and action.

e. Within 30 days after the election, the county board shall gather and keep together the copy of the voted ballot transmitted by electronic means, the certified statement and the original voted ballot sent by air mail of each voter who transmitted a copy of a voted ballot by electronic means. Those ballots needed for an investigation conducted by the superintendent of elections or the county prosecutor, as the case may be, or by any other law enforcement official shall be returned to the county board as soon as practica-

ble after the conclusion of the investigation. All ballots and documents relative to a copy of a voted ballot transmitted by electronic means and received by the county board shall be retained by it for a period of one year following the day of the election. The superintendent of elections in counties having a superintendent and the prosecutor in all other counties shall have the authority to impound all such documents whenever the superintendent or prosecutor shall deem such action necessary.

17. This act shall take effect on the 90th day after the date of enactment.

Approved March 30, 2017.

CHAPTER 40

AN ACT concerning eligible investments under the "New Jersey Angel Investor Tax Credit Act," and amending P.L.1997, c.349 and P.L.2013, c.14.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 2 of P.L.1997, c.349 (C.54:10A-5.29) is amended to read as follows:

C.54:10A-5.29 Definitions relative to New Jersey emerging technology businesses.

2. As used in sections 1 through 3 of P.L.1997, c.349 (C.54:10A-5.28 through C.54:10A-5.30):

"Advanced computing" means a technology used in the designing and developing of computing hardware and software, including innovations in designing the full spectrum of hardware from hand-held calculators to super computers, and peripheral equipment.

"Advanced materials" means materials with engineered properties created through the development of specialized processing and synthesis technology, including ceramics, high value-added metals, electronic materials, composites, polymers, and biomaterials.

"Biotechnology" means the continually expanding body of fundamental knowledge about the functioning of biological systems from the macro level to the molecular and sub-atomic levels, as well as novel products, services,

technologies, and sub-technologies developed as a result of insights gained from research advances which add to that body of fundamental knowledge.

"Carbon footprint reduction technology" means a technology using equipment for the commercial, institutional, and industrial sectors that: increases energy efficiency; develops and delivers renewable or non-carbon-emitting energy technologies; develops innovative carbon emissions abatement with significant carbon emissions reduction potential; or promotes measurable electricity end-use energy efficiency.

"Control" with respect to a corporation means ownership, directly or indirectly, of stock possessing 80 percent or more of the total combined voting power of all classes of the stock of the corporation entitled to vote; and "control" with respect to a trust means ownership, directly or indirectly, of 80 percent or more of the beneficial interest in the principal or income of the trust. The ownership of stock in a corporation, of a capital or profits interest in a partnership or association or of a beneficial interest in a trust shall be determined in accordance with the rules for constructive ownership of stock provided in subsection (c) of section 267 of the federal Internal Revenue Code of 1986 (26 U.S.C. s.267), other than paragraph (3) of subsection (c) of that section.

"Controlled group" means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least 80 percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least 80 percent of the voting power of all classes of stock of at least one of the other corporations.

"Director" means the Director of the Division of Taxation in the Department of the Treasury.

"Electronic device technology" means a technology involving microelectronics, semiconductors, electronic equipment and instrumentation, radio frequency, microwave and millimeter electronics, and optical and optic-electrical devices, or data and digital communications and imaging devices.

"Information technology" means software publishing, motion picture and video production, television production and post-production services, telecommunications, data processing, hosting and related services, custom computer programming services, computer system design, computer facilities management services, other computer related services, and computer training.

New Jersey State Library

"Life sciences" means the production of medical equipment, ophthalmic goods, medical or dental instruments, diagnostic substances, biopharmaceutical products, or physical and biological research.

"Medical device technology" means a technology involving any medical equipment or product (other than a pharmaceutical product) that has therapeutic value, diagnostic value, or both, and is regulated by the federal Food and Drug Administration.

"Mobile communications technology" means a technology involving the functionality and reliability of the transmission of voice and multimedia data using a communication infrastructure via a computer or a mobile device, that shall include, but not be limited to, smartphones, electronic books and tablets, digital audio players, motor vehicle electronics, home entertainment systems, and other wireless appliances, without having connected to any physical or fixed link.

"New Jersey emerging technology business" means a company with fewer than 225 employees, of whom at least 75 percent are filling a position in New Jersey, that is doing business, employing or owning capital or property, or maintaining an office in this State and: has qualified research expenses paid or incurred for research conducted in this State; conducts pilot scale manufacturing in this State; or conducts technology commercialization in this State in the fields of advanced computing, advanced materials, biotechnology, carbon footprint reduction technology, electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology.

"New Jersey emerging technology business holding company" means any corporation, association, firm, partnership, trust, or other form of business organization, but not a natural person, which directly or indirectly, owns, has the power or right to control, or has the power to vote, a controlling share of the outstanding voting securities of a corporation or other form of a New Jersey emerging technology business.

"Partnership" means a syndicate, group, pool, joint venture, or other unincorporated organization through or by means of which any business, financial operation, or venture is carried on, and which is not a trust or estate, a corporation, or a sole proprietorship.

"Pilot scale manufacturing" means the design, construction, and testing of preproduction prototypes and models in the fields of advanced computing, advanced materials, biotechnology, carbon footprint reduction technology electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, and renewable energy technology, other than for commercial sale, excluding sales

of prototypes or sales for market testing if the total gross receipts, as calculated in the manner provided in section 6 of P.L.1945, c.162 (C.54:10A-6), from the sales of the product, service, or process do not exceed $1,000,000.

"Qualified investment" means the non-refundable transfer of cash to a New Jersey emerging technology business or to a New Jersey emerging technology business holding company by a taxpayer that is not a related person of the New Jersey emerging technology business or the New Jersey emerging technology business holding company, the transfer of which is in connection with either: a transaction between or among the taxpayer and the New Jersey emerging technology business or the New Jersey emerging technology holding company or both in exchange for stock, interests in partnerships or joint ventures, licenses (exclusive or non-exclusive), rights to use technology, marketing rights, warrants, options, or any items similar to those included herein, including, but not limited to, options or rights to acquire any of the items included herein; or a purchase, production, or research agreement between or among the taxpayer and the New Jersey emerging technology business or the New Jersey emerging technology holding company or both.

"Qualified research expenses" means qualified research expenses, as defined in section 41 of the federal Internal Revenue Code of 1986 (26 U.S.C. s.41), as in effect on June 30, 1992, in the fields of advanced computing, advanced materials, biotechnology, carbon footprint reduction technology, electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology.

"Related person" means:

a corporation, partnership, association or trust controlled by the taxpayer;

an individual, corporation, partnership, association or trust that is in the control of the taxpayer;

a corporation, partnership, association or trust controlled by an individual, corporation, partnership, association or trust that is in the control of the taxpayer; or

a member of the same controlled group as the taxpayer.

"Renewable energy technology" means a technology involving the generation of electricity from solar energy; wind energy; wave or tidal action; geothermal energy; the combustion of gas from the anaerobic digestion of food waste and sewage sludge at a biomass generating facility; the combustion of methane gas captured from a landfill; and a fuel cell pow-

ered by methanol, ethanol, landfill gas, digestor gas, biomass gas, or other renewable fuel but not powered by a fossil fuel.

"Tax year" means the fiscal or calendar accounting period of a taxpayer.

"Verified transfer of funds" means a non-refundable transfer of funds equal to 100 percent of the taxpayer's qualified investment in the New Jersey emerging technology business holding company to a New Jersey emerging technology business by the New Jersey emerging technology business holding company that is accompanied by documentation, as required by the New Jersey Economic Development Authority, which provides proof of a cash transaction originating with a taxpayer and concluding with a New Jersey emerging technology business, provided that the transactions from origin to destination occur within the same tax year.

2. Section 3 of P.L.1997, c.349 (C.54:10A-5.30) is amended to read as follows:

C.54:10A-5.30 Taxpayer allowed credit.

3. a. A taxpayer, upon approval of the taxpayer's application therefor by the New Jersey Economic Development Authority and in consultation with the director, shall be allowed a credit against the tax imposed pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5), in an amount equal to 10 percent of the qualified investment made by the taxpayer in a New Jersey emerging technology business, or in a New Jersey emerging technology business holding company that makes a verified transfer of funds to a New Jersey emerging technology business, up to a maximum allowed credit of $500,000 for the tax year for each qualified investment made by the taxpayer.

b. A credit shall not be allowed pursuant to section 1 of P.L.1993, c.175 (C.54:10A-5.24), for expenses paid from funds for which a credit is allowed, or which are includable in the calculation of a credit allowed, under this section.

Notwithstanding any other provision of law, the order of priority in which the credit allowed by this section and any other credits allowed by law may be taken shall be as prescribed by the director.

c. Except as provided in subsection d. of this section, the amount of tax year credit otherwise allowable under this section which cannot be applied for the tax year against tax liability otherwise due for that tax year may either be carried over, if necessary, to the 15 tax years following the tax year for which the credit was allowed or, at the election of the taxpayer, be claimed as and treated as an overpayment for the purposes of R.S.54:49-

15, provided, however, that section 7 of P.L.1992, c.175 (C.54:49-15.1) shall not apply.

d. A taxpayer may not carry over any amount of credit allowed under subsection a. of this section to a tax year during which a corporate acquisition with respect to which the taxpayer was a target corporation occurred or during which the taxpayer was a party to a merger or a consolidation, or to any subsequent tax year, if the credit was allowed for a tax year prior to the year of acquisition, merger or consolidation, except that if in the case of a corporate merger or corporate consolidation the taxpayer can demonstrate, through the submission of a copy of the plan of merger or consolidation and such other evidence as may be required by the director, the identity of the constituent corporation which was the acquiring person, a credit allowed to the acquiring person may be carried over by the taxpayer. As used in this subsection, "acquiring person" means the constituent corporation the stockholders of which own the largest proportion of the total voting power in the surviving or consolidated corporation after the merger or consolidation.

e. The Executive Director of the New Jersey Economic Development Authority, in consultation with the director, shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations that are necessary to implement sections 1 through 3 of P.L.1997, c.349 (C.54:10A-5.28 through C.54:10A-5.30) and section 4 of P.L.2013, c.14 (C.54A:4-13), including, but not limited to: examples of and the determination of qualified investments of which applicants shall provide documentation with their tax credit application; the promulgation of procedures and forms necessary to apply for a credit; and provisions for credit applicants to be charged an initial application fee and ongoing service fees to cover the administrative costs related to the credit.

The amount of credits approved by the Executive Director of the New Jersey Economic Development Authority, and in consultation with the director, pursuant to subsection a. of this section and pursuant to section 4 of P.L.2013, c.14 (C.54A:4-13), shall not exceed a cumulative total of $25,000,000 in any calendar year to apply against the tax imposed pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5) and the tax imposed pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq. If the cumulative amount of credits allowed to taxpayers in a calendar year exceeds the amount of credits available in that year, then taxpayers who have first applied for and have not been allowed a credit amount for that reason shall be allowed, in the order in which they have submitted an application, the amount of the tax credit on the first day of the next succeeding calendar

year in which tax credits under this section and section 4 of P.L.2013, c.14 (C.54A:4-13) are not in excess of the amount of credits available.

3. Section 4 of P.L.2013, c.14 (C.54A:4-13) is amended to read as follows:

C.54A:4-13 Credit against tax due.

4. a. A taxpayer, upon approval of the taxpayer's application therefor by the New Jersey Economic Development Authority, and in consultation with the director, shall be allowed a credit against the tax otherwise due for the taxable year under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., in an amount equal to 10 percent of the qualified investment made by the taxpayer in a New Jersey emerging technology business, or in a New Jersey emerging technology business holding company that makes a verified transfer of funds to a New Jersey emerging technology business, up to a maximum allowed credit of $500,000 for the taxable year for each qualified investment made by the taxpayer.

b. The amount of the credit allowed pursuant to this section shall be applied against the tax otherwise due under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., after all other credits and payments. If the credit exceeds the amount of tax liability otherwise due, that amount of excess shall be an overpayment for the purposes of N.J.S.54A:9-7, provided, however, that subsection (f) of N.J.S.54A:9-7 shall not apply.

c. (1) A partnership shall not be allowed a credit under this section directly, but the amount of credit of a taxpayer in respect of a distributive share of partnership income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., shall be determined by allocating to the taxpayer that proportion of the credit acquired by the partnership that is equal to the taxpayer's share, whether or not distributed, of the total distributive income or gain of the partnership for its taxable year ending within or with the taxpayer's taxable year. For the purposes of subsection b. of this section, the amount of tax liability that would be otherwise due of a taxpayer is that proportion of the total liability of the taxpayer that the taxpayer's share of the partnership income or gain included in gross income bears to the total gross income of the taxpayer.

(2) The credit for a corporation that has made a valid election as a New Jersey S corporation pursuant to section 3 of P.L.1993, c.173 (C.54:10A-5.22) may be applied by the shareholders of the S corporation against the tax liability otherwise due under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., provided that the amount of credit that may be used

by a shareholder of the S corporation shall be determined by allocating to each shareholder of the S corporation that proportion of the tax credit of the S corporation that is equal to the shareholder's proportionate share of the S corporation, whether or not distributed, of the total distributive income or gain of the S corporation for its tax period ending with or within the shareholder's tax period, and the credit may be applied by the shareholders against the tax liability otherwise due pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq.

d. The Executive Director of the New Jersey Economic Development Authority, in consultation with the director, shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations that are necessary to implement sections 1 through 3 of P.L.1997, c.349 (C.54:10A-5.28 through C.54:10A-5.30) and this section, including, but not limited to: examples of and the determination of qualified investments of which applicants shall provide documentation with their tax credit application; the promulgation of procedures and forms necessary to apply for a credit; and provisions for credit applicants to be charged an initial application fee and ongoing service fees to cover the administrative costs related to the credit.

The amount of credits approved by the Executive Director of the New Jersey Economic Development Authority and the Director of the Division of Taxation in the Department of the Treasury, pursuant to subsection a. of this section and pursuant to section 3 of P.L.1997, c.349 (C.54:10A-5.30), shall not exceed a cumulative total of $25,000,000 in any calendar year to apply against the tax imposed pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5), and the tax imposed pursuant to the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq. If the cumulative amount of credits allowed to taxpayers in a calendar year exceeds the amount of credits available in that year, then taxpayers who have first applied for and have not been allowed a credit amount for that reason shall be allowed, in the order in which they have submitted an application, the amount of the tax credit on the first day of the next succeeding calendar year in which tax credits under this section and section 3 of P.L.1997, c.349 (C.54:10A-5.30) are not in excess of the amount of credits available.

e. As used in this section:

"Advanced computing" means a technology used in the designing and developing of computing hardware and software, including innovations in designing the full spectrum of hardware from hand-held calculators to super computers, and peripheral equipment.

"Advanced materials" means materials with engineered properties created through the development of specialized processing and synthesis technology, including ceramics, high value-added metals, electronic materials, composites, polymers, and biomaterials.

"Biotechnology" means the continually expanding body of fundamental knowledge about the functioning of biological systems from the macro level to the molecular and sub-atomic levels, as well as novel products, services, technologies, and sub-technologies developed as a result of insights gained from research advances which add to that body of fundamental knowledge.

"Carbon footprint reduction technology" means a technology using equipment for the commercial, institutional, and industrial sectors that: increases energy efficiency; develops and delivers renewable or non-carbon-emitting energy technologies; develops innovative carbon emissions abatement with significant carbon emissions reduction potential; or promotes measurable electricity end-use energy efficiency.

"Control" with respect to a corporation, means ownership, directly or indirectly, of stock possessing 80 percent or more of the total combined voting power of all classes of the stock of the corporation entitled to vote; and "control," with respect to a trust, means ownership, directly or indirectly, of 80 percent or more of the beneficial interest in the principal or income of the trust. The ownership of stock in a corporation, of a capital or profits interest in a partnership or association or of a beneficial interest in a trust shall be determined in accordance with the rules for constructive ownership of stock provided in subsection (c) of section 267 of the federal Internal Revenue Code of 1986 (26 U.S.C. s.267), other than paragraph (3) of subsection (c) of that section.

"Controlled group" means one or more chains of corporations connected through stock ownership with a common parent corporation if stock possessing at least 80 percent of the voting power of all classes of stock of each of the corporations is owned directly or indirectly by one or more of the corporations and the common parent owns directly stock possessing at least 80 percent of the voting power of all classes of stock of at least one of the other corporations.

"Director" means the Director of the Division of Taxation in the Department of the Treasury.

"Electronic device technology" means a technology involving microelectronics, semiconductors, electronic equipment and instrumentation, radio frequency, microwave and millimeter electronics, and optical and optic-electrical devices, or data and digital communications and imaging devices.

"Information technology" means software publishing, motion picture and video production, television production and post-production services, telecommunications, data processing, hosting and related services, custom computer programming services, computer system design, computer facilities management services, other computer related services, and computer training.

"Life sciences" means the production of medical equipment, ophthalmic goods, medical or dental instruments, diagnostic substances, biopharmaceutical products, or physical and biological research.

"Medical device technology" means a technology involving any medical equipment or product (other than a pharmaceutical product) that has therapeutic value, diagnostic value, or both, and is regulated by the federal Food and Drug Administration.

"Mobile communications technology" means a technology involving the functionality and reliability of the transmission of voice and multimedia data using a communication infrastructure via a computer or a mobile device, that shall include, but not be limited to, smartphones, electronic books and tablets, digital audio players, motor vehicle electronics, home entertainment systems, and other wireless appliances, without having connected to any physical or fixed link.

"New Jersey emerging technology business" means a company with fewer than 225 employees, of whom at least 75 percent are filling a position in New Jersey, that is doing business, employing or owning capital or property, or maintaining an office in this State and: has qualified research expenses paid or incurred for research conducted in this State; conducts pilot scale manufacturing in this State; or conducts technology commercialization in this State in the fields of advanced computing, advanced materials, biotechnology, carbon footprint reduction technology, electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology.

"New Jersey emerging technology business holding company" means any corporation, association, firm, partnership, trust or other form of business organization, but not a natural person, which directly or indirectly, owns, has the power or right to control, or has the power to vote, a controlling share of the outstanding voting securities of a corporation or other form of a New Jersey emerging technology business.

"Partnership" means a syndicate, group, pool, joint venture, or other unincorporated organization through or by means of which any business, financial operation, or venture is carried on, and which is not a trust or estate, a corporation, or a sole proprietorship.

"Pilot scale manufacturing" means design, construction, and testing of preproduction prototypes and models in the fields of advanced computing, advanced materials, biotechnology, carbon footprint reduction technology electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology, other than for commercial sale, excluding sales of prototypes or sales for market testing if the total gross receipts, as calculated in the manner provided in section 6 of P.L.1945, c.162 (C.54:10A-6), from the sales of the product, service, or process do not exceed $1,000,000.

"Qualified investment" means the non-refundable transfer of cash to a New Jersey emerging technology business or to a New Jersey emerging technology business holding company by a taxpayer that is not a related person of the New Jersey emerging technology business or the New Jersey emerging technology business holding company, the transfer of which is in connection with either: a transaction between or among the taxpayer and the New Jersey emerging technology business or the New Jersey emerging technology holding company or both in exchange for stock, interests in partnerships or joint ventures, licenses (exclusive or non-exclusive), rights to use technology, marketing rights, warrants, options, or any items similar to those included herein, including, but not limited to, options or rights to acquire any of the items included herein; or a purchase, production, or research agreement between or among the taxpayer and the New Jersey emerging technology business or the New Jersey emerging technology holding company or both.

"Qualified research expenses" means qualified research expenses, as defined in section 41 of the federal Internal Revenue Code of 1986 (26 U.S.C. s.41), as in effect on June 30, 1992, in the fields of advanced computing, advanced materials, biotechnology, electronic device technology, information technology, life sciences, medical device technology, mobile communications technology, or renewable energy technology.

"Related person" means:

a corporation, partnership, association or trust controlled by the taxpayer;

an individual, corporation, partnership, association or trust that is in the control of the taxpayer;

a corporation, partnership, association or trust controlled by an individual, corporation, partnership, association or trust that is in the control of the taxpayer; or

a member of the same controlled group as the taxpayer.

"Renewable energy technology" means a technology involving the generation of electricity from solar energy; wind energy; wave or tidal action; geothermal energy; the combustion of gas from the anaerobic digestion of food waste and sewage sludge at a biomass generating facility; the combustion of methane gas captured from a landfill; and a fuel cell powered by methanol, ethanol, landfill gas, digestor gas, biomass gas, or other renewable fuel but not powered by a fossil fuel.

"Verified transfer of funds" means a non-refundable transfer of funds equal to 100 percent of the taxpayer's qualified investment in the New Jersey emerging technology business holding company to a New Jersey emerging technology business by the New Jersey emerging technology business holding company that is accompanied by documentation, as required by the New Jersey Economic Development Authority, which provides proof of a cash transaction originating with a taxpayer and concluding with a New Jersey emerging technology business, provided that the transactions from origin to destination occur within the same taxable year.

4. This act shall take effect immediately and shall apply retroactively to qualified investments made for tax years and taxable years beginning on or after January 1, 2012, other than qualified investments in New Jersey emerging technology businesses, and in New Jersey emerging technology business holding companies that make verified transfers of funds to New Jersey emerging technology businesses, that conduct technology commercialization in this State in the field of carbon footprint reduction technology.

Approved May 1, 2017.

CHAPTER 41

AN ACT concerning use of native vegetation by the Department of Transportation, New Jersey Turnpike Authority, and the South Jersey Transportation Authority, and supplementing Title 27 of the Revised Statutes, P.L.1948, c.454 (C.27:23-1 et seq.) and P.L.1991, c.252 (C.27:25A-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.27:7-42.1 Use of native vegetation by Department of Transportation.

1. a. (1) Notwithstanding the provisions of any other law, rule or regulation to the contrary and except as provided otherwise pursuant to para-

graph (2) of this subsection, no later than the 180th day after the date of enactment of P.L.2017, c.41 (C.27:7-42.1 et al.), the Department of Transportation, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the Department of Transportation to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the Department of Transportation to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection, in consultation with the Division of Plant Industry in the Department of Agriculture, shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

C.27:23-59 Use of native vegetation by New Jersey Turnpike Authority.

2. a. (1) Notwithstanding the provisions of any other law, rule or regulation to the contrary and except as provided otherwise pursuant to paragraph (2) of this subsection, no later than the 180th day after the date of enactment of P.L.2017, c.41 (C.27:7-42.1 et al.), the New Jersey Turnpike Authority, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the New Jersey Turnpike Authority to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the New Jersey Turnpike Authority to use non-native vegetation for purposes of landscaping, land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection, in consultation with the Division of Plant Industry in the Department of Agriculture, shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

C.27:25A-50 Use of native vegetation by South Jersey Transportation Authority.

3. a. (1) Notwithstanding the provisions of any other law, rule or regulation to the contrary and except as provided otherwise pursuant to paragraph (2) of this subsection, no later than the 180th day after the date of enactment of P.L.2017, c.41 (C.27:7-42.1 et al.), the South Jersey Transportation Authority, when planting vegetation for purposes of landscaping, land management, reforestation, or habitat restoration, shall plant only vegetation identified by the Department of Environmental Protection pursuant to subsection b. of this section as being native to the State and that will thrive in the particular plant hardiness zone in which the vegetation is being planted.

(2) Notwithstanding the requirements of paragraph (1) of this subsection, upon application by the South Jersey Transportation Authority to the Department of Environmental Protection, the Department of Environmental Protection in consultation with the Division of Plant Industry in the Department of Agriculture and representatives of appropriate plant industry organizations and environmental organizations selected by the Department of Environmental Protection, may authorize the South Jersey Transportation Authority to use non-native vegetation for purposes of landscaping,

land management, reforestation, or habitat restoration in prescribed circumstances where and when necessary if the use of native vegetation is not feasible, provided that the non-native vegetation is deemed to be non-invasive and not otherwise detrimental to the environment.

b. No later than the 90th day after the date of enactment of this section, the Department of Environmental Protection, in consultation with the Division of Plant Industry in the Department of Agriculture, shall identify, for each plant hardiness zone, all of the particular species of vegetation that are native to the State, and that thrive in each plant hardiness zone in the State.

c. As used in this section:

"Plant hardiness zone" means a zone identified as existing in New Jersey pursuant to the most recent edition of the Plant Hardiness Zone Map published by the United States Department of Agriculture.

4. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 42

AN ACT concerning offenders who are veterans or servicemembers, amending various sections of the law and supplementing Title 2C and Title 38A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.2C:43-23 Definitions relative to offenders who are veterans or servicemembers.

1. As used in this act, P.L.2017, c.42 (C.2C:43-23 et al.):

a. "Servicemember" means any veteran or enlisted person or officer of the United States Armed Forces, or a reserve component thereof, or the organized militia of the State of New Jersey pursuant to N.J.S.38A:1-3.

b. "Eligible offense" means a non-violent petty disorderly persons offense, disorderly persons offense, or crime of the third or fourth degree.

c. "Eligible servicemember" means a servicemember who allegedly committed an eligible offense and who has a prior diagnosis of mental illness or for whom a law enforcement officer or prosecutor has a reasonable belief that the person has a mental illness based on behaviors and symptoms exhibited during the commission of the offense or while in custody, or

based on information provided by family members or associates during the investigation of the offense.

d. "Veterans Diversion Resource entity" means a point of access or referral to case management and mental health services that are currently available from federal, State and local government agencies to eligible servicemembers. The New Jersey Department of Military and Veterans' Affairs shall, pursuant to section 2 of P.L.2017, c.42 (C.2C:43-24), prepare and disseminate a directory of New Jersey Veteran's Diversion Resource entities to facilitate the diversion of eligible servicemembers from the criminal justice system. The department shall not be responsible for funding, developing or delivering case management or mental health services to eligible servicemembers under P.L.2017, c.42 (C.2C:43-23 et al.).

e. "Mentor" means a volunteer former servicemember recruited by the New Jersey Department of Military and Veterans' Affairs pursuant to subsection (bb) of N.J.S.38A:3-6 to assist an eligible servicemember who is a veteran in accessing assistance to resolve the underlying problems that led or contributed to the eligible servicemember's involvement with the criminal justice system.

f. "Mental illness" means a mental disorder classified within the current version of the American Psychiatric Association Diagnostic and Statistical Manual of Mental Disorders (DSM), including, but not limited to, anxiety disorders, cognitive disorders, adjustment disorders, schizophrenia and other psychotic disorders, bipolar disorder, depression, and post-traumatic stress disorder (PTSD).

g. "Veteran" means any enlisted person or officer who was discharged or otherwise released from active service in the United States Armed Forces, or any reserve component thereof, or the organized militia of New Jersey under conditions other than dishonorable, or as otherwise provided in subsection p. of section 6 of P.L.1954, c.84 (C.43:15A-6).

C.2C:43-24 Statewide Veterans Diversion Program.

2. a. There is hereby established a Statewide Veterans Diversion Program that shall have the purpose of diverting eligible servicemembers away from the criminal justice system and into appropriate case management and mental health services as early as possible following an interaction with law enforcement where the servicemember is alleged to have committed an eligible offense.

b. The New Jersey Department of Military and Veterans' Affairs shall collaborate with the United States Department of Veterans Affairs, the United States Veterans Health Administration, United States Vet Centers,

the New Jersey Department of Human Services and other federal, State, and local government agencies to prepare a directory of Veterans Diversion Resource entities within New Jersey. Each Veterans Diversion Resource entity shall serve as a point of entry to facilitate the law enforcement diversion or referral of eligible servicemembers who are veterans into existing case management and mental health services offered by the United States Department of Veterans Affairs, the New Jersey Department of Human Services, or other appropriate case management and mental health services that are available to veterans or persons with mental illness. A Veterans Diversion Resource entity, or an agency to which an eligible servicemember is referred to by the Veterans Diversion entity, shall be capable of providing screening, counseling, treatment and case management for mental health issues and other co-occurring health disorders to eligible servicemembers who are veterans, or coordinating such services through the appropriate federal, State, and local government agencies that offer assistance to veterans. To the extent feasible, a Veterans Diversion Resource entity, or an agency to which an eligible servicemember is referred to by the entity, shall be capable of accepting emergent referrals of eligible servicemembers who are veterans and are being diverted from the criminal justice system. A Veterans Diversion Resource entity, or an agency to which a eligible servicemember is referred to by the Veterans Diversion Resource entity, that accepts the referral of an eligible servicemember who is a veteran shall be capable of providing law enforcement officials with periodic status reports regarding the participation and recovery progress of an eligible servicemember, when the servicemember consents to the release of such information, as a condition of diversion from prosecution. The department shall also prepare a similar resource directory to facilitate the law enforcement diversion and referral of non-veteran eligible servicemembers from the criminal justice system. The department shall provide the Attorney General, the Administrative Director of the Courts, the Commissioner of the Department of Corrections, and the Chairman of the State Parole Board with a directory of Veterans Diversion Resource entities available within the State or shall publish the directory on its departmental Internet web site.

C.2C:43-25 Determination of eligibility.

3. a. When a person is taken into custody for an eligible offense, the responding law enforcement officer shall inquire as to whether the person is a servicemember or has ever served in the military services of the United States. If the law enforcement officer determines that the person is a servicemember and exhibits behavior or symptoms that may be related to a

mental illness, the law enforcement officer may proceed in accordance with P.L.2017, c.42 (C.2C:43-23 et al.), but with a preference for diversion of an eligible servicemember to a Veterans Diversion Resource entity or other community-based mental health services in lieu of filing a criminal complaint. If the alleged offense is not an eligible offense or the servicemember is resistant to diversion, the officer may file a criminal complaint. Regardless of whether an offense qualifies for diversion under P.L.2017, c.42 (C.2C:43-23 et al.), the officer shall inquire whether the person is a servicemember and indicate if the person claims to be a servicemember on the complaint-summons or complaint-warrant at the time it is prepared.

b. Law enforcement officers may divert an eligible servicemember who appears to have a mental illness to a Veterans Diversion Resource entity or other community-based mental health services in lieu of filing a criminal complaint against the servicemember. A law enforcement officer shall not divert an eligible servicemember prior to the filing of a criminal complaint if the crime or offense involves restitution for damages, if the crime or offense involves violence or the threat of violence, if the crime or offense involves the violation of any restraining order or protective order involving another person, or where a victim of the offense objects to the diversion. For the purposes of this paragraph, a crime or offense involves violence or the threat of violence if the victim sustains a bodily injury as defined in subsection a. of N.J.S.2C:11-1, or the actor is armed with and uses a deadly weapon or threatens by word or gesture to use a deadly weapon as defined in subsection c. of N.J.S.2C:11-1, or threatens to inflict a bodily injury. If an eligible servicemember is not diverted, the officer may proceed with the filing of a complaint-summons or complaint-warrant pursuant to law, the Rules of Court, and the directives of the Attorney General. The form of complaint shall clearly indicate the person's status as a servicemember to facilitate future efforts to divert eligible servicemembers from prosecution into case management and mental health services or the assignment of the servicemember to appropriate post-adjudication supervisory and therapeutic services, where needed to support the servicemember's recovery.

c. If a law enforcement officer diverts an eligible servicemember to a Veterans Diversion Resource entity or other mental health service provider without filing a criminal complaint, the law enforcement officer may subsequently file the complaint, subject to the time limitations of N.J.S.2C:1-6, if the servicemember fails to cooperate with the service provider or has subsequent interactions with law enforcement.

d. Prior to the commencement of court proceedings to adjudicate a crime or offense, the court shall notify all defendants present in the courtroom of the eligibility for prosecutorial diversion for eligible servicemembers pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

C.2C:43-26 Application to participate in Veterans Diversion Program.

4. a. At any time after the filing of a criminal complaint, but prior to the disposition of such complaint, an eligible servicemember, the public defender assigned to the eligible servicemember, or the servicemember's own legal counsel may make an application to the prosecutor to participate in the Veterans Diversion Program. The prosecutor may approve or conditionally approve an eligible servicemember's admission into the Veterans Diversion Program. An eligible servicemember may be conditionally approved for admission into the program pending verification of the person's veteran or servicemember status, review of the person's criminal history, and consideration of the findings of a clinical assessment of the person's mental health. Once admitted to the program, the prosecutor may move before the court to postpone proceedings while an eligible servicemember obtains a mental health assessment or participates in case management and mental health services. The court may grant the postponement of proceedings and release the servicemember on the persons' own recognizance subject to compliance with the conditions specified in the prosecutor's diversion agreement. If the prosecutor's review of the person's records and the clinical assessment reveals that the person does not qualify for the program or if the servicemember does not comply with the requirements of the diversion agreement, the prosecutor may notify the court that the State is prepared to proceed with the prosecution of the offense and the court shall schedule court proceedings as appropriate.

b. (1) Except as provided in paragraph (2) of this subsection, the prosecutor shall have the sole discretion to determine if an eligible servicemember qualifies for and is admitted to the Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.) after consideration of the nature of the eligible offense, the causative relationship between the person's diagnosed or apparent mental illness and the commission of the offense, the amenability of the servicemember to participation in the services of the program, the availability of case management and mental health services, the desires of any victim, the person's history of prior convictions, and the probability that diversion will promote the servicemember's recovery, prevent future criminal behavior, and protect public safety. A prosecutor may also consider and approve other diversion alternatives for servicemembers

in lieu of the Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(2) No eligible servicemember shall be admitted to the Veterans Diversion Program if the person has criminal charges pending for a crime of the second degree or higher, if the crime or offense involved violence or the threat of violence, or if the person was previously convicted of a violent crime enumerated in subsection d. of section 2 of P.L.1997, c.117 (C.2C:43-7.2). There shall be a presumption against admission into the Veterans Diversion Program, subject to the discretion of the prosecutor after consulting with any victim, for a servicemember charged with any crime or offense involving domestic violence, as defined in subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19) if the defendant committed the crime or offense while subject to a temporary or permanent restraining order issued pursuant to the provisions of the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.). For purposes of this paragraph, a crime or offense involves violence or the threat of violence if the victim sustains a bodily injury as defined in subsection a. of N.J.S.2C:11-1, or the actor is armed with and uses a deadly weapon or threatens by word or gesture to use a deadly weapon as defined in subsection c. of N.J.S.2C:11-1, or threatens to inflict a bodily injury.

(3) The prosecutor shall consult with victims of an eligible offense prior to approving an eligible servicemember's admission into the Veterans Diversion Program. Nothing in this subsection shall be construed to alter or limit the authority or discretion of the prosecutor to admit an eligible servicemember into the Veterans Diversion Program which the prosecutor deems appropriate.

c. The prosecutor's approval of an application for admission into the Veterans Diversion Program pursuant to this section shall not be conditioned on an admission or plea of guilt by an eligible servicemember.

d. To qualify for prosecutorial diversion under this section, an eligible servicemember shall agree in writing to the following terms, where relevant to the eligible offense:

(1) Participate in case management and mental health services initiated through the Veterans Diversion Resource entity or other similar services and to cooperate with any recommended course of treatment, including the use of medications as prescribed and participation in counseling;

(2) Authorize the case management or mental health service provider to release to the prosecutor periodic status reports regarding the servicemember's participation, cooperation, and recovery progress with case management and mental health services;

(3) Cooperate with case management service providers to procure housing, education, and employment services, where appropriate;

(4) Pay restitution for damages that have resulted from the offense;

(5) Refrain from the use of alcohol or illegal drugs or frequent any place where alcohol or illegal drugs are sold and used;

(6) Refrain from the possession or use of firearms or other weapons;

(7) Refrain from further criminal activity;

(8) Refrain from any contact with a victim of the offense;

(9) Cooperate with a mentor, where assigned, and the United States Department of Veterans Affairs Justice Outreach Specialist;

(10) Suspend the tolling of time for the purposes of the servicemember's right to a speedy trial while the servicemember is participating in the program;

(11) Advise the prosecutor of any change in the servicemember's residential address or any change in the provider of case management and mental health services; and

(12) Any other terms and conditions related to the servicemember's recovery and public safety deemed appropriate by the prosecutor.

e. The prosecutor shall determine the duration of the servicemember's participation in the Veterans Diversion Program, except that the servicemember's participation in the program shall not exceed two years from the date of the diversion agreement. The term of the servicemember's participation shall be based on the initial clinical evaluation and recommendations, status reports of the servicemember's participation, and progress reports from the case management and mental health service providers, and, where assigned, the servicemember's mentor.

f. The servicemember shall be responsible for coordinating with the Veterans Diversion Resource entity or other case management and mental health service provider to ensure that the prosecutor receives periodic reports on the servicemember's participation, cooperation and recovery progress. The servicemember shall contact the Veterans Diversion Resource entity or other case management and mental health service provider within seven days of the date of the diversion agreement.

g. The court shall review the status of the deferred prosecution of the servicemember no later than six months from the date on which the court approved the prosecutor's initial request for a postponement of the proceedings, and, thereafter, every six months from the most recent review, to consider, based on information provided by the prosecutor, whether the postponement of court proceedings as requested by the prosecutor should continue.

h. To the extent that a sufficient number of mentors are available, the prosecutor or the case management provider on behalf of the prosecutor, shall assign a mentor to the eligible servicemember from the registry of mentors provided by the Department of Military and Veterans' Affairs, except that an insufficient number of mentors available for assignment shall not in itself prevent a prosecutor from diverting an eligible servicemember pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

i. The prosecutor shall notify the United States Department of Veterans Affairs Justice Outreach Specialist assigned to represent New Jersey when an eligible servicemember who is a veteran has been admitted into the Veterans Diversion Program to facilitate outreach to the servicemember.

j. If, after a minimum of six months from the date of the diversion agreement, the prosecutor is satisfied that the servicemember has complied with the terms and conditions of the diversion agreement, has not been the subject of any subsequent criminal charges, and, based on clinical reports, continues to make progress with case management services and mental health recovery, the prosecutor may move before the court for the dismissal of the criminal charge pending against the servicemember and terminate the servicemember's participation in the Veterans Diversion Program. Alternatively, the prosecutor may require that the servicemember continue participation in the program until sufficient evidence of progress toward recovery is available, except that continued participation shall not exceed the two-year time limit as provided in subsection e. of this section.

k. If, at any time, the prosecutor finds that the servicemember has failed to comply with any term or condition of the diversion agreement, the prosecutor may notify the court that the State is prepared to proceed with the prosecution of the offense and the court shall schedule court proceedings as appropriate.

l. No fee shall be assessed to a servicemember for participation in the Veterans Diversion Program.

m. An eligible servicemember may be admitted to the Veterans Diversion Program one or more times at the discretion of the prosecutor, subject to the restrictions in this section, if such diversion promotes the servicemember's recovery, prevents the commission of future offenses, and protects the safety of the public. Nothing in P.L.2017, c.42 (C.2C:43-23 et al.) shall preclude an eligible servicemember from applying for admission to a criminal justice diversion program, including a program of supervisory treatment pursuant to N.J.S.2C:43-12, conditional discharge pursuant to N.J.S.2C:36A-1, or conditional dismissal pursuant to section 1 of P.L.2013, c.158 (C.2C:43-13.1), as an alternative to the Veterans Diversion Program

to the extent that the servicemember meets the eligibility criteria and qualifies for those programs. A dismissal of a criminal complaint resulting from successful participation in a Veterans Diversion Program pursuant to this section shall bar a servicemember's subsequent eligibility for a program of supervisory treatment pursuant to N.J.S.2C:43-12, conditional discharge pursuant to N.J.S.2C:36A-1, or conditional dismissal pursuant to section 1 of P.L.2013, c.158 (C.2C:43-13.1); however an eligible servicemember may seek subsequent admission to the Veterans Diversion Program and may be admitted at the sole discretion of the prosecutor.

n. The dismissal of charges based on a servicemember's successful participation in the Veterans Diversion Program pursuant to this section shall not be deemed:

(1) a conviction for purposes of disqualifications or disabilities, if any, imposed by law upon conviction of a petty disorderly persons, disorderly persons offense, or a crime, but shall be reported to the State Bureau of Identification criminal history record information files for purposes of determining future eligibility or exclusion from other diversion programs; or

(2) a conviction for the purpose of determining whether a second or subsequent offense has occurred under any law of this State.

C.2C:43-27 Construction of act.

5. Nothing in P.L.2017, c.42 (C.2C:43-23 et al.) shall be construed to limit or constrain in any way the authority or discretion of a prosecutor to divert, prosecute or pursue any other disposition of a criminal matter involving a defendant who is a servicemember as defined within P.L.2017, c.42 (C.2C:43-23 et al.). When considering the diversion of a servicemember from the criminal justice system, a prosecutor may use the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.), any other diversion mechanism authorized by law, or a county-based law enforcement diversion program after considering each program's restrictions, the relief available to the servicemember, and the safety of any victim and the public.

C.2C:43-28 Development of differentiated mental health supervision case type.

6. The Administrative Director of the Courts shall develop a differentiated mental health supervision case type within the Probation Division of the Superior Court for eligible servicemembers who are sentenced to a term of probation supervision. To the extent that sufficient resources are available, probation officers assigned to the specialized caseload shall be experienced in behavioral health and evidence-based therapeutic interventions

specifically targeted to military culture and shall coordinate with mentors as well as federal and State case management and health care providers available to servicemembers to promote their recovery, compliance with the terms of probation and re-integration into the community, and adjustment to civilian life. Eligible servicemembers who are sentenced to a term of probation supervision shall be screened and assigned to a differentiated mental health supervision case type pursuant to procedures developed by the Administrative Director of the Courts. A servicemember who is assigned to a differentiated mental health supervision case type shall provide written authorization for any case management or mental health service provider to release to the Probation Division and the court periodic status reports regarding the servicemember's participation, cooperation, and recovery progress.

7. N.J.S.2C:52-6 is amended to read as follows:

Arrests not resulting in conviction.

2C:52-6. Arrests not resulting in conviction.

a. When a person has been arrested or held to answer for a crime, disorderly persons offense, petty disorderly persons offense, or municipal ordinance violation under the laws of this State or of any governmental entity thereof and proceedings against the person were dismissed, the person was acquitted, or the person was discharged without a conviction or finding of guilt, the Superior Court shall, at the time of dismissal, acquittal, or discharge, or, in any case set forth in paragraph (1) of this subsection, upon receipt of an application from the person, order the expungement of all records and information relating to the arrest or charge.

(1) If proceedings took place in municipal court, the municipal court shall provide the person, upon request, with appropriate documentation to transmit to the Superior Court to request expungement pursuant to procedures developed by the Administrative Office of the Courts. Upon receipt of the documentation, the Superior Court shall enter an ex parte order expunging all records and information relating to the person's arrest or charge.

(2) The provisions of N.J.S.2C:52-7 through N.J.S.2C:52-14 shall not apply to an expungement pursuant to this subsection and no fee shall be charged to the person making such application.

(3) An expungement under this subsection shall not be ordered where the dismissal, acquittal, or discharge resulted from a plea bargaining agreement involving the conviction of other charges. This bar, however, shall not apply once the conviction is itself expunged.

(4) The Superior Court shall forward a copy of the expungement order to the appropriate court and to the prosecutor. The prosecutor shall promptly distribute copies of the expungement order to appropriate law enforcement agencies and correctional institutions who have custody and control of the records specified in the order so that they may comply with the requirements of N.J.S.2C:52-15.

(5) An expungement related to a dismissal, acquittal, or discharge ordered pursuant to this subsection shall not bar any future expungement.

(6) Where a dismissal of an offense is based on an eligible servicemember's successful participation in a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.), the county prosecutor, on behalf of the eligible servicemember, may move before the court for the expungement of all records and information relating to the arrest or charge, and the diversion at the time of dismissal pursuant to this section.

b. When a person did not apply or a prosecutor did not move on behalf of an eligible servicemember for an expungement of an arrest or charge not resulting in a conviction pursuant to subsection a. of this section, the person may at any time following the disposition of proceedings, present a duly verified petition as provided in N.J.S.2C:52-7 to the Superior Court in the county in which the disposition occurred praying that records of such arrest and all records and information pertaining thereto be expunged. No fee shall be charged to the person for applying for an expungement of an arrest or charge not resulting in a conviction pursuant to this subsection.

c. (1) Any person who has had charges dismissed against him pursuant to a program of supervisory treatment pursuant to N.J.S.2C:43-12, or conditional discharge pursuant to N.J.S.2C:36A-1, or conditional dismissal pursuant to P.L.2013, c.158 (C.2C:43-13.1 et al.), shall be barred from the relief provided in this section until six months after the entry of the order of dismissal.

(2) A servicemember who has successfully participated in a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.) may apply for expungement pursuant to this section at any time following the order of dismissal if an expungement was not granted at the time of dismissal.

d. Any person who has been arrested or held to answer for a crime shall be barred from the relief provided in this section where the dismissal, discharge, or acquittal resulted from a determination that the person was insane or lacked the mental capacity to commit the crime charged.

8. Section 1 of P.L.2013, c.158 (C.2C:43-13.1) is amended to read as follows:

C.2C:43-13.1 Eligibility and application.

1. Eligibility and Application. a. Whenever any defendant who has not been previously convicted of any petty disorderly persons offense, disorderly persons offense or crime under any law of the United States, this State or any other state, and who has not previously participated in conditional discharge under N.J.S.2C:36A-1, supervisory treatment under N.J.S.2C:43-12, or conditional dismissal under P.L.2013, c.158 (C.2C:43-13.1 et al.), or a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.), is charged with a petty disorderly offense or disorderly persons offense except as provided in subsection b. of this section, the defendant may, after a plea of guilty or a finding of guilt, but prior to the entry of a judgment of conviction and with appropriate notice to the prosecutor, apply to the court for entry into the conditional dismissal program pursuant to the requirements of P.L.2013, c.158 (C.2C:43-13.1 et al.). As a condition of such application, the defendant shall submit to the fingerprint identification procedures as provided in R.S.53:1-15 before making such application to the court to allow sufficient time for verification of the defendant's criminal history by the prosecutor.

b. (1) A defendant shall not be eligible for participation in the conditional dismissal program if the offense for which the person is charged involved: (a) organized criminal or gang activity; (b) a continuing criminal business or enterprise; (c) a breach of the public trust by a public officer or employee; (d) domestic violence as defined by subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19); (e) an offense against an elderly, disabled or minor person; (f) an offense involving driving or operating a motor vehicle while under the influence of alcohol, intoxicating liquor, narcotic, hallucinogenic or habit-producing drug; (g) a violation of animal cruelty laws; or (h) any disorderly persons offense or petty disorderly persons offense under chapter 35 or 36 of Title 2C.

(2) Nothing in this act shall preclude a defendant charged with any disorderly persons offense or petty disorderly persons offense under chapter 35 or 36 of Title 2C from applying to the court for admission into the conditional discharge program in accordance with N.J.S.2C:36A-1.

c. In addition to the eligibility criteria enumerated in this section, the court shall consider the following factors:

(1) The nature and circumstances of the offense;

(2) The facts surrounding the commission of the offense;

(3) The motivation, age, character and attitude of the defendant;

(4) The desire of the complainant or victim to forego prosecution;

(5) The needs and interests of the victim and the community;

(6) The extent to which the defendant's offense constitutes part of a continuing pattern of anti-social behavior;

(7) Whether the offense is of an assaultive or violent nature, whether in the act itself or in the possible injurious consequences of such behavior;

(8) Whether the applicant's participation will adversely affect the prosecution of codefendants;

(9) Whether diversion of the defendant from prosecution is consistent with the public interest; and

(10) Any other factors deemed relevant by the court.

9. N.J.S.2C:36A-1 is amended to read as follows:

Conditional discharge for certain first offenses.

2C:36A-1. Conditional discharge for certain first offenses.

a. Whenever any person who has not previously been convicted of any offense under section 20 of P.L.1970, c.226 (C.24:21-20), or a disorderly persons or petty disorderly persons offense defined in chapter 35 or 36 of this title or, subsequent to the effective date of this title, under any law of the United States, this State or any other state relating to marijuana, or stimulant, depressant, or hallucinogenic drugs, and who has not previously participated in a program of supervisory treatment pursuant to N.J.S.2C:43-12 or conditional dismissal pursuant to P.L.2013, c.158 (C.2C:43-13.1 et al.), or a Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.), is charged with or convicted of any disorderly persons offense or petty disorderly persons offense under chapter 35 or 36 of this title, the court upon notice to the prosecutor and subject to subsection c. of this section, may on motion of the defendant or the court:

(1) Suspend further proceedings and with the consent of the person after reference to the State Bureau of Identification criminal history record information files, place him under supervisory treatment upon such reasonable terms and conditions as it may require; or

(2) After a plea of guilty or finding of guilty, and without entering a judgment of conviction, and with the consent of the person after proper reference to the State Bureau of Identification criminal history record information files, place him on supervisory treatment upon reasonable terms and conditions as it may require, or as otherwise provided by law.

b. In no event shall the court require as a term or condition of supervisory treatment under this section, referral to any residential treatment facility for a period exceeding the maximum period of confinement prescribed by law for the offense for which the individual has been charged or convicted,

nor shall any term of supervisory treatment imposed under this subsection exceed a period of three years. If a person is placed under supervisory treatment under this section after a plea of guilty or finding of guilt, the court as a term and condition of supervisory treatment shall suspend the person's driving privileges for a period to be fixed by the court at not less than six months or more than two years unless the court finds compelling circumstances warranting an exception. For the purposes of this subsection, compelling circumstances warranting an exception exist if the suspension of the person's driving privileges will result in extreme hardship and alternative means of transportation are not available. In the case of a person who at the time of placement under supervisory treatment under this section is less than 17 years of age, the period of suspension of driving privileges authorized herein, including a suspension of the privilege of operating a motorized bicycle, shall commence on the day the person is placed on supervisory treatment and shall run for a period as fixed by the court of not less than six months or more than two years after the day the person reaches the age of 17 years.

If the driving privilege of a person is under revocation, suspension, or postponement for a violation of this title or Title 39 of the Revised Statutes at the time of the person's placement on supervisory treatment under this section, the revocation, suspension or postponement period imposed herein shall commence as of the date of the termination of the existing revocation, suspension or postponement. The court which places a person on supervisory treatment under this section shall collect and forward the person's driver's license to the New Jersey Motor Vehicle Commission and file an appropriate report with the commission in accordance with the procedure set forth in N.J.S.2C:35-16. The court shall also inform the person of the penalties for operating a motor vehicle during the period of license suspension or postponement as required in N.J.S.2C:35-16.

Upon violation of a term or condition of supervisory treatment the court may enter a judgment of conviction and proceed as otherwise provided, or where there has been no plea of guilty or finding of guilty, resume proceedings. Upon fulfillment of the terms and conditions of supervisory treatment the court shall terminate the supervisory treatment and dismiss the proceedings against him. Termination of supervisory treatment and dismissal under this section shall be without court adjudication of guilt and shall not be deemed a conviction for purposes of disqualifications or disabilities, if any, imposed by law upon conviction of a crime or disorderly persons offense but shall be reported by the clerk of the court to the State Bureau of Identification criminal history record information files. Termination of supervisory treatment and dismissal under this section may occur only once with respect

to any person. Imposition of supervisory treatment under this section shall not be deemed a conviction for the purposes of determining whether a second or subsequent offense has occurred under section 29 of P.L.1970, c.226 (C.24:21-29), chapter 35 or 36 of this title or any law of this State.

c. Proceedings under this section shall not be available to any defendant unless the court in its discretion concludes that:

(1) The defendant's continued presence in the community, or in a civil treatment center or program, will not pose a danger to the community; or

(2) That the terms and conditions of supervisory treatment will be adequate to protect the public and will benefit the defendant by serving to correct any dependence on or use of controlled substances which he may manifest; and

(3) The person has not previously received supervisory treatment under section 27 of P.L.1970, c.226 (C.24:21-27), N.J.S.2C:43-12, or the provisions of this chapter.

d. A person seeking conditional discharge pursuant to this section shall pay to the court a fee of $75 which shall be paid to the Treasurer of the State of New Jersey for deposit in the General Fund. The defendant shall also be required to pay restitution, costs and other assessments as provided by law. A person may apply for a waiver of this fee, by reason of poverty, pursuant to the Rules Governing the Courts of the State of New Jersey, or the court may permit the defendant to pay the conditional discharge fee and other assessments in installments or may order other alternatives pursuant to section 1 of P.L.2009, c.317 (C.2B:12-23.1).

10. N.J.S.2C:43-12 is amended to read as follows:

Supervisory treatment – pretrial intervention.

2C:43-12. Supervisory Treatment--Pretrial Intervention.

a. Public policy. The purpose of N.J.S.2C:43-12 through N.J.S.2C:43-22 is to effectuate a Statewide program of Pretrial Intervention. It is the policy of the State of New Jersey that supervisory treatment should ordinarily be limited to persons who have not previously been convicted of any criminal offense under the laws of New Jersey, or under any criminal law of the United States, or any other state when supervisory treatment would:

(1) Provide applicants, on an equal basis, with opportunities to avoid ordinary prosecution by receiving early rehabilitative services or supervision, when such services or supervision can reasonably be expected to deter future criminal behavior by an applicant, and when there is apparent causal connection between the offense charged and the rehabilitative or superviso-

ry need, without which cause both the alleged offense and the need to prosecute might not have occurred; or

(2) Provide an alternative to prosecution for applicants who might be harmed by the imposition of criminal sanctions as presently administered, when such an alternative can be expected to serve as sufficient sanction to deter criminal conduct; or

(3) Provide a mechanism for permitting the least burdensome form of prosecution possible for defendants charged with "victimless" offenses, other than defendants who were public officers or employees charged with offenses that involved or touched their office or employment; or

(4) Provide assistance to criminal calendars in order to focus expenditure of criminal justice resources on matters involving serious criminality and severe correctional problems; or

(5) Provide deterrence of future criminal or disorderly behavior by an applicant in a program of supervisory treatment.

b. (1) Admission of an applicant into a program of supervisory treatment shall be measured according to the applicant's amenability to correction, responsiveness to rehabilitation and the nature of the offense.

(2) There shall be a presumption against admission into a program of supervisory treatment for:

(a) a defendant who was a public officer or employee whose offense involved or touched upon his public office or employment; and

(b) a defendant charged with any crime or offense involving domestic violence, as defined in subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19) if the defendant committed the crime or offense while subject to a temporary or permanent restraining order issued pursuant to the provisions of the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.) or if the crime or offense charged involved violence or the threat of violence. For purposes of this subparagraph, a crime or offense involves violence or the threat of violence if the victim sustains serious or significant bodily injury as defined in subsection b. or d. of N.J.S.2C:11-1, or the actor is armed with and uses a deadly weapon or threatens by word or gesture to use a deadly weapon as defined in subsection c. of N.J.S.2C:11-1, or threatens to inflict serious or significant bodily injury.

c. The decision and reasons therefor made by the designated judges (or assignment judges), prosecutors and program directors in granting or denying applications for supervisory treatment, in recommending and ordering termination from the program or dismissal of charges, in all cases shall be reduced to writing and disclosed to the applicant.

d. If an applicant desires to challenge the decision of the prosecutor or program director not to recommend enrollment in a program of supervisory treatment the proceedings prescribed under N.J.S.2C:43-14 and in accordance with the Rules of Court shall be followed.

e. Referral. At any time prior to trial but after the filing of a criminal complaint, or the filing of an accusation or the return of an indictment, with the consent of the prosecutor and upon written recommendation of the program director, the assignment judge or a judge designated by him may postpone all further proceedings against an applicant and refer said applicant to a program of supervisory treatment approved by the Supreme Court. Prosecutors and program directors shall consider in formulating their recommendation of an applicant's participation in a supervisory treatment program, among others, the following criteria:

(1) The nature of the offense;

(2) The facts of the case;

(3) The motivation and age of the defendant;

(4) The desire of the complainant or victim to forego prosecution;

(5) The existence of personal problems and character traits which may be related to the applicant's crime and for which services are unavailable within the criminal justice system, or which may be provided more effectively through supervisory treatment and the probability that the causes of criminal behavior can be controlled by proper treatment;

(6) The likelihood that the applicant's crime is related to a condition or situation that would be conducive to change through his participation in supervisory treatment;

(7) The needs and interests of the victim and society;

(8) The extent to which the applicant's crime constitutes part of a continuing pattern of anti-social behavior;

(9) The applicant's record of criminal and penal violations and the extent to which he may present a substantial danger to others;

(10) Whether or not the crime is of an assaultive or violent nature, whether in the criminal act itself or in the possible injurious consequences of such behavior;

(11) Consideration of whether or not prosecution would exacerbate the social problem that led to the applicant's criminal act;

(12) The history of the use of physical violence toward others;

(13) Any involvement of the applicant with organized crime;

(14) Whether or not the crime is of such a nature that the value of supervisory treatment would be outweighed by the public need for prosecution;

(15) Whether or not the applicant's involvement with other people in the crime charged or in other crime is such that the interest of the State would be best served by processing his case through traditional criminal justice system procedures;

(16) Whether or not the applicant's participation in pretrial intervention will adversely affect the prosecution of codefendants; and

(17) Whether or not the harm done to society by abandoning criminal prosecution would outweigh the benefits to society from channeling an offender into a supervisory treatment program.

The prosecutor and the court, in formulating their recommendations or decisions regarding an applicant's participation in a supervisory treatment program, shall give due consideration to the victim's position on whether the defendant should be admitted.

f. Review of Supervisory Treatment Applications; Procedure Upon Denial. Each applicant for supervisory treatment shall be entitled to full and fair consideration of his application. If an application is denied, the program director or the prosecutor shall precisely state his findings and conclusion which shall include the facts upon which the application is based and the reasons offered for the denial. If the applicant desires to challenge the decision of a program director not to recommend, or of a prosecutor not to consent to, enrollment into a supervisory treatment program, a motion shall be filed before the designated judge (or assignment judge) authorized pursuant to the Rules of Court to enter orders.

g. Limitations. (1) Supervisory treatment may occur only once with respect to any defendant and any person who has previously received supervisory treatment under section 27 of P.L.1970, c.226 (C.24:21-27), a conditional discharge pursuant to N.J.S.2C:36A-1, a conditional dismissal pursuant to P.L.2013, c.158 (C.2C:43-13.1 et al.), or was granted a dismissal due to successful participation in the Veterans Diversion Program pursuant to P.L.2017, c.42 (C.2C:43-23 et al.) shall not be eligible for supervisory treatment under this section.

(2) Except as otherwise provided in paragraph (3) of this subsection, supervisory treatment, as provided herein, shall be available to a defendant irrespective of whether the defendant contests his guilt of the charge or charges against him.

(3) Admission into supervisory treatment shall be available to the following defendants only upon entering a plea of guilty: (a) a defendant charged with a first or second degree crime; (b) a defendant charged with any crime if the defendant had previously been convicted of a first or second degree crime; (c) a defendant charged with a third or fourth degree

crime involving domestic violence, as defined in subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19); or (d) a defendant charged with any disorderly persons or petty disorderly persons offense involving domestic violence, as defined in subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19) if the defendant committed the offense while subject to a temporary or permanent restraining order issued pursuant to the provisions of the "Prevention of Domestic Violence Act of 1991," P.L.1991, c.261 (C.2C:25-17 et al.). For any such defendant, following the plea of guilty the plea shall be held in an inactive status pending termination of supervisory treatment pursuant to subsection d. or e. of N.J.S.2C:43-13. Upon successful completion of the program of supervisory treatment the charges shall be dismissed.

h. Termination. Termination of supervisory treatment under this section shall be immediately reported to the assignment judge of the county who shall forward such information to the Administrative Director of the Courts.

i. Appointment of Program Directors; Authorized Referrals. Programs of supervisory treatment and appointment of the program directors require approval by the Supreme Court with the consent of the assignment judge and prosecutor. Referrals of participants from supervisory treatment programs may be to any public or private office or agency, including but not limited to, programs within the probation service of the court, offering counseling or any other social service likely to aid in the rehabilitation of the participant and to deter the commission of other offenses.

j. Health Care Professional Licensing Board Notification. The program director shall promptly notify the State Board of Medical Examiners when a State licensed physician or podiatrist has been enrolled in a supervisory treatment program after he has been charged with an offense involving drugs or alcohol.

The Attorney General shall develop guidelines to ensure the uniform exercise of discretion by prosecutors in formulating their recommendations on participation in a supervisory treatment program by an applicant charged with a crime or offense involving domestic violence, as defined in subsection a. of section 3 of P.L.1991, c.261 (C.2C:25-19).

11. N.J.S.38A:3-6 is amended to read as follows:

Powers, duties.

38A:3-6. Under the direction of the Governor, the Adjutant General shall:

(a) Exercise control over the affairs of the Department of Military and Veterans' Affairs and in connection therewith make and issue such regulations governing the work of the Department of Military and Veterans' Af-

fairs and the conduct of its employees as may, in his judgment, be necessary or desirable.

(b) Be the request officer of the Department of Military and Veterans' Affairs within the meaning of such term as defined in section 1 of P.L.1944, c.112 (C.52:27B-1).

(c) (Deleted by amendment, P.L.1988, c.138.)

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. He may issue such regulations and delegate such command functions as he shall deem necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(e) Maintain the archives and be the custodian of the records and papers required, by laws or regulations, to be filed with the Department of Military and Veterans' Affairs.

(f) Supervise, administer and coordinate those activities of the selective service system for which the Governor is responsible.

(g) Acquire by gift, grant, purchase, exchange, eminent domain, or in any other lawful manner, in the name of and for the use of the State of New Jersey, all those parcels of land as shall be necessary for armories and other militia facilities, and supervise the design, construction, alteration, maintenance and repair of said property.

(h) Establish and maintain such headquarters as may be required for the militia.

(i) Exercise the powers vested in him and perform such other duties and functions as required of him by the Governor and by federal and State laws and regulations.

(j) Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.

(k) Appoint and remove officers and other personnel employed within the department, subject to the provisions of N.J.S.38A:3-8 and Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided.

(l) Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department or the Adjutant General's Office for the purpose of providing centralized support to all segments of the department, including budgeting, personnel administration and oversight of equal opportunity programs.

(m) Perform, exercise and discharge the functions, powers and duties of the department through such divisions as may be established by this act or otherwise by law.

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(o) Adopt, issue and promulgate, in the name of the department, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations as may be authorized by law.

(p) Institute, or cause to be instituted, legal proceedings or processes as necessary to properly enforce and give effect to any of the Adjutant General's powers or duties.

(q) Make an annual report to the Governor and to the Legislature of the department's operations, and render other reports as the Governor shall from time to time request or as may be required by law.

(r) Coordinate the activities of the department, and the several divisions and other agencies therein, in a manner designed to eliminate overlapping and duplicative functions.

(s) Integrate within the department, so far as practicable, all staff services of the department and of several divisions and other agencies therein.

(t) Request access to all relevant files and records of other State agencies, which may be made available to the Adjutant General by the head of a State agency, and request, subject to the permission of the head of the State agency, any officer or employee therein to provide information as necessary to assist in the performance of the functions of the department.

(u) Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and the New Jersey Veterans' Memorial Cemetery-Arneytown.

(v) Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.

(w) Make application for federal grants and programs, other than education grants or funds.

(x) Administer the federally-funded training and rehabilitation programs, except for the administration of federally-funded education and training programs set forth in 38 U.S.C. s.36 et seq.

(y) Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information:

veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.

(z) Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).

(aa) Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.

(bb) Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(cc) Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

C.2C:43-29 Annual report to Governor, Legislature.

12. The Attorney General, in cooperation with the Administrative Director of the Courts, shall prepare an annual report to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature regarding the Veterans Diversion Program and other statutory and county-based law enforcement programs used to divert veterans from the criminal justice system. The report shall assist policymakers in determining whether these diversion programs should be modified or expanded to achieve the goals of recovery for servicemembers and public safety. The report shall include statistics regarding the number of arrests where the person indicates servicemember status; the number of servicemembers accepted into the

Veterans Diversion Program or other diversion programs; the number of servicemembers who successfully completed these programs; the number of servicemembers who were found guilty at court proceedings; the number of servicemembers who, subsequent to admission in the Veterans Diversion Program or other diversion programs, were sentenced to a term of incarceration or probation; and other relevant information and recommendations at the discretion of the Attorney General.

C.38A:3-6.20 Provision of registry of volunteer mentors, Veterans Diversion Resource Program entities.

13. a. The Adjutant General of the Department of Military and Veterans' Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (bb) of N.J.S.38A:3-6 to facilitate the assignment of mentors to eligible servicemembers who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible servicemembers who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Military and Veterans' Affairs.

b. The Adjutant General of the Department of Military and Veterans' Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

C.2C:43-30 Collaboration with the United States Department of Veterans Affairs.

14. The Attorney General, the Administrative Director of the Courts, the Commissioner of the Department of Corrections, and the Chairman of the State Parole Board shall collaborate with representatives of the United States Department of Veterans Affairs to identify the most efficient and practical means of sharing information regarding servicemembers who have been arrested, diverted, imprisoned, or placed on probation or parole to assist the Department of Veterans' Affairs in identifying veterans in that population to facilitate its outreach and services to justice-involved veterans.

C.2C:43-31 Information published on websites.

15. The Attorney General, the Administrative Director of the Courts, and the Adjutant General of the Department of Military and Veterans' Affairs shall publish on their respective websites information regarding diversion programs and government-based resources available to assist justice-involved veterans and servicemembers.

16. This act shall take effect on the first day of the seventh month next following enactment, except that the Attorney General, the Administrative Director of the Courts, and the Adjutant General of the Department of Military and Veterans' Affairs may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved May 1, 2017.

CHAPTER 43

AN ACT concerning sanitation vehicles, designated as "Michael Massey's Law," and amending P.L.2011, c.3 and P.L.2009, c.5.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2011, c.3 (C.39:3-54.27) is amended to read as follows:

C.39:3-54.27 Flashing amber warning lights, display on sanitation vehicles; required.

1. a. Sanitation vehicles operated by a local public entity, or by a licensed solid waste collection company pursuant to a State or local permit, license, contract, or franchise with a local public entity, and used to collect and transport garbage, solid wastes, and refuse shall display flashing amber warning lights of a type approved by the chief administrator while stopped upon a street and while engaged in the collection of garbage, solid wastes, and refuse or while moving between stops at a speed not greater than 10 miles per hour.

b. Nothing herein shall be construed to grant any person displaying flashing amber warning lights pursuant to the provisions of this act any privileges or exemptions denied to the drivers of other motor vehicles and all such persons shall drive with due regard for the safety of all persons and shall obey the traffic laws of this State, including the requirements established pursuant to subsection b. of section 1 of P.L.2009, c.5 (C.39:4-92.2).

c. The chief administrator shall promulgate guidelines to effectuate the purposes of this act.

2. Section 1 of P.L.2009, c.5 (C.39:4-92.2) is amended to read as follows:

C.39:4-92.2 Procedure for motorist approaching certain stationary vehicle.

1. a. The operator of a motor vehicle approaching a stationary authorized emergency vehicle as defined in R.S.39:1-1 that is displaying a flashing, blinking or alternating red or blue light or, any configuration of lights containing one of these colors, shall approach the authorized emergency vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) Make a lane change into a lane not adjacent to the authorized emergency vehicle if possible in the existing safety and traffic conditions; or

(2) If a lane change pursuant to paragraph (1) of subsection a. of this section would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

b. The operator of a motor vehicle approaching a stationary tow truck as defined in section 1 of P.L.1999, c.396 (C.39:3-84.6) that is displaying a flashing amber light, a stationary highway maintenance or emergency service vehicle that is operated by the State, an authority or a county or municipality and displaying flashing yellow, amber, or red lights, or a stationary sanitation vehicle displaying a flashing amber warning light pursuant to section 1 of P.L.2011, c.3 (C.39:3-54.27) shall approach the vehicle with due caution and shall, absent any other direction by a law enforcement officer, proceed as follows:

(1) Make a lane change into a lane not adjacent to the tow truck, highway maintenance or emergency service vehicle, or sanitation vehicle if possible in the existing safety and traffic conditions; or

(2) If a lane change under paragraph (1) of subsection b. of this section would be impossible, prohibited by law or unsafe, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be less than the posted speed limit, and be prepared to stop.

c. A violation of this section shall be punished by a fine of not less than $100 and not more than $500.

3. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 44

AN ACT establishing an "Integrated Roadside Vegetation Management Program" and supplementing Title 27 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.27:7-42.2 Findings, declarations relative to an "Integrated Roadside Vegetation Management Program."

1. The Legislature finds and declares that:

a. It is in the public interest of the State of New Jersey to ensure that the roadsides in New Jersey are safe, ecologically integrated, and useful for many purposes;

b. Roadsides serve as physical barriers, sound barriers, and highway beautifiers and provide refuge for many animals, insects, and plants native to New Jersey;

c. A coordinated effort by the State and public and private entities to include native plants and wildflowers in the management of the roadsides will create biodiversity, improve scenic value, preserve wildlife habitats, prevent soil erosion, and provide other environmental benefits to the State; and

d. It is altogether fitting and proper for the Legislature to establish an "Integrated Roadside Vegetation Management Program" within the Department of Transportation, to encourage the preservation and repopulation of native plants and wildflowers along the roadsides of New Jersey.

C.27:7-42.3 Definitions relative to an "Integrated Roadside Vegetation Management Program."

2. As used in P.L.2017, c.44 (C.27:7-42.2 et al.):

"Advisory Committee" means the Integrated Roadside Vegetation Management Technical Advisory Committee established by section 4 of P.L.2017, c.44 (C.27:7-42.5).

"Commissioner" means the Commissioner of Transportation.

"Coordinator" means the Integrated Roadside Vegetation Management Coordinator established by section 3 of P.L.2017, c.44 (C.27:7-42.4).

"Department" means the Department of Transportation.

"Private entity" means any private individual, corporation, company, partnership, firm, association, owner, operator, non-profit organization, or community-based group, but shall not include, any municipal, county, or State agency or authority, or any agency, authority, or subdivision created by one or more municipal, county, or State government.

"Program" means the Integrated Roadside Vegetation Management Program established by section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:7-42.4 "Integrated Roadside Vegetation Management Program."

3. a. There is established, within the Department of Transportation, an "Integrated Roadside Vegetation Management Program" to:

(1) Assess the conditions existing along roadsides in the State;

(2) Develop and adopt a comprehensive integrated roadside vegetation management plan for cost effective maintenance and planting along roadsides, with an emphasis on adaptable vegetation with long life cycles, native vegetation, and wildflowers, and incorporating any requirements pursuant to any other law, or rule or regulation adopted pursuant thereto, concerning the planting of native vegetation;

(3) Conduct research and feasibility studies for the comprehensive integrated roadside vegetation management plan and for future integrated roadside management projects;

(4) Implement the comprehensive integrated roadside vegetation management plan to improve roadsides in a way that will serve a variety of purposes, including climate control, erosion control, weed control, scenic quality, wildlife habitats, and utility easements;

(5) Incorporate integrated roadside management best practices for the long-term control of damaging insects, invasive plant species, and weeds while preserving valuable vegetation and habitats;

(6) Expand or create public education programs about the importance of integrated roadside vegetation management in the State, the scenic and environmental value of land adjoining roadsides, and other information consistent with the program goals; and

(7) Coordinate with other private entities and government entities, including the New Jersey Turnpike Authority, the South Jersey Transportation Authority, and county and municipal governments concerning initiatives to improve roadsides in the State.

b. The Commissioner of Transportation shall appoint an Integrated Roadside Vegetation Management Coordinator to administer the program. The coordinator shall be responsible for implementing the program goals as established by subsection a. of this section.

C.27:7-42.5 Integrated Roadside Vegetation Management Technical Advisory Committee.

4. a. There is created, within the Department of Transportation, an Integrated Roadside Vegetation Management Technical Advisory Committee

to provide advice on the development and implementation of the program. The advisory committee shall consist of 10 members as follows: six members of the public appointed by the Governor who shall include one member with background or experience in the protection, preservation, maintenance, or management of native animal, insects, or plant populations, one member with background or experience in the preservation of natural or scenic resources, one member with background or experience in landscaping, one member who holds a license in landscape architecture pursuant to P.L.1983, c.337 (C.45:3A-1 et al.), one member with background or experience in highway engineering, and one member with background or experience in biodiversity, environmental engineering, or environmental science; the Commissioner of Transportation, or the Commissioner of Transportation's designee, who shall serve as an ex-officio voting member; the Commissioner of Environmental Protection, or the Commissioner of Environmental Protection's designee, who shall serve as an ex-officio voting member; the Secretary of Agriculture, or the Secretary of Agriculture's designee, who shall serve as an ex-officio voting member; and the Integrated Roadside Vegetation Management Coordinator, who shall serve as a non-voting member and secretary to the advisory committee.

b. The public members shall serve for a term of three years from the date of their appointment and until their successors are appointed and qualified, except that of the members first appointed, three members shall serve for a term of three years and three members shall serve for a term of two years. Vacancies shall be filled for the balance of any unexpired term in the same manner as the original appointment was made. Public members of the advisory committee shall be eligible for reappointment.

c. The members of the advisory committee shall serve without compensation, but shall be reimbursed for necessary and reasonable expenses actually incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available for this purpose.

d. The advisory committee shall select a chairperson and a vice-chairperson from among its public members, who shall each serve a one-year term but may be selected to serve successive terms. The advisory committee shall meet upon the call of the chairperson or a majority of its voting members. A majority of the voting members of the advisory committee shall constitute a quorum, and no action of the advisory committee shall be taken except upon the affirmative vote of a majority of the voting members of the entire advisory committee.

e. The advisory committee activities shall include, but not be limited to:

(1) Studying and evaluating prevailing research related to biodiversity, climate control, invasive species control, native plant life cycles, soil erosion, and other environmental or roadside vegetation management related subjects;

(2) Securing funding for research, feasibility studies, and integrated roadside vegetation management projects;

(3) Establishing integrated roadside vegetation management best practices;

(4) Advising the department on the necessity of regulations or revisions to applicable department regulations that concern roadside vegetation management; and

(5) Developing strategies for educating public officials, owners of property adjacent to roadsides, and the general public on integrated roadside vegetation management best practices.

f. The advisory committee shall report annually on its activities to the department, the Governor, and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

C.27:7-42.6 Program established by county, municipality.

5. A county or municipality may establish an integrated roadside vegetation management program, provided that the program established by the county or municipality is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:23-60 Program established by New Jersey Turnpike Authority.

6. The New Jersey Turnpike Authority may establish an integrated roadside vegetation management program, provided that the program established by the New Jersey Turnpike Authority is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

C.27:25A-51 Program established by South Jersey Transportation Authority.

7. The South Jersey Transportation Authority may establish an integrated roadside vegetation management program, provided that the program established by the South Jersey Transportation Authority is consistent with the program established pursuant to section 3 of P.L.2017, c.44 (C.27:7-42.4).

8. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 45

AN ACT concerning regional school districts, amending various sections of the New Jersey Statutes, and supplementing chapter 13 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:13-34a Board of education for newly created regional district.

1. Notwithstanding any section of law to the contrary, the boards of education proposing to form a newly created regional school district may by resolution frame and adopt a proposal to calculate and apportion the membership of the board of education of the newly created regional district other than in accordance with the provisions of N.J.S.18A:13-8. If the commissioner approves the alternative apportionment, then that alternative apportionment shall be included in the consultation, study, and investigation conducted pursuant to N.J.S.18A:13-34 to determine whether it is advisable for school districts to form a newly created regional school district. If the commissioner or his representative determines that it is advisable for such districts to form a newly created regional school district, and the question of whether or not the proposal to create a regional district is submitted to the voters pursuant to N.J.S.18A:13-34, and the proposal is adopted by the voters pursuant to N.J.S.18A:13-35, then the members of the board of education of the regional district shall be elected in accordance with such alternate apportionment.

C.18A:13-9a Apportionment of membership of board of education.

2. Notwithstanding the provisions of N.J.S.18A:13-9 or any other section of law to the contrary, in the case in which the membership of the board of education of the regional district is apportioned pursuant to section 1 or section 3 of P.L.2017, c.45 (C.18A:13-34a or C.18A:13-46.1), the apportionment shall continue in effect until the official promulgation of the next federal census. Immediately after the official promulgation of a federal census, the Commissioner of Education shall consult with the constituent districts of the regional district to determine whether or not to reapportion the membership of the board of education of the regional district. All members of the board of education of the regional district shall continue in office for the terms for which they were elected or appointed notwithstanding any reapportionment ordered by the commissioner. If any constituent district receives increased representation on the board as a result of a reap-

portionment ordered by the commissioner, the additional members shall be elected at the next annual school election of the regional district. If, as a result of such reapportionment, a disproportionate number of the total representatives of any one constituent district to a regional board are to be elected at a single annual school election, the commissioner shall have the power, on petition of a constituent district board of education, to alter the term of any member representing such constituent district by not more than one year, so as to temporarily apportion, as equally as possible over any given three-year period, the election of the members representing such constituent district.

C.18A:13-46.1 Apportionment of membership of enlarged district board of education.

3. a. Notwithstanding the provisions of any section of law to the contrary, the board of education of a regional district and the board or boards of education of one or more local districts determined to enlarge the regional school district may by resolution frame and adopt a proposal to calculate and apportion the membership of the enlarged board of education other than in accordance with the provisions of N.J.S.18A:13-8 and N.J.S.18A:13-36. If the commissioner approves the alternative apportionment, then that alternative apportionment shall be included in the consultation, study, and investigation conducted pursuant to N.J.S.18A:13-43 to determine whether it is advisable to enlarge the regional school district to include the local district or districts therein. If the commissioner or his representative determines that it is advisable to enlarge the regional school district to include the local district or districts therein, and the question of whether or not the proposal to enlarge the regional district is submitted to the voters pursuant to N.J.S.18A:13-43, and the proposal is adopted by the voters pursuant to N.J.S.18A:13-44, then the members of the enlarged board of education of the regional district shall be elected in accordance with the alternate apportionment.

For an enlarged regional district with a board of education apportioned pursuant to this section, the executive county superintendent of the county in which any new constituent district of an enlarged regional district is situate shall, not later than 30 days after the election for the enlargement thereof, appoint one member of the enlarged board of education of the regional district from among the qualified citizens of each new constituent district, and the members so appointed shall serve until the first Monday succeeding the first annual April school election of the enlarged regional district. In the case of a regional district in which the annual school election is in November, the members so appointed shall serve until the first week in January

next succeeding the first annual November school election of the enlarged regional district.

b. The commissioner shall reapportion the membership of the enlarged board of education in accordance with the alternative apportionment determined pursuant to this section, and shall designate the number of members to be elected from each constituent school district. All members of the board of education of the enlarged regional district shall be elected in accordance with the alternative apportionment at the next annual school election after the election to enlarge the regional district.

c. The commissioner shall allocate the initial elective terms for the first elective members of the enlarged board in the following manner:

(1) In regional districts having nine members, three members shall be elected for three years, three for two years and three for one year, which terms shall be allocated to the constituent districts to the extent of apportioned membership on the regional board of education, starting with the allocation of the terms of three years, by allocating one of such terms to each of the constituent districts in the alphabetical order of the names of such districts, and continuing then still in such order with allocation of the terms of two years and with allocation of the terms of one year.

(2) In regional districts in which there are more than nine constituent school districts, the allocation for the tenth district shall be a term of three years, for the eleventh district a term of two years, and for the twelfth district a term of one year, with continuation of such rotation until provision has been made for allocation of the terms to all districts.

4. N.J.S.18A:13-8 is amended to read as follows:

Boards of education of regional districts.

18A:13-8. The board of education of a regional district shall consist of nine members unless it consists of more than nine constituent districts, in which case the membership shall be the same as the number of constituent districts, plus one. Except as otherwise provided pursuant to section 1 or section 3 of P.L.2017, c.45 (C.18A:13-34a or C.18A:13-46.1), if there are nine or less constituent districts, the members of the board of education of the regional district shall be apportioned by the executive county superintendent or executive county superintendents of the county or counties in which the constituent districts are situate, among said districts as nearly as may be according to the number of their inhabitants except that each constituent district shall have at least one member.

In making the apportionment of the membership of a regional board of education among the several school districts uniting to create a regional school district having nine or less constituent districts, as required by section 18A:13-36, there shall be subtracted from the number of inhabitants of a constituent school district, as shown by the last federal census officially promulgated in this State, the number of such inhabitants who according to the records of the Federal Bureau of the Census were patients in, or inmates of, any State or federal hospital or prison, or who are military personnel stationed at, or civilians residing within the limits of, any United States Army, Navy or Air Force installation, located in such constituent school district.

Except as otherwise provided pursuant to section 1 or section 3 of P.L.2017, c.45 (C.18A:13-34a or C.18A:13-46.1), if there are more than nine constituent districts, the members on the board shall be apportioned among the constituent districts and the weight of their votes in all proceedings of the board shall be determined by the appropriate executive county superintendent or superintendents through the following procedure:

a. The number of inhabitants of each constituent district shall be determined as shown by the last federal census officially promulgated in this State.

b. A representative ratio shall be calculated by adding the number of inhabitants of all constituent districts and dividing the sum by the board size.

c. All constituent districts shall be listed in ascending order of their number of inhabitants. If the first constituent district in said list has a number of inhabitants which is less than the representative ratio, it shall be combined with the constituent district contiguous to it having the smallest number of inhabitants. This process shall be repeated for each successively larger constituent district or combination of constituent districts until all remaining constituent districts or combinations of constituent districts shall have a number of inhabitants equal to, or exceeding the representative ratio. The districts formed in this manner shall be known as representative districts.

d. There shall be established a priority list according to the method of equal proportions for the apportionment of the members of the regional district board of education among the representative districts.

e. The members of the regional district board of education shall be apportioned among the representative districts according to the method of equal proportions, and where a representative district is composed of more than one constituent district, members shall be elected at large from within the representative district.

f. The number of inhabitants of each representative district shall be divided by the number of members assigned to that district to find the number of inhabitants per member.

g. The vote to be cast by each member of the regional district board of education in all proceedings of the board shall be determined by dividing the number of inhabitants per member in the representative district from which the member is elected by the representative ratio for the regional district, and rounding off the quotient to the nearest tenth of a full vote.

Wherever any statute or bylaw of the board requires decision in any matter by vote of a majority of the board members, or of the members present, this shall be interpreted as meaning a majority of the weighted votes of all members, or of the members present, as the case may be.

h. Whenever the above reapportionment procedure is used for a regional district having more than nine constituent districts, the terms of office of all incumbent board of education members shall terminate on the day on which the annual organization meeting of the board is held pursuant to N.J.S.18A:13-12 following certification by the executive county superintendent of the representative districts and the number of members to be elected from each; provided, that if the reapportionment results in any representative district retaining its former boundaries and the same number of board members, that the members elected from such a district shall serve the full term for which they were elected. All other board members shall be elected in an election to be held on the date of the annual school election at least 60 days following certification by the executive county superintendent for initial terms of office to be designated in advance by the executive county superintendent so that, as nearly as possible, one-third of the board shall be elected in each future year, to serve for three-year terms, and where a representative district has more than one member, their terms of office shall terminate in different years.

If any constituent district is a consolidated district, or a district composed of two or more municipalities, and

a. The original district is a limited purpose regional district and such constituent district has such population that it is entitled to have apportioned to it a number of members equal to or greater than the number of districts making up such constituent district, or

b. The regional district is an all purpose district, the membership of the regional board of education from such district shall be apportioned, and from time to time reapportioned, and the members from the district shall be elected, as their respective terms expire, in the same manner as though each of the municipalities making up such constituent district were constituent districts of the regional district.

5. N.J.S.18A:13-36 is amended to read as follows:

Apportionment of membership of board of newly created regional district.

18A:13-36. Except as otherwise provided in section 1 of P.L.2017, c.45 (C.18A:13-34a), the executive county superintendent or executive county superintendents of any county or counties, in which such newly created regional district is situate, shall calculate and apportion the membership of the board of education of such newly created regional district in accordance with the provisions of N.J.S.18A:13-8 and if such regional district is an all purpose regional district such membership shall be apportioned among the municipalities included within the districts according to the number of their inhabitants, as apportionment is made among constituent districts forming a limited purpose regional district, and the members shall be elected or appointed in accordance with such apportionment.

6. N.J.S.18A:13-39 is amended to read as follows:

Election of first members of board.

18A:13-39. The first elected members of the board of a newly created regional district shall be elected at the annual election to be held in the calendar year first succeeding the year in which the election for the creation of the district was held.

7. N.J.S.18A:13-41 is amended to read as follows:

Taking charge and control of educational facilities of schools in newly created regional districts.

18A:13-41. A regional board of education of a newly created regional district shall take charge and control of the educational facilities of the constituent districts in the classes or grades for which the same is formed when the commissioner shall certify to the boards of education of each of the constituent districts that suitable facilities and accommodations have been made available for the instruction of the pupils in said regional district, but it shall not take charge and control of such educational facilities earlier than July 1 of the calendar year next ensuing the date of the election for the creation of the district, except by agreement between the regional board and the boards of education of the constituent districts, approved by the commissioner. Until the commissioner shall so certify, the charge and control of the educational facilities of the constituent districts in the classes and grades for which the regional district was formed shall continue to be in the respective boards of education of the constituent districts.

8. N.J.S.18A:13-43 is amended to read as follows:

Enlargement of districts; special election.

18A:13-43. If the board of education of a regional district and the board or boards of education of one or more local districts, and the commissioner or his representative, after consultation, study and investigation, shall determine that it is advisable to enlarge the regional school district so as to include said local district or districts therein, the board of education of the regional district and of each such local district shall by resolution frame and adopt a proposal to that effect and shall submit upon the same day, in such regional district and in each such local school district, at a special school election or at an election to be held on the third Tuesday in April the question whether or not said proposal shall be approved briefly describing the contents of said resolution and stating the date of its adoption and they may submit also at such special election as part of such proposal any other provision which may be submitted at such a special election under the provisions of this chapter.

9. N.J.S.18A:13-46 is amended to read as follows:

Enlargement of regional districts; new board members; reapportionment.

18A:13-46. Except as otherwise provided in section 3 of P.L.2017, c.45 (C.18A:13-46.1), the executive county superintendent of the county in which any new constituent district of an enlarged regional district shall be situate shall, not later than 30 days after the election for the enlargement thereof, appoint one member of the enlarged board of education of the regional district from among the qualified citizens of each such new constituent district and the members so appointed shall serve until the first Monday succeeding the first annual April school election of the enlarged regional district and their successors shall be elected at said election. In the case of a regional district in which the annual school election is in November, the members so appointed shall serve until the first week in January next succeeding the first annual November school election of the enlarged regional district and their successors shall be elected at that election. If by reason of the enlargement of the district it becomes necessary to reapportion the membership of the enlarged board of education the executive county superintendent or superintendents of the county or counties in which the constituent local districts of the enlarged district are situate shall reapportion the membership of the enlarged board of education in accordance with the provisions of sections 18A:13-8 and 18A:13-36, and at the same time shall designate the number of members to be elected from each constituent school district at the succeeding annual school election to be held therein

upon the expiration of the terms of office of the members of the regional board then in office, in such manner that the representation of the constituent districts shall be established in accordance with such reapportionment at the earliest possible time but the members then in office shall continue in office for the terms for which they were elected or appointed notwithstanding such reapportionment.

10. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 46

AN ACT concerning performance-based incentive payments for physicians, amending P.L.1989, c.19, and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.1989, c.19 (C.45:9-22.4) is amended to read as follows:

C.45:9-22.4 Definitions.

1. For the purposes of this act:

"Health care service" means a business entity which provides on an inpatient or outpatient basis: testing for or diagnosis or treatment of human disease or dysfunction; or dispensing of drugs or medical devices for the treatment of human disease or dysfunction. Health care service includes, but is not limited to, a bioanalytical laboratory, pharmacy, home health care agency, rehabilitation facility, nursing home, hospital, or a facility which provides radiological or other diagnostic imagery services, physical therapy, ambulatory surgery, or ophthalmic services.

"Hospital and physician incentive plan" means a compensation arrangement established pursuant to sections 2 through 4 of P.L.2017, c.46 (C.26:2H-12.80 et seq.) between a general acute care hospital licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) and a physician or physician group.

"Immediate family" means the practitioner's spouse and children, the practitioner's siblings and parents, the practitioner's spouse's siblings and parents, and the spouses of the practitioner's children.

"Practitioner" means a physician, chiropractor, or podiatrist licensed pursuant to Title 45 of the Revised Statutes.

"Significant beneficial interest" means any financial interest; but does not include ownership of a building wherein the space is leased to a person at the prevailing rate under a straight lease agreement, payments made by a hospital to a physician pursuant to a hospital and physician incentive plan, or any interest held in publicly traded securities.

C.26:2H-12.80 Hospital and physician incentive plan.

2. a. A hospital may establish a hospital and physician incentive plan, which shall meet the requirements set forth in sections 2, 3, and 4 of this act.

b. A hospital that establishes a hospital and physician incentive plan shall contract, directly or indirectly, with an independent third party to administer the plan, including applying the plan's incentive methodology and calculating direct payments of incentives from the hospital to physicians, which shall be based on the physician's performance in meeting the hospital's institutional and specialty-specific goals as determined using an incentive payment methodology that meets the requirements set forth in section 4 of this act.

c. A hospital that establishes a hospital and physician incentive plan shall establish a hospital steering committee, which shall meet the requirements set forth in section 4 of this act.

d. If a hospital and physician incentive plan includes multiple hospital participants, the plan shall utilize a facilitator-convener to provide for efficient implementation and operation of the plan. For each hospital, the facilitator-convener shall coordinate with the independent third party administering the plan and with the hospital steering committee to facilitate plan administration, disseminate information concerning best practices, and serve as the point of contact for the Department of Health.

C.26:2H-12.81 Applicability of plan.

3. a. Except for plans limited to specific clinical specialties or diagnosis related groups, a hospital and physician incentive plan shall apply to all admissions and all inpatient costs related to those admissions in a given program. Plans shall be open to all surgeons and attending physicians of record and may, at the discretion of a participating hospital, include other physicians involved in the provision of inpatient care. A physician shall not be eligible to participate in a plan unless the physician has been on the medical staff of the hospital for at least one year, except that these restrictions shall not apply to hospitalists and physicians who are new to the participat-

ing hospital's geographic area. Each plan shall include a mechanism to limit incentives attributable to year-to-year increases in patient volume for physicians on staff with multiple admitting privileges.

b. (1) A hospital and physician incentive plan shall be filed with the Department of Health by the hospital or facilitator-convener prior to the anticipated start date of the plan. The plan shall set forth the physician incentive methodology, institutional and specialty-specific goals, quality and cost performance standards, and any standards, programs, or protocols designed to ensure the plan meets the requirements of this act. Hospitals that have implemented a hospital and physician incentive plan shall submit an annual report to the department setting forth the distributions made to physicians, quality and cost performance standards, proposed revisions to the plan, if any, and such other information as the department may require.

(2) The department shall review plans submitted pursuant to paragraph (1) of this subsection, and shall notify the hospital if its plan does not meet the requirements of this act. The department shall provide the hospital with a reasonable opportunity to remedy any deficiencies in the plan, and may terminate a plan that continues to fail to meet the requirements of this act.

c. (1) A participating physician may withdraw from a plan upon reasonable notice to the hospital.

(2) A hospital may terminate a plan upon reasonable notice to the department and to physicians participating in the plan.

d. Patients shall be notified of the hospital and physician incentive plan in advance of admission to the hospital.

C.26:2H-12.82 Institutional and specialty specific goals.

4. a. A hospital steering committee shall establish institutional and specialty-specific goals related to patient safety, quality of care, and operational performance, which may incorporate specific patient management tasks, care redesign initiatives, and patient safety and quality of care objectives. In establishing these goals, the committee shall prioritize institution-specific quality commitments and shall condition incentive payments, as well as physician participation, upon the successful response to these goals. In addition, the committee shall ensure that:

(1) no payments may be made for reducing or limiting medically necessary care;

(2) the appropriate course of treatment for each patient is determined, in consultation with the patient or the patient's representative, by the attending physician or surgeon of record;

(3) adequate safeguards are in place to ensure that there are no incentives to avoid difficult or complex medical cases, or to withhold, reduce, or limit quality care;

(4) no incentive payment may be made in any individual case for exceeding best practice standards established under the plan; and

(5) overall payments to individual physicians under a plan shall not exceed 50 percent of the total professional payments for services related to the cases for which that physician receives incentive payments under the plan.

b. The steering committee shall establish an incentive payment methodology, which shall be internally consistent and shall ensure that:

(1) individual physician performance is objectively measured, taking into account the severity of the medical issues presented by an individual patient;

(2) incentive payments objectively correlate with physician performance and are applied in a consistent manner to all physicians participating in the plan;

(3) participating physicians are treated uniformly relative to their respective individual contributions to institutional efficiency and quality of patient care;

(4) performance and best practice standards established under the plan are based primarily on local and regional data;

(5) the methodology recognizes both individual physician performance, including a physician's utilization of inpatient resources compared to the physician's peers, and improvements in individual physician performance, including a physician's utilization of inpatient resources compared with the physician's own performance over time; and

(6) the elements of the methodology are properly balanced to meet the needs of physicians, hospitals, and patients.

c. The steering committee shall adopt a mechanism to protect the financial health of the hospital.

d. At least half of the members of the steering committee shall be physicians.

C.26:2H-12.83 Review of plans, authority of department.

5. a. The Department of Health shall review each hospital and physician incentive plan filed with the department at least once every six years to determine whether the plan is operated in compliance with this act and other relevant State and federal laws and regulations, and whether the hospital and physician incentive plan has resulted in a degradation of quality of health care provided to patients attributable to the hospital and physician incentive plan.

b. The department shall have authority to terminate a hospital and physician incentive plan if the department's review finds that the hospital and physician incentive plan fails to comply with State or federal law, or if it results in a degradation of quality of patient care.

c. A hospital and physician incentive plan shall not expire or otherwise be terminated solely as a result of the department's failure to conduct a review required pursuant to subsection a. of this section.

6. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 47

AN ACT permitting amusement games licenses to be issued for certain premises and defining electronic amusements, and amending and supplementing P.L.1959, c.109.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.5:8-101.1 Issuance of amusement games license to certain holders of a special concessionaire permit.

1. The holder of a special concessionaire permit, as provided for in R.S.33:1-42, whose licensed premises is located in the post-security checkpoint area of the departure level of an international airport terminal and is at least 20,000 square feet in the aggregate, shall be eligible to be issued an amusement games license pursuant to P.L.1959, c.109 (C.5:8-100 et seq.), provided that all other requirements for licensure to conduct amusement games are met.

2. Section 2 of P.L.1959, c.109 (C.5:8-101) is amended to read as follows:

C.5:8-101 Licensing of owner, operator of amusement games; terms defined.

2. It shall be lawful for the governing body of any municipality, at any time after this act shall become operative and except when prohibited by this act, to license the owner and operator of any amusement game or games, whether of skill or chance, or both and whether said game be played and operated with or without numbers or figures, to hold and operate such amusement game or games, which term is defined as a game or games

played for amusement or entertainment, in which the person or player actively participates and the outcome of which is not in the control of the operator, and which is so conducted that the sale of a right to participate, the event which determines whether a player wins or loses and the award of the prize, all occur as a continuous sequence at the time when and place where the player or players are all present, provided that the same are to be held and operated at a recognized amusement park or at a seashore or other resort in that part thereof customarily constituting an amusement or entertainment area according to the customary understanding of said terms in the community, and provided that the same shall be held, operated and conducted pursuant to this act and such license and the license issued by the Legalized Games of Chance Control Commission, as hereinafter provided, and under such conditions and regulations for the supervision and conduct thereof as shall be prescribed by rules and regulations duly adopted from time to time by the commission, not inconsistent with the provisions of this act, and for any person or persons to participate in and play such amusement games conducted under such licenses.

As used in this section:

"Recognized amusement park" means a commercially operated permanent business, open to the public at least 31 consecutive days annually, designed and themed for the primary purpose of providing participatory amusements incorporating skill-based attractions, rides or water slides licensed in accordance with P.L.1975, c.105 (C.5:3-31 et seq.), or electronic amusements, and food and merchandise concessions in permanent structures. Nothing in this definition shall prevent a license from being issued in any location which has had a license issued prior to the effective date of P.L.2015, c.149 (C.5:8-78.1 et al.).

"Skill-based attraction" means an amusement utilizing a tangible object such as a ball, puck or other portable object either alone or in competition with other on-premises guests, or requiring the exertion of physical, aerobic activity, such as dancing, climbing, running, or jumping rope; or any amusement that is predominantly skill-based and can be played either alone or in competition with other on-premises guests.

"Electronic amusement" means an amusement offered through an electronic device that allows a player to participate in a game of skill or chance through interaction with the device.

3. Section 7 of P.L.1959, c.109 (C.5:8-106) is amended to read as follows:

C.5:8-106 Control, supervision by municipality of amusement games, offer of electronic amusements.

7. a. The governing body of any municipality issuing any license under this act shall have and exercise control and supervision over all amusement games held, operated or conducted under such license, to the end that the same are fairly held, operated and conducted in accordance with the provisions of such license, the rules and regulations promulgated by the commissioner and the provisions of this act governing the holding, operation and conduct of the same and such governing body and the commissioner shall have power and authority to suspend any license issued by such governing body and to revoke the same, after hearing, for any violation of any such provision, and shall have the right of entry, by its officers and agents at all times into any premises where any such amusement game is being held, operated and conducted or where it is intended that any such amusement game shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same.

b. No licensee shall be permitted to offer an electronic amusement, as defined in section 2 of P.L.1959, c.109 (C.5:8-101), unless the licensee first establishes, to the satisfaction of the commission, that the electronic amusement will not violate the provisions of section 14 of P.L.1959, c.109 (C.5:8-113) and that the proposed electronic amusement to be offered and the device sought to be utilized are suitable for use after an appropriate test or experimental period under such terms and conditions as the commission deems appropriate. The commission may utilize, in its discretion, the services of another public entity or a private entity, or both, for the purposes of conducting any testing, analysis, or review of the electronic device on which the amusement may be offered to make this determination, the cost of which shall be borne by the licensee.

4. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 48

AN ACT concerning infertility coverage under certain health insurance plans, amending P.L.2001, c.236 and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2001, c.236 (C.17:48-6x) is amended to read as follows:

C.17:48-6x Hospital service corporation to provide coverage for treatment of infertility.

1. a. A hospital service corporation contract which provides hospital or medical expense benefits for groups with more than 50 persons, which includes pregnancy-related benefits, shall not be delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act unless the contract provides coverage for persons covered under the contract for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The hospital service corporation contract shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The hospital service corporation may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or that the patient has met one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

b. A religious employer may request, and a hospital service corporation shall grant, an exclusion under the contract for the coverage required by this section for in vitro fertilization, embryo transfer, artificial insemination, zygote intra fallopian transfer and intracytoplasmic sperm injection, if the required coverage is contrary to the religious employer's bona fide religious tenets. The hospital service corporation that issues a contract containing such an exclusion shall provide written notice thereof to each prospective subscriber or subscriber, which shall appear in not less than 10 point type, in the contract, application and sales brochure. For the purposes of this subsection, "religious employer" means an employer that is a church, convention or association of churches or any group or entity that is operated, supervised or controlled by or in connection with a church or a convention or association of churches as defined in 26 U.S.C. s.3121(w)(3)(A), and that qualifies as a tax-exempt organization under 26 U.S.C. s.501(c)(3).

c. This section shall apply to those hospital service corporation contracts in which the hospital service corporation has reserved the right to change the premium.

d. The provisions of this section shall not apply to a hospital service corporation contract which, pursuant to a contract between the hospital ser-

vice corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

2. Section 2 of P.L.2001, c.236 (C.17:48A-7w) is amended to read as follows:

C.17:48A-7w Medical service corporation to provide coverage for treatment of infertility.

2. a. A medical service corporation contract which provides hospital or medical expense benefits for groups with more than 50 persons, which includes pregnancy-related benefits, shall not be delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act unless the contract provides coverage for persons covered under the contract for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The medical service corporation contract shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The medical service corporation may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or that the patient has met one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

b. A religious employer may request, and a medical service corporation shall grant, an exclusion under the contract for the coverage required by this section for in vitro fertilization, embryo transfer, artificial insemination, zygote intra fallopian transfer and intracytoplasmic sperm injection, if the required coverage is contrary to the religious employer's bona fide religious tenets. The medical service corporation that issues a contract containing such an exclusion shall provide written notice thereof to each prospective subscriber or subscriber, which shall appear in not less than ten point type, in the contract, application and sales brochure. For the purposes of this subsection, "religious employer" means an employer that is a church, convention or association of churches or any group or entity that is operated, supervised or controlled by or in connection with a church or a convention or association of churches as defined in 26 U.S.C. s.3121(w)(3)(A), and that qualifies as a tax-exempt organization under 26 U.S.C. s.501(c)(3).

c. This section shall apply to those medical service corporation contracts in which the medical service corporation has reserved the right to change the premium.

d. The provisions of this section shall not apply to a medical service corporation contract which, pursuant to a contract between the medical service corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

3. Section 3 of P.L.2001, c.236 (C.17:48E-35.22) is amended to read as follows:

C.17:48E-35.22 Health service corporation to provide coverage for treatment of infertility.

3. a. A health service corporation contract which provides hospital or medical expense benefits for groups with more than 50 persons, which includes pregnancy-related benefits, shall not be delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act unless the contract provides coverage for persons covered under the contract for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The health service corporation contract shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The health service corporation may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice

guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or that the patient has met one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

b. A religious employer may request, and a health service corporation shall grant, an exclusion under the contract for the coverage required by this section for in vitro fertilization, embryo transfer, artificial insemination, zygote intra fallopian transfer and intracytoplasmic sperm injection, if the required coverage is contrary to the religious employer's bona fide religious tenets. The health service corporation that issues a contract containing such an exclusion shall provide written notice thereof to each prospective subscriber or subscriber, which shall appear in not less than ten point type, in the contract, application and sales brochure. For the purposes of this subsection, "religious employer" means an employer that is a church, convention or association of churches or any group or entity that is operated, supervised or controlled by or in connection with a church or a convention or

association of churches as defined in 26 U.S.C. s.3121(w)(3)(A), and that qualifies as a tax-exempt organization under 26 U.S.C. s.501(c)(3).

c. This section shall apply to those health service corporation contracts in which the health service corporation has reserved the right to change the premium.

d. The provisions of this section shall not apply to a health service corporation contract which, pursuant to a contract between the health service corporation and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

4. Section 4 of P.L.2001, c.236 (C.17B:27-46.1x) is amended to read as follows:

C.17B:27-46.1x Group health insurance policy to provide coverage for treatment of infertility.

4. a. A group health insurance policy which provides hospital or medical expense benefits for groups with more than 50 persons, which includes pregnancy-related benefits, shall not be delivered, issued, executed or renewed in this State, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance on or after the effective date of this act unless the policy provides coverage for persons covered under the policy for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The policy shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The insurer may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as deter-

mined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or that the patient has met one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the policy, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the policy. Infertility resulting from voluntary sterilization procedures shall be excluded under the policy for the coverage required by this section.

b. A religious employer may request, and an insurer shall grant, an exclusion under the policy for the coverage required by this section for in vitro fertilization, embryo transfer, artificial insemination, zygote intra fallopian transfer and intracytoplasmic sperm injection, if the required coverage is contrary to the religious employer's bona fide religious tenets. The insurer that issues a policy containing such an exclusion shall provide written notice thereof to each prospective insured or insured, which shall appear in not less than ten point type, in the policy, application and sales brochure. For the purposes of this subsection, "religious employer" means an employer that is a church, convention or association of churches or any group or entity that is operated, supervised or controlled by or in connection with

a church or a convention or association of churches as defined in 26 U.S.C. s.3121(w)(3)(A), and that qualifies as a tax-exempt organization under 26 U.S.C. s.501(c)(3).

c. This section shall apply to those insurance policies in which the insurer has reserved the right to change the premium.

d. The provisions of this section shall not apply to a group health insurance policy which, pursuant to a contract between the insurer and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

5. Section 5 of P.L.2001, c.236 (C.26:2J-4.23) is amended to read as follows:

C.26:2J-4.23 Health maintenance organization to provide coverage for treatment of infertility.

5. a. No certificate of authority to establish and operate a health maintenance organization in this State shall be issued or continued on or after the effective date of this act unless the health maintenance organization provides health care services, to groups of more than 50 enrollees, for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. A health maintenance organization shall provide enrollee coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the enrollee. The health maintenance organization may provide that health care services for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Re-

productive Endocrinology and Infertility or in Obstetrics and Gynecology or that the patient has met one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The health care services shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical health care services under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

b. A religious employer may request, and a health maintenance organization shall grant, an exclusion under the contract for the health care services required by this section for in vitro fertilization, embryo transfer, artificial insemination, zygote intra fallopian transfer and intracytoplasmic sperm injection, if the required health care services are contrary to the religious employer's bona fide religious tenets. The health maintenance organization that issues a contract containing such an exclusion shall provide written notice thereof to each prospective enrollee or enrollee, which shall appear in not less than ten point type, in the contract, application and sales brochure. For the purposes of this subsection, "religious employer" means an employer that is a church, convention or association of churches or any group or entity that is operated, supervised or controlled by or in connection with a church or a convention or association of churches as defined in

26 U.S.C. s.3121(w)(3)(A), and that qualifies as a tax-exempt organization under 26 U.S.C. s.501(c)(3).

c. The provisions of this section shall apply to those contracts for health care services by health maintenance organizations under which the right to change the schedule of charges for enrollee coverage is reserved.

d. The provisions of this section shall not apply to a contract for health care services by a health maintenance organization which, pursuant to a contract between the health maintenance organization and the Department of Human Services, provides benefits to persons who are eligible for medical assistance under P.L.1968, c.413 (C.30:4D-1 et seq.), the NJ FamilyCare Program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.), or any other program administered by the Division of Medical Assistance and Health Services in the Department of Human Services.

C.52:14-17.29v State Health Benefits Program to provide coverage for treatment of infertility.

6. The State Health Benefits Commission shall ensure that every contract under the State Health Benefits Program shall provide coverage for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The State Health Benefits Program contract shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The State Health Benefits Commission may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or any one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

C.52:14-17.46.6g School Employees Health Benefits Program to provide coverage for treatment of infertility.

7. The School Employees Health Benefits Commission shall ensure that every contract under the School Employees Health Benefits Program shall provide coverage for medically necessary expenses incurred in the diagnosis and treatment of infertility as provided pursuant to this section. The School Employees Health Benefits Program contract shall provide coverage which includes, but is not limited to, the following services related to infertility: diagnosis and diagnostic tests; medications; surgery; in vitro fertilization; embryo transfer; artificial insemination; gamete intra fallopian transfer; zygote intra fallopian transfer; intracytoplasmic sperm injection; and four completed egg retrievals per lifetime of the covered person. The School Employees Health Benefits Commission may provide that coverage for in vitro fertilization, gamete intra fallopian transfer and zygote intra fallopian transfer shall be limited to a covered person who: a. has used all reasonable, less expensive and medically appropriate treatments and is

still unable to become pregnant or carry a pregnancy; b. has not reached the limit of four completed egg retrievals; and c. is 45 years of age or younger.

For purposes of this section, "infertility" means a disease or condition that results in the abnormal function of the reproductive system, as determined pursuant to American Society for Reproductive Medicine practice guidelines by a physician who is Board Certified or Board Eligible in Reproductive Endocrinology and Infertility or in Obstetrics and Gynecology or any one of the following conditions:

(1) A male is unable to impregnate a female;

(2) A female with a male partner and under 35 years of age is unable to conceive after 12 months of unprotected sexual intercourse;

(3) A female with a male partner and 35 years of age and over is unable to conceive after six months of unprotected sexual intercourse;

(4) A female without a male partner and under 35 years of age who is unable to conceive after 12 failed attempts of intrauterine insemination under medical supervision;

(5) A female without a male partner and over 35 years of age who is unable to conceive after six failed attempts of intrauterine insemination under medical supervision;

(6) Partners are unable to conceive as a result of involuntary medical sterility;

(7) A person is unable to carry a pregnancy to live birth; or

(8) A previous determination of infertility pursuant to this section.

The benefits shall be provided to the same extent as for other pregnancy-related procedures under the contract, except that the services provided for in this section shall be performed at facilities that conform to standards established by the American Society for Reproductive Medicine or the American College of Obstetricians and Gynecologists. The same copayments, deductibles and benefit limits shall apply to the diagnosis and treatment of infertility pursuant to this section as those applied to other medical or surgical benefits under the contract. Infertility resulting from voluntary sterilization procedures shall be excluded under the contract for the coverage required by this section.

8. Sections 1 through 5 of this act shall take effect 90 days after enactment and shall apply to policies or contracts issued or renewed on or after the effective date of those sections. Sections 6 and 7 shall take effect immediately and shall apply to contracts in force, issued, or renewed on or after that date.

Approved May 1, 2017.

CHAPTER 49

AN ACT concerning disclosure by governmental affairs agents and amending P.L.1971, c.183.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.1971, c.183 (C.52:13C-21) is amended to read as follows:

C.52:13C-21 Notice of representation; filing, contents, separate notices.

4. a Any person who, on or after the effective date of P.L.1991, c.243 or on or after the effective date of P.L.2004, c.27 for the purpose of influencing governmental processes, is employed, retained or engages himself as a governmental affairs agent shall, prior to any communication with, or the making of any expenditures providing a benefit to, a member of the Legislature, legislative staff, the Governor, the Lieutenant Governor, the Governor's staff, or an officer or staff member of the Executive Branch, and in any event within 30 days of the appropriate effective date or of such employment, retainer or engagement, whichever occurs later, file a signed notice of representation with the Election Law Enforcement Commission in such detail as the commission may prescribe, identifying himself and persons by whom he is employed or retained, and the persons in whose interests he is working, and the general nature of his proposed services as a governmental affairs agent for such persons, which notice shall contain the following information:

(1) his name, business address and regular occupation;

(2) the name, business address and occupation or principal business of the person from whom he receives compensation for acting as a governmental affairs agent;

(3) (a) the name, business address and occupation or principal business of any person in whose interest he acts as a governmental affairs agent in consideration of the aforesaid compensation, if such person is other than the person from whom said compensation is received; and

(b) if a person, identified under paragraph (2) of this subsection as one from whom the governmental affairs agent receives compensation, is a membership organization or corporation whose name or occupation so identified does not, either explicitly or by virtue of the nature of the principal business in which the organization or its members, or the corporation or its shareholders, is commonly known to be engaged, clearly reveal the pri-

mary specific economic, social, political, or other interest which the organization or corporation may reasonably be understood to seek to advance or protect through its employment, retainer, or engagement of the governmental affairs agent, a description of that primary economic, social, political, or other interest and a list of the persons having organizational or financial control of the organization or corporation, including the names, mailing addresses and occupations, respectively, of those persons. The commission shall promulgate rules and regulations to govern the content of any information required to be disclosed under this subparagraph and shall take such steps as are reasonably necessary to ensure that all such information is, in accordance with those rules and regulations, both accurate and complete.

Any list of governmental affairs agents and their principals required to be published quarterly under subsection h. of section 6 of P.L.1971, c.183 (C.52:13C-23) shall include, for each such principal for whom it is not otherwise apparent, the primary specific interest which the principal may reasonably be understood to seek to advance or protect through its engagement of the governmental affairs agent and the category of persons required to file additional information, as that interest and such category shall have been determined under subparagraph (b) of this paragraph;

(4) whether the person from whom he receives said compensation employs him solely as a governmental affairs agent, or whether he is a regular employee performing services for his employer which include but are not limited to the influencing of legislation, regulation or governmental processes;

(5) the length of time for which he will be receiving compensation from the person aforesaid for acting as a governmental affairs agent, if said length of time can be ascertained at the time of filing;

(6) the type of legislation, regulation or governmental process or the particular legislation, regulation or governmental process in relation to which he is to act as governmental affairs agent in consideration of the aforesaid compensation, and any particular legislation, regulation or governmental process or type of legislation, regulation or governmental process which he is to promote or oppose;

(7) (Deleted by amendment, P.L.2004, c.38).

(8) When a governmental affairs agent is employed or retained by any State or local government agency, department, board, bureau, commission, authority, board of education, institution of higher education, or any other government entity in this State, the notice of representation shall also indicate the compensation amount received or to be received by the governmental affairs agent from the government entity. Each notice of representation indicating that the governmental affairs agent is employed or retained

by a government entity shall be posted by the commission on the commission's Internet site within 30 days of filing, and shall be easily available for public inspection through that Internet site.

b. Any governmental affairs agent who receives compensation from more than one person for his services as a governmental affairs agent shall file a separate notice of representation with respect to each such person; except that a governmental affairs agent whose fee for acting as such in respect to the same legislation, regulation or governmental processor type of legislation, regulation or governmental process is paid or contributed to by more than one person may file a single statement, in which he shall detail the name, business address and occupation or principal business of each person so paying or contributing.

2. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 50

AN ACT establishing a home visitation pilot program in Medicaid and supplementing Title 30 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.30:4D-17.39 Medicaid home visitation demonstration project.

1. a. The Department of Human Services, subject to federal approval and the availability of federal financial participation under Title XIX of the Social Security Act, shall establish a three-year Medicaid home visitation demonstration project. The demonstration project shall be designed to provide ongoing health and parenting information, parent and family support, and links to essential health and social services during pregnancy, infancy, and early childhood. The demonstration project shall be developed in consultation with the Department of Children and Families and the Department of Health.

b. The project shall be modeled on home visitation programs currently administered by the Department of Children and Families, the Department of Health, and the Division of Family Development in the Department of Human Services.

c. The project shall be implemented in stages, prioritizing expansion of services in counties with the highest number of births to eligible families and where current home visitation programs provide services to less than 10 percent of the eligible population.

C.30:4D-17.40 Application for amendments, waivers.

2. The Commissioner of Human Services shall apply for such State plan amendments or waivers as may be necessary to implement the provisions of this act and to secure federal financial participation for State Medicaid expenditures under the federal Medicaid program.

C.30:4D-17.41 Rules, regulations.

3. The Commissioner of Human Services, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt such rules and regulations as the commissioner deems necessary to carry out the provisions of this act.

4. This act shall take effect on the first day of the seventh month next following the date of enactment and shall expire three years after the date that the Department of Human Services commences implementation of the demonstration project, but the commissioner may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved May 1, 2017.

CHAPTER 51

AN ACT concerning housing authorities and amending P.L.1992, c.79.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 20 of P.L.1992, c.79 (C.40A:12A-20) is amended to read as follows:

C.40A:12A-20 Rules, regulations concerning admission to housing project; publishing of notice relative to waiting list.

20. a. The municipality, county, or housing authority shall establish rules and regulations concerning admissions to any housing project which

shall provide priority categories for persons displaced or caused to be displaced by public action or by redevelopment projects, highway programs, or other public works; persons living in housing found to be "substandard" within the meaning of P.L.1966, c.168 (C.2A:42-74 et seq.) or P.L.1971, c.224 (C.2A:42-85 et seq.), or otherwise violative of minimum health and safety standards; persons and families who, by reason of family income, family size, or disabilities have special needs; and elderly persons.

b. A housing authority established pursuant to section 17 of P.L.1992, c.79 (C.40A:12A-17) shall advertise on its Internet website or on a webpage on the Internet website of the local unit that established the housing authority, in both English and Spanish, notice of when it is accepting applications for its housing assistance waiting list, unless otherwise prohibited by federal law, rule, or regulation. The electronic advertisement shall be in addition to any notice currently being published in a newspaper, as applicable.

2. This act shall take effect on the first day of the third month next following the date of enactment.

Approved May 1, 2017.

CHAPTER 52

AN ACT concerning basic skills training and amending P.L.2001, c.152.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2001, c.152 (C.34:15D-21) is amended to read as follows:

C.34:15D-21 "Supplemental Workforce Fund for Basic Skills."

1. a. A restricted, nonlapsing, revolving "Supplemental Workforce Fund for Basic Skills," to be managed and invested by the State Treasurer, is hereby established in the Department of Labor and Workforce Development to provide basic skills training. All moneys appropriated to the fund, all interest accumulated on balances in the fund and all cash received for the fund from any other source shall be allocated by the Commissioner of Labor and Workforce Development as follows:

(1) 24% shall be deposited in an account reserved to support basic skills training delivered by the State's One Stop Career Centers to qualified displaced, disadvantaged and employed workers pursuant to Employability Development Plans developed pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7);

(2) 28% shall be deposited in an account reserved for Workforce Investment Boards to provide grants for basic skills training for qualified displaced, disadvantaged and employed workers pursuant to Employability Development Plans developed pursuant to section 7 of P.L.1992, c.43 (C.34:15D-7) and for other individuals with learning disabilities or otherwise in need of vocational rehabilitation services;

(3) 25% shall be deposited in an account reserved for grants to consortia including one or more of any of the following: eligible individual employers, employer organizations, labor organizations, community-based organizations or educational institutions to provide basic skills training to qualified displaced, disadvantaged or employed workers or to other individuals seeking to enter apprenticeship training;

(4) 13% shall be deposited in an account reserved for a grant to the New Jersey Community College Consortium for Workforce and Economic Development, a part of the New Jersey Council of County Colleges, to provide basic skills training to qualified displaced, disadvantaged or employed workers. The New Jersey Community College Consortium for Workforce and Economic Development may request additional funds, beyond the amount provided for in this paragraph, from the Commissioner of Labor and Workforce Development, which funds shall be provided in connection with paragraph (3) of this subsection, at the discretion of the commissioner and without any special preference over any other applicant seeking funds in connection with paragraph (3) of this subsection, for the purpose of providing basic skills training to qualified displaced, disadvantaged or employed workers. Any request for those additional funds shall only be authorized after a determination by the commissioner that the funds provided in connection with this paragraph have been encumbered and that there is a demand for additional funds to provide basic skills training; and

(5) 10% shall be deposited in an account to be used, at the discretion of the commissioner, for any of the purposes indicated in this subsection a. and any administrative costs incurred by the Department of Labor and Workforce Development in connection with the fund.

b. Any grant provided in connection with paragraph (3) of subsection a. of this section directly to an employer or to an employer through a consortium shall be regarded as a customized training grant and shall be ad-

ministered by the Office of Customized Training and the employer and consortium shall comply with all requirements of section 5 of P.L.1992, c.43 (C.34:15D-5), except that any grants provided directly or indirectly to an employer for use in connection with any program which includes apprenticeship training or activities or preparation for entry into apprenticeship training shall be exempt from the requirement of this subsection b. to be administered by the Office of Customized Training and be subject to the requirements of section 5 of P.L.1992, c.43 (C.34:15D-5), if it is approved by the Apprenticeship Policy Committee, as defined in section 3 of P.L.1993, c.268 (C.34:15E-3), and the employer complies with the provisions of subsection e. of section 5 of P.L.1993, c.268 (C.34:15E-5). Any grant provided in connection with paragraph (2) of subsection a. of this section directly to an individual shall be regarded as an individual training grant and shall be subject to the requirements of subsections a., c. and d. of section 6 of P.L.1992, c.43 (C.34:15D-6).

Also, any funds provided in connection with paragraph (4) of subsection a. of this section shall be provided to the New Jersey Community College Consortium for Workforce and Economic Development by the Office of Customized Training, and shall comply with the following requirements:

(1) The New Jersey Community College Consortium for Workforce and Economic Development shall work with all the community colleges throughout the State of New Jersey to deliver basic skills training in the most effective and efficient manner possible at any of their 63 campuses or at any appropriate business facility;

(2) There shall be no charge to the employer sending employees to the training, but the employer shall pay employees regular wages for the hours the training takes place, except that any waiver of this requirement to pay employees regular wages, for the hours of training, authorized by the Commissioner of Labor and Workforce Development, may, at the discretion of the commissioner, be offered to the New Jersey Community College Consortium for Workforce and Economic Development on the same basis as any other grant recipient;

(3) The employers sending their employees to this training shall not be asked to provide any paperwork or complete any financial disclosure forms, including a tax clearance certificate as provided in section 1 of P.L.2007, c.101 (C.54:50-39), except that employers shall provide the employees participating in the training with the information that the employees need to comply with paragraph (4) of this subsection, and shall provide the New Jersey Community College Consortium for Workforce and Economic Development with the information the employer has regarding its participating

employees that the consortium needs to produce the annual report required pursuant to paragraph (7) of this subsection;

(4) The employees being trained shall provide the Federal Employer Identification Number (FEIN) of their employer and the employer's contact information at the beginning of the training;

(5) The mean class size for training under this subsection shall be 10, but the New Jersey Community College Consortium for Workforce and Economic Development may aggregate employees from multiple employers in a single training to reach that mean of 10;

(6) The training provided under this subsection shall be basic skills training, but the apportionment of classes in the different areas of basic skills as defined by subsection h. of this section may be determined by the New Jersey Community College Consortium for Workforce and Economic Development in consultation with representatives of the business community;

(7) The New Jersey Community College Consortium for Workforce and Economic Development shall file an annual report by September 1 of each year with the New Jersey Legislature and the New Jersey Department of Labor and Workforce Development containing the total number of workers trained, the total funds expended on training, the number of workers trained in each area of basic skills training, the number of businesses with employees trained, the number of classes held in each area of basic skills training, the number of classes held at each community college, the wage ranges of the workers trained, the job titles of the workers trained and the results of the pre-training and post-training assessments. The report shall also include an analysis of the strengths and weaknesses of the training program and how it can be improved in the following year. The report shall supplant all requirements for any other reporting that the New Jersey Community College Consortium for Workforce and Economic Development may be asked to complete with respect to the funds it receives through paragraph (4) of subsection a. of this section; and

(8) The New Jersey Community College Consortium for Workforce and Economic Development shall work with the business community to promote this program to businesses across the State, including chambers of commerce and Statewide associations, such as the New Jersey Business and Industry Association, and shall seek out, and work with, State, regional, and county organizations that are dedicated to the economic empowerment of segments of society by race, ethnicity, gender, age, religion, disability, or sexual orientation, including, but not limited to the African American Chamber of Commerce of New Jersey and the Statewide Hispanic Chamber of Commerce of New Jersey, and any other appropriate business organizations.

c. Any employment and training services funded by the Supplemental Workforce Fund for Basic Skills shall be provided in a manner which complies with the provisions of subsections b., c., f., g., h. and i. of section 4 of P.L.1992, c.43 (C.34:15D-4), to the extent that those subsections pertain to remedial education. Any service provider receiving moneys from the Supplemental Workforce Fund for Basic Skills shall be subject to the provisions of section 8 of P.L.1992, c.43 (C.34:15D-8) and section 8 of P.L.1992, c.44 (C.34:15D-19).

d. All staff located at any One Stop Career Center supported by funds provided from the Supplemental Workforce Fund for Basic Skills shall be hired and employed by the State pursuant to Title 11A, Civil Service, of the New Jersey Statutes.

e. Beginning July 1, 2002, and for any subsequent fiscal year, if the unexpended cash balance in any of the accounts indicated in subsection a. of this section, less any amount awarded in grants but not yet disbursed from the account, is determined to exceed 20% of the amount of contributions collected for deposit in the account pursuant to this subsection during the fiscal year then ended, the excess shall be regarded as an unemployment compensation contribution and deposited into the unemployment compensation fund within seven business days of the date that the determination is made.

f. The Commissioner of Labor and Workforce Development shall establish standards of performance for providers of basic skills training pursuant to this act. The standards shall include, but not be limited to, standards for the curriculum or training to be furnished, qualifications for persons who will provide the training under the act, and standards for establishing what constitutes successful completion of the training program. The commissioner shall establish means of determining the ability of enrollees to gain or maintain employment following the successful completion of a training program established pursuant to this section. In the event that the commissioner determines that a provider has not conducted its training program in accordance with the standards of performance, he may take that action necessary to correct the deficiencies of the provider, or terminate the contract with the provider of basic skills services if the provider fails to respond to remedial action.

g. The State Employment and Training Commission shall review and evaluate the operations of programs supported by the Supplemental Workforce Fund for Basic Skills established pursuant to this section, with special consideration to how those programs assist in the implementation of the goals of the Strategic Five-Year State Plan for New Jersey's Workforce In-

vestment System, and shall consult with the Commissioner of Labor and Workforce Development regarding its findings.

h. For the purpose of this section:

"Basic skills training" means basic mathematics, reading comprehension, basic computer literacy, English proficiency and work-readiness skills and shall be regarded as a form of "remedial education" for the purposes of section 3 of P.L.1992, c.43 (C.34:15D-3);

"One Stop Career Center" means one of the centers established in local areas to coordinate a variety of State and local programs providing employment and training services, including job placement services, or any other similar State or local government-sponsored center providing employment and training services as may be developed at any later time; and

"Qualified disadvantaged worker," "qualified displaced worker," "qualified employed worker," and "employment and training services" have the meanings given to them by section 3 of P.L.1992, c.43 (C.34:15D-3).

2. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 53

AN ACT establishing a task force to study and make recommendations concerning mobility and support services needs of New Jersey adults with autism spectrum disorder.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Legislature finds and declares that:

a. In 2013, the Governor's Council for Medical Research and Treatment of Autism announced its intent to provide a two-year research grant to Rutgers, the State University of New Jersey to research the transportation needs of people with autism spectrum disorder (ASD) and develop policies, procedures, and accommodations to improve the quality of life of those on the autism spectrum.

b. In September 2015, the Center for Advanced Infrastructure and Transportation (CAIT) at Rutgers, the State University of New Jersey issued a report entitled "Detour to the Right Place: A Study with Recommen-

dations for Addressing the Transportation Needs and Barriers of Adults on the Autism Spectrum in New Jersey."

c. The report found several areas in which State policies and programs can be improved to help remove or lessen barriers, and enhance access to transportation services.

d. According to CAIT, very little had been written or reported about transportation issues encountered by adults with ASD prior to CAIT's report.

e. The report makes 15 recommendations for action, which require evaluation and implementation through a coordinated effort of several State agencies, researchers knowledgeable about the issues facing adults with ASD, ASD advocacy groups, and adults with ASD.

f. In addition to the need to study and make recommendations concerning transportation needs and barriers for adults with ASD, there is a need to study and make recommendations concerning challenges adults with ASD have in securing support services when transitioning from K-12 education to post-secondary education in order for adults with ASD to have the best opportunity to succeed and to become productive members of society.

g. It is in the public interest of the State to establish a task force to study and make recommendations concerning the mobility and support services needs of New Jersey adults with ASD by reviewing available research and literature on these issues, including the CAIT report, and developing a priority list of recommendations that considers the cost and feasibility of implementing these recommendations.

2. a. There is established the New Jersey Adults with Autism Spectrum Disorder Mobility and Support Services Task Force. The purpose of the task force is to study and make recommendations concerning mobility and support services needs of New Jersey adults with autism spectrum disorder.

b. The task force shall consist of the following 11 members:

(1) the Commissioner of Education or a designee, who shall serve ex-officio;

(2) the Commissioner of Children and Families or a designee, who shall serve ex-officio;

(3) the Commissioner of Health or a designee, who shall serve ex-officio;

(4) the Commissioner of Human Services or a designee, who shall serve ex-officio;

(5) the Commissioner of Labor and Workforce Development or a designee, who shall serve ex-officio;

(6) the Commissioner of Transportation or a designee, who shall serve ex-officio;

(7) the Secretary of Higher Education or a designee, who shall serve ex-officio;

(8) Four members of the public as follows:

(a) a researcher affiliated with the Center for Advanced Infrastructure and Transportation at Rutgers, the State University of New Jersey, who shall be the chairperson and shall be appointed by the Senate President;

(b) a representative of an organization dedicated to the advancement of autism spectrum disorder research, understanding, and treatment, who shall be appointed by the Speaker of the General Assembly;

(c) a representative of an organization that advocates on behalf of families affected by autism spectrum disorder, who shall be appointed by the Speaker of the General Assembly; and

(d) a New Jersey adult resident with autism spectrum disorder, who shall be appointed by the Senate President.

c. Appointments to the task force shall be made within 30 days of the effective date of P.L.2017, c.53. Vacancies in the membership of the task force shall be filled in the same manner as the original appointments were made. Members of the task force shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties as members of the task force and within the limits of funds appropriated or otherwise made available to the task force for its purposes.

3. The task force shall organize as soon as practicable following the appointment of its members, but no later than 60 days after the effective date of P.L.2017, c.53. The task force may appoint a secretary who need not be a member of the task force.

4. The Center for Advanced Infrastructure and Transportation at Rutgers, the State University of New Jersey shall provide stenographic, clerical, and other administrative assistance and professional staff as the task force requires to carry out its work. The task force shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available for its purposes.

5. The duties of the task force shall include, but are not limited to:

a. reviewing current State policies as they relate to transportation services and autism spectrum disorder related educational and employment services provided to adults with autism spectrum disorder;

b. reviewing and evaluating research and literature, including any national best practices, professional standards, or guidelines regarding alleviating transportation barriers and obstacles for adults with autism spectrum disorder and increasing access and availability of autism spectrum disorder related education and employment support services;

c. consulting with and evaluating testimony from groups, organizations, entities, and other institutions that care for adults with autism spectrum disorder or provide services to families affected by autism spectrum disorder;

d. developing and issuing recommendations to alleviate current and emerging barriers and obstacles to the satisfactory use by adults with autism spectrum disorder of the State's transportation infrastructure and system and to provide for increased access and availability to autism spectrum disorder related education and employment support services;

e. developing a ranking of the recommendations made in subsection d. of this section and evaluating implementation factors for each recommendation, including, but not limited to, the importance to the autism community, cost of implementation, and feasibility of implementation; and

f. soliciting and receiving grants and other funds that are made available for the task force's purposes by any governmental, public, not-for-profit, or for-profit agency, including funds that are made available under any federal or State law, regulation, or program.

6. The task force shall hold at least three public hearings to gather information regarding the barriers and obstacles adults with autism spectrum disorder face in their use of the State's transportation infrastructure and system and the need for autism spectrum disorder related educational and employment support services.

7. The task force shall issue a report to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), no later than one year following its organizational meeting. The report shall contain the task force's findings and recommendations and shall rank each recommendation with respect to the feasibility of implementing the recommendation.

8. This act shall take effect immediately and shall expire upon submission of the task force's report required to be prepared pursuant to section 7 of this act.

Approved May 1, 2017.

CHAPTER 54

AN ACT concerning placement of members of the military on civil service active open competitive employment lists and amending P.L.2012, c.49.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2012, c.49 (C.11A:5-6.1) is amended to read as follows:

C.11A:5-6.1 Addition of names of certain servicemembers to certain civil service eligibility lists.

1. a. Any member of the New Jersey National Guard or of the Reserve Component of the United States Armed Forces placed on an active open competitive employment list who is called to active federal military service prior to the expiration of the list shall, within twelve months from the date of the expiration of that list, submit to the Civil Service Commission sufficient proof of military service and an application to be placed on an active open competitive employment list for the same title and jurisdiction, provided that the same test mode was used or test modes were reconciled, as the list the person was on immediately prior to being called to active federal military service, for prospective appointment only, based upon the score obtained on the original list, after disabled veterans and veterans as provided in chapter 5 of Title 11A of the New Jersey Statutes. The person shall meet all current eligibility requirements at the time of application for placement on a list for the same title and jurisdiction. The applicant shall be able to request placement on a maximum of two consecutive lists. If the first list that the applicant is placed on expires in less than 12 months, then the applicant shall be placed on a second list, if requested, if the placement can occur within 12 months after the filing of the application, otherwise the applicant shall be placed on only one list. The Civil Service Commission shall develop regulations for reconciling test modes, for the best interest of the applicant, in or-

der to enable the placement of the applicant on the list. No fee shall be charged by the Civil Service Commission to the applicant for placement on the list or for placement on the first of two lists, as appropriate.

b. Upon returning from military leave, if the person receives status as a veteran as defined in N.J.S.11A:5-1, he or she shall receive veteran status for the purposes of subsection a. of this section if a list is generated after the person is granted veteran status.

c. Any person meeting the requirements of subsection a. of this section who met the maximum age requirement for appointment as a member or officer of the police department or force in a municipality established by N.J.S.40A:14-127 at the announced closing date of the civil service examination from which the first list of eligibles is or was compiled shall be deemed to have met that maximum age requirement on the date on which the person's name is placed on a subsequent eligible list pursuant to subsection a. of this section.

2. This act shall take effect on the first day of the fourth month following the date of enactment.

Approved May 1, 2017.

CHAPTER 55

AN ACT concerning the increased provision of support services to persons with aphasia and supplementing Title 26 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.26:2ZZ-1 Findings, declarations relative to aphasia.

1. The Legislature finds and declares that:

a. Aphasia is a disorder of the brain, which affects a person's ability to communicate, and which most commonly occurs after a stroke or traumatic brain injury;

b. Although aphasia is most common among older people, it can be acquired by people of all ages who have suffered severe head trauma;

c. A person with aphasia typically has difficulty speaking and, sometimes, difficulty with reading, writing, and understanding what other people are saying; however, the condition does not affect a person's intellect;

d. The type and severity of language dysfunction suffered by a person with aphasia depends on the precise location and extent of damaged brain tissue;

e. Generally, there are four types of aphasia: (1) expressive aphasia, which involves difficulty in conveying thoughts through speech or writing; (2) receptive aphasia, which involves difficulty in understanding spoken or written language; (3) anomic or amnesia aphasia, the least severe form of aphasia, which involves difficulty in using the correct names for particular objects, people, places, or events; and (4) global aphasia, the most severe form of aphasia, which involves the loss of almost all language function, both comprehension and expression;

f. There is no one treatment process that is proven to be effective for all types of aphasia, and although persons with aphasia usually experience improvement over time with the aid of speech therapy, rehabilitation services, and counseling, many persons with aphasia are prone to depression, hopelessness, and isolation, and tend to avoid social situations, since communication with others may lead to mutual frustration;

g. It is estimated that one million people in the United States have aphasia, more than the number of people suffering from Parkinson's disease, muscular dystrophy, multiple sclerosis, or cerebral palsy; and

h. It is, therefore, in the public interest for the State to establish a permanent aphasia task force to ensure that there are appropriate informational resources and support systems available in the State to assist persons with aphasia, and their families.

C.26:2ZZ-2 "Mike Adler Aphasia Task Force."

2. a. There is established, in the Department of Health, the "Mike Adler Aphasia Task Force."

b. The task force shall consist of 13 members as follows:

(1) the Commissioners of Health and Human Services, who shall serve ex officio;

(2) five representatives from the State's model aphasia support and treatment programs, including one representative from the non-profit Adler Aphasia Center; one representative from the Kean University Institute for Adults Living with Communication Disabilities; one representative from the private speech-language pathology practice, Speaking of Aphasia; one representative from the medically-based support group, JFK-Johnson Rehabilitation Institute; and one representative from the private aphasia practice, Lingraphica; and

(3) six public members to be appointed as follows: two public members to be appointed by the Senate President, one of whom shall be a person with aphasia, and one of whom shall be a professional who provides caregiving services to persons with aphasia; two public members to be appointed by the Speaker of the General Assembly, one of whom shall be a person with aphasia, and one of whom shall be a professional who provides speech-language pathology services to persons with aphasia; and two public members to be appointed by the Governor, one of whom shall be a professional who provides caregiving services to persons with aphasia, and one of whom shall be a professional who provides speech-language pathology services to persons with aphasia.

c. The purpose of the task force shall be to: monitor the prevalence of aphasia in New Jersey; assess the unmet needs of persons with aphasia, and their families; identify, and facilitate the establishment of, aphasia support groups and other support and informational resources designed to assist in satisfying the unmet needs of residents with aphasia, and their families; and provide recommendations to the Governor and Legislature, in accordance with the provisions of subsection i. of this section, for legislation or other governmental action that would further facilitate the support of persons with aphasia, and their families. In effectuating its purposes under this act, the task force shall:

(1) establish, or encourage and facilitate the establishment of, new aphasia support groups in senior centers, Federally Qualified Health Centers, county offices for the disabled, county offices on aging, and libraries throughout the State, with a focus on improving access to aphasia support services in areas of the State that have significant senior and minority populations;

(2) provide orientation programs for speech language pathologists and caregivers who are interested in volunteering to facilitate the operation of new aphasia support groups established under paragraph (1) of this subsection;

(3) encourage all universities in the State with graduate-level programs in speech-language pathology to offer aphasia support groups to members of the public;

(4) coordinate the operations of aphasia support groups in the State, in order to facilitate the Statewide sharing of data and resources, and the adoption of collaborative efforts designed to provide support and treatment to persons with aphasia, and their families;

(5) create various focus groups that engage persons with aphasia, aphasia support group staff, and aphasia caregivers and speech-language pathologists, for the purposes of assessing and highlighting the region-by-region needs of persons with aphasia, and their families;

(6) encourage hospitals in the State to distribute information about aphasia, upon patient discharge, to patients who have had a stroke or head injury, and provide hospitals with appropriate pamphlets or other documentation, such as the informational materials that are available from the National Aphasia Association (NAA), the American Stroke Association (ASA), or the American Speech-Language-Hearing Association (ASHA), for the purposes of distribution to such patients;

(7) establish, at a publicly accessible location on the Internet website of the Department of Health, a webpage dedicated to aphasia, which shall include relevant information on aphasia, and contact information for the available aphasia support groups in the State;

(8) compile, and post on the aphasia webpage established under paragraph (7) of this subsection, a registry of counselors and psychologists in the State who are available to work with persons with aphasia, and their families;

(9) explore, document, and list on the aphasia webpage established under paragraph (7) of this subsection, any funding sources that are available for post-acute services provided to persons with aphasia in the chronic phase;

(10) create an aphasia-friendly newsletter, which shall be designed to provide persons with aphasia, caregivers, and professionals with updated information about new developments in the treatment of aphasia, and which shall be posted on the aphasia webpage established under paragraph (7) of this subsection, and disseminated to appropriate support, treatment, and educational groups, and to persons with aphasia, on a quarterly basis;

(11) coordinate with the State's county agencies on aging and county agencies for the disabled; supply each county agency with listings and descriptions of aphasia services and support groups available in their area; and encourage each agency to provide information about these services and support groups to their clients; and

(12) enlist persons with aphasia in the chronic phase to instruct first responders, medical personnel, vendors, and others in their respective communities about the needs and abilities of persons with aphasia, and the needs of their families and caregivers; and provide appropriate assistance to these instructors.

d. The task force shall organize as soon as practicable after the appointment of a majority of its members, and may meet and hold hearings at such places and times as it shall designate.

e. The members of the task force shall serve without compensation, but may be reimbursed for travel and other necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to the task force for its purposes.

f. The Department of Health shall provide professional and clerical staff to the task force as may be necessary for the task force's purposes, and the task force shall also be entitled to call upon the services of any State, county, or municipal department, board, commission, or agency, as may be available to it for its purposes.

g. In executing its duties under this act, the task force shall consult with associations, organizations, and individuals who are knowledgeable about the needs of persons with aphasia, and their families.

h. The task force may solicit and receive grants and other funds that are made available for the task force's purposes by any governmental, public, private, not-for-profit, or for-profit agency, including funds that are made available under any federal or State law, regulation, or program.

i. Within 12 months after the task force's organizational meeting, and at least biennially thereafter, the task force shall submit a written report to the Governor, and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature. Each report submitted pursuant to this subsection shall contain the task force's findings on the prevalence of aphasia in the State, information as to the status and success of existing aphasia support services in the State, and any recommendations for legislative or other action that may be necessary to address the unmet needs of persons with aphasia and their families.

3. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 56

AN ACT concerning massage and bodywork therapy and amending P.L.1999, c.19.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 8 of P.L.1999, c.19 (C.45:11-60) is amended to read as follows:

C.45:11-60 Eligibility for licensure.

8. To be eligible for licensure as a massage and bodywork therapist, an applicant shall be of good moral character and submit to the board satisfactory evidence of:

a. Successful completion of a minimum of 500 hours in class study in the field of massage and bodywork therapies approved by the board; and

b. Successful completion of a written examination approved by the board, which shall consider relevant education, training and practical work experience, to determine the applicant's competence to practice massage and bodywork therapies.

2. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 57

AN ACT concerning services by county veterans' affairs offices to Gold Star families and amending P.L.2010, c.11.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.2010, c.11 (C.38A:3-28.1) is amended to read as follows:

C.38A:3-28.1 Provision of certain information to surviving beneficiary of deceased service member.

1. a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Military and Veterans' Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans service office. The State office shall provide the surviving beneficiary of a deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

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(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States or a Reserve component thereof or a member of the National Guard who dies as a result of enemy action, accident or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child or parent of a deceased service member who resides in this State.

2. This act shall take effect on the 60th day next following enactment, except that the Department of Military and Veterans' Affairs and county veterans' affairs offices may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved May 1, 2017.

CHAPTER 58

AN ACT concerning resources for Gold Star families and amending N.J.S.38A:3-6.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.38A:3-6 is amended to read as follows:

Powers, duties.

38A:3-6. Under the direction of the Governor, the Adjutant General shall:

(a) Exercise control over the affairs of the Department of Military and Veterans' Affairs and in connection therewith make and issue such regulations governing the work of the Department of Military and Veterans' Affairs and the conduct of its employees as may, in his judgment, be necessary or desirable.

(b) Be the request officer of the Department of Military and Veterans' Affairs within the meaning of such term as defined in section 1 of P.L.1944, c.112 (C.52:27B-1).

(c) (Deleted by amendment, P.L.1988, c.138.)

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. He may issue such regulations and delegate such command functions as he shall deem necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(e) Maintain the archives and be the custodian of the records and papers required, by laws or regulations, to be filed with the Department of Military and Veterans' Affairs.

(f) Supervise, administer and coordinate those activities of the selective service system for which the Governor is responsible.

(g) Acquire by gift, grant, purchase, exchange, eminent domain, or in any other lawful manner, in the name of and for the use of the State of New Jersey, all those parcels of land as shall be necessary for armories and other militia facilities, and supervise the design, construction, alteration, maintenance and repair of said property.

(h) Establish and maintain such headquarters as may be required for the militia.

(i) Exercise the powers vested in him and perform such other duties and functions as required of him by the Governor and by federal and State laws and regulations.

(j) Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.

(k) Appoint and remove officers and other personnel employed within the department, subject to the provisions of N.J.S.38A:3-8 and Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided.

(l) Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department or the Adjutant General's Office for the purpose of providing centralized support to all segments of the department, including budgeting, personnel administration and oversight of equal opportunity programs.

(m) Perform, exercise and discharge the functions, powers and duties of the department through such divisions as may be established by this act or otherwise by law.

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(o) Adopt, issue and promulgate, in the name of the department, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), such rules and regulations as may be authorized by law.

(p) Institute, or cause to be instituted, legal proceedings or processes as necessary to properly enforce and give effect to any of the Adjutant General's powers or duties.

(q) Make an annual report to the Governor and to the Legislature of the department's operations, and render other reports as the Governor shall from time to time request or as may be required by law.

(r) Coordinate the activities of the department, and the several divisions and other agencies therein, in a manner designed to eliminate overlapping and duplicative functions.

(s) Integrate within the department, so far as practicable, all staff services of the department and of several divisions and other agencies therein.

(t) Request access to all relevant files and records of other State agencies, which may be made available to the Adjutant General by the head of a State agency, and request, subject to the permission of the head of the State agency, any officer or employee therein to provide information as necessary to assist in the performance of the functions of the department.

(u) Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and the New Jersey Veterans' Memorial Cemetery-Arneytown.

(v) Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.

(w) Make application for federal grants and programs, other than education grants or funds.

(x) Administer the federally-funded training and rehabilitation programs, except for the administration of federally-funded education and training programs set forth in 38 U.S.C. s.36 et seq.

(y) Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.

(z) Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).

(aa) Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.

(bb) Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(cc) Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

(dd) Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems

necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.

2. This act shall take effect on the 180th day after the date of enactment, except that the Adjutant General may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act.

Approved May 1, 2017.

CHAPTER 59

AN ACT concerning tax credits under the Economic Redevelopment and Growth Grant program for qualified residential projects and mixed use parking projects, and amending P.L.2009, c.90.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 6 of P.L.2009, c.90 (C.52:27D-489f) is amended to read as follows:

C.52:27D-489f Payment to developer from State.

6. a. Up to the limits established in subsection b. of this section and in accordance with a redevelopment incentive grant agreement, beginning upon the receipt of occupancy permits for any portion of the redevelopment project, or upon any other event evidencing project completion as set forth in the incentive grant agreement, the State Treasurer shall pay to the developer incremental State revenues directly realized from businesses operating at the site of the redevelopment project from the following taxes: the Corporation Business Tax Act (1945), P.L.1945, c.162 (C.54:10A-1 et seq.), the tax imposed on marine insurance companies pursuant to R.S.54:16-1 et seq., the tax imposed on insurers generally, pursuant to P.L.1945, c.132 (C.54:18A-1 et seq.), the public utility franchise tax, public utilities gross receipts tax and public utility excise tax imposed on sewerage and water corporations pursuant to P.L.1940, c.5 (C.54:30A-49 et seq.), those tariffs and charges imposed by electric, natural gas, telecommunications, water and sewage utilities, and cable television companies under the jurisdiction

of the New Jersey Board of Public Utilities, or comparable entity, except for those tariffs, fees, or taxes related to societal benefits charges assessed pursuant to section 12 of P.L.1999, c.23 (C.48:3-60), any charges paid for compliance with the "Global Warming Response Act," P.L.2007, c.112 (C.26:2C-37 et seq.), transitional energy facility assessment unit taxes paid pursuant to section 67 of P.L.1997, c.162 (C.48:2-21.34), and the sales and use taxes on public utility and cable television services and commodities, the tax derived from net profits from business, a distributive share of partnership income, or a pro rata share of S corporation income under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., the tax derived from a business at the site of a redevelopment project that is required to collect the tax pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.), the tax imposed pursuant to P.L.1966, c.30 (C.54:32B-1 et seq.) from the purchase of furniture, fixtures and equipment, or materials for the remediation, the construction of new structures at the site of a redevelopment project, the hotel and motel occupancy fee imposed pursuant to section 1 of P.L.2003, c.114 (C.54:32D-1), or the portion of the fee imposed pursuant to section 3 of P.L.1968, c.49 (C.46:15-7) derived from the sale of real property at the site of the redevelopment project and paid to the State Treasurer for use by the State, that is not credited to the "Shore Protection Fund" or the "Neighborhood Preservation Nonlapsing Revolving Fund" ("New Jersey Affordable Housing Trust Fund") pursuant to section 4 of P.L.1968, c.49 (C.46:15-8). Any developer shall be allowed to assign their ability to apply for the tax credit under this subsection to a non-profit organization with a mission dedicated to attracting investment and completing development and redevelopment projects in a Garden State Growth Zone. The non-profit organization may make an application on behalf of a developer which meets the requirements for the tax credit, or a group of non-qualifying developers, such that these will be considered a unified project for the purposes of the incentives provided under this section.

b. (1) Up to an average of 75 percent of the projected annual incremental revenues or 85 percent of the projected annual incremental revenues in a Garden State Growth Zone may be pledged towards the State portion of an incentive grant.

(2) In the case of a qualified residential project or a project involving university infrastructure, if the authority determines that the estimated amount of incremental revenues pledged towards the State portion of an incentive grant is inadequate to fully fund the amount of the State portion of the incentive grant, then in lieu of an incentive grant based on the incre-

mental revenues, the developer shall be awarded tax credits equal to the full amount of the incentive grant.

(3) In the case of a mixed use parking project, if the authority determines that the estimated amount of incremental revenues pledged towards the State portion of an incentive grant is inadequate to fully fund the amount of the State portion of the incentive grant, then, in lieu of an incentive grant based on the incremental revenues, the developer shall be awarded tax credits equal to the full amount of the incentive grant.

The value of all credits approved by the authority pursuant to paragraphs (2) and (3) of this subsection shall not exceed $823,000,000, of which:

(a) $250,000,000 shall be restricted to qualified residential projects within Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem counties, of which $175,000,000 of the credits shall be restricted to the following categories of projects: (i) qualified residential projects located in a Garden State Growth Zone located within the aforementioned counties; and (ii) mixed use parking projects located in a Garden State Growth Zone or urban transit hub located within the aforementioned counties; (iii) and $75,000,000 of the credits shall be restricted to qualified residential projects in municipalities with a 2007 Municipal Revitalization Index of 400 or higher as of the date of enactment of the "New Jersey Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.) and located within the aforementioned counties;

(b) $395,000,000 shall be restricted to the following categories of projects: (i) qualified residential projects located in urban transit hubs that are commuter rail in nature that otherwise do not qualify under subparagraph (a) of this paragraph; (ii) qualified residential projects located in Garden State Growth Zones that do not qualify under subparagraph (a) of this paragraph; (iii) mixed use parking projects located in urban transit hubs or Garden State Growth Zones that do not qualify under subparagraph (a) of this paragraph, provided however, an urban transit hub shall be allocated no more than $25,000,000 for mixed use parking projects; (iv) qualified residential projects which are disaster recovery projects that otherwise do not qualify under subparagraph (a) of this paragraph; (v) qualified residential projects in SDA municipalities located in Hudson County that were awarded State Aid in State Fiscal Year 2013 through the Transitional Aid to Localities program and otherwise do not qualify under subparagraph (a) of this paragraph; (vi) $25,000,000 of credits shall be restricted to mixed use parking projects in Garden State Growth Zones which have a population in excess of 125,000 and do not qualify under subparagraph (a) of this paragraph; (vii)

$40,000,000 of credits shall be restricted to qualified residential projects that include a theater venue for the performing arts and do not qualify under subparagraph (a) of this paragraph, which projects are located in a municipality with a population of less than 100,000 according to the latest federal decennial census, and within which municipality is located an urban transit hub and a campus of a public research university, as defined in section 1 of P.L.2009, c.308 (C.18A:3B-46); and (viii) $105,000,000 of credits shall be restricted to qualified residential projects and mixed use parking projects in Garden State Growth Zones having a population in excess of 125,000 and do not qualify under subparagraph (a) of this paragraph;

(c) $87,000,000 shall be restricted to the following categories of projects: (i) qualified residential projects located in distressed municipalities, deep poverty pockets, highlands development credit receiving areas or redevelopment areas, otherwise not qualifying pursuant to subparagraph (a) or (b) of this paragraph; and (ii) mixed use parking projects that do not qualify under subparagraph (a) or (b) of this paragraph, and which are used by an independent institution of higher education, a school of medicine, a nonprofit hospital system, or any combination thereof; provided, however, that $20,000,000 of the $87,000,000 shall be allocated to mixed use parking projects that do not qualify under subparagraph (a) or (b) of this paragraph;

(d) (i) $16,000,000 shall be restricted to qualified residential projects that are located within a qualifying economic redevelopment and growth grant incentive area otherwise not qualifying under subparagraph (a), (b), or (c) of this paragraph; and

(ii) an additional $50,000,000 shall be restricted to qualified residential projects which, as of the effective date of P.L.2016, c.51, are located in a city of the first class with a population in excess of 270,000, are subject to a Renewal Contract for a Section 8 Mark-Up-To-Market Project from the United States Department of Housing and Urban Development, and for which an application for the award of tax credits under this subsection was submitted prior to January 1, 2016; and

(e) $25,000,000 shall be restricted to projects involving university infrastructure.

(f) For subparagraphs (a) through (d) of this paragraph, not more than $40,000,000 of credits shall be awarded to any qualified residential project in a deep poverty pocket or distressed municipality and not more than $20,000,000 of credits shall be awarded to any other qualified residential project. The developer of a qualified residential project seeking an award of credits towards the funding of its incentive grant shall submit an incentive grant application prior to July 1, 2016 and if approved after September

18, 2013, the effective date of P.L.2013, c.161 (C.52:27D-489p et al.) shall submit a temporary certificate of occupancy for the project no later than July 28, 2019. The developer of a mixed use parking project seeking an award of credits towards the funding of its incentive grant pursuant to subparagraph (c) of this paragraph and if approved after the effective date of P.L.2015, c.217, shall submit a temporary certificate of occupancy for the project no later than July 28, 2021. The developer of a qualified residential project or a mixed use parking project seeking an award of credits toward the funding of its incentive grant for a project restricted under category (viii) of subparagraph (b) of this paragraph shall submit an incentive grant application prior to July 1, 2018, and if approved after the effective date of P.L.2017, c.59, shall submit a temporary certificate of occupancy for the project no later than July 28, 2021. Applications for tax credits pursuant to this subsection relating to an ancillary infrastructure project or infrastructure improvement in the public right-of-way, or both, shall be accompanied with a letter of support relating to the project or improvement by the governing body or agency in which the project is located. Credits awarded to a developer pursuant to this subsection shall be subject to the same financial and related analysis by the authority, the same term of the grant, and the same mechanism for administering the credits, and shall be utilized or transferred by the developer as if the credits had been awarded to the developer pursuant to section 35 of P.L.2009, c.90 (C.34:1B-209.3) for qualified residential projects thereunder. No portion of the revenues pledged pursuant to the "New Jersey Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.) shall be subject to withholding or retainage for adjustment, in the event the developer or taxpayer waives its rights to claim a refund thereof.

(4) A developer may apply to the Director of the Division of Taxation in the Department of the Treasury and the chief executive officer of the authority for a tax credit transfer certificate, if the developer is awarded a tax credit pursuant to paragraph (2) or paragraph (3) of this subsection, covering one or more years, in lieu of the developer being allowed any amount of the credit against the tax liability of the developer. The tax credit transfer certificate, upon receipt thereof by the developer from the director and the chief executive officer of the authority, may be sold or assigned, in full or in part, to any other person who may have a tax liability pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5), sections 2 and 3 of P.L.1945, c.132 (C.54:18A-2 and C.54:18A-3), section 1 of P.L.1950, c.231 (C.17:32-15), or N.J.S.17B:23-5. The certificate provided to the developer shall include a statement waiving the developer's right to claim that amount of the credit

against the taxes that the developer has elected to sell or assign. The sale or assignment of any amount of a tax credit transfer certificate allowed under this paragraph shall not be exchanged for consideration received by the developer of less than 75 percent of the transferred credit amount before considering any further discounting to present value that may be permitted. Any amount of a tax credit transfer certificate used by a purchaser or assignee against a tax liability shall be subject to the same limitations and conditions that apply to the use of the credit by the developer who originally applied for and was allowed the credit.

c. All administrative costs associated with the incentive grant shall be assessed to the applicant and be retained by the State Treasurer from the annual incentive grant payments.

d. The incremental revenue for the revenues listed in subsection a. of this section shall be calculated as the difference between the amount collected in any fiscal year from any eligible revenue source included in the State redevelopment incentive grant agreement, less the revenue increment base for that eligible revenue.

e. The municipality is authorized to collect any information necessary to facilitate grants under this program and remit that information in order to assist in the calculation of incremental revenue.

2. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 60

AN ACT concerning motor vehicle surcharges.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. The Department of Labor and Workforce Development, in consultation with the Department of the Treasury and the Motor Vehicle Commission, shall conduct a study to determine whether a program allowing persons to perform community service in lieu of the payment of a motor vehicle surcharge can be administered efficiently and the impact the program would have on surcharge revenue and the State's bond and budgetary obligations when the person is:

(1) unemployed;

(2) unable to pay a motor vehicle surcharge levied pursuant to paragraph (1), subparagraph (a) of paragraph (2), or paragraph (3) of subsection b. of section 6 of P.L.1983, c.65 (C.17:29A-35); and

(3) enrolled in a job training or education program, or in the process of applying for a commercial driver license or endorsement.

b. The department shall examine the number of likely applicants to the program, the financial implications the number of likely applicants would have on the State's ability to meet bond obligations pursuant to section 6 of P.L.1983, c.65 (C.17:29A-35), and the number of counties and municipalities that likely would participate in the program.

c. The department shall prepare a report on its findings, and the report shall be submitted to the Governor within six months of the effective date of this act.

2. This act shall take effect immediately.

Approved May 1, 2017.

CHAPTER 61

AN ACT concerning speakers at public institutions of higher education and supplementing chapter 3B of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:3B-77 Limit on payment to speakers at public institutions of higher education.

1. A public institution of higher education shall not use State funds in excess of $10,000 to pay an individual for any speaking engagement at or hosted by the institution, including the commencement address at any graduation ceremony conducted by the institution. In the event that an institution violates the provisions of this section, the State Treasurer shall debit from the institution's State operating aid an amount equal to the amount paid by the institution to the speaker.

2. This act shall take effect immediately.

Approved May 8, 2017.

CHAPTER 62

AN ACT concerning student participation in certain public school extracurricular activities and supplementing chapter 42 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:42-7 Participants in certain interscholastic extracurricular activities may earn varsity letter.

1. a. A school district that includes any of the grades 9 through 12 shall adopt a policy to provide that a student enrolled in those grades who participates in any school-sponsored, interscholastic extracurricular activity that includes competitions in which the student competes against students enrolled in schools outside of the district may be eligible to earn a varsity letter awarded by the district.

b. Nothing in this act shall be construed to require a school district to award a varsity letter or to establish any school-sponsored, interscholastic extracurricular activity.

2. This act shall take effect immediately.

Approved May 8, 2017.

CHAPTER 63

AN ACT concerning emergency preparedness, supplementing chapter 9 of Appendix A, and amending P.L.1989, c.222.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.App.A:9-43.16 Findings, declarations relative to emergency preparedness.

1. The Legislature finds and declares that:

a. Severe weather conditions, such as hurricanes and nor'easters, are detrimental to the health, safety, and welfare of New Jersey residents and businesses because of their resulting loss of life, damage to property, and unsanitary conditions.

b. Protection of the State's infrastructure is a matter of utmost urgency and should be accomplished through comprehensive regional planning, regulation, and coordination between the State and county offices of emergency management to establish a storm preparedness program designed to protect the areas of the State which are most vulnerable to storm damage.

c. It is therefore in the public interest to take measures to prevent, or at least minimize, loss of life and property damage by ensuring that the counties most vulnerable to severe weather conditions are identified and that necessary precautions are taken by the State Office of Emergency Management and each county and municipal emergency management agency to protect the public from the potential dangers and losses attributable to storm damage.

C.App.A:9:43.17 Definitions; county storm preparedness funding program.

2. a. As used in this act:

"Risk assessment" means an assessment of expected future damage or losses to a county's infrastructure caused by severe weather conditions.

"Severe weather conditions" means weather related flood, hurricane, nor'easter, tornado, high water, wind-driven water, tidal wave, or other catastrophe which is of sufficient severity and magnitude to substantially endanger the health, safety, and property of the residents of this State.

b. The State Office of Emergency Management shall establish a county storm preparedness funding program. In implementing the program, the State Office of Emergency Management, in consultation with the Department of Environmental Protection and the Board of Public Utilities, shall biennially conduct a risk assessment to determine each county's degree of vulnerability to infrastructure damage caused by severe weather conditions. The formula for the risk assessment shall be based on the following criteria:

(1) the number of times that all or a portion of a county has been declared a federal disaster area due to a storm or flood occurring in the prior 10 years;

(2) the amount of property damage incurred within a county as a result of storms or floods occurring in the prior 10 years that caused all or a portion of the county to be declared a federal disaster area;

(3) the number of times that all or a portion of a county has been declared an agricultural disaster area by the United States Secretary of Agriculture due to a storm or flood occurring in the prior 10 years, and the amount of damage incurred and acreage affected;

(4) the estimated total assessed value of all real property in a county;

(5) the estimated number of persons in a county residing in a flood

hazard area, as defined pursuant to the "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et seq.), and any rules or regulations adopted pursuant thereto;

(6) the number of times in the prior 10 years that at least 1,000 households and businesses in a county have lost electric power for at least two days due to a storm or flood event according to the Board of Public Utilities, which shall compile this information and make it available to each county upon request;

(7) the number of permits issued by the Department of Environmental Protection pursuant to the "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et seq.), the waterfront development law, R.S.12:5-3, and the "Coastal Area Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.) in a county in the prior five years;

(8) the estimated number of persons in a county residing within 150 feet of the mean high water line of any tidal waters;

(9) the mileage of coastal shoreline in a county;

(10) the mileage of streams at least 10 feet wide that have flooded their banks in a county in the prior five years; and

(11) any other factors or parameters that the State Office of Emergency Management, in consultation with the Department of Environmental Protection, may determine to be useful and appropriate to furthering the purposes of this act, which shall be adopted as rules or regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

c. The results of the risk assessment shall be incorporated into the State Emergency Operations Plan pursuant to subsection b. of section 18 of P.L.1989, c.222 (C.App.A:9-43.1) and shared with each county office of emergency management.

d. The Director of the State Office of Emergency Management, subject to available State appropriations, federal grants, and any other funds that become available, is authorized to annually provide funding to the county offices of emergency management in amounts proportionate to each county's risk assessment as determined by the director. The director shall prescribe, pursuant to law, procedures and terms and conditions for receiving the funds. The funds shall be used by the county offices of emergency management exclusively for emergency preparedness purposes, which may include but shall not be limited to the purchase or modernization of emergency management facilities, emergency equipment, flood mitigation services, or emergency management vehicles.

3. Section 18 of P.L.1989, c.222 (C.App.A:9-43.1) is amended to read as follows:

C.App.A:9:43-1 State Emergency Operations Plan.

18. The State Office of Emergency Management shall adopt a State Emergency Operations Plan, including rules, regulations, and guidelines, that shall be reviewed and updated at least every two years.

a. The plan shall include, but not be limited to, provisions which shall be developed in consultation with:

(1) the Department of Agriculture, to support the needs of animals and individuals with an animal under their care, including domestic livestock, a domesticated animal, or a service animal, in a major disaster or emergency; and

(2) the Department of Health, to provide for a coordinated Statewide evacuation strategy for all hospitals and other health care facilities in the State, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in the event of an emergency. The Statewide evacuation strategy shall be based on evacuation plans prepared pursuant to section 19 of P.L.1989, c.222 (C.App.A:9-43.2) and submitted to the State Office of Emergency Management by each county and municipality in the State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-43.4).

b. The plan shall:

(1) include provisions that specifically address the need for the safe and timely evacuation of the families and dependents of the emergency responders rendering major disaster or emergency services; and

(2) incorporate the results of the risk assessment conducted in accordance with the county storm preparedness funding program established pursuant to section 2 of P.L.2017, c.63 (C.App.A:9-43.17).

c. In addition, the State Office of Emergency Management and each county and municipal emergency management agency shall take appropriate steps to educate the public regarding the resources available in the event of an emergency and the importance of emergency preparedness planning.

4. This act shall take effect on the first day of the seventh month next following enactment, but the Director of the State Office of Emergency Management and the Commissioner of the Department of Environmental Protection may take any anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved May 8, 2017.

CHAPTER 64

AN ACT requiring the Departments of Children and Families and Human Services to jointly study predatory alienation and its effects on young adults and senior citizens.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. The Departments of Children and Families and Human Services shall conduct a joint study and make recommendations concerning predatory alienation and its effects on young adults and senior citizens. The study shall examine:

(1) how online predators, human traffickers, con artists, gangs, cults, and other groups use predatory alienation to isolate young adults and senior citizens from their family and friends;

(2) the grooming practices used to target and control young adults;

(3) the high pressure tactics used in scams and exploitative relationships to manipulate, control, and take advantage of senior citizens;

(4) why young adults and senior citizens are vulnerable to predatory alienation;

(5) what young adults and senior citizens can do to protect themselves from predatory alienation; and

(6) any other information relative to the subject matter of the study.

b. As used in the section, "predatory alienation" means a person's extreme undue influence on, or coercive persuasion or psychologically damaging manipulation of, another person that results in physical or emotional harm or the loss of financial assets, disrupts a parent-child relationship, leads to a deceptive or exploitative relationship, or isolates the person from family and friends.

2. A report on the joint study's findings and recommendations shall be submitted to the Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Legislature no later than six months after the effective date of this act.

3. This act shall take effect immediately and shall expire on the 30th day after the Departments of Children and Families and Human Services jointly submit the report as prescribed in section 2 of this act.

Approved May 8, 2017.

CHAPTER 65

AN ACT concerning the position of library director in the unclassified civil service and amending N.J.S.11A:3-5.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. N.J.S.11A:3-5 is amended to read as follows:

Political subdivision unclassified service.

11A:3-5. Political subdivision unclassified service. The political subdivision unclassified service shall not be subject to the provisions of this title unless otherwise specified and shall include the following:

a. Elected officials;

b. One secretary and one confidential assistant to each mayor;

c. Members of boards and commissions authorized by law;

d. Heads of institutions;

e. Physicians, surgeons and dentists;

f. Attorneys of a county, municipality or school district operating under this title;

g. Teaching staff, as defined in N.J.S.18A:1-1, in the public schools and county superintendents and members and business managers of boards of education;

h. Principal executive officers;

i. One secretary, clerk or executive director to each department, board and commission authorized by law to make the appointment;

j. One secretary or clerk to each county constitutional officer, principal executive officer, and judge;

k. One deputy or first assistant to a principal executive officer who is authorized by statute to act for and in place of the principal executive officer;

l. No more than 12 county department heads and the heads of divisions within such departments; provided that the total number of unclassified positions created by the county administrative code pursuant to this subsection shall not exceed 20;

m. One secretary or confidential assistant to each unclassified department or division head established in subsection l.;

n. Employees of county park commissions, appointed pursuant to R.S.40:37-96 through R.S.40:37-174, in counties of the second class;

o. Directors of free public libraries in cities of the first class having a population of more than 270,000 according to the 2010 federal decennial census;

p. One secretary to the municipal council in cities of the first class having a population of less than 300,000;

q. One secretary and one confidential aide for each member of the board of freeholders other than the director, and one secretary and two confidential aides for the freeholder director, of any county of the second class with a population of at least 470,000 which has not adopted the provisions of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.) and one secretary or confidential aide for each member of the board of freeholders of any other county which has not adopted the provisions of the "Optional County Charter Law";

r. In school districts organized pursuant to N.J.S.18A:17-1 et seq., the executive controller, public information officer and the executive directors of board affairs, personnel, budget, purchasing, physical facilities, data processing, financial affairs, and internal audit;

s. The executive director, assistant executive director, director of staff operations, director of administration, director of redevelopment and the urban initiatives coordinator of a local housing authority;

t. The sheriff's investigators of any county appointed pursuant to section 2 of P.L.1987, c.113 (C.40A:9-117a);

u. Any title as provided by statute or as the Civil Service Commission may determine in accordance with criteria established by rule;

v. One confidential aide for each county clerk, in addition to the titles included under subsection j. of this section; and

w. Two deputy municipal clerks in cities of the first class having a population of not less than 240,000 persons or more than 250,000 persons according to the 2000 federal decennial census.

2. This act shall take effect immediately.

Approved May 8, 2017.

CHAPTER 66

AN ACT appropriating $59,532,000 from constitutionally dedicated corporation business tax revenues for the acquisition and development of

lands by the State for recreation and conservation purposes and for Blue Acres projects.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. There is appropriated to the Department of Environmental Protection the sum of $26,548,000 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the "Preserve New Jersey Green Acres Fund," established pursuant to section 6 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-48), and the unexpended balances in the Diesel Risk Mitigation Fund - Constitutional Dedication account made available for this purpose pursuant to the provisions of P.L.2016, c.10, for the acquisition of lands by the State for recreation and conservation purposes in accordance with the provisions of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.).

b. The funds appropriated pursuant to subsection a. of this section shall be allocated as follows:

Project	**County**	**Municipality**	**Amount**
(1) CAPE MAY PENINSULA			$4,300,000
	Cape May	Cape May City	
		Cape May Point Boro	
		Dennis Twp	
		Lower Twp	
		Middle Twp	
		Ocean City	
		Sea Isle City	
		Upper Twp	
		West Cape May Boro	
		Woodbine Boro	
(2) CROSSROADS OF AMERICAN REVOLUTION			3,300,000
	Bergen	Bogota Boro	
		Carlstadt Boro	
		East Rutherford Boro	
		Fort Lee Boro	
		Garfield City	
		Hackensack City	
		Hasbrouck Heights Boro	
		Leonia Boro	
		Little Ferry Boro	
		Lodi Boro	
		Lyndhurst Twp	
		Maywood Boro	

	Moonachie Boro
	New Milford Boro
	North Arlington Boro
	Palisades Park Boro
	Ridgefield Park Village
	River Edge Boro
	Rochelle Park Twp
	Rutherford Boro
	South Hackensack Twp
	Teterboro Boro
	Wallington Boro
	Wood-Ridge Boro
Burlington	Beverly City
	Bordentown City
	Bordentown Twp
	Burlington City
	Burlington Twp
	Edgewater Park Twp
	Fieldsboro Boro
	Florence Twp
	Hainesport Twp
	Mansfield Twp
	Maple Shade Twp
	Moorestown Twp
	Mount Holly Twp
	Mount Laurel Twp
	Palmyra Boro
	Riverside Twp
	Riverton Boro
	Springfield Twp
	Westampton Twp
	Willingboro Twp
Camden	Audubon Boro
	Audubon Park Boro
	Brooklawn Boro
	Camden City
	Cherry Hill Twp
	Collingswood Boro
	Gloucester City
	Haddon Heights Boro
	Haddon Twp
	Haddonfield Boro
	Merchantville Boro
	Mount Ephraim Boro
	Oaklyn Boro
	Pennsauken Twp
	Woodlynne Boro
Essex	Belleville Twp
	Irvington Twp

	Livingston Twp
	Maplewood Twp
	Millburn Twp
	Newark City
	Nutley Twp
Gloucester	National Park Boro
	West Deptford Twp
	Westville Boro
Hunterdon	Delaware Twp
	East Amwell Twp
	Flemington Boro
	Franklin Twp
	Frenchtown Boro
	Kingwood Twp
	Lambertville City
	Raritan Twp
	Readington Twp
	Stockton Boro
	West Amwell Twp
Mercer	East Windsor Twp
	Ewing Twp
	Hamilton Twp
	Hightstown Boro
	Hopewell Boro
	Hopewell Twp
	Lawrence Twp
	Pennington Boro
	Princeton Boro
	Robbinsville Twp
	Trenton City
	West Windsor Twp
Middlesex	Carteret Boro
	Cranbury Twp
	Dunellen Boro
	East Brunswick Twp
	Edison Twp
	Helmetta Boro
	Highland Park Boro
	Jamesburg Boro
	Metuchen Boro
	Middlesex Boro
	Milltown Boro
	Monroe Twp
	New Brunswick City
	North Brunswick Twp
	Old Bridge Twp
	Perth Amboy City
	Piscataway Twp
	Plainsboro Twp

	Sayreville Boro
	South Amboy City
	South BrunwickTwp
	South Plainfield Boro
	South River Boro
	Spotswood Boro
	Woodbridge Twp
Monmouth	Aberdeen Twp
	Allentown Boro
	Colts Neck Twp
	Englishtown Boro
	Freehold Boro
	Freehold Twp
	Holmdel Twp
	Manalapan Twp
	Marlboro Twp
	Matawan Boro
	Millstone Twp
	Roosevelt Boro
	Upper Freehold Twp
	Wall Twp
Morris	Boonton Town
	Boonton Twp
	Butler Boro
	Chatham Boro
	Chatham Twp
	Chester Boro
	Denville Twp
	Dover Town
	East Hanover Twp
	Florham Park Boro
	Hanover Twp
	Harding Twp
	Kinnelon Boro
	Lincoln Park Boro
	Long Hill Twp
	Madison Boro
	Mendham Boro
	Mendham Twp
	Mine Hill Twp
	Montville Twp
	Morris Plains Boro
	Morris Twp
	Morristown Town
	Mountain Lakes Boro
	Parsippany-Troy Hills Twp
	Pequannock Twp
	Randolph Twp
	Riverdale Boro

	Rockaway Boro
	Rockaway Twp
	Victory Gardens Boro
	Wharton Boro
Passaic	Clifton City
	Passaic City
Somerset	Bedminster Twp
	Bernards Twp
	Bernardsville Boro
	Bound Brook Boro
	Branchburg Twp
	Bridgewater Twp
	Far Hills Boro
	Franklin Twp
	Green Brook Twp
	Hillsborough Twp
	Manville Boro
	Millstone Boro
	Montgomery Twp
	North Plainfield Boro
	Peapack-Gladstone Boro
	Raritan Boro
	Rocky Hill Boro
	Somerville Boro
	South Bound Brook Boro
	Warren Twp
	Watchung Boro
Union	Berkeley Heights Twp
	Clark Twp
	Cranford Twp
	Elizabeth City
	Fanwood Boro
	Garwood Boro
	Hillside Twp
	Kenilworth Boro
	Linden City
	Mountainside Boro
	New Providence Boro
	Plainfield City
	Rahway City
	Roselle Boro
	Roselle Park Boro
	Scotch Plains Twp
	Springfield Twp
	Summit City
	Union Twp
	Westfield Twp
	Winfield Twp

(3) DELAWARE & RARITAN CANAL GREENWAY			400,000
	Hunterdon	Delaware Twp	
		Kingwood Twp	
		Lambertville City	
		Stockton Boro	
		West Amwell Twp	
	Mercer	Ewing Twp	
		Hamilton Twp	
		Hopewell Twp	
		Lawrence Twp	
		Princeton Boro	
		Trenton City	
	Middlesex	New Brunswick City	
		Plainsboro Twp	
		South Brunswick Twp	
	Somerset	Franklin Twp	
(4) DELAWARE BAY WATERSHED GREENWAY			3,500,000
Alloways Creek Greenway			
	Salem	Alloway Twp	
		Elsinboro Twp	
		Lower Alloways Creek Twp	
		Pilesgrove Twp	
		Quinton Twp	
		Upper Pittsgrove Twp	
Cape May Tributaries			
	Cape May	Dennis Twp	
		Lower Twp	
		Middle Twp	
		Upper Twp	
Cohansey River Greenway			
	Cumberland	Bridgeton City	
		Fairfield Twp	
		Greenwich Twp	
		Hopewell Twp	
		Lawrence Twp	
		Shiloh Boro	
		Upper Deerfield Twp	
	Salem	Alloway Twp	
Dividing/ Nantuxent/ Cedar/ Back Creeks Greenway			
	Cumberland	Commercial Twp	
		Downe Twp	
		Fairfield Twp	
		Lawrence Twp	
Maurice River Greenway			
	Atlantic	Buena Boro	
		Buena Vista Twp	
	Cape May	Dennis Twp	

	Cumberland	Commercial Twp
		Deerfield Twp
		Maurice River Twp
		Millville City
		Vineland City
	Gloucester	Clayton Boro
		Elk Twp
		Franklin Twp
		Glassboro Boro
		Monroe Twp
		Newfield Boro
	Salem	Elmer Boro
		Pittsgrove Twp
		Upper Pittsgrove Twp
Salem River/ Mannington Greenway		
	Salem	Carneys Point Twp
		Elsinboro Twp
		Mannington Twp
		Oldmans Twp
		Pennsville Twp
		Pilesgrove Twp
		Upper Pittsgrove Twp
		Woodstown Boro
Stow Creek Greenway		
	Cumberland	Greenwich Twp
		Stow Creek Twp
	Salem	Alloway Twp
		Lower Alloways Creek Twp
		Quinton Twp
(5) DELAWARE RIVER WATERSHED GREENWAY		1,000,000
Assinkunk Creek Watershed		
	Burlington	Mansfield Twp
Big Timber Creek		
	Camden	Clementon Boro
		Gloucester Twp
		Lindenwold Boro
		Pine Hill Boro
	Gloucester	Deptford Twp
		Westville Boro
Cooper River Greenway		
	Camden	Berlin Twp
		Camden City
		Gibbsboro Boro
		Haddon Twp
		Lindenwold Boro
		Voorhees Twp
Crosswicks Creek Watershed		
	Burlington	Bordentown City

		Bordentown Twp
		Chesterfield Twp
		Mansfield Twp
		North Hanover Twp
	Mercer	Hamilton Twp
		Robbinsville Twp
		Trenton City
	Monmouth	Allentown Boro
		Millstone Twp
		Upper Freehold Twp
	Ocean	Jackson Twp
		Plumsted Twp
Delaware River Bluffs		
	Hunterdon	Delaware Twp
		Frenchtown Boro
		Kingwood Twp
		Lambertville City
		Stockton Boro
		West Amwell Twp
	Mercer	Ewing Twp
		Hopewell Twp
Nishisakawick Greenway		
	Hunterdon	Alexandria Twp
		Delaware Twp
		Frenchtown Boro
		Kingwood Twp
Oldmans Creek Greenway		
	Gloucester	Logan Twp
		South Harrison Twp
		Woolwich Twp
	Salem	Oldmans Twp
		Pilesgrove Twp
		Upper Pittsgrove Twp
Raccoon Creek Greenway		
	Gloucester	East Greenwich Twp
		Elk Twp
		Greenwich Twp
		Harrison Twp
		Logan Twp
		Woolwich Twp
Rancocas Creek Greenway		
	Burlington	Cinnaminson Twp
		Delanco Twp
		Delran Twp
		Eastampton Twp
		Hainesport Twp
		Lumberton Twp
		Medford Twp
		Moorestown Twp

		Mount Holly Twp	
		Mount Laurel Twp	
		Pemberton Twp	
		Riverside Twp	
		Southampton Twp	
		Springfield Twp	
		Westampton Twp	
		Willingboro Twp	
Trenton / Hamilton Marsh			
	Burlington	Bordentown Twp	
		Chesterfield Twp	
	Mercer	Hamilton Twp	
		Trenton City	
Woodbury Creek Watershed			
	Gloucester	National Park Boro	
		West Deptford Twp	
(6) HIGHLANDS GREENWAY			5,000,000
	Bergen	Mahwah Twp	
		Oakland Boro	
	Hunterdon	Alexandria Twp	
		Bethlehem Twp	
		Bloomsbury Boro	
		Califon Boro	
		Clinton Town	
		Clinton Twp	
		Glen Gardner Boro	
		Hampton Boro	
		High Bridge Boro	
		Holland Twp	
		Lebanon Boro	
		Lebanon Twp	
		Milford Boro	
		Tewksbury Twp	
		Union Twp	
	Morris	Boonton Town	
		Boonton Twp	
		Butler Boro	
		Chester Boro	
		Chester Twp	
		Denville Twp	
		Dover Town	
		Hanover Twp	
		Harding Twp	
		Jefferson Twp	
		Kinnelon Boro	
		Mendham Boro	
		Mendham Twp	
		Mine Hill Twp	

	Montville Twp
	Morris Plains Boro
	Morris Twp
	Morristown Town
	Mount Arlington Boro
	Mount Olive Twp
	Mountain Lakes Boro
	Netcong Boro
	Parsippany-Troy Hills Twp
	Pequannock Twp
	Randolph Twp
	Riverdale Boro
	Rockaway Boro
	Rockaway Twp
	Roxbury Twp
	Victory Gardens Boro
	Washington Twp
	Wharton Boro
Passaic	Bloomingdale Boro
	Pompton Lakes Boro
	Ringwood Boro
	Wanaque Boro
	West Milford Twp
Somerset	Bedminster Twp
	Bernards Twp
	Bernardsville Boro
	Far Hills Boro
	Peapack-Gladstone Boro
Sussex	Byram Twp
	Franklin Boro
	Green Twp
	Hamburg Boro
	Hardyston Twp
	Hopatcong Boro
	Ogdensburg Boro
	Sparta Twp
	Stanhope Boro
	Vernon Twp
Warren	Allamuchy Twp
	Alpha Boro
	Belvidere Town
	Franklin Twp
	Frelinghuysen Twp
	Greenwich Twp
	Hackettstown Town
	Harmony Twp
	Hope Twp
	Independence Twp
	Liberty Twp

		Lopatcong Twp	
		Mansfield Twp	
		Oxford Twp	
		Phillipsburg Town	
		Pohatcong Twp	
		Washington Boro	
		Washington Twp	
		White Twp	
(7) HISTORIC RESOURCES			500,000
Allaire State Park			
	Monmouth	Howell Twp	
		Wall Twp	
Fort Mott Officers Quarters			
	Salem	Pennsville Twp	
Griggstown Muletenders Barracks			
	Somerset	Franklin Twp	
Historic Sites			
	Burlington	Medford Twp	
	Monmouth	Red Bank Boro	
Monmouth Battlefield			
	Monmouth	Freehold Twp	
		Manalapan Twp	
New Bridge Landing			
	Bergen	New Milford Boro	
		River Edge Boro	
Princeton Battlefield			
	Mercer	Princeton Boro	
Proprietary House			
	Middlesex	Perth Amboy City	
Register Eligible Sites			
	Somerset	Green Brook Twp	
		Watchung Boro	
Rockingham Farmstead			
	Somerset	Franklin Twp	
Twin Lights			
	Monmouth	Highlands Boro	
Washington Crossing State Park			
	Mercer	Ewing Twp	
		Hopewell Twp	
Waterloo Village			
	Sussex	Byram Twp	
		Stanhope Boro	
(8) NATURAL AREAS			2,300,000
Bill Henry Pond			
	Atlantic	Egg Harbor Twp	
Budd Lake Bog			
	Morris	Mount Olive Twp	

Campus Swamp		
	Camden	Gloucester Twp
Capooling Creek		
	Hunterdon	Franklin Twp
Cheesequake State Park		
	Middlesex	Old Bridge Twp
Crossley Preserve		
	Ocean	Berkeley Twp
		Manchester Twp
Five Acre Pond		
	Atlantic	Estell Manor City
Gravel Hill		
	Hunterdon	Holland Twp
Great Piece Meadows/ Troy Meadows		
	Essex	Fairfield Twp
		Roseland Boro
		West Caldwell Twp
	Morris	East Hanover Twp
		Hanover Twp
		Lincoln Park Boro
		Montville Twp
		Parsippany-Troy Hills Twp
		Pequannock Twp
	Passaic	Wayne Twp
Hamburg Mountain		
	Sussex	Franklin Boro
		Hamburg Boro
		Hardyston Twp
		Vernon Twp
Hidden Lake		
	Camden	Gloucester Twp
High Mountain		
	Passaic	North Haledon Boro
		Wayne Twp
Limestone Ridge		
	Warren	Blairstown Twp
Lincoln Grove Preserve		
	Middlesex	South Brunswick Twp
	Somerset	Franklin Twp
		Montgomery Twp
Long-A-Coming Branch		
	Camden	Winslow Twp
Milford Bluffs		
	Hunterdon	Holland Twp
Mountain Lake Bog		
	Warren	White Twp
Ogdensburg Fen		
	Sussex	Ogdensburg Boro

Oswego River Natural Area		
	Burlington	Washington Twp
Paulinskill River Greenway		
	Warren	Knowlton Twp
Phone-In-Fen		
	Warren	Hardwick Twp
Ramapo Lake Natural Area		
	Bergen	Oakland Boro
	Passaic	Ringwood Boro
		Wanaque Boro
Ramapo Mountain		
	Bergen	Mahwah Twp
		Oakland Boro
	Passaic	Pompton Lakes Boro
		Ringwood Boro
		Wanaque Boro
Sourland Mountains		
	Hunterdon	East Amwell Twp
		West Amwell Twp
	Mercer	Hopewell Twp
	Somerset	Hillsborough Twp
		Montgomery Twp
Strawberry Hill		
	Mercer	Hopewell Twp
Sunfish Pond		
	Warren	Hardwick Twp
Sweet Hollow		
	Hunterdon	Alexandria Twp
		Holland Twp
Troy Meadows		
	Morris	Parsippany-Troy Hills Twp
Uttertown Bog		
	Passaic	West Milford Twp
Washington Crossing State Park		
	Mercer	Hopewell Twp
Waterfront Access		
	Monmouth	Sea Bright Boro
Wetlands Habitat/ Bog Turtle		
	Sussex	Frankford Twp
		Wantage Twp
Whale Pond		
	Monmouth	Ocean Twp
Woodbine Bogs		
	Cape May	Upper Twp
(9) NON-PROFIT CAMPS		1,000,000
Youth Camps		
	Bergen	Mahwah Twp
	Burlington	Evesham Twp

		Medford Twp	
		Tabernacle Twp	
	Cumberland	Greenwich Twp	
		Hopewell Twp	
	Gloucester	Franklin Twp	
	Hunterdon	East Amwell Twp	
		Readington Twp	
	Monmouth	Wall Twp	
	Morris	Kinnelon Boro	
		Rockaway Boro	
	Ocean	Ocean Twp	
	Passaic	Ringwood Boro	
		West Milford Twp	
	Salem	Alloway Twp	
		Upper Pittsgrove Twp	
	Somerset	Franklin Twp	
	Sussex	Byram Twp	
		Hampton Twp	
		Sandyston Twp	
		Sparta Twp	
		Stillwater Twp	
		Vernon Twp	
		Wantage Twp	
	Warren	Frelinghuysen Twp	
		Hardwick Twp	
		Independence Twp	
		Mansfield Twp	
(10) PINELANDS			1,548,000
	Atlantic	Brigantine City	
		Buena Boro	
		Buena Vista Twp	
		Corbin City	
		Egg Harbor City	
		Egg Harbor Twp	
		Estell Manor City	
		Folsom Boro	
		Galloway Twp	
		Hamilton Twp	
		Hammonton Town	
		Mullica Twp	
		Port Republic City	
		Weymouth Twp	
	Burlington	Bass River Twp	
		Evesham Twp	
		Medford Lakes Boro	
		Medford Twp	
		New Hanover Twp	
		North Hanover Twp	

	Pemberton Twp	
	Shamong Twp	
	Southampton Twp	
	Springfield Twp	
	Tabernacle Twp	
	Washington Twp	
	Woodland Twp	
	Wrightstown Boro	
Camden	Berlin Boro	
	Berlin Twp	
	Chesilhurst Boro	
	Waterford Twp	
	Winslow Twp	
Cape May	Dennis Twp	
	Middle Twp	
	Upper Twp	
	Woodbine Boro	
Cumberland	Maurice River Twp	
	Vineland City	
Gloucester	Franklin Twp	
	Monroe Twp	
Ocean	Barnegat Twp	
	Beachwood Boro	
	Berkeley Twp	
	Eagleswood Twp	
	Jackson Twp	
	Lacey Twp	
	Lakehurst Boro	
	Little Egg Harbor Twp	
	Manchester Twp	
	Ocean Twp	
	Plumsted Twp	
	South Toms River Boro	
	Stafford Twp	
	Toms River Twp	
	Tuckerton Boro	
(11) RIDGE AND VALLEY GREENWAY		3,700,000
Sussex	Andover Boro	
	Andover Twp	
	Branchville Boro	
	Frankford Twp	
	Fredon Twp	
	Green Twp	
	Hampton Twp	
	Lafayette Twp	
	Montague Twp	
	Newton Town	
	Sandyston Twp	

	Stillwater Twp
	Sussex Boro
	Walpack Twp
	Wantage Twp
Warren	Blairstown Twp
	Frelinghuysen Twp
	Hackettstown Town
	Hardwick Twp
	Hope Twp
	Knowlton Twp
	Liberty Twp
TOTAL	**$26,548,000**

c. Any transfer of any funds, or change in project site, listed in subsection b. of this section shall require the approval of the Joint Budget Oversight Committee or its successor.

d. To the extent that moneys remain available after the projects listed in subsection b. of this section are offered funding pursuant thereto, any State project that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund, established pursuant to the "Garden State Preservation Trust Act," P.L.1999, c.152 (C.13:8C-1 et seq.), for recreation and conservation purposes shall be eligible to receive additional funding, as determined by the Department of Environmental Protection, subject to the approval of the Joint Budget Oversight Committee or its successor.

For the purposes of this subsection, "Green Acres bond act" means P.L.2009, c.117, P.L.2007, c.119, P.L.1995, c.204, P.L.1992, c.88, and P.L.1989, c.183.

2. a. There is appropriated to the Department of Environmental Protection the sum of $6,436,000 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the "Preserve New Jersey Blue Acres Fund," established pursuant to section 7 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-49), and the unexpended balances in the Diesel Risk Mitigation Fund - Constitutional Dedication account made available for this purpose pursuant to the provisions of P.L.2016, c.10, for the acquisition, for recreation and conservation purposes, of lands that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage, as follows:

Project	County	Municipality	Amount
BLUE ACRES			$6,436,000
Delaware River Acquisitions			
	Atlantic	Buena Boro	
		Buena Vista Twp	
	Burlington	Beverly City	
		Bordentown City	
		Bordentown Twp	
		Burlington City	
		Burlington Twp	
		Chesterfield Twp	
		Cinnaminson Twp	
		Delanco Twp	
		Delran Twp	
		Easthampton Twp	
		Edgewater Park Twp	
		Evesham Twp	
		Fieldsboro Boro	
		Florence Twp	
		Hainesport Twp	
		Lumberton Twp	
		Mansfield Twp	
		Maple Shade Twp	
		Medford Lakes Boro	
		Medford Twp	
		Moorestown Twp	
		Mount Holly Twp	
		Mount Laurel Twp	
		New Hanover Twp	
		North Hanover Twp	
		Palmyra Boro	
		Pemberton Boro	
		Pemberton Twp	
		Riverside Twp	
		Riverton Boro	
		Shamong Twp	
		Southampton Twp	
		Springfield Twp	
		Tabernacle Twp	
		Westampton Twp	
		Willingboro Twp	
		Woodland Twp	
		Wrightstown Boro	
	Camden	Audubon Boro	
		Audubon Park Boro	
		Barrington Boro	
		Bellmawr Boro	

	Berlin Boro
	Berlin Twp
	Brooklawn Boro
	Camden City
	Cherry Hill Twp
	Clementon Boro
	Collingswood Boro
	Gibbsboro Boro
	Gloucester City
	Gloucester Twp
	Haddon Heights Boro
	Haddon Twp
	Haddonfield Boro
	Hi-Nella Boro
	Laurel Springs Boro
	Lawnside Boro
	Lindenwold Boro
	Magnolia Boro
	Merchantville Boro
	Mount Ephraim Boro
	Oaklyn Boro
	Pennsauken Twp
	Pine Hill Boro
	Pine Valley Boro
	Runnemede Boro
	Somerdale Boro
	Stratford Boro
	Tavistock Boro
	Voorhees Twp
	Winslow Twp
	Woodlynne Boro
Cape May	Cape May Point Boro
	Dennis Twp
	Lower Twp
	Middle Twp
	West Cape May Boro
	Woodbine Boro
Cumberland	Bridgeton City
	Commercial Twp
	Deerfield Twp
	Downe Twp
	Fairfield Twp
	Greenwich Twp
	Hopewell Twp
	Lawrence Twp
	Maurice River Twp
	Millville City
	Shiloh Boro
	Stow Creek Twp

	Upper Deerfield Twp
	Vineland City
Gloucester	Clayton Boro
	Deptford Twp
	East Greenwich Twp
	Elk Twp
	Franklin Twp
	Glassboro Boro
	Greenwich Twp
	Harrison Twp
	Logan Twp
	Mantua Twp
	Monroe Twp
	National Park Boro
	Newfield Boro
	Paulsboro Boro
	Pitman Boro
	South Harrison Twp
	Swedesboro Boro
	Washington Twp
	Wenonah Boro
	West Deptford Twp
	Westville Boro
	Woodbury City
	Woodbury Heights Boro
	Woolwich Twp
Hunterdon	Alexandria Twp
	Bethlehem Twp
	Bloomsbury Boro
	Delaware Twp
	East Amwell Twp
	Franklin Twp
	Frenchtown Boro
	Glen Gardner Boro
	Hampton Boro
	Holland Twp
	Kingwood Twp
	Lambertville City
	Lebanon Twp
	Milford Boro
	Raritan Twp
	Stockton Boro
	Union Twp
	West Amwell Twp
Mercer	East Windsor Twp
	Ewing Twp
	Hamilton Twp
	Hopewell Twp
	Lawrence Twp

	Pennington Boro
	Robbinsville Twp
	Trenton City
	West Windsor Twp
Monmouth	Allenhurst Boro
	Middletown Twp
	Rumson Boro
	Upper Freehold Twp
Morris	Jefferson Twp
	Mount Arlington Boro
	Mount Olive Twp
	Netcong Boro
	Roxbury Twp
	Washington Twp
Ocean	Island Heights Boro
	Jackson Twp
	Long Beach Twp
	Pine Beach Boro
Salem	Alloway Twp
	Carneys Point Twp
	Elmer Boro
	Elsinboro Twp
	Lower Alloways Creek Twp
	Mannington Twp
	Oldmans Twp
	Penns Grove Boro
	Pennsville Twp
	Pilesgrove Twp
	Pittsgrove Twp
	Quinton Twp
	Salem City
	Upper Pittsgrove Twp
	Woodstown Boro
Sussex	Andover Boro
	Andover Twp
	Branchville Boro
	Byram Twp
	Frankford Twp
	Fredon Twp
	Green Twp
	Hampton Twp
	Hardyston Twp
	Hopatcong Boro
	Lafayette Twp
	Montague Twp
	Newton Town
	Sandyston Twp
	Sparta Twp
	Stanhope Boro

	Stillwater Twp
	Walpack Twp
	Wantage Twp
Warren	Allamuchy Twp
	Alpha Boro
	Belvidere Town
	Blairstown Twp
	Franklin Twp
	Frelinghuysen Twp
	Greenwich Twp
	Hackettstown Town
	Hardwick Twp
	Harmony Twp
	Hope Twp
	Independence Twp
	Knowlton Twp
	Liberty Twp
	Lopatcong Twp
	Mansfield Twp
	Oxford Twp
	Phillipsburg Town
	Pohatcong Twp
	Washington Boro
	Washington Twp
	White Twp

Passaic River Acquisitions

Bergen	Allendale Boro
	Carlstadt Boro
	East Rutherford Boro
	Elmwood Park Boro
	Fair Lawn Boro
	Franklin Lakes Boro
	Garfield City
	Glen Rock Boro
	Hackensack City
	Hasbrouck Heights Boro
	Hillsdale Boro
	Ho-Ho-Kus Boro
	Lodi Boro
	Lyndhurst Twp
	Mahwah Twp
	Maywood Boro
	Midland Park Boro
	Montvale Boro
	North Arlington Boro
	Oakland Boro
	Paramus Boro
	Ramsey Boro

	Ridgewood Village
	Rochelle Park Twp
	Rutherford Boro
	Saddle Brook Twp
	Saddle River Boro
	South Hackensack Twp
	Upper Saddle River Boro
	Waldwick Boro
	Wallington Boro
	Washington Twp
	Woodcliff Lake Boro
	Wood-Ridge Boro
	Wyckoff Twp
Essex	Belleville Twp
	Bloomfield Twp
	Caldwell Boro
	Cedar Grove Twp
	East Orange City
	Essex Fells Twp
	Fairfield Twp
	Glen Ridge Boro
	Livingston Twp
	Millburn Twp
	Montclair Twp
	Newark City
	North Caldwell Twp
	Nutley Twp
	Orange City Twp
	Roseland Boro
	South Orange Village Twp
	Verona Twp
	West Caldwell Twp
	West Orange Twp
Hudson	East Newark Boro
	Harrison Town
	Kearny Town
Morris	Boonton Town
	Boonton Twp
	Butler Boro
	Chatham Boro
	Chatham Twp
	Denville Twp
	Dover Town
	East Hanover Twp
	Florham Park Boro
	Hanover Twp
	Harding Twp
	Jefferson Twp
	Kinnelon Boro

	Lincoln Park Boro
	Long Hill Twp
	Madison Boro
	Mendham Boro
	Mendham Twp
	Mine Hill Twp
	Montville Twp
	Morris Plains Boro
	Morris Twp
	Morristown Town
	Mount Arlington Boro
	Mountain Lakes Boro
	Parsippany-Troy Hills Twp
	Pequannock Twp
	Randolph Twp
	Riverdale Boro
	Rockaway Boro
	Rockaway Twp
	Roxbury Twp
	Victory Gardens Boro
	Wharton Boro
Passaic	Bloomingdale Boro
	Clifton City
	Haledon Boro
	Hawthorne Boro
	Little Falls Twp
	North Haledon Boro
	Passaic City
	Paterson City
	Pompton Lakes Boro
	Prospect Park Boro
	Ringwood Boro
	Totowa Boro
	Wanaque Boro
	Wayne Twp
	West Milford Twp
	Woodland Park Boro
Somerset	Bernards Twp
	Bernardsville Boro
	Bridgewater Twp
	Far Hills Boro
	Warren Twp
Sussex	Hardyston Twp
	Sparta Twp
	Vernon Twp
Union	Berkeley Heights Twp
	New Providence Boro
	Summit City

Raritan River Acquisitions

Hunterdon	Alexandria Twp
	Bethlehem Twp
	Califon Boro
	Clinton Town
	Clinton Twp
	Delaware Twp
	East Amwell Twp
	Flemington Boro
	Franklin Twp
	Glen Gardner Boro
	Hampton Boro
	High Bridge Boro
	Lebanon Boro
	Lebanon Twp
	Raritan Twp
	Readington Twp
	Tewksbury Twp
	Union Twp
	West Amwell Twp
Mercer	East Windsor Twp
	Hightstown Boro
	Hopewell Boro
	Hopewell Twp
	Lawrence Twp
	Pennington Boro
	Princeton Boro
	Robbinsville Twp
	West Windsor Twp
Middlesex	Cranbury Twp
	Dunellen Boro
	East Brunswick Twp
	Edison Twp
	Helmetta Boro
	Highland Park Boro
	Jamesburg Boro
	Metuchen Boro
	Middlesex Boro
	Milltown Boro
	Monroe Twp
	New Brunswick City
	North Brunswick Twp
	Old Bridge Twp
	Perth Amboy City
	Piscataway Twp
	Plainsboro Twp
	Sayreville Boro
	South Amboy City
	South Brunswick Twp

	South Plainfield Boro
	South River Boro
	Spotswood Boro
	Woodbridge Twp
Monmouth	Eatontown Boro
	Farmingdale Boro
	Freehold Boro
	Loch Arbour Village
	Manalapan Twp
	Middletown Twp
	Rumson Boro
Morris	Chester Boro
	Chester Twp
	Mendham Boro
	Mendham Twp
	Mine Hill Twp
	Mount Arlington Boro
	Mount Olive Twp
	Randolph Twp
	Roxbury Twp
	Washington Twp
Somerset	Bedminster Twp
	Bernards Twp
	Bernardsville Boro
	Bound Brook Boro
	Branchburg Twp
	Bridgewater Twp
	Far Hills Boro
	Franklin Twp
	Green Brook Twp
	Hillsborough Twp
	Manville Boro
	Millstone Boro
	Montgomery Twp
	North Plainfield Boro
	Peapack-Gladstone Boro
	Raritan Boro
	Rocky Hill Boro
	Somerville Boro
	South Bound Brook Boro
	Warren Twp
	Watchung Boro
Union	Berkeley Heights Twp
	Fanwood Boro
	Mountainside Boro
	New Providence Boro
	Plainfield City
	Scotch Plains Twp
	Springfield Twp

	Summit City
	Westfield Town

Atlantic Basin / Hudson River / Rahway Basin

Atlantic	Absecon City
	Atlantic City
	Brigantine City
	Corbin City
	Egg Harbor City
	Egg Harbor Twp
	Estell Manor City
	Folsom Boro
	Galloway Twp
	Hamilton Twp
	Hammonton Town
	Linwood City
	Longport Boro
	Margate City
	Mullica Twp
	Northfield City
	Pleasantville City
	Port Republic City
	Somers Point City
	Ventnor City
	Weymouth Twp
Bergen	Alpine Boro
	Bergenfield Boro
	Bogota Boro
	Cliffside Park Boro
	Closter Boro
	Cresskill Boro
	Demarest Boro
	Dumont Boro
	Edgewater Boro
	Emerson Boro
	Englewood City
	Englewood Cliffs Boro
	Fairview Boro
	Fort Lee Boro
	Harrington Park Boro
	Haworth Boro
	Leonia Boro
	Little Ferry Boro
	Moonachie Boro
	New Milford Boro
	Northvale Boro
	Norwood Boro
	Old Tappan Boro
	Oradell Boro

	Palisades Park Boro
	Park Ridge Boro
	Ridgefield Boro
	Ridgefield Park Village
	River Edge Boro
	River Vale Twp
	Rockleigh Boro
	South Hackensack Twp
	Teaneck Twp
	Tenafly Boro
	Teterboro Boro
	Westwood Boro
Burlington	Bass River Twp
	Washington Twp
Camden	Chesilhurst Boro
	Waterford Twp
Cape May	Avalon Boro
	Cape May City
	North Wildwood City
	Ocean City
	Sea Isle City
	Stone Harbor Boro
	Upper Twp
	West Wildwood Boro
	Wildwood City
	Wildwood Crest Boro
Cumberland	Downe Twp
Essex	Irvington Twp
	Maplewood Twp
Hudson	Bayonne City
	Guttenburg Town
	Hoboken City
	Jersey City
	North Bergen Twp
	Secaucus Town
	Union City
	Weehawken Twp
	West New York Town
Middlesex	Carteret Boro
Monmouth	Aberdeen Twp
	Allentown Boro
	Asbury Park City
	Atlantic Highlands Boro
	Avon-By-The-Sea Boro
	Belmar Boro
	Bradley Beach Boro
	Brielle Boro
	Colts Neck Twp
	Deal Boro

	Englishtown Boro
	Fair Haven Boro
	Freehold Twp
	Hazlet Twp
	Highlands Boro
	Holmdel Twp
	Howell Twp
	Interlaken Boro
	Keansburg Boro
	Keyport Boro
	Lake Como Boro
	Little Silver Boro
	Long Branch City
	Manasquan Boro
	Marlboro Twp
	Matawan Boro
	Millstone Twp
	Monmouth Beach Boro
	Neptune City Boro
	Neptune Twp
	Ocean Twp
	Oceanport Boro
	Red Bank Boro
	Roosevelt Boro
	Sea Bright Boro
	Sea Girt Boro
	Shrewsbury Boro
	Shrewsbury Twp
	Spring Lake Boro
	Spring Lake Heights Boro
	Tinton Falls Boro
	Union Beach Boro
	Wall Twp
	West Long Branch Boro
Ocean	Barnegat Light Boro
	Barnegat Twp
	Bay Head Boro
	Beach Haven Boro
	Beachwood Boro
	Berkeley Twp
	Brick Twp
	Eagleswood Twp
	Harvey Cedars Boro
	Lacey Twp
	Lakehurst Boro
	Lakewood Twp
	Lavallette Boro
	Little Egg Harbor Twp
	Manchester Twp

	Mantoloking Boro
	Ocean Gate Boro
	Ocean Twp
	Plumsted Twp
	Point Pleasant Beach Boro
	Point Pleasant Boro
	Seaside Heights Boro
	Seaside Park Boro
	Ship Bottom Boro
	South Toms River Boro
	Stafford Twp
	Surf City Boro
	Toms River Twp
	Tuckerton Boro
Sussex	Franklin Boro
	Hamburg Boro
	Ogdensburg Boro
	Sussex Boro
Union	Clark Twp
	Cranford Twp
	Elizabeth City
	Garwood Boro
	Hillside Twp
	Kenilworth Boro
	Linden City
	Rahway City
	Roselle Boro
	Roselle Park Boro
	Union Twp
	Winfield Twp
TOTAL	**$6,436,000**

b. The expenditure of moneys appropriated pursuant to this section is subject to the provisions of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.).

3. a. There is reappropriated to the Department of Environmental Protection the unexpended balances, due to project cancellations or cost savings, of the amounts appropriated or reappropriated from this act, any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund, established pursuant to the "Garden State Preservation Trust Act," P.L.1999, c.152 (C.13:8C-1 et seq.), for State projects to acquire or develop lands for recreation and conservation purposes, for the purpose of providing additional funding, as determined by the

Department of Environmental Protection, to any State project that previously received funding appropriated or reappropriated from any Green Acres bond act, any annual appropriations act, or the Garden State Green Acres Preservation Trust Fund for recreation and conservation purposes or that receives funding approved pursuant to section 1 of this act, subject to the approval of the Joint Budget Oversight Committee or its successor. Any such additional funding provided from a Green Acres bond act may include administrative costs.

b. For the purposes of this section, "Green Acres bond act" means P.L.2009, c.117, P.L.2007, c.119, P.L.1995, c.204, P.L.1992, c.88, and P.L.1989, c.183.

4. a. There is appropriated to the Department of Environmental Protection the sum of $26,548,000 from dedicated corporation business tax revenues pursuant to Article VIII, Section II, paragraph 6 of the State Constitution in the "Preserve New Jersey Green Acres Fund," established pursuant to section 6 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-48), and the unexpended balances in the Diesel Risk Mitigation Fund - Constitutional Dedication account made available for this purpose pursuant to the provisions of P.L.2016, c.10, for the development of lands by the State for recreation and conservation purposes in accordance with the provisions of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-43 et seq.).

b. The funds appropriated pursuant to subsection a. of this section shall be allocated as follows:

Project	**Amount**
INFRASTRUCTURE	
High Hazard Dams	$1,500,000
Building Repairs and Renovations	900,000
Health and Life Safety Projects	7,000,000
Bridge Repairs	500,000
Road Repairs	800,000
Historic Structure Stabilization and Repairs	5,000,000
Recreational Development	2,000,000
CAMPING DEVELOPMENT	
Camping, Cabin/Shelter Program	1,500,000
Sanitary Facilities	2,000,000
BOATING & FISHING ACCESS	
Access Facilities	500,000
HABITAT ENHANCEMENT & ACCESS	
Habitat Improvements & Access	500,000

IN-HOUSE PROJECTS	
Project Labor & Materials	1,000,000
OTHER	
Contingency Fund for Repairs	2,759,150
Administration	588,850
TOTAL	**$26,548,000**

c. Notwithstanding the provisions of subsection e. of section 6 of P.L.2016, c.12 (C.13:8C-48) or any other law to the contrary, the expenditure of funds pursuant to this section shall not require the approval of the Joint Budget Oversight Committee, or its successor. The department may reallocate funds among the projects identified in subsection b. of this section, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury. The department shall send written notification of any such reallocation of funds to the President of the Senate, the Speaker of the General Assembly, the Legislative Budget and Finance Officer, the Joint Budget Oversight Committee, or its successor, and the Chairs of the Senate Environment and Energy Committee and Assembly Environment and Solid Waste Committee, or their respective successor committees.

5. There is appropriated from the General Fund to the "Preserve New Jersey Green Acres Fund," established pursuant to section 6 of the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:8C-48), the sum of $34,776,991 to implement the provisions of this act.

6. This act shall take effect immediately.

Approved May 8, 2017.

CHAPTER 67

AN ACT establishing the Wounded Warrior Caregivers Relief Act to provide income tax relief to family caregivers of certain armed service members by supplementing Title 54A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.54A:4-14 Short title.

1. This act shall be known and may be cited as the "Wounded Warrior Caregivers Relief Act."

C.54A:4-15 Veteran care credit for qualified family caregivers; definitions.

2. a. A qualified family caregiver shall be allowed a qualified veteran care credit against the tax otherwise due for the taxable year under the "New Jersey Gross Income Tax Act," N.J.S.54A:1-1 et seq., in an amount equal to 100 percent of the federal veteran disability compensation of a qualified armed service member for which the qualified family caregiver renders care or $675, whichever is less.

b. If two or more qualified family caregivers qualify for the qualified veteran care credit for the same qualified armed service member, the amount of the credit allowed shall be allocated in proportion to each qualified family caregiver's share of total care expenses provided for the taxable year.

c. If the qualified veteran care credit allowed pursuant to this section, together with any other payments, credits, deductions, and adjustments allowed by law, reduces a qualified family caregiver's tax liability otherwise due for the taxable year under N.J.S.54A:1-1 et seq. to zero, the amount of the credit remaining shall be paid to the taxpayer as a refund of an overpayment of tax in accordance with N.J.S.54A:9-7; provided however, that subsection (f) of that section, concerning the allowance of interest, shall not apply.

d. A qualified family caregiver who is not subject to tax in accordance with N.J.S.54A:2-4 for a taxable year may apply for a qualified veteran care credit using an application to be made available by the director. The due date for a qualified veteran care credit application shall coincide with the due date for annual gross income tax returns.

e. As used in this section:

"Qualified armed service member" means an individual who has a disability arising out of service in the active military or naval service of the United States in any war or conflict on or after September 11, 2001, has been honorably discharged or released under conditions other than dishonorable, meets the requirements for total disability ratings for compensation based upon unemployability of the individual as determined by the United States Department of Veterans Affairs, and has resided with the qualified family caregiver in this State for not less than six months of the taxable year.

"Qualified family caregiver" means an individual resident of this State with gross income for the taxable year not in excess of $100,000 if filing jointly, as a head of household, or as a surviving spouse, or not in excess of

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$50,000 if filing separately or unmarried, who provides care and support to a qualifying armed service member to whom the caregiver is a relative.

"Relative" means an individual related by consanguinity within the third degree by law or blood.

3. This act shall take effect immediately and apply to taxable years beginning on or after January 1 next following the date of enactment.

Approved May 11, 2017.

CHAPTER 68

AN ACT concerning Code Blue alert plans to shelter at-risk individuals , supplementing chapter 9 of Appendix A of the Revised Statutes, and amending P.L.1942, c.251.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.App.A:9-43.18 Definitions relative to Code Blue alert plans.

1. As used in this act:

"At-risk individual" means an individual living outdoors, on the streets, in the parks or in poorly insulated settings, and who is at risk for weather-related exposure and possible death.

"Coordinator" means the county emergency management coordinator appointed pursuant to section 12 of P.L.1953, c.438 (C.App.A:9-42.1).

"County governing body" means the board of chosen freeholders, or in the case of those counties organized pursuant to the provisions of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), the board of chosen freeholders and the county executive, the county supervisor, or the county manager, as appropriate.

C.App.A:9-43.19 Plan for issuance of Code Blue alert.

2. A county governing body, through its office of emergency management or other appropriate office, agency, or department, shall establish a plan for issuing a Code Blue alert to municipalities, social service agencies, and non-profit organizations that provide services to at-risk individuals and are located within the county's borders. The county office of emergency

management, or appropriate office, agency, or department, shall coordinate with municipal emergency management coordinators in municipalities with a documented homeless population of at least 10, as noted in the most recent Annual Point In Time Count, in developing consistent Code Blue alert plans throughout the county that provide for emergency warming centers during implementation of a Code Blue alert plan. This plan may be carried out by designated volunteer organizations. Volunteer-organized Code Blue efforts shall receive cooperation and logistical support from the coordinator, but shall operate autonomously, provided that they operate in response to an alert and pursuant to the Code Blue alert plan.

C.App.A:9-43.20 Declaration of Code Blue alert.

3. A coordinator shall declare a Code Blue alert after evaluating weather forecasts and advisories produced by the National Weather Service that predict the following weather conditions in the county within 24 to 48 hours:

a. temperatures will reach 25 degrees Fahrenheit or lower without precipitation or 32 degrees Fahrenheit or lower with precipitation; or

b. the National Weather Service windchill temperature will be zero degrees Fahrenheit or less for a period of two hours or more.

4. Section 20 of P.L.1942, c.251 (C.App.A:9-52) is amended to read as follows:

C.App.A:9-52 Liability for injury to persons or property.

20. Neither the State nor any political subdivision of the State under any circumstances, nor the agents, officers, employees, servants or representatives of the State or any political subdivision thereof, including all volunteers, in good faith carrying out, complying with, or attempting to comply with, any order, rule or regulation promulgated pursuant to the provisions of this act or performing any authorized service in connection therewith, shall be liable for any injury or death to persons or damage to property as the result of any such activity. No person owning, possessing or managing any real property which has been designated, pursuant to the provisions of this act or of any order, rule or regulation promulgated thereunder, as a shelter from destructive operations or attacks by enemies of the United States, shall be liable in any civil action for death or injury to any person who, because such real property has been designated a shelter as aforesaid, enters upon it solely for the purpose of seeking refuge therein during such destructive operations or attacks or during civil defense tests ordered by lawful authority, except where such death or injury is caused by

the willful act of such owner, possessor or manager, or his agents or employees. The foregoing shall not affect the right of any person to receive benefits or compensation which may be specifically provided by the provisions of this or any other State or Federal Statute, nor shall it affect the right of any person to recover under the terms of any policy of insurance. The provisions of this section shall apply but shall not be limited to establishing or developing a Code Blue alert plan, or implementing, carrying out, or providing services under a Code Blue alert plan, pursuant to the provisions of P.L.2017, c.68 (C.App.A:9-43.18 et al.).

C.App.A:9-43.21 Review of weather forecasts.

5. The coordinator, or the coordinator's designee, shall review weather forecasts from the National Weather Service on a regular and consistent basis to determine when a Code Blue alert is warranted.

6. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 69

AN ACT concerning safe handling of hazardous drugs and supplementing Title 45 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.45:1-56 Short title.

1. This act shall be known and may be cited as the "Hazardous Drug Safe Handling Act."

C.45:1-57 Findings, declarations relative to safe handling of hazardous drugs.

2. a. The Legislature finds and declares that:

(1) Health care personnel who work with or near hazardous drugs in health care settings may be exposed to these agents in the air and through contact with work surfaces, clothing, medical equipment, and patients;

(2) According to the National Institute for Occupational Safety and Health (NIOSH), which is part of the federal Centers for Disease Control and Prevention, early concerns about occupational exposure to anticancer drugs first appeared in the 1970s;

(3) Antineoplastic and other hazardous drugs have been identified with a number of acute, short-term, and chronic effects, including skin rashes, infertility, miscarriage, birth defects, liver and kidney damage, damage to the bone marrow, damage to the heart and lungs, and various cancers; and

(4) In 2004, NIOSH published an alert on preventing occupational exposures to antineoplastic drugs in health care settings. NIOSH urges that all hazardous drugs be universally handled according to standard precautions as outlined in the alert, which includes recommended procedures for assessing workplace hazards, handling hazardous drugs, and using and maintaining equipment, as well as a list of "drugs considered hazardous," which was updated in 2010, 2012, and 2014.

b. The Legislature therefore determines that it is the public policy of the State to provide for the appropriate regulation of the handling of hazardous drugs consistent with the NIOSH alert, regardless of the setting in which health care is provided, in order to protect health care personnel from potentially harmful exposure to antineoplasic and other hazardous drugs.

C.45:1-58 Definitions relative to safe handling of hazardous drugs.

3. As used in this act:

"Animal or veterinary facility" means an animal or veterinary facility as defined in section 1 of P.L.1983, c.98 (C.45:16-1.1).

"Antineoplastic" means inhibiting or preventing the growth and spread of tumors or malignant cells.

"Hazardous drugs" means drugs that exhibit one or more of the following characteristics in humans or animals: carcinogenicity; teratogenicity or other developmental toxicity; reproductive toxicity; organ toxicity at low doses; genotoxicity; or structure and toxicity profiles that mimic existing hazardous drugs. This term includes, but is not limited to, antineoplastic drugs.

"Health care facility" means a general acute care hospital, satellite emergency department, hospital-based off-site ambulatory care facility in which ambulatory surgical procedures are performed, or ambulatory surgical facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.).

"Health care professional" means a physician, physician assistant, advanced practice nurse, registered nurse, licensed practical nurse, pharmacist, or veterinarian licensed or certified pursuant to Title 45 of the Revised Statutes. "Health care professional" shall not include a licensed dentist or dental hygienist.

"Pharmacy practice site" means a pharmacy practice site licensed pursuant to P.L.2003, c.280 (C.45:14-40 et seq.).

"Stakeholder group" means a group of stakeholders in the areas of health care and workplace safety, which shall consist of: a representative of the Rutgers Cancer Institute of New Jersey; a representative of the New Jersey Hospital Association; a representative of the New Jersey Veterinary Medical Association; a representative of the Medical Society of New Jersey; a representative of the New Jersey State Society of Physician Assistants; practicing physicians from impacted specialties including, but not limited to, oncology; pharmacists; practicing advanced practice nurses, registered nurses, and licensed practical nurses, including at least one representative from the New Jersey Chapters of the Oncology Nursing Society; three representatives from organized labor unions representing health care personnel employed by health care professionals or employed in health care facilities, pharmacy practice sites, or animal or veterinary facilities, two of whom shall serve at the recommendation of the New Jersey State AFL-CIO; and other interested stakeholders.

C.45:1-59 Adoption of standards, regulations.

4. a. No later than 12 months after the effective date of this act, the Commissioner of Health and the Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with a stakeholder group as defined in section 3 of P.L.2017, c.69 (C.45:1-58), shall adopt standards and regulations in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) concerning the handling of hazardous drugs by health care personnel employed by a health care professional or employed in a health care facility, pharmacy practice site, or animal or veterinary facility.

b. The standards and regulations to be adopted pursuant to subsection a. of this section shall describe the hazardous drugs for which handling is to be regulated, the methods and procedures for handling such drugs, an implementation plan, and such other requirements as may be necessary to protect the health and safety of health care personnel employed by a health care professional or employed in a health care facility, pharmacy practice site, or animal or veterinary facility, including, but not limited to:

(1) written, site-specific hazardous drug control programs to avoid occupational exposure to hazardous drugs through transporting, compounding, administering, disposing, or other handling of the drugs;

(2) hazard assessments to determine precautions necessary to protect health care personnel from exposure to hazardous drugs;

(3) engineering controls to eliminate or minimize exposure to hazardous drugs;

(4) personal protective equipment and the circumstances under which personal protective equipment shall be used by health care personnel;

(5) safe handling practices related to hazardous drugs, including handling, receiving, storage, preparing, administering, waste handling, cleaning, housekeeping, labeling and signage, and maintenance practices;

(6) spill control and response procedures;

(7) training standards and training programs;

(8) requirements for recordkeeping, including records related to training sessions, qualifications, incident reports, and other pertinent information; and

(9) appropriate medical surveillance for health care personnel who directly handle hazardous drugs.

c. The standards and regulations adopted pursuant to subsection a. of this section shall include requirements for inspections by the appropriate licensing or inspection authority and a schedule of penalties for violations of the provisions of this act or the rules and regulations adopted pursuant to subsection a. of this section.

d. The standards and regulations adopted pursuant to subsection a. of this section shall be based on the most recent recommendations set forth by the National Institute for Occupational Safety and Health in the federal Centers for Disease Control and Prevention.

C.45:1-60 Hazardous drugs training.

5. Employers of health care personnel shall provide hazardous drugs training to all employees who have or are likely to have occupational exposure to hazardous drugs. This training shall take place at the time of the employee's initial job assignment and on an annual basis thereafter. Such training shall be consistent with the standards and regulations adopted pursuant to subsection a. of section 4 of P.L.2017, c.69 (C.45:1-59).

6. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 70

AN ACT concerning school nurse certification and supplementing chapter 40 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:40-3.7 Requirements for school nurse endorsement.

1. State Board of Education regulations prescribing the requirements for eligibility for an educational services certificate with a school nurse endorsement shall, at a minimum, require that a candidate for the endorsement:

a. is licensed as a registered nurse pursuant to the provisions of P.L.1947, c.262 (C.45:11-23 et seq.);

b. holds a bachelor's degree from a regionally-accredited college or university;

c. completes either a Department of Education-approved college curriculum for the preparation of school nurses or a program of studies, with a minimum of 21 semester hour credits, that includes study in the fundamentals of substance abuse and dependency and such other subject areas as determined by the State board, and clinical experience in a school nurse office; and

d. completes a college-supervised school nurse practicum experience, a portion of which shall be completed in a school nurse office and a portion of which shall be completed in a classroom. The practicum experience may count toward the minimum 21 semester hour credit requirement.

C.18A:40-3.8 Requirements for school nurse/non-instructional endorsement.

2. State Board of Education regulations prescribing the requirements for eligibility for an educational services certificate with a school nurse/non-instructional endorsement shall, at a minimum, require that a candidate for the endorsement:

a. is licensed as a registered nurse pursuant to the provisions of P.L.1947, c.262 (C.45:11-23 et seq.);

b. holds a bachelor's degree from a regionally-accredited college or university; and

c. completes either a Department of Education-approved college curriculum for the preparation of school nurses or a program of studies, with a minimum of 15 semester hour credits, that includes study in the fundamentals of substance abuse and dependency and such other subject areas as determined by the State board, and clinical experience in a school nurse office.

C.18A:40-3.9 Construction of act.

3. Nothing in this act shall be construed to limit the authority of the State Board of Education to prescribe additional eligibility requirements for a school nurse endorsement or a school nurse/non-instructional endorsement.

4. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 71

AN ACT concerning the financing of environmental infrastructure projects, and supplementing N.J.S.40A:2-1 et seq., P.L.1983, c.313 (C.40A:5A-1 et seq.), and P.L.1985, c.334 (C.58:11B-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.58:11B-5.1 Request by local government for financing of environmental infrastructure projects.

1. a. A local government unit seeking to finance $1,000,000 or more of the costs of any environmental infrastructure project or project component shall submit a request for a financing cost estimate for the project on a form made available online by the trust pursuant to section 2 of P.L.2017, c.71 (C.58:11B-5.2).

b. A local government unit that is awarded a grant for all or part of the costs of an environmental infrastructure project shall not be required to submit a request for a financing cost estimate pursuant to this section if the local government unit is seeking to finance less than $1,000,000 of the remaining costs of that project or project component.

c. A local government unit shall not be required to submit a request for a financing cost estimate pursuant to this section for an environmental infrastructure project the appropriation of which was approved either by ordinance of a municipality or by resolution of an authority or county, as appropriate, prior to or on the effective date of this section.

C.58:11B-5.2 Financing cost estimate.

2. a. The trust shall make available a financing cost estimate to any local government unit seeking to finance $1,000,000 or more of the costs of an environmental infrastructure project or project component. The financing cost estimate shall provide a local government unit with an estimate of the costs of financing an environmental infrastructure project through the trust to enable the local government unit to evaluate, and other interested parties to consider, the potential savings of trust financing, including interest costs, compared to other available methods of financing the project.

b. The trust may require the local government unit to provide information concerning the project and the borrower needed to generate a financing cost estimate, including, but not limited to, a detailed description of the project, design, engineering and environmental information, a cost estimate prepared by the project engineer or other qualified person, information regarding the borrower, the amount to be financed, and any other information the trust deems relevant in order for the cost estimate to be as accurate as possible.

The trust, in conjunction with the Department of Environmental Protection, shall provide with the financing cost estimate:

(1) a description of the priority system used by the Department of Environmental Protection in awarding financing under the program; and

(2) a comparison of the estimates of the cost of issuance and underwriting fees, servicing fees, and interest costs for a project financed through the trust versus a project financed independently by the local government unit through its own bond process.

c. The trust, through its web site, shall make available online a form that may be completed by the local government unit for submission to the trust in order for the trust to make an estimate of financing costs for the project. Upon submission of the completed form, the trust shall, within 5 days thereafter, provide an estimate of the financing costs and possible interest rate that may be made available for the project.

C.40A:2-24.1 Submission of financial cost estimate for projects not funded by trust.

3. A local unit that does not finance an environmental infrastructure project with funding provided by the New Jersey Environmental Infrastructure Trust shall submit the financing cost estimate provided by the New Jersey Environmental Infrastructure Trust pursuant to section 2 of P.L.2017, c.71 (C.58:11B-5.2) together with the supplemental debt statement that is submitted to the Director of the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.40A:2-42.

As used in this section, "environmental infrastructure project" shall have the same meaning as provided in section 3 of P.L.1985, c.334 (C.58:11B-3).

C.40A:5A-6.1 Financing cost estimate submitted by authority.

4. An authority that does not finance an environmental infrastructure project with funding provided by the New Jersey Environmental Infrastructure Trust shall submit the financing cost estimate provided by the New Jersey Environmental Infrastructure Trust pursuant to section 2 of P.L.2017,

c.71 (C.58:11B-5.2) together with the proposed project financing that is submitted to the Local Finance Board in the Division of Local Government Services in the Department of Community Affairs pursuant to section 6 of P.L.1983, c.313 (C.40A:5A-6).

As used in this section, "environmental infrastructure project" shall have the same meaning as provided in section 3 of P.L.1985, c.334 (C.58:11B-3).

5. Sections 1, 3, and 4 of this act shall take effect on the 180th day after the date of enactment and the remainder of this act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 72

AN ACT concerning the regulation of appraisal management companies, amending and supplementing P.L.1991, c.68, amending P.L.1997, c.401, and repealing sections 12 and 13 of P.L.1991, c.68.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.45:14F-27 Short title.

1. Sections 1 through 23 and section 32 of this act shall be known and may be cited as the "Appraisal Management Company Registration and Regulation Act."

C.45:14F-28 Findings, declarations relative to appraisal management companies.

2. The Legislature finds and declares that it is in the public interest to establish registration requirements for real estate appraisal management companies that employ, contract, retain or otherwise utilize the services of licensed and certified real estate appraisers to provide appraisal services in New Jersey. This act is intended to provide the State Real Estate Appraiser Board with authority to implement certain provisions of amendments in the Mortgage Reform and Anti-Predatory Lending Act of 2010, Pub.L.111-203, Subtitle F. Sec.1473(2) adding Section 1124 to Title XI of the federal Financial Institutions Reform, Recovery and Enforcement Act of 1989 (12 U.S.C. s.3353) (FIRREA), and the Truth in Lending Act, Pub.L.90-321 (15 U.S.C. ss.1601 et seq.), which amendments give certain authority and responsibilities to the board.

C.45:14F-29 Definitions relative to appraisal management companies.

3. As used in this act:

"Administrative Quality Control Examination" means an examination of an appraisal report for compliance and completeness including grammatical, typographical, or other similar errors, which may be performed by a person who is not a State certified or licensed real estate appraiser, but which shall not include unbiased analysis, opinion or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, real estate, or any similar function of appraisal practice, including but not limited, to those functions in the performance of an appraisal review.

"Affiliate" means any company that controls, is controlled by, or is under common control of another company.

"AMC National Registry" means the registry of state-registered appraisal management companies and federally regulated appraisal management companies maintained by the Appraisal Subcommittee.

"Appraisal Foundation" means the Appraisal Foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois.

"Appraisal" or "real estate appraisal" means the same as that term is defined pursuant to section 2 of P.L.1991, c.68 (C.45:14F-2), and shall be specifically construed to include appraisal reviews performed by, for, and on behalf of an appraisal management company.

"Appraisal management company" or "AMC" means a person that:

(1) provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates;

(2) provides such services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations; and

(3) within a 12-month calendar year, oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in New Jersey or 25 or more state-certified or state-licensed appraisers in two or more states.

An AMC does not include a department or division of an entity that provides appraisal management services only to that entity.

"Appraisal management services" means one or more of the following:

(1) recruiting, selecting, and retaining appraisers;

(2) contracting with state-certified or state-licensed appraisers to perform appraisal assignments;

(3) managing the process of having an appraisal performed, including providing administrative services, such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and secondary market participants, collecting fees from creditors and secondary

market participants for services provided, and paying appraisers for services performed; and

(4) reviewing and verifying the work of appraisers.

"Appraiser panel" means a network, list, or roster of licensed or certified appraisers approved by an AMC to perform appraisals as independent contractors for the AMC. Appraisers on an AMC's "appraiser panel" include both appraisers accepted by the AMC for consideration for future appraisal assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions, and appraisers engaged by the AMC to perform one or more appraisals in covered transactions or for secondary mortgage market participants in connection with covered transactions. An appraiser is an independent contractor if the appraiser is treated as an independent contractor by the AMC for purposes of federal income taxation.

"Appraisal review" means the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment related to the appraiser's data collection, analysis, opinions, conclusions, estimate of value, or compliance with the Uniform Standards of Professional Appraisal Practice. This term does not include:

(1) a general examination for grammatical, typographical, or other similar errors; or

(2) a general examination for completeness, including regulatory or client requirements as specified in the agreement process that does not communicate an opinion of value.

"Appraiser" means a State certified real estate appraiser, State certified general or residential real estate appraiser, or State licensed real estate appraiser, as those terms are defined pursuant to section 2 of P.L.1991, c.68 (C.45:14F-2).

"Board" means the State Real Estate Appraiser Board established pursuant to section 3 of P.L.1991, c.68 (C.45:14F-3).

"Consumer credit" means credit offered or extended to a consumer primarily for personal, family, or household purposes.

"Controlling person" means:

(1) an officer, director, or owner of greater than a 10 percent interest, of a corporation, partnership or other business entity, seeking to act as an appraisal management company in this State;

(2) an individual employed, appointed, or authorized by an appraisal management company who has the authority to enter into a contractual relationship with other persons for the performance of services requiring reg-

istration as an appraisal management company and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(3) an individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company.

"Covered transaction" means any consumer credit transaction secured by the consumer's principal dwelling.

"Creditor" means:

(1) a person who regularly extends consumer credit that is subject to a finance charge or is payable by written agreement in more than four installments, not including a down payment, and to whom the obligation is initially payable, either on the face of the note or contract, or by agreement when there is no note or contract; or

(2) a person who regularly extends consumer credit if the person extended credit, other than credit subject to the requirements of 12 CFR 1026.32, more than five times for transactions secured by a dwelling in the preceding calendar year; if a person did not meet these numerical standards in the preceding calendar year, the numerical standards shall be applied to the current calendar year. A person regularly extends consumer credit if, in any 12-month period, the person originates more than one credit extension that is subject to the requirements of 12 CFR 1026.32 or one or more such credit extensions through a mortgage broker.

"Dwelling" means a residential structure that contains one to four units, whether or not that structure is attached to real property, including an individual condominium unit, cooperative unit, mobile home, or trailer, if it is used as a residence. A consumer can have only one principal dwelling at a time; a vacation or other second home is not considered a principal dwelling. However, if a consumer buys or builds a new dwelling that will become the consumer's principal dwelling within one year or upon the completion of construction, the new dwelling is considered the principal dwelling for purposes of this definition.

"Employee relocation management company" means a business entity whose exclusive business services are not for mortgage purposes but include the relocation of employees as an agent or contractor for the employer or the employer's agent for the purposes of determining an anticipated sales price of the residence of an employee being relocated by the employer in the course of its business.

"Federal financial institution regulatory agencies" includes the Consumer Financial Protection Bureau, Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal

Housing Finance Agency, the Office of the Comptroller of the Currency, and the National Credit Union Administration.

"Federally regulated AMC" means an AMC that is owned and controlled by an insured depository institution, as defined in 12 U.S.C. s.1813 and regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation.

"Federally related transaction" means the same as that term is defined pursuant to section 2 of P.L.1991, c.68 (C.45:14F-2).

"Federally related transaction regulations" means regulations established by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency or the National Credit Union Administration, pursuant to sections 1112, 1113, and 1114 of FIRREA Title XI, 12 U.S.C. ss.3341-3343.

"Person" means a natural person or an organization, including a corporation, partnership, proprietorship, association, cooperative, estate, trust, or government unit.

"Real estate-related financial transaction" means any transaction involving the sale, lease, purchase, investment in, or exchange of real property, including interests in property or the financing thereof:

(1) the refinancing of real property or interests in real property.

(2) the use of real property or interests in property as security for a loan or investment, including mortgage-backed securities.

"Secondary mortgage market participant" means a guarantor or insurer of mortgage-backed securities, or an underwriter or issuer of mortgage-backed securities. Secondary mortgage market participant only includes an individual investor in a mortgage-backed security if that investor also serves in the capacity of a guarantor, insurer, underwriter, or issuer for the mortgage-backed security.

"Uniform Standards of Professional Appraisal Practice" or "USPAP" means the current standards of the appraisal profession, developed for appraisers and users of appraisal services by the Appraisal Standards Board of the Appraisal Foundation, in accordance with the standards established by the board as provided under subsection g. of section 8 of P.L.1991, c.68 (C.45:14F-8).

C.45:14F-30 Authority of board.

4. The board shall have the authority to adopt rules that are reasonably necessary to establish an AMC registration program and implement, administer, and enforce the provisions set forth under this section.

a. The board shall have the legal authority and mechanisms to:

(1) review, and approve or deny an AMC's application for initial registration;

(2) review and renew, or review and deny an AMC's registration periodically;

(3) examine the books and records of an AMC operating in the State and require the AMC to submit reports, information, and documents;

(4) verify that the appraisers on the AMC's appraiser panel hold valid State certifications or licenses, as applicable;

(5) conduct investigations of AMCs to assess potential violations of applicable appraisal-related laws, regulations, or orders;

(6) discipline, suspend, terminate, or deny renewal of the registration of an AMC that violates applicable appraisal-related laws, regulations, or orders; and

(7) report to the Appraisal Subcommittee or other appropriate federal regulatory agency an AMC's or other third-party appraisal or appraisal management services provider's violation of applicable appraisal-related laws, regulations, or orders, as well as disciplinary and enforcement actions and other relevant information about an AMC's operations, or other third-party appraisal or appraisal management services provider's operations.

b. The board shall impose requirements on AMCs that are not owned and controlled by an insured depository institution and not regulated by a federal financial institution regulatory agency to:

(1) register with and be subject to supervision by the State appraiser certifying and licensing agency;

(2) engage only State-certified or State-licensed appraisers for federally related transactions in conformity with any federally related transaction regulations;

(3) establish and comply with processes and controls reasonably designed to ensure that the AMC, in engaging an appraiser, selects an appraiser who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the appraisal assignment for the particular market and property type;

(4) direct the appraiser to perform the assignment in accordance with USPAP; and

(5) establish and comply with processes and controls reasonably designed to ensure that the AMC conducts its appraisal management services in accordance with the requirements of section 129E(a)-(i) of the Truth in Lending Act, 15 U.S.C. s.1639e(a)-(i), and regulations promulgated thereunder.

C.45:14F-31 Determination as to whether an AMC oversees an appraiser panel.

5. For purposes of determining whether, within the 12-month period defined by the State, an AMC oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in New Jersey or 25 or more state-certified or state-licensed appraisers in two or more states, pursuant to the definition of "AMC" as defined in section 3 of this act:

a. An appraiser is deemed part of the AMC's appraiser panel as of the earliest date on which the AMC:

(1) accepts the appraiser for the AMC's consideration for future appraisal assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions; or

(2) engages the appraiser to perform one or more appraisals on behalf of a creditor for covered transactions or secondary mortgage market participant in connection with covered transactions.

b. An appraiser who is deemed part of the AMC's appraiser panel pursuant to subsection a. of this section is deemed to remain on the panel until the date on which the AMC:

(1) sends written notice to the appraiser removing the appraiser from the appraiser panel, with an explanation of its action; or

(2) receives written notice from the appraiser asking to be removed from the appraiser panel or notice of the death or incapacity of the appraiser.

c. If an appraiser is removed from an AMC's appraiser panel pursuant to subsection b. of this section, but the AMC subsequently accepts the appraiser for consideration for future assignments or engages the appraiser at any time during the 12 months after the appraiser's removal, the removal will be deemed not to have occurred, and the appraiser will be deemed to have been part of the AMC's appraiser panel without interruption.

d. Prior to assigning appraisal orders, an appraisal management company shall have a system in place to verify that a person being added to the appraiser panel holds the appropriate appraiser credential in good standing.

C.45:14F-32 Registration required for engaging in business as an AMC.

6. a. No person shall, directly or indirectly, engage or attempt to engage in business as an appraisal management company, or advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the board under the provisions of this act.

b. The registration required by subsection a. of this section shall include the following written information on a form prescribed by the board

and which shall be certified by the compliance officer of the appraisal management company:

(1) The name of the entity or individual seeking registration, and the fictitious name or names, if any, under which it does business in any state;

(2) The business address of the entity or individual seeking registration;

(3) The telephone number of the entity or individual seeking registration;

(4) The name and contact information for the individual's or entity's agent for service of process in this State, if the entity or individual is not a corporation that is domiciled in this State;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns 10 percent or more of the appraisal management company;

(6) The name, address, and telephone number for one controlling person designated as the main contact for all communication between the appraisal management company and the board;

(7) A certification that the entity or individual has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company holds a license or certification in good standing in this State pursuant to the "Real Estate Appraisers Act," P.L.1991, c.68 (C.45:14F-1 et seq.);

(8) A certification that the entity or individual requires appraisers completing appraisals, including but not limited to appraisals and appraisal reviews, at its request to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation, including the requirements for geographic and product competence;

(9) A certification that the entity or individual has a system in place to verify that only licensed or certified appraisers are used for federally related transactions;

(10) A certification that the entity or individual has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under section 1639e of the federal Truth in Lending Act, Pub.L.90-321 (15 U.S.C. s.1639e), including the requirements for payment of customary and reasonable compensation to fee appraisers when the appraisal management company is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;

(11) A certification by the board that the entity maintains a detailed record of each service request that it receives and the name of the appraiser

that performs the residential real estate appraisal services for the appraisal management company;

(12) Whenever applicable, an irrevocable Uniform Consent to Service of Process pursuant to section 8 of this act; and

(13) Any other information as required by the board that is reasonably necessary to implement this act.

c. An application for the renewal of a registration shall include information substantially similar to that required under subsection b. of this section for an initial registration, as determined by the board.

C.45:14F-33 Applicability of act.

7. The provisions of this act:

a. shall apply to an appraisal management company in accordance with section 1124(a), (b) and (c) of Subtitle F of the Mortgage Reform and Anti-Predatory Lending Act of 2010, Pub.L.111-203, amending the Financial Institutions Reform Recovery and Enforcement Act (12 U.S.C. s.3353 (a), (b), (c)); and

b. shall not apply to:

(1) an employee relocation management company in the course of employee relocation pursuant to its relocation policy; or

(2) a person or entity that exclusively employs appraisers on an employer and employee basis for the performance of appraisals for a variety of clients or intended uses of the appraisal other than mortgage lending consumer credit transactions secured by a consumer's principal dwelling.

C.45:14F-34 Irrevocable uniform consent to service of process.

8. An entity or individual applying for a registration as an appraisal management company that is not domiciled in this State shall complete an irrevocable Uniform Consent to Service of Process, as prescribed by the board.

C.45:14F-35 Application fee.

9. a. The board shall establish by regulation an application fee to be paid by each appraisal management company seeking registration under this act that is sufficient for the administration of the registration process, but in no case shall the fee be more than $2,500.

b. A processing fee, similar to that provided for in subsection a. of this section not to exceed $2,500, may be charged by the board in connection with the renewal of a registration.

c. A registration granted by the board pursuant to this act shall be effective for a two-year period and may be renewed biennially.

d. The board shall require of each appraisal management company seeking registration a surety bond of $25,000.

e. Except as otherwise required by federal law, all fees paid by appraisal management companies shall be dedicated to use by the board for regulation of appraisal management companies and State certified and licensed real estate appraisers regulated by the board pursuant to State and federal law.

C.45:14F-36 Prohibitions relative to an AMC.

10. a. An appraisal management company applying to the board for registration in this State shall not:

(1) in whole or in part, directly or indirectly, be owned by any person who has had an appraiser license or certificate in this State or in any other state, refused, denied, cancelled, surrendered in lieu of revocation, or revoked;

(2) be subject to the ownership, control, direction, or authority of, or employ, appoint, or otherwise retain, a controlling person who is not of good moral character, which for purposes of this section shall require that such person has not been convicted of, or entered a plea of nolo contendere to, a crime relating to the practice of appraisal or any crime involving financial services, fraud, misrepresentation or moral turpitude.

b. For purposes of paragraph (2) of subsection a. of this section, each controlling person of an appraisal management company shall submit to a background investigation to be carried out by the board, in accordance with standards as established by the board by regulation.

c. The background investigation authorized under subsection b. of this section shall include but is not limited to a criminal history record information check conducted in accordance with sections 3 and 4 of P.L.1997, c.401 (C.45:14F-10.1 and C.45:14F-10.2).

C.45:14F-37 Designated contact for communication.

11. An appraisal management company applying to the board for registration in this State shall designate one controlling person that will be the designated contact for all communication between the board and the appraisal management company.

C.45:14F-38 Violations.

12. A violation of this section may constitute grounds for discipline against an appraisal management company registered in this State. However, nothing in this act shall be construed as preventing an appraisal man-

agement company from requesting that an appraiser provide additional information about the basis for a valuation, correct objective factual errors in an appraisal report, or consider additional appropriate property information. No employee, director, officer, agent, independent contractor, or other third party acting on behalf of an appraisal management company shall do any of the following:

a. procure or attempt to procure a registration or renewal by knowingly making a false statement, submitting false information, or refusing to provide complete information in response to a question in an application for registration or renewal;

b. willfully violate this act or rules of the board pertaining thereto;

c. improperly influence or attempt to improperly influence the development, reporting, result, or a review of an appraisal through intimidation, coercion, extortion, bribery, or any other manner, including:

(1) withholding payment for appraisal services;

(2) threatening to exclude an appraiser from future work or threatening to demote or terminate in order to improperly obtain a desired result;

(3) conditioning payment of an appraisal fee upon the opinion, conclusion, or valuation to be reached; or

(4) requesting that an appraiser report a predetermined opinion, conclusion, or valuation or the desired valuation of any person or entity;

d. alter, amend, or change an appraisal report submitted by an appraiser without the appraiser's knowledge and written consent;

e. except within the first 90 days after an independent appraiser is added to an appraiser panel, remove an independent appraiser from an appraiser panel without prior written notice to the appraiser, with the prior written notice including evidence of the following, if applicable:

(1) the appraiser's illegal conduct;

(2) a violation of the Uniform Standards of Professional Appraiser Practice, this act or the rules adopted by the board;

(3) improper or unprofessional conduct; and

(4) substandard performance or other substantive deficiencies;

f. require an appraiser to sign any indemnification agreement that would require the appraiser to defend and hold harmless the appraisal management company or any of its agents or employees for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company or its agents, employees, or independent contractors and not the services performed by the appraiser;

g. prohibit lawful communications between the appraiser and any other person who the appraiser, in the appraiser's professional judgment, believes possesses information that would be relevant;

h. engage in any other act or practice that impairs or attempts to impair a real estate appraiser's independence, objectivity, and impartiality;

i. fail to timely respond to any subpoena or any other request for information;

j. fail to timely obey an administrative order of the board; or

k. fail to fully cooperate in any investigation.

C.45:14F-39 Licensure.

13. An employee of, or independent contractor to, an appraisal management company that performs a Uniform Standards of Professional Appraisal Practice Standard 3 review of an appraisal report on property located in this State shall be an appraiser with the proper level of licensure, as prescribed pursuant to P.L.1991, c.68 (C.45:14F-1 et seq.). The provisions of this section shall not apply to any individual conducting an Administrative Quality Control Examination.

C.45:14F-40 Collection of information and fees; reporting requirements.

14. a. With respect to reporting requirements for non-federally regulated appraisal management companies, the board will collect from each AMC registered or seeking to be registered in the State the information and fees that the Appraisal Subcommittee requires to be submitted to it by the State pursuant to regulations or guidance promulgated by the Appraisal Subcommittee.

b. With respect to reporting requirements for federally regulated appraisal management companies: a federally regulated AMC operating in the State shall report to the board the information required to be submitted by the State to the Appraisal Subcommittee, pursuant to the Appraisal Subcommittee's policies regarding the determination of the AMC National Registry fee. These reporting requirements will be set forth by the board by rule, and shall include:

(1) a report to the board on a form prescribed by the board of intent to operate in this State;

(2) information related to whether the AMC is owned in whole or in part, directly or indirectly, by any person who has had an appraiser license or certificate refused, denied, cancelled, surrendered in lieu of revocation, or revoked in any state for a substantive cause, as determined by the Appraisal Subcommittee; and

(3) if a person has had action taken on his or her appraisal license, the board shall collect information related to whether the license was revoked for a substantive cause and if it has been reinstated by the state or states in which the appraiser was licensed or certified.

c. The board is authorized to collect from a federally regulated AMC operating in the State for submission to the Appraisal Subcommittee the AMC National Registry fee.

C.45:14F-41 Annual certification to the board.

15. An appraisal management company seeking to be registered in this State shall certify to the board, annually, that it:

a. requires appraisers completing appraisals, including appraisal reviews, at its request to comply with the Uniform Standards of Professional Appraisal Practice, including the requirements for geographic and product competence;

b. has a system in place to verify that only licensed or certified appraisers are used for appraisals covered under this act, including, but not limited to, those performed for federally related transactions, and appraisals pursuant to the provisions of the "Real Estate Appraisers Act," P.L.1991, c.68 (C.45:14F-1 et seq.);

c. has a system in place to verify that an individual on the appraiser panel has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

d. has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under section 1639e of the federal Truth in Lending Act, Pub.L.90-321 (15 U.S.C. s.1639e), including the requirements for payment of customary and reasonable compensation to fee appraisers when the appraisal management company is providing services for a consumer credit transaction secured by the principal dwelling of a consumer; and

e. is in compliance with State laws and regulations.

C.45:14F-42 Adoption of appraiser independence standards.

16. This act adopts by reference the appraiser independence standards established under section 1639e of the federal Truth in Lending Act, Pub.L.90-321 (15 U.S.C. s.1639e), including:

a. the requirements for payment of customary and reasonable compensation to fee appraisers when the appraisal management company is

providing services for a consumer credit transaction secured by the principal dwelling of a consumer; and

b. all necessary enforcement and remedies available under the federal Truth in Lending Act, Pub.L.90-321 (15 U.S.C. s.1601 et seq.).

C.45:14F-43 Certification relative to records of service requests.

17. An appraisal management company seeking to be registered in this State shall certify to the board, annually, by submission of a statement signed by the appraisal management company, that it maintains a detailed record of each service request that it receives and the name of the appraiser that performs the appraisal for the appraisal management company. Records shall be retained for a period of at least five years after an appraisal is completed or two years after final disposition of a judicial proceeding related to the assignment, whichever period expires later.

C.45:14F-44 Responsibilities of certified or licensed appraiser.

18. Any State certified or licensed appraiser performing an appraisal assignment, including an appraisal review, for an appraisal management company, shall be responsible to ensure that the conduct of non-appraiser assistance is compatible with the professional responsibilities of the appraiser under federal and State laws and regulations, including but not limited to, conformance with the Uniform Standards of Professional Appraisal Practice. Non-appraiser assistance, shall include, but not be limited to, administrative quality control reviewers, who are agents of, contracted by, employees of, or whose services are otherwise utilized by an appraisal management company, appraiser, or organization.

C.45:14F-45 Issuance of unique registration number, published lists.

19. a. The board shall issue a unique registration number to each appraisal management company that is registered in this State.

b. The board shall maintain a published list of the appraisal management companies that have registered with the board pursuant to this act and have been issued a registration number pursuant to subsection a. of this section.

c. An appraisal management company registered in this State shall disclose the registration number provided to it by the board on any engagement documents presented to the appraiser.

d. Every appraisal performed pursuant to this act shall contain both the appraisal management company registration number and the amount of the fee received by the appraiser for performance of that appraisal.

C.45:14F-46 Removal of appraiser from panel.

20. Except within the first 90 days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel, or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

a. notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

b. notifying the appraiser of the nature of any alleged conduct or violation, if the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice, or a violation of State licensing standards;

c. providing the appraiser with any evidence, upon which removal is based, including, but not limited to, any appraisal, appraisal review or appraisal consulting report; and

d. providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

Any act of a State certified or licensed real estate appraiser, which constitutes a material violation of the Uniform Standards of Professional Appraisal Practice in the process described in this section, shall be considered prima facie evidence of a violation of the ethics requirements under the Uniform Standards of Professional Appraisal Practice. A material violation, for the purposes of this section, is one that is likely to affect the value estimated in any appraisal utilized in this section, or any other act that reflects on the professional conduct of the appraiser; however, the board shall not be involved in contractual disputes between an appraisal management company and an individual appraiser.

C.45:14F-47 Notification to board relative to material violation.

21. a. An appraisal management company shall inform the board when the appraisal management company has a reasonable basis to believe that an appraiser has committed a material violation of:

(1) the Uniform Standards of Professional Appraisal Practice;

(2) applicable laws; or

(3) ethical or professional conduct.

b. An appraisal management company shall provide the board with all information in the possession of the appraisal management company in support of any information compiled against an appraiser under this section, including any evidence to support the determination that an appraisal

management company has probable cause of a material violation as defined in subsection a. of this section.

For the purposes of this section, a material violation is one that is likely to affect the value assigned to a consumer's principal dwelling.

C.45:14F-48 Payment to appraiser.

22. Each appraisal management company shall, except in bona fide cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within 60 days of the date on which the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee unless a mutually agreed upon alternate arrangement has been previously established, which agreement shall be considered to be under the appraiser independence requirements of section 1639e of the federal Truth in Lending Act, Pub.L.90-321 (15 U.S.C. s.1639e).

C.45:14F-49 Suspension, revocation of registration.

23. a. The board may suspend or revoke any registration issued under this act, levy fines, or impose civil penalties if, after appropriate investigation, the board concludes that an appraisal management company is attempting to perform, has performed, or has attempted to perform any of the following:

(1) Any action in violation of this act or regulations adopted hereunder;

(2) Any action in violation of the "Real Estate Appraisers Act," P.L.1991, c.68 (C.45:14F-1 et seq.), or regulations adopted thereunder; or

(3) Procuring a registration for itself or any other person by fraud, misrepresentation, or deceit.

b. When deciding whether to impose a sanction, determining the sanction that is most appropriate in a specific instance, or making any other discretionary decision regarding the enforcement of this act, the board may consider whether an appraisal management company:

(1) Has an effective program reasonably designed to ensure compliance with this act;

(2) Has taken prompt and appropriate steps to correct and prevent the recurrence of any detected violations; and

(3) Has independently reported to the board any significant violations or potential violations of this act, prior to an imminent threat of disclosure or investigation and within a reasonably prompt time after becoming aware of their occurrence.

c. The board may conduct random audits of appraisal management company compliance with this act, and those audits shall be funded through the various fees charged to appraisal management companies as set forth in this act, but an appraisal management company that timely files a certification of compliance in accordance with the provisions of this act shall have a presumption of compliance if that certification is accompanied by a legal opinion letter indicating that all compliance requirements have been satisfied.

d. Whenever the board finds cause to refuse to renew, suspend or revoke any registration, or to levy a fine or impose a civil penalty, the board shall notify the registrant of the reasons therefor, in writing, and provide opportunity for a hearing in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

24. Section 3 of P.L.1991, c.68 (C.45:14F-3) is amended to read as follows:

C.45:14F-3 Real estate appraiser board created.

3. There is created within the Division of Consumer Affairs in the Department of Law and Public Safety a State Real Estate Appraiser Board. The board shall consist of 11 members who are residents of the State, two of whom shall be public members and one of whom shall be a State executive department member appointed pursuant to the provisions of section 2 of P.L.1971, c.60 (C.45:1-2.2). Of the remaining eight members, three shall be, except for those first appointed, State licensed real estate appraisers, three shall be, except for those first appointed, State certified real estate appraisers, and two shall be representatives of the appraisal management company industry, each of whom shall be State certified real estate appraisers or State licensed real estate appraisers. One representative of the appraisal management company industry shall be affiliated with an appraisal management company that is owned, in whole or in part, by a federally regulated financial institution, and one representative of the appraisal management company industry shall be affiliated with an appraisal management company that is not owned, in whole or in part, by a federally regulated financial institution. The initial real estate appraiser members of the board may hold a real estate appraisal designation from an organization recognized by the Appraisal Foundation, but these appointments shall not be granted or denied on the basis of organizational membership alone.

The Governor shall appoint the public members, the real estate appraiser members, and the representatives of the appraisal management company industry to the board with the advice and consent of the Senate.

The Governor shall appoint each member for a term of three years, except that with regard to the real estate appraiser members first appointed, two shall serve for terms of three years, two shall serve for terms of two years, and two shall serve for terms of one year. Each member shall serve until his successor has been qualified. Any vacancy in the membership of the board shall be filled for the unexpired term in the manner provided by the original appointment. No member of the board shall serve more than two successive terms in addition to any unexpired term to which he has been appointed. The Governor may remove a member of the board for cause.

25. Section 8 of P.L.1991, c.68 (C.45:14F-8) is amended to read as follows:

C.45:14F-8 Powers, duties of the board.

8. The board shall, in addition to such other powers and duties as it may possess by law:

a. Administer and enforce the provisions of P.L.1991, c.68 (C.45:14F-1 et seq.) and P.L.2017, c.72 (C.45:14F-27 et al.);

b. Examine and pass on the qualifications of all applicants for licensure or certification under P.L.1991, c.68 (C.45:14F-1 et seq.) and registration under P.L.2017, c.72 (C.45:14F-27 et al.);

c. Issue and renew licenses and certificates of real estate appraisers and registrations of real estate appraisal management companies;

d. Prescribe examinations for certification under P.L.1991, c.68 (C.45:14F-1 et seq.), which examinations shall meet the standards for certification examinations for real estate appraisers established by the Appraisal Foundation, and prescribe examinations for licensure under P.L.1991, c.68 (C.45:14F-1 et seq.) and P.L.2017, c.72 (C.45:14F-27 et al.), which examinations shall meet the standards for licensing examinations for real estate appraisers acceptable to the Appraisal Subcommittee;

e. Suspend, revoke or refuse to issue or renew a license, certificate or registration and exercise investigative powers pursuant to the provisions of P.L.1978, c.73 (C.45:1-14 et seq.) and P.L.2017, c.72 (C.45:14F-27 et al.);

f. Establish fees for applications for licensure and certification, examinations, initial licensure and certification, renewals, late renewals, temporary licenses, temporary certifications and for duplication of lost licenses or certificates, pursuant to section 2 of P.L.1974, c.46 (C.45:1-3.2) and for registration as an appraisal management company under section 9 of P.L.2017, c.72 (C.45:14F-35);

g. Establish a code of professional ethics for persons licensed or certified under P.L.1991, c.68 (C.45:14F-1 et seq.) which meets the standards established by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation, and establish rules for appraiser independence for appraisers and appraisal management companies;

h. Establish standards for the certification of real estate appraisers which meet or exceed the minimum criteria for licensure issued by the Appraisal Qualifications Board of the Appraisal Foundation, and establish standards for the licensing of real estate appraisers which meet or exceed the minimum criteria for licensure issued by the Appraisal Qualifications Board of the Appraisal Foundation;

i. Conduct hearings pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). In any hearing or investigative inquiry, the board shall have the right to administer oaths to witnesses, and shall have the power to issue subpoenas for the compulsory attendance of witnesses and the production of pertinent books, papers or records;

j. Take such action as is necessary before any board, agency or court of competent jurisdiction for the enforcement of the provisions of P.L.1991, c.68 (C.45:14F-1 et seq.) and P.L.2017, c.72 (C.45:14F-27 et al.);

k. Maintain a registry of the names and business addresses of licensees and the names and business addresses of certified individuals and the names and addresses of registered appraisal management companies, and shall forward such materials to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, and shall comply with any reporting requirements of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council promulgated by any federal agency;

l. Approve providers of real estate appraiser education courses and establish and revise experience and education requirements for the licensure and certification of real estate appraisers in this State;

m. Approve providers of real estate appraiser continuing education courses and establish and revise continuing education requirements for the renewal of licenses and certificates;

n. Adopt and promulgate rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the purposes of P.L.1991, c.68 (C.45:14F-1 et seq.), except that the initial rules and regulations shall be promulgated by the director;

o. Perform any other functions and duties which may be necessary to carry out the provisions of P.L.1991, c.68 (C.45:14F-1 et seq.); and

p. Adopt and promulgate rules and regulations by which market analyses by licensed real estate brokers, broker-salespersons and salespersons may be used as credit for experience toward licensure or certification under P.L.1991, c.68 (C.45:14F-1 et seq.).

26. Section 3 of P.L.1997, c.401 (C.45:14F-10.1) is amended to read as follows:

C.45:14F-10.1 Ineligibility, revocation of license, registration, certification; rehabilitation.

3. a. An applicant for licensure or certification under P.L.1991, c.68 (C.45:14F-1 et seq.) or registration under P.L.2017, c.72 (C.45:14F-27 et al.) shall not be eligible for licensure, certification or registration as the case may be, and any holder of a license or certification under P.L.1991, c.68 (C.45:14F-1 et seq.) or registration under P.L.2017, c.72 (C.45:14F-27 et al.) shall have his license, certification or registration revoked if the State Real Estate Appraiser Board determines, consistent with the requirements and standards of this section and section 4 of P.L.1997, c.401 (C.45:14F-10.2), that criminal history record information exists on file in the Federal Bureau of Investigation, Identification Division, or in the State Bureau of Identification in the Division of State Police, which would disqualify that individual from being licensed, certified or registered. An applicant or a holder of a license, certification or registration shall be disqualified from licensure, certification or registration if that individual's criminal history record check reveals a record of conviction of any of the following crimes and offenses:

(1) In New Jersey, any crime or disorderly persons offense during the five-year period immediately prior to the date of the application or renewal; or

(2) any crime more than five years prior to the date of the application or renewal:

(a) Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.2C:11-1 et seq., N.J.S.2C:12-1 et seq., N.J.S.2C:13-1 et seq., N.J.S.2C:14-1 et seq., or N.J.S.2C:15-1 et seq.; or

(b) Involving theft as set forth in chapter 20 of Title 2C of the New Jersey Statutes, forgery and fraudulent practices as set forth in chapter 21 of Title 2C of the New Jersey Statutes, including but not limited to money laundering as set forth in N.J.S.2C:21-25, or perjury and other falsification in official matters as set forth in chapter 28 of Title 2C of the New Jersey Statutes; or

(c) Involving any controlled dangerous substances or controlled substance analog as set forth in chapter 35 of Title 2C of the New Jersey Statutes except as set forth in paragraph (4) of subsection a. of N.J.S.2C:35-10.

(3) In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in paragraph (1) or (2) of this subsection.

For purposes of this subsection, a judgment of conviction or a plea of guilty, non vult, nolo contendere or any other such disposition of alleged criminal activity shall be deemed a conviction.

b. Notwithstanding the provisions of subsection a. of this section, no individual shall be disqualified from licensure, certification or registration on the basis of any conviction disclosed by a criminal history record check performed pursuant to this section, other than a conviction for a crime during the five-year period immediately prior to the date of the application or renewal or a crime enumerated in subparagraph (b) of paragraph (2) of subsection a. of this section, if the individual has affirmatively demonstrated to the board clear and convincing evidence of his rehabilitation. In determining whether an individual has affirmatively demonstrated rehabilitation, the following factors shall be considered:

(1) The nature and responsibility of the position which the convicted individual would hold;

(2) The nature and seriousness of the offense;

(3) The circumstances under which the offense occurred;

(4) The date of the offense;

(5) The age of the individual when the offense was committed;

(6) Whether the offense was an isolated or repeated incident;

(7) Any social conditions which may have contributed to the offense; and

(8) Any evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of persons who have had the individual under their supervision.

27. Section 4 of P.L.1997, c.401 (C.45:14F-10.2) is amended to read as follows:

C.45:14F-10.2 Information submitted by applicant, holder of license, certificate, or registration.

4. a. An applicant and holder of a license, certificate or registration shall submit to the board his name, address and fingerprints taken on stand-

ard fingerprint cards or electronically by a State or municipal law enforcement agency or authorized agent. The board is authorized to exchange fingerprint data with and receive criminal history record information from the Federal Bureau of Investigation and the Division of State Police for use in making the determinations required by section 3 of P.L.1997, c.401 (C.45:14F-10.1).

b. Upon receipt of the criminal history record information for a person from the Federal Bureau of Investigation or the Division of State Police, the board shall notify the applicant, licensee, certified individual or registrant, as applicable, in writing, of the person's qualification or disqualification for licensure, certification or registration under section 3 of P.L.1997, c.401 (C.45:14F-10.1). If the applicant, licensee, certified individual or registrant, as applicable, is disqualified, the conviction or convictions which constitute the basis for the disqualification shall be identified in the written notice.

c. The applicant, licensee, certified individual or registrant, as the case may be, shall have 30 days from the date of written notice of disqualification to petition the board for a hearing on the accuracy of the criminal history record information or to establish his rehabilitation under subsection b. of section 3 of P.L.1997, c.401 (C.45:14F-10.1). The board may refer any case arising hereunder to the Office of Administrative Law for administrative proceedings pursuant to P.L.1968, c.410 (C.52:14B-1 et seq.).

d. The board shall not maintain any individual's criminal history record information or evidence of rehabilitation submitted under this section for more than six months from the date of a final determination by the board as to the individual's qualification or disqualification to be licensed, certified or registered pursuant to the provisions of this section and section 3 of P.L.1997, c.401 (C.45:14F-10.1).

e. All costs associated with performing the criminal history check required by P.L.1997, c.401 (C.45:14F-10.1 et al.) shall be borne by the applicant for licensure, certification or registration, or the holder of any license, certification or registration.

28. Section 11 of P.L.1991 c.68 (C.45:14F-11) is amended to read as follows:

C.45:14F-11 Eligibility for certification.

11. To be eligible for certification as a general or residential real estate appraiser, an applicant shall fulfill the following requirements:

a. Be at least 18 years of age;

b. Be of good moral character;

c. Have a high school diploma or its equivalent;

d. Have real estate appraisal experience that meets the standards for experience prescribed by the Appraisal Qualifications Board of the Appraisal Foundation for the type of certificate sought;

e. Have successfully completed a course of study in real estate appraising prescribed by the board and conducted by an approved education provider, which course of study shall meet the standards for the course of study issued by the Appraisal Qualifications Board of the Appraisal Foundation for the type of certificate sought; and

f. Successfully complete a real estate appraiser certification examination administered by the board.

29. Section 15 of P.L.1991, c.68 (C.45:14F-15) is amended to read as follows:

C.45:14F-15 Issuance of license, certificate to out-of-State applicant.

15. Upon payment to the board of the prescribed fee and the submission of a written application on forms prescribed by it, the board may issue a license or certificate to any person who holds a valid license or certificate as a real estate appraiser issued by another state which meets or exceeds the minimum qualification criteria established by the Appraisal Qualifications Board of the Appraisal Foundation and the standards for licensure and certification established by this State.

30. Section 18 of P.L.1991, c.68 (C.45:14F-18) is amended to read as follows:

C.45:14F-18 Renewal of licenses, certifications.

18. a. No license shall be renewed unless the renewal applicant submits satisfactory evidence to the board that the renewal applicant has successfully completed the continuing education requirements prescribed pursuant to P.L.1991, c.68 (C.45:14F-1 et seq.). The board shall not require less than the number of hours acceptable to the Appraisal Subcommittee of the Appraisal Foundation for the continuing education of licensed real estate appraisers.

b. No certificate shall be renewed unless the renewal applicant submits satisfactory evidence to the board that the renewal applicant has successfully completed the continuing education requirements prescribed pursuant to P.L.1991, c.68 (C.45:14F-1 et seq.) for the type of certificate for which renewal is sought. The board shall not require less than the number of hours of continuing education prescribed by the Appraisal Qualifications

Board of the Appraisal Foundation as a national standard for the continuing education of certified real estate appraisers.

c. Continuing education may include classroom instruction in courses, seminars or other activities as approved by the board.

31. Section 25 of P.L.1991, c.68 (C.45:14F-25) is amended to read as follows:

C.45:14F-25 Imposition, collection of federal fees.

25. In the event that the government of the United States enacts legislation or rules requiring states to collect fees from appraisers or appraisal management companies licensed, certified or registered by those states and to remit the monies to a federal agency, the board is authorized to impose and collect these fees and may adopt rules requiring the payment of the fees by all appraisers licensed or certified pursuant to the provisions of P.L.1991, c.68 (C.45:14F-1 et seq.) or appraisal management companies registered pursuant to the provisions of P.L.2017, c.72 (C.45:14F-27 et al.).

C.45:14F-50 Rules, regulations.

32. The State Real Estate Appraiser Board shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this act within 120 days of the effective date of this act.

Repealer.

33. The following sections are repealed:
Section 12 of P.L.1991, c.68 (C.45:14F-12); and
Section 13 of P.L.1991, c.68 (C.45:14F-13).

34. This act shall take effect immediately, except that the provisions of section 6 of this act shall not take effect until 60 days after the adoption by the State Real Estate Appraiser Board of regulations to effectuate the purposes of this act.

Approved May 11, 2017.

CHAPTER 73

AN ACT concerning the membership of the pension commission of the Hudson County Employees' Pension Fund and amending R.S.43:10-10.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.43:10-10 is amended to read as follows:

Pension commission.

43:10-10. There shall be in each county of the first class a pension commission of five members, consisting of the executive officer of the county (or the director of the board of freeholders if the county has not adopted the provisions of the "Optional County Charter Law," P.L.1972, c.154 (C.40:41A-1 et seq.), the chief financial officer of the county, and two persons who are either a county employee who is an active member of the pension fund or a retired county employee who is receiving a pension under this act, R.S.43:10-1 et seq., both of whom have been nominated pursuant to rules promulgated by the pension commission and elected at a meeting held by the county employees who are members of the fund and retired county employees who currently receive a pension from the fund after 5 days' written notice of the time and place thereof has been given by the executive officer of the county to all those member employees and retired employees of the county. The active member employees and retired employees may cast written ballots by proxy. The two commission members who are either a county member employee or a retired county employee shall hold office until their successors are elected at a meeting of the employees and retirees held on the third Wednesday of December every second year, for a term of 2 years commencing January 1 following their election. The fifth member of the commission shall be a citizen of the county who is not a public officeholder in the county or any municipality therein, and shall be selected by the other four members of the commission. He shall hold office for the term of 1 year. In case of vacancy for any cause, the commission may fill it until the next election.

The commission shall hold its annual meeting between January 1 and 15 in each year and elect its president, a secretary whose compensation the commission may fix and pay out of the fund, and such other officers as it deems advisable. Notwithstanding any provision of this paragraph to the contrary, upon the adoption of a resolution by the pension commission, any person, who shall be or has been elected to the position of secretary to the pension commission for five consecutive terms may be granted tenure as secretary. Upon the adoption of such resolution, the secretary shall hold this position during good behavior and efficiency and shall not be removed

therefrom except for good cause and then only in accordance with the provisions of Title 11A (Civil Service) of the New Jersey Statutes.

The pension commission shall be known as the "county employees pension commission of the county of _____."

2. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 74

AN ACT concerning pyramid promotional schemes and supplementing Title 2A and chapter 20 of Title 2C of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.2C:20-39 Participation in pyramid promotional scheme, crime, penalties.

1. a. (1) A person is a leader of a pyramid promotional scheme if he conspires with any other person as an organizer, supervisor, financier, or manager to engage in a scheme or course of conduct by which a person gives consideration for the opportunity to receive compensation that is derived primarily from a person's introduction of another person to participate in the scheme or course of conduct rather than from the sale of a product by a person introduced into the scheme or course of conduct. Leader of a pyramid promotional scheme is a crime of the second degree. Notwithstanding the provisions of subsection a. of N.J.S.2C:43-3, the court may impose a fine not to exceed $250,000.

(2) A person is a recruiter for a pyramid promotional scheme if he solicits or induces any other person to participate in a scheme or course of conduct by which a person gives consideration for the opportunity to receive compensation that is derived primarily from a person's introduction of another person to participate in the scheme or course of conduct rather than from the sale of a product by a person introduced into the scheme or course of conduct. Recruiter for a pyramid promotional scheme is a crime of the fourth degree.

b. It is an affirmative defense to a prosecution for a violation of paragraph (1) or (2) of subsection a. of this section if the defendant proves by a preponderance of the evidence all of the following:

(1) participants in the scheme or course of conduct give consideration in return for the right to receive compensation based upon purchases of goods, services, or intangible property by participants for personal use, consumption, or resale;

(2) the scheme or course of conduct does not promote inventory loading; and

(3) the scheme or course of conduct implements an inventory repurchase program as set forth in subsection c. of this section.

c. To qualify as an inventory repurchase program for the purposes of subsection b. of this section, there shall be an enforceable agreement by the business enterprise to repurchase all unencumbered products that are in commercially resalable condition at a price not less than 90 percent of the amount actually paid by the participant for the products being returned, less any reasonable consideration as may have been received by the participant for the purchase of the products being returned. In the case of consumable or durable goods, a product is in commercially resalable condition if it is unopened, unused, and within its commercially reasonable use or shelf-life period. A product that is no longer marketed by the business enterprise because it is a discontinued, seasonal, or special promotional item shall be considered commercially resalable, unless before the participant purchased the product it was clearly disclosed to the participant and the participant acknowledged in writing that the product was sold as a discontinued, seasonal, or special promotional item and would not be returnable. In the case of service products and intangible property, including Internet websites, the unexpired portion of any contract or agreement shall be deemed commercially resalable, and the repurchase of any service products shall be on a pro rata basis. Additionally, there shall be a clear description of the inventory repurchase program in any recruiting literature or sales manual provided to participants prior to their entry into the scheme or course of conduct, and the details of the inventory repurchase program, including the manner in which the repurchase is exercised, shall be memorialized in the contract that obligated participation in the scheme or course of conduct.

d. Nothing in subsection a. of this section shall be construed to prohibit any scheme or course of conduct based solely upon the fact that participants in the scheme or course of conduct give consideration in return for the right to receive compensation based upon purchases of goods, services, or intangible property by participants for personal use, consumption, or resale.

e. Notwithstanding the provisions of N.J.S.2C:1-8, a conviction of leader of a pyramid promotional scheme shall not merge with the conviction for any offense which is the object of the conspiracy.

f. Nothing contained in this act shall prohibit the court from imposing an extended term pursuant to N.J.S.2C:43-7, nor shall this act be construed in any way to preclude or limit the prosecution or conviction of any person for conspiracy under N.J.S.2C:5-2 or for any other offense.

g. As used in this section:

"Compensation" means payment of any money, thing of value, or financial benefit.

"Consideration" means the payment of cash or the purchase of goods, services, or intangible property, but does not include the purchase of goods or services furnished at cost to be used in making sales and not for resale, or the time and effort spent in pursuit of sales or recruiting activities.

"Financier" means a person who, with the intent to derive a profit, provides money or credit or other thing of value in order to finance the operations of a scheme or course of conduct.

"Inventory" includes both goods and services, including but not limited to promotional materials, sales aids, and sales kits produced by or on behalf of the scheme or those engaged in the course of conduct that are offered to participants for purchase by the scheme or those engaged in the course of conduct.

"Inventory loading" means actions that require or encourage participants in a scheme or course of conduct to purchase inventory in an amount that exceeds that which a participant can reasonably be expected to resell for ultimate consumption or, if purchased for the participant's own use or consumption, can reasonably be expected to use or consume within a reasonable time period.

C.2A:32-2 Actions by participant to recover paid consideration, inventory repurchase program.

2. a. Notwithstanding any agreement to the contrary, a participant, other than a leader, in a pyramid promotional scheme, may declare the related sale or contract for sale void and, unless the defendant made available to the participant an inventory repurchase program as set forth in subsection b. of this section, may bring an action in a court of competent jurisdiction to recover the consideration the participant paid to participate in the scheme or course of conduct. In any action the court shall, in addition to any judgment awarded to the plaintiff, require the defendant to pay interest, reasonable attorneys' fees, and costs.

b. To qualify as an inventory repurchase program for the purposes of subsection a. of this section, there shall be an enforceable agreement by the business enterprise to repurchase all unencumbered products that are in commercially resalable condition at a price not less than 90 percent of the amount actually paid by the participant for the products being returned, less any reasonable consideration as may have been received by the participant for the purchase of the products being returned. In the case of consumable or durable goods, a product is in commercially resalable condition if it is unopened, unused, and within its commercially reasonable use or shelf-life period. A product that is no longer marketed by the business enterprise because it is a discontinued, seasonal, or special promotional item shall be considered commercially resalable, unless before the participant purchased the product it was clearly disclosed to the participant and the participant acknowledged in writing that the product was sold as a discontinued, seasonal, or special promotional item and would not be returnable. In the case of service products and intangible property, including Internet websites, the unexpired portion of any contract or agreement shall be deemed commercially resalable, and the repurchase of any service products shall be on a pro rata basis. Additionally, there shall be a clear description of the inventory repurchase program in any recruiting literature or sales manual provided to participants prior to their entry into the scheme or course of conduct, and the details of the inventory repurchase program, including the manner in which the repurchase is exercised, shall be memorialized in the contract that obligated participation in the scheme or course of conduct.

c. Nothing in subsection a. of this section shall be construed to define any scheme or course of conduct as a pyramid promotional scheme based solely upon the fact that participants in the scheme or operation give consideration in return for the right to receive compensation based upon purchases of goods, services, or intangible property by participants for personal use, consumption, or resale.

d. (1) The provisions of subsection a. of this section shall not be waived or modified by contract or agreement. Any effort to waive or modify the remedy established by subsection a. of this section through a contract for indemnification or otherwise, that is executed or renewed after the date of enactment of this act, shall be void.

(2) The rights and remedies provided under this section are independent of and supplemental to any other right or remedy for any violation or conduct provided for in any other law, and nothing contained herein shall be construed to diminish or to abrogate any such right or remedy.

e. As used in this section:

"Compensation" means payment of any money, thing of value, or financial benefit.

"Consideration" means the payment of cash or the purchase of goods, services, or intangible property, but does not include the purchase of goods or services furnished at cost to be used in making sales and not for resale, or the time and effort spent in pursuit of sales or recruiting activities.

"Financier" means a person who, with the intent to derive a profit, provides money or credit or other thing of value in order to finance the operations of a scheme or course of conduct.

"Inventory" includes both goods and services, including but not limited to promotional materials, sales aids, and sales kits produced by or on behalf of the scheme or those engaged in the course of conduct that are offered to participants for purchase by the scheme or those engaged in the course of conduct.

"Leader" is a person who conspires with any other person as an organizer, supervisor, financier, or manager.

"Pyramid promotional scheme" is any scheme or course of conduct by which a person gives consideration for the opportunity to receive compensation that is derived primarily from a person's introduction of another person to participate in the scheme or course of conduct rather than from the sale of a product by a person introduced into the scheme or course of conduct.

3. This act shall take effect on the first day of the fourth month next following enactment.

Approved May 11, 2017.

CHAPTER 75

AN ACT concerning license suspension and amending P.L.1985, c.14.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 9 of P.L.1985, c.14 (C.39:4-139.10) is amended to read as follows:

C.39:4-139.10 Failure to respond, pay parking judgment, penalties.

9. a. If a person has failed to respond to a failure to appear notice or has failed to pay a parking judgment, the municipal court may give notice of that fact to the commission in a manner prescribed by the chief administrator. If

notice has been given under this section of a person's failure to respond to a failure to appear notice or to pay a parking judgment and if the fines and penalties are paid or if the case is dismissed or otherwise disposed of, the municipal court shall promptly give notice to that effect to the commission.

b. The judge or the commission may suspend the driver's license, or the registration of the motor vehicle of an owner, lessee, or operator who has not answered or appeared in response to a failure to appear notice or has not paid or otherwise satisfied outstanding parking fines or penalties.

If the license or registration suspension is the result of the failure to pay outstanding parking fines or penalties, or respond to a failure to appear notice, the commission shall:

(1) delay the imposition of the license or registration suspension for at least 30 days after the date on which the commission received a notice of suspension from the municipal court; and

(2) upon receipt of a notice of suspension from the municipal court, provide written notice advising the owner, lessee, or operator that the suspension shall take effect 30 days after the date of the commission's notice. The written notice issued by the commission shall provide the reason for suspension, identify the municipal court that issued the notice of suspension, and inform the owner, lessee, or operator that the suspension may be avoided by contacting the municipal court that issued the notice of suspension within the 30 day period to resolve the pending parking violation.

If an owner, lessee or operator has been found guilty of a parking offense and has failed to pay or otherwise satisfy outstanding parking fines or penalties, the court shall provide notice and an opportunity to appear before a judge prior to suspending that person's driver's license or motor vehicle registration. In determining whether to suspend the person's driver's license or the motor vehicle registration, the judge and the commission shall take into consideration the area where the person resides and whether or not the person has access to off-street parking. In accordance with section 1 of P.L.1981, c.365 (C.39:4-203.1) and section 1 of P.L.2009, c.317 (C.2B:12-23.1), a court may permit alternatives to the payment of certain outstanding portions of parking fines and penalties based on a person's ability to pay, including allowing the payment of the fine in installments, conversion of the fine to community service, or revoking portions of the fine or penalty.

When a person whose license or registration has been suspended appears at court proceedings or otherwise resolves pending parking violations, or pays or otherwise satisfies all parking fines or penalties, the municipal court shall provide the person with a receipt of payment and shall give electronic notice to the commission that the person's obligations have been sat-

isfied and the suspension ordered by the court shall not be imposed. If, prior to the effective date of the suspension by the commission, the person submits the receipt of payment to the commission or the commission receives the electronic notice stating that the person's obligations have been satisfied, the commission shall not suspend the person's license or registration. If the commission receives the receipt or electronic notice after the effective date of the suspension, the person shall seek the restoration of the license or registration through procedures adopted by the commission.

c. The commission shall keep a record of a suspension ordered by the court pursuant to subsection b. of this section.

2. This act shall take effect on the first day of the seventh month following enactment and shall apply to parking violations that occur after that date.

Approved May 11, 2017.

CHAPTER 76

AN ACT concerning certain students enrolled in the Marie H. Katzenbach school for the deaf and supplementing chapter 61 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:61-6 Certain students enrolled in Marie H. Katzenbach school for the deaf permitted to operate State vehicles for driver education.

1. a. Notwithstanding any provision of law, rule, or regulation to the contrary, a student enrolled in the Marie H. Katzenbach school for the deaf may operate a State vehicle for purposes of behind-the-wheel instruction as part of the school's regular curriculum driver education course.

b. A student enrolled in the school shall be deemed a "public employee" or "State employee" for purposes of the "New Jersey Tort Claims Act," N.J.S.59:1-1 et seq., when operating a State vehicle for purposes of behind-the-wheel instruction as part of the school's regular curriculum driver education course.

2. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 77

AN ACT concerning certain decisions of the Board of Public Utilities and amending P.L.1991, c.428 and P.L.1983, c.454.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 4 of P.L.1991, c.428 (C.48:2-21.19) is amended to read as follows:

C.48:2-21.19 Competitive services, rates not regulated; conditions.

4. a. (1) Notwithstanding the provisions of R.S.48:2-18, R.S.48:2-21, section 31 of P.L.1962, c.198 (C.48:2-21.2), R.S.48:3-1, or any other law to the contrary, the board shall not regulate, fix, or prescribe the rates, tolls, charges, rate structures, terms and conditions of service, rate base, rate of return, and cost of service, of competitive services.

(2) The board shall not require the local exchange telecommunications company or interexchange telecommunications carrier to file and maintain tariffs for retail competitive services, but shall require any terms and conditions of retail competitive services to be made available for public inspection on the Internet website of any local exchange telecommunications company or interexchange telecommunications carrier providing those services, and a printed copy of those terms and conditions shall be provided upon the request of a customer. Nothing in this section shall affect the ability of a local exchange telecommunications company or interexchange telecommunications carrier, in their discretion, to file tariffs with the board.

b. The board is authorized to determine, after notice and public hearing, whether a telecommunications service is a competitive service. In making that determination, the board shall develop standards of competitive service which, at a minimum, shall include: evidence of ease of market entry; presence of other competitors; and the availability of like or substitute services in the relevant geographic area. A final decision or order pursuant to this subsection shall be made within 12 months of the final public hearing held to determine whether a telecommunications service is a competitive service. If the board has not adopted a final decision or order within 12 months of the final public hearing, the board shall hold an additional public hearing before adopting a final decision or order. The board shall not make a determination pursuant to this subsection unless a public hearing has been held in the previous 12 months to determine whether a telecommunications service is a competitive service.

c. The board may determine, by rule, order, or in accordance with the provisions of a plan filed pursuant to subsection a. of section 3 of P.L.1991, c.428 (C.48:2-21.18), what reports are necessary to monitor the competitiveness of any telecommunications service.

d. The board shall have the authority to reclassify any telecommunications service that it has previously found to be competitive if, after notice and public hearing, it determines that sufficient competition is no longer present, upon application of the criteria set forth in subsection b. of this section. Upon that reclassification, the provisions of subsection a. of this section shall no longer apply and the board may determine such rates for that telecommunications service which it finds to be just and reasonable. The board, however, shall continue to monitor the telecommunications service and, whenever the board shall find that the telecommunications service has again become sufficiently competitive pursuant to subsection b. of this section, the board shall again apply the provisions of subsection a. of this section. A final decision or order pursuant to this subsection shall be made within 12 months of the final public hearing held to determine whether a telecommunications service is a competitive service. If the board has not adopted a final decision or order within 12 months of the final public hearing, the board shall hold an additional public hearing before adopting a final decision or order. The board shall not make a reclassification pursuant to this subsection unless a public hearing has been held in the previous 12 months to determine whether a telecommunications service is a competitive service.

e. Notwithstanding the provisions of subsection a. of this section, the following safeguards shall apply to the offering of any competitive service by a local exchange telecommunications company:

(1) the local exchange telecommunications company shall unbundle each noncompetitive service which is incorporated in the competitive service and shall make all noncompetitive services separately available to any customer under tariffed terms and conditions, including price, that are identical to those used by the local exchange telecommunications company in providing its competitive service;

(2) the rate which a local exchange telecommunications company charges for a competitive service shall exceed the rates charged to others for any noncompetitive services used by the local exchange telecommunications company to provide the competitive service;

(3) tariffs for competitive services that may be filed with the board shall either be in the public records, or, if the board determines that the rates are proprietary, shall be filed under seal and made available under the

terms of an appropriate protective agreement, such as those used in cases before the board; and

(4) nothing in P.L.1991, c.428 (C.48:2-21.16 et seq.) shall limit the authority of the board, pursuant to R.S.48:3-1, to ensure that local exchange telecommunications companies do not make or impose unjust preferences, discriminations, or classifications for noncompetitive services.

2. Section 2 of P.L.1983, c.454 (C.48:2-32.6) is amended to read as follows:

C.48:2-32.6 Public hearings.

2. a. (1) The provisions of any other law, rule, regulation, or order to the contrary notwithstanding, the board, or the Office of Administrative Law acting pursuant to subsection (c) of section 10 of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-10(c)), shall conduct as many of its public hearings held to review applications by public utilities other than municipal, county, or other local government owned companies not subject to the jurisdiction of the board for significant increases, changes, or alterations in their rate schedules, in the service area of the applicant as the board deems necessary or appropriate to afford the affected ratepayers the opportunity to monitor the decision-making process by which the rates are set. At least two public hearings shall be held in the service area with respect to any application except that, if substantial portions of the service area are located in more than one geographic region of the State, then at least two public hearings shall be held in the service area located in each of those geographic regions, under the terms and conditions specified in this subsection. One of the public hearings held in the service area, or one of the hearings held in each geographic area, as the case may be, shall be a hearing in which petitioners, respondents, and intervenors are parties. At the second hearing required by the provisions of this subsection, statements by objectors shall be permitted. All public hearings held pursuant to the provisions of this subsection shall be held at places which are easily accessible to the public with at least one hearing held during evening hours.

(2) As used in this subsection, "public utility" means "public utility" as defined in R.S.48:2-13.

b. On the day that the final public hearing is to be held in connection with any application, after which the recommended report and decision is to be filed in accordance with subsection (c) of section 10 of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-10(c)), the administrative law judge or the board, as the case may be, may require the parties to the

proceedings to present a summary statement of their cases or defenses. After the presentation, statements by the objectors shall be permitted in order to accord persons not parties to the proceedings an opportunity to participate in the proceedings. If no presentation is made, objector's statements shall be permitted in any event before the conclusion of the hearing. The final public hearing shall be held in the service area.

3. Section 3 of P.L.1983, c.454 (C.48:2-32.7) is amended to read as follows:

C.48:2-32.7 Final decision or order.

3. a. The board shall adopt a final decision or order with respect to an application under section 2 of P.L.1983, c.454 (C.48:2-32.6) at a public meeting, in accordance with subsection (d) of section 10 of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-10(d)). Each member of the board shall individually state the reason for the member's decision on the application either at the public meeting or in a written document, which document shall be available to the public upon request.

b. A final decision or order pursuant to subsection a. of this section shall be made within 12 months of the final public hearing held to review an application under section 2 of P.L.1983, c.454 (C.48:2-32.6). If the board has not adopted a final decision or order within 12 months of the final public hearing, the board shall hold an additional public hearing before adopting a final decision or order. A final decision or order shall not be adopted pursuant to subsection a. of this section unless a public hearing to review an application has been held in the previous 12 months.

4. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 78

AN ACT concerning tourism and military history in the State and supplementing chapter 3 of Title 38A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.38A:3-50 Online historic tour identifying locations of war battles, places of historic military significance.

1. a. The Department of Military and Veterans' Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act.

2. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 79

AN ACT concerning the election of the Board of Island Managers of Burlington Island and amending P.L.1852, c.85.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 1 of P.L.1852, c.85 is amended to read as follows:

1. That on the first Monday in April next ensuing the approval of P.L.1852, c.85 (or on such other day as may be hereafter fixed by law for the election of district trustees of public schools under the laws of this state), and between the hours of two and five o'clock in the afternoon of said day, there shall be chosen at an election, in like manner as other city elections, at the city hall, in the city of Burlington, by such citizens of said city as are qualified to vote at any city election, seven persons, being citizens of said city, as managers of the school fund for the education of youth within the same, which election shall be by written or printed ballots, or partly printed and partly written; and the persons so elected shall meet within five days after their election, and divide themselves into classes by lot; the seats of the first class, consisting of two of the persons elected, shall be vacated at the expiration of the first year; the seats of the second class, also consisting of two of the persons elected, shall be vacated at the end of the second year; and the seats of the third class, consisting of three of the persons elected, shall be vacated at the expiration of the third year, so that one class of said managers shall be chosen, at each and every annual election thereafter, for the term of three years, to take the place of the class whose term of office shall then expire, which said annual election shall be held simultaneously with the general election on the first Tuesday after the first Monday in November, at the same place or places, and conducted in the same manner, so far as possible, as other municipal elections; and there shall also be chosen, on the first Monday in April next ensuing the approval of P.L.1852, c.85, and at each and every general election held on the first Tuesday after the first Monday in November next following approval of P.L.2017, c.79 by at least 90 days, one fit person as treasurer of said school fund, of like qualifications as the said managers, who, before he shall enter upon the discharge of his duties, shall give bond, with good and sufficient sureties, to the inhabitants of the city of Burlington, which said bond shall be approved by the common council of said city: the said the managers and treasurer, and their successors, chosen annually as aforesaid, are hereby constituted a body politic and corporate, in fact, name, and law, to all intents and purposes, for ever, and shall be called and known by the name of "the Managers and Treasurer of the School Fund for the Education of Youth in the city of Burlington," and, by that name, they shall have perpetual succession. In the first three years following approval of P.L.2017, c.79 by the Legislature, the managers of the school fund shall continue to hold office for the remainder of their unexpired term and until their successors have

been elected and qualified at the general election on the first Tuesday after the first Monday in November.

2. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 80

AN ACT concerning alcoholic beverage manufacturers and amending R.S.33:1-10.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.33:1-10 is amended to read as follows:

Class A licenses; subdivisions; fees.

33:1-10. Class A licenses shall be subdivided and classified as follows:

Plenary brewery license. 1a. The holder of this license shall be entitled, subject to rules and regulations, to brew any malt alcoholic beverages and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse; provided, however, that the delivery of this product by the holder of this license to retailers licensed under this title shall be from inventory in a warehouse located in this State which is operated under a plenary brewery license. The fee for this license shall be $10,625.

Limited brewery license. 1b. The holder of this license shall be entitled, subject to rules and regulations, to brew any malt alcoholic beverages in a quantity to be expressed in said license, dependent upon the following fees and not in excess of 300,000 barrels of 31 fluid gallons capacity per year and to sell and distribute this product to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse; provided, however, that the delivery of this product by the holder of this license to retailers licensed under this title shall be from inventory in a warehouse located in this State which is operated under a limited brewery license. The holder of this license shall

be entitled to sell this product at retail to consumers on the licensed premises of the brewery for consumption on the premises, but only in connection with a tour of the brewery, or for consumption off the premises in a quantity of not more than 15.5 fluid gallons per person, and to offer samples for sampling purposes only pursuant to an annual permit issued by the director. The holder of this license shall not sell food or operate a restaurant on the licensed premises. The fee for this license shall be graduated as follows:

to so brew not more than 50,000 barrels of 31 liquid gallons capacity per annum, $1,250;

to so brew not more than 100,000 barrels of 31 fluid gallons capacity per annum, $2,500;

to so brew not more than 200,000 barrels of 31 fluid gallons capacity per annum, $5,000;

to so brew not more than 300,000 barrels of 31 fluid gallons capacity per annum, $7,500.

For the purposes of this subsection, "sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding four ounces of any malt alcoholic beverage. For the purposes of this subsection, "product" means any malt alcoholic beverage that is produced on the premises licensed under this subsection.

Restricted brewery license. 1c. The holder of this license shall be entitled, subject to rules and regulations, to brew any malt alcoholic beverages in a quantity to be expressed in such license not in excess of 10,000 barrels of 31 gallons capacity per year. Notwithstanding the provisions of R.S.33:1-26, the director shall issue a restricted brewery license only to a person or an entity which has identical ownership to an entity which holds a plenary retail consumption license issued pursuant to R.S.33:1-12, provided that such plenary retail consumption license is operated in conjunction with a restaurant regularly and principally used for the purpose of providing meals to its customers and having adequate kitchen and dining room facilities, and that the licensed restaurant premises is immediately adjoining the premises licensed under this subsection. The holder of this license shall be entitled to sell or deliver the product to that restaurant premises. The holder of this license also shall be entitled to sell and distribute the product to wholesalers licensed in accordance with this chapter. The fee for this license shall be $1,250, which fee shall entitle the holder to brew up to 1,000 barrels of 31 liquid gallons per annum. The licensee also shall pay an additional $250 for every additional 1,000 barrels of 31 fluid gallons produced. The fee shall be paid at the time of application for the license, and additional payments based on barrels produced shall be paid within 60 days follow-

ing the expiration of the license term upon certification by the licensee of the actual gallons brewed during the license term. No more than 10 restricted brewery licenses shall be issued to a person or entity which holds an interest in a plenary retail consumption license. If the governing body of the municipality in which the licensed premises will be located should file a written objection, the director shall hold a hearing and may issue the license only if the director finds that the issuance of the license will not be contrary to the public interest. All fees related to the issuance of both licenses shall be paid in accordance with statutory law. The provisions of this subsection shall not be construed to limit or restrict the rights and privileges granted by the plenary retail consumption license held by the holder of the restricted brewery license issued pursuant to this subsection.

The holder of this license shall be entitled to offer samples of its product for promotional purposes at charitable or civic events off the licensed premises pursuant to an annual permit issued by the director.

For the purposes of this subsection, "sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding four ounces of any malt alcoholic beverage product. For the purposes of this subsection, "product" means any malt alcoholic beverage that is produced on the premises licensed under this subsection.

Plenary winery license. 2a. Provided that the holder is engaged in growing and cultivating grapes or fruit used in the production of wine on at least three acres on, or adjacent to, the winery premises, the holder of this license shall be entitled, subject to rules and regulations, to produce any fermented wines, and to blend, fortify and treat wines, and to sell and distribute his products to wholesalers licensed in accordance with this chapter and to churches for religious purposes, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse, and to sell his products at retail to consumers on the licensed premises of the winery for consumption on or off the premises and to offer samples for sampling purposes only. The fee for this license shall be $938. A holder of this license who produces not more than 250,000 gallons per year shall also have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution. The fee for this additional privilege shall be graduated as follows: a licensee who manufactures more than 150,000 gallons, but not in excess of 250,000 gallons per annum, $1,000; a licensee who manufactures more than 100,000 gallons, but not in excess of 150,000 gallons per annum, $500; a licensee who manufactures more than 50,000 gallons, but not in

excess of 100,000 gallons per annum, $250; a licensee who manufactures 50,000 gallons or less per annum, $100. A holder of this license who produces not more than 250,000 gallons per year shall have the right to sell such wine at retail in original packages in 15 salesrooms apart from the winery premises for consumption on or off the premises and for sampling purposes for consumption on the premises, at a fee of $250 for each salesroom. Licensees shall not jointly control and operate salesrooms. Additionally, the holder of this license who produces not more than 250,000 gallons per year may ship not more than 12 cases of wine per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of wine shall not exceed a maximum of nine liters. A copy of the original invoice shall be available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises of the winery. For the purposes of this subsection, "sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding one and one-half ounces of any wine.

A holder of this license who produces not more than 250,000 gallons per year shall not own, either in whole or in part, or hold, either directly or indirectly, any interest in a winery that produces more than 250,000 gallons per year. In addition, a holder of this license who produces more than 250,000 gallons per year shall not own, either in whole or in part, or hold, either directly or indirectly, any interest in a winery that produces not more than 250,000 gallons per year. For the purposes of this subsection, "product" means any wine that is produced, blended, fortified, or treated by the licensee on its licensed premises situated in the State of New Jersey. For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Farm winery license. 2b. The holder of this license shall be entitled, subject to rules and regulations, to manufacture any fermented wines and fruit juices in a quantity to be expressed in said license, dependent upon the following fees and not in excess of 50,000 gallons per year and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter and to churches for religious purposes and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse and to sell at retail to consumers for consumption on or off the licensed premises and to offer samples for sampling purposes only. The license shall be issued only when the winery at which such fermented wines and fruit juices are manufactured is located and constructed upon a tract of land exclusively under the control

of the licensee, provided that the licensee is actively engaged in growing and cultivating an area of not less than three acres on or adjacent to the winery premises and on which are growing grape vines or fruit to be processed into wine or fruit juice; and provided, further, that for the first five years of the operation of the winery such fermented wines and fruit juices shall be manufactured from at least 51 percent grapes or fruit grown in the State and that thereafter they shall be manufactured from grapes or fruit grown in this State at least to the extent required for labeling as "New Jersey Wine" under the applicable federal laws and regulations. The containers of all wine sold to consumers by such licensee shall have affixed a label stating such information as shall be required by the rules and regulations of the Director of the Division of Alcoholic Beverage Control. The fee for this license shall be graduated as follows: to so manufacture between 30,000 and 50,000 gallons per annum, $375; to so manufacture between 2,500 and 30,000 gallons per annum, $250; to so manufacture between 1,000 and 2,500 gallons per annum, $125; to so manufacture less than 1,000 gallons per annum, $63. No farm winery license shall be held by the holder of a plenary winery license or be situated on a premises licensed as a plenary winery.

The holder of this license shall also have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution. The fee for this additional privilege shall be $100. The holder of this license shall have the right to sell his products in original packages at retail to consumers in 15 salesrooms apart from the winery premises for consumption on or off the premises, and for sampling purposes for consumption on the premises, at a fee of $250 for each salesroom. Licensees shall not jointly control and operate salesrooms. Additionally, the holder of this license may ship not more than 12 cases of wine per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of wine shall not exceed a maximum of nine liters. A copy of the original invoice shall be available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises of the winery. For the purposes of this subsection, "sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding one and one-half ounces of any wine.

A holder of this license who produces not more than 250,000 gallons per year shall not own, either in whole or in part, or hold, either directly or indirectly, any interest in a winery that produces more than 250,000 gallons per year.

Unless otherwise indicated, for the purposes of this subsection, with respect to farm winery licenses, "manufacture" means the vinification, aging, storage, blending, clarification, stabilization and bottling of wine or juice from New Jersey fruit to the extent required by this subsection.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Wine blending license. 2c. The holder of this license shall be entitled, subject to rules and regulations, to blend, treat, mix, and bottle fermented wines and fruit juices with non-alcoholic beverages, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be $625.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Instructional winemaking facility license. 2d. The holder of this license shall be entitled, subject to rules and regulations, to instruct persons in and provide them with the opportunity to participate directly in the process of winemaking and to directly assist such persons in the process of winemaking while in the process of instruction on the premises of the facility. The holder of this license also shall be entitled to manufacture wine on the premises not in excess of an amount of 10 percent of the wine produced annually on the premises of the facility, which shall be used only to replace quantities lost or discarded during the winemaking process, to maintain a warehouse, and to offer samples produced by persons who have received instruction in winemaking on the premises by the licensee for sampling purposes only on the licensed premises for the purpose of promoting winemaking for personal or household use or consumption. Wine produced on the premises of an instructional winemaking facility shall be used, consumed or disposed of on the facility's premises or distributed from the facility's premises to a person who has participated directly in the process of winemaking for the person's personal or household use or consumption. The holder of this license may sell mercantile items traditionally associated with winemaking and novelty wearing apparel identified with the name of the establishment licensed under the provisions of this section. The holder of this license may use the licensed premises for an event or affair, including an event or affair at which a plenary retail consumption licensee serves alcoholic beverages in compliance with all applicable statutes and regulations promulgated by the director. The fee for this license shall be $1,000. For the purposes of this subsection, "sampling" means the gratuitous offer-

ing of an open container not exceeding one and one-half ounces of any wine.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Out-of-State winery license. 2e. Provided that the applicant does not produce more than 250,000 gallons of wine per year, the holder of a valid winery license issued in any other state may make application to the director for this license. The holder of this license shall have the right to sell and distribute his products to wholesalers licensed in accordance with this chapter and to sell such wine at retail in original packages in 16 salesrooms apart from the winery premises for consumption on or off the premises at a fee of $250 for each salesroom. Licensees shall not jointly control and operate salesrooms. The annual fee for this license shall be $938. A copy of a current license issued by another state shall accompany the application. The holder of this license also shall have the right to sell and distribute his products to retailers licensed in accordance with this chapter, except that the holder of this license shall not use a common carrier for such distribution. The fee for this additional privilege shall be graduated as follows: a licensee who manufactures more than 150,000 gallons, but not in excess of 250,000 gallons per annum, $1,000; a licensee who manufactures more than 100,000 gallons, but not in excess of 150,000 gallons per annum, $500; a licensee who manufactures more than 50,000 gallons, but not in excess of 100,000 gallons per annum, $250; a licensee who manufactures 50,000 gallons or less per annum, $100. Additionally, the holder of this license may ship not more than 12 cases of wine per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of wine shall not exceed a maximum of nine liters. A copy of the original invoice shall be available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises of the winery.

The licensee shall collect from the customer the tax due on the sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) and shall pay the tax due on the delivery of alcoholic beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-1 et seq. The Director of the Division of Taxation in the Department of the Treasury shall promulgate such rules and regulations necessary to effectuate the provisions of this paragraph, and may provide by regulation for the co-administration of the tax due on the delivery of alcoholic beverages pursuant to the "Alcoholic beverage tax law," R.S.54:41-1 et seq. with the administration of the tax

due on the sale pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.).

A holder of this license who produces not more than 250,000 gallons per year shall not own, either in whole or in part, or hold, either directly or indirectly, any interest in a winery that produces more than 250,000 gallons per year.

For the purposes of this subsection, "wine" shall include "hard cider" and "mead" as defined in this section.

Cidery and meadery license. 2f. The holder of this license shall be entitled, subject to rules and regulations, to manufacture hard cider and mead and to sell and distribute these products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The holder of this license shall be entitled to sell these products at retail to consumers on the licensed premises for consumption on or off the premises and to offer samples for sampling purposes only. The holder of this license shall be permitted to offer for sale or make the gratuitous offering of packaged crackers, chips, nuts, and similar snacks to consumers, but shall not operate a restaurant on the licensed premises. The fee for this license shall be $938.

The holder of this license shall be entitled to manufacture hard cider in a quantity not to exceed 50,000 barrels of 31 fluid gallons capacity per year. With respect to the sale and distribution of hard cider to a wholesaler, the licensee shall be subject to the same statutory and regulatory requirements as a brewer, and hard cider shall be considered a malt alcoholic beverage, for the purposes of the "Malt Alcoholic Beverage Practices Act," P.L.2005, c.243 (C.33:1-93.12 et seq.). The holder of this license shall not directly ship hard cider either within or without this State.

The holder of this license shall be entitled to manufacture not more than 250,000 gallons of mead per year. The holder of this license may ship not more than 12 cases of mead per year, subject to regulation, to any person within or without this State over 21 years of age for personal consumption and not for resale. A case of mead shall not exceed a maximum of nine liters. A copy of the original invoice shall be available for inspection by persons authorized to enforce the alcoholic beverage laws of this State for a minimum period of three years at the licensed premises.

As used in this subsection:

"Hard cider" means a fermented alcoholic beverage derived primarily from apples, pears, apple juice concentrate and water, or pear juice concentrate and water, which may include spices, herbs, honey, or other flavoring,

and which contains at least one half of one percent but less than eight and one half percent alcohol by volume.

"Mead" means an alcoholic beverage primarily made from honey, water, and yeast, and which may contain fruit, fruit juices, spices, or herbs added before or after fermentation has completed, except that the ratio of fermentable sugars from fruit or fruit juices shall not exceed 49 percent of the total fermentable sugars used to produce mead.

"Sampling" means the selling at a nominal charge or the gratuitous offering of an open container not exceeding four ounces of hard cider or mead produced on the licensed premises.

Plenary distillery license. 3a. The holder of this license shall be entitled, subject to rules and regulations, to manufacture any distilled alcoholic beverages and rectify, blend, treat and mix, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be $12,500.

Limited distillery license. 3b. The holder of this license shall be entitled, subject to rules and regulations, to manufacture and bottle any alcoholic beverages distilled from fruit juices and rectify, blend, treat, mix, compound with wine and add necessary sweetening and flavor to make cordial or liqueur, and to sell and distribute to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution and to warehouse these products. The fee for this license shall be $3,750.

Supplementary limited distillery license. 3c. The holder of this license shall be entitled, subject to rules and regulations, to bottle and rebottle, in a quantity to be expressed in said license, dependent upon the following fees, alcoholic beverages distilled from fruit juices by such holder pursuant to a prior plenary or limited distillery license, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be graduated as follows: to so bottle and rebottle not more than 5,000 wine gallons per annum, $313; to so bottle and rebottle not more than 10,000 wine gallons per annum, $625; to so bottle and rebottle without limit as to amount, $1,250.

Craft distillery license. 3d. The holder of this license shall be entitled, subject to rules and regulations, to manufacture not more than 20,000 gallons of distilled alcoholic beverages, to rectify, blend, treat and mix distilled

alcoholic beverages, to sell and distribute this product to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The holder of this license shall be entitled to sell this product at retail to consumers on the licensed premises of the distillery for consumption on the premises, but only in connection with a tour of the distillery, and for consumption off the premises in a quantity of not more than five liters per person. In addition, the holder of this license may offer any person not more than three samples per calendar day for sampling purposes only. For the purposes of this subsection, "sampling" means the gratuitous offering of an open container not exceeding one-half ounce serving of distilled alcoholic beverage produced on the distillery premises. Nothing in this subsection shall be deemed to permit the direct shipment of distilled spirits either within or without this State.

The holder of this license shall not sell food or operate a restaurant on the licensed premises. A holder of this license who certifies that not less than 51 percent of the raw materials used in the production of distilled alcoholic beverages under this section are grown in this State or purchased from providers located in this State may, consistent with all applicable federal laws and regulations, label these distilled alcoholic beverages as "New Jersey Distilled." The fee for this license shall be $938.

Rectifier and blender license. 4. The holder of this license shall be entitled, subject to rules and regulations, to rectify, blend, treat and mix distilled alcoholic beverages, and to fortify, blend, and treat fermented alcoholic beverages, and prepare mixtures of alcoholic beverages, and to sell and distribute his products to wholesalers and retailers licensed in accordance with this chapter, and to sell and distribute without this State to any persons pursuant to the laws of the places of such sale and distribution, and to maintain a warehouse. The fee for this license shall be $7,500.

Bonded warehouse bottling license. 5. The holder of this license shall be entitled, subject to rules and regulations, to bottle alcoholic beverages in bond on behalf of all persons authorized by federal and State law and regulations to withdraw alcoholic beverages from bond. The fee for this license shall be $625. This license shall be issued only to persons holding permits to operate Internal Revenue bonded warehouses pursuant to the laws of the United States.

The provisions of section 21 of P.L.2003, c.117 amendatory of this section shall apply to licenses issued or transferred on or after July 1, 2003, and to license renewals commencing on or after July 1, 2003.

2. This act shall take effect on the first day of the fourth month next following enactment, but the Director of the Division of Alcoholic Beverage Control may take any anticipatory action in advance as shall be necessary for the implementation of this act.

Approved May 11, 2017.

CHAPTER 81

AN ACT concerning baby monitor security features and supplementing P.L.1960, c.39 (C.56:8-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.56:8-207 Certain baby monitors required to include security features.

1. a. A baby monitor that broadcasts audio or video through an Internet connection and is manufactured, sold, offered for sale, or distributed in this State shall:

(1) provide end-to-end encryption;

(2) provide Certificate-based Authentication for manufacturer access when obtaining updates, registering, or relaying audio or video between Internet servers;

(3) prohibit unauthenticated access, including prohibiting implied third-party trusted access;

(4) prevent a consumer from disabling security measures; and

(5) include conspicuous and easily understandable instructions supplied by the manufacturer notifying consumers about the proper use of the baby monitor and its security enhancement.

b. It shall be an unlawful practice and a violation of P.L.1960, c.39 (C.56:8-1 et seq.) to manufacture, sell, offer for sale, or distribute any baby monitor that does not meet the requirements of subsection a. of this section.

c. The Director of the Division of Consumer Affairs in the Department of Law and Public Safety, in consultation with the Commissioner of Children and Families, shall adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations necessary to effectuate the purposes of this act.

d. For the purposes of this section, "baby monitor" means a device that is marketed exclusively for the purpose of broadcasting audio or video of an infant or child. The term shall not include a multi-functional device

such as a smart phone, digital video camera, security camera, or other similar device.

2. This act shall take effect on the first day of the 19th month next following the date of enactment.

Approved May 11, 2017.

CHAPTER 82

AN ACT concerning the regulation of guaranteed asset protection waivers and supplementing Title 17 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.17:16BB-1 Purpose of act.

1. a. The purpose of this act is to provide a framework within which guaranteed asset protection waivers are defined and may be offered within this State.

b. This act shall not apply to:

(1) An insurance policy offered by an insurer under the insurance laws of this State; or

(2) A debt cancellation or debt suspension contract being offered in compliance with 12 C.F.R. Part 37 or 12 C.F.R. Part 721 or other federal law.

c. Guaranteed asset protection waivers governed under this act are not insurance and are exempt from the insurance laws of this State. Persons marketing, selling or offering to sell guaranteed asset protection waivers to borrowers that comply with this act shall be exempt from this State's licensing requirements provided in the "New Jersey Insurance Producer Licensing Act of 2001," P.L.2001, c.210 (C.17:22A-26 et seq.).

C.17:16BB-2 Definitions relative to guaranteed asset protection waivers.

2. As used in this act:

"Administrator" means a person, other than an insurer or creditor, that performs administrative or operational functions pursuant to a guaranteed asset protection waiver program.

"Borrower" means a debtor, retail buyer or lessee, under a finance agreement.

"Commissioner" means the Commissioner of Banking and Insurance.

"Creditor" means:

(1) the lender in a loan or credit transaction;

(2) the lessor in a lease transaction;

(3) a dealer of motor vehicles that provides credit to retail buyers of motor vehicles, provided that the dealer complies with the provisions of this act;

(4) the seller in commercial retail installment sales transactions; or

(5) the assignees of any of the foregoing to whom the credit obligation is payable.

"Department" means the Department of Banking and Insurance.

"Finance agreement" means a loan, lease or retail installment sales contract for the purchase or lease of a motor vehicle.

"Free look period" means the period of time from the effective date of the GAP waiver until the date the borrower may cancel the contract without penalty, fees or costs to the borrower, which period shall not be less than 30 days.

"Guaranteed asset protection waiver" or "GAP waiver" means a contractual agreement wherein a creditor agrees for a separate charge to cancel or waive all or part of the amount due on a borrower's finance agreement in the event of a total physical damage loss or unrecovered theft of the motor vehicle, which agreement shall be part of, or a separate addendum to, the finance agreement.

"Insurer" means an insurance company licensed, registered, or otherwise authorized to do business under the laws of this State.

"Motor vehicle" means self-propelled or towed vehicles designed for personal or commercial use, including but not limited to automobiles, trucks, motorcycles, recreational vehicles, all-terrain vehicles, snowmobiles, campers, boats, personal watercraft, and motorcycle, boat, camper and personal watercraft trailers.

"Person" includes an individual, company, association, organization, partnership, business trust, corporation, and every form of legal entity.

The terms defined in this section are defined for purposes of this act and are not intended to provide actual terms required in guaranteed asset protection waivers.

C.17:16BB-3 Conditions for offer of GAP waiver.

3. a. A GAP waiver may be offered, sold or provided to borrowers in this State in compliance with the provisions of this act.

b. A GAP waiver may, at the option of the creditor, be sold for a single payment or may be offered with a monthly or periodic payment option.

c. Notwithstanding any other provision of law, any cost to the borrower for a GAP waiver entered into in compliance with the Truth in Lend-

ing Act (15 U.S.C. s.1601 et seq.) and its implementing regulations, as they may be amended from time to time, shall be separately stated and shall not be considered a finance charge or interest.

d. A dealer of motor vehicles shall insure its GAP waiver obligations under a contractual liability or other insurance policy issued by an insurer. A creditor, other than a dealer, may insure its GAP waiver obligations under a contractual liability policy or other policy issued by an insurer. Any insurance policy may be directly obtained by a creditor, dealer, or may be procured by an administrator to cover a creditor's or dealer's obligations. However, dealers that are lessors of motor vehicles are not required to insure obligations related to GAP waivers on those leased vehicles.

e. The GAP waiver shall remain a part of the finance agreement upon the assignment, sale or transfer of that finance agreement by the creditor.

f. Neither the extension of credit, the terms of the credit, nor the terms of the related motor vehicle sale or lease may be conditioned upon the purchase of a GAP waiver.

g. Any creditor that offers a GAP waiver shall report the sale of, and forward funds received on, all waivers to the designated party, if any, as prescribed in any applicable administrative services agreement, contractual liability policy, other insurance policy or other specified program documents.

h. Funds received or held by a creditor or administrator and belonging to an insurer, creditor or administrator, pursuant to the terms of a written agreement shall be held by that creditor or administrator in a fiduciary capacity.

i. The total physical damage loss of a borrower's motor vehicle shall be determined in accordance with the terms of the borrower's primary motor vehicle insurance policy. In instances in which the borrower has no primary motor vehicle insurance or in which the primary motor vehicle insurer is insolvent at the time of loss, then a total loss shall be determined in accordance with the terms of the GAP waiver.

C.17:16BB-4 Obligations of insurer.

4. a. Contractual liability or other insurance policies insuring GAP waivers shall state the obligation of the insurer to reimburse or pay to the creditor any sums the creditor is legally obligated to waive under the GAP waivers issued by the creditor and purchased or held by the borrower.

b. Coverage under a contractual liability or other insurance policy insuring a GAP waiver shall also cover any subsequent assignee upon the assignment, sale or transfer of the finance agreement.

c. Coverage under a contractual liability or other insurance policy insuring a GAP waiver shall remain in effect unless cancelled or terminated in compliance with applicable insurance laws of this State.

d. The cancellation or termination of a contractual liability or other insurance policy shall not reduce the insurer's responsibility for GAP waivers issued by the creditor prior to the date of cancellation or termination and for which premium has been received by the insurer.

C.17:16BB-5 Contents of GAP waiver agreement.

5. A GAP waiver agreement shall disclose, as applicable, in writing and in clear, understandable language that is easy to read, the following:

a. The name and address of the initial creditor and the borrower at the time of sale, and the identity of any administrator if different from the creditor.

b. The purchase price and the terms of the GAP waiver, including without limitation, the requirements for protection, conditions, or exclusions associated with the GAP waiver.

c. That the borrower may cancel the GAP waiver within a free look period as specified in the waiver, and will be entitled to a full refund of the purchase price, so long as no benefits have been provided; or if benefits have been provided, the borrower may receive a full or partial refund pursuant to the terms of the waiver.

d. The procedure the borrower shall follow, if any, to obtain GAP waiver benefits under the terms and conditions of the waiver, including a telephone number and address where the borrower may apply for waiver benefits.

e. Whether the GAP waiver is cancellable after the free look period and the conditions under which it may be cancelled or terminated, including the procedures for requesting any refund due.

f. That in order to receive any refund due in the event of a borrower's cancellation of the GAP waiver agreement or early termination of the finance agreement after the free look period of the GAP waiver, the borrower, in accordance with terms of the waiver, shall provide a written request to cancel to the creditor, administrator or such other party, within 90 days of the occurrence of the event terminating the finance agreement.

g. The methodology for calculating any refund of the unearned purchase price of the GAP waiver due in the event of cancellation of the GAP waiver or early termination of the finance agreement.

h. That neither the extension of credit, the terms of the credit, nor the terms of the related motor vehicle sale or lease, may be conditioned upon the purchase of the GAP waiver.

C.17:16BB-6 Cancellation of GAP waiver agreements, free look period.

6. a. GAP waiver agreements may be cancellable or non-cancellable after the free look period. A GAP waiver shall provide that if a borrower cancels a waiver within the free look period, the borrower will be entitled to a full refund of the purchase price, so long as no benefits have been provided; or if benefits have been provided, the borrower may receive a full or partial refund pursuant to the terms of the waiver.

b. In the event of a borrower's cancellation of the GAP waiver or early termination of the finance agreement after the agreement has been in effect beyond the free look period, the borrower may be entitled to a refund of any unearned portion of the purchase price of the waiver unless the waiver provides otherwise. In order to receive a refund, the borrower, in accordance with any applicable terms of the waiver, shall provide a written request to the creditor, administrator or other party, within 90 days of the event terminating the finance agreement.

c. If the cancellation of a GAP waiver occurs as a result of a default under the finance agreement or the repossession of the motor vehicle associated with the finance agreement, or any other termination of the finance agreement, any refund due may be paid directly to the creditor or administrator and applied as set forth in subsection d. of this section.

d. Any cancellation refund under subsection a., b. or c. of this section may be applied by the creditor as a reduction of the amount owed under the finance agreement, unless the borrower can show that the finance agreement has been paid in full.

C.17:16BB-7 Certain exceptions.

7. A GAP waiver offered in connection with a lease or retail installment sale associated with a commercial transaction shall not be subject to: subsection c. of section 3; section 5; or section 8 of this act.

C.17:16BB-8 Actions by commissioner.

8. The commissioner may take any action which is necessary or appropriate to enforce the provisions of this act and to protect guaranteed asset protection waiver holders in this State. After proper notice and opportunity for hearing, the commissioner may:

a. Order the creditor, administrator or any other person not in compliance with this act to cease and desist from further guaranteed asset protection waiver-related operations which are in violation of this act.

b. Impose a penalty of not more than $500 per violation and no more than $10,000 in the aggregate for all violations of a similar nature. For purposes of this act, violations are of a similar nature if the violation con-

sists of the same or similar course of conduct, action or practice, irrespective of the number of times the act, conduct or practice which is determined to be a violation of the act occurred.

C.17:16BB-9 GAP not construed as insurance.

9. GAP waivers issued in this State prior to and after the effective date of this act shall not be construed as insurance.

10. This act shall take effect immediately and shall apply to all GAP waivers executed on or after the 180th day next following enactment.

Approved May 11, 2017.

CHAPTER 83

AN ACT concerning the educational costs of students residing in homeless shelters and amending P.L.1979, c.207, P.L.1989, c.290, and P.L.2012, c.80.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 19 of P.L.1979, c.207 (C.18A:7B-12) is amended to read as follows:

C.18A:7B-12 Determination of district of residence.

19. For school funding purposes, the Commissioner of Education shall determine district of residence as follows:

a. (1) In the case of a child placed in a resource family home prior to the effective date of P.L.2010, c.69 (C.30:4C-26b et al.), the district of residence shall be the district in which the resource family parents reside. If such a child in a resource family home is subsequently placed in a State facility or by a State agency, the district of residence of the child shall then be determined as if no such resource family placement had occurred.

(2) In the case of a child placed in a resource family home on or after the effective date of P.L.2010, c.69 (C.30:4C-26b et al.), the district of residence shall be the present district of residence of the parent or guardian with whom the child lived prior to the most recent placement in a resource family home.

b. The district of residence for children who are in residential State facilities, or who have been placed by State agencies in group homes, skill

development homes, private schools or out-of-State facilities, shall be the present district of residence of the parent or guardian with whom the child lived prior to his most recent admission to a State facility or most recent placement by a State agency.

c. The district of residence for children whose parent or guardian temporarily moves from one school district to another as the result of being homeless shall be the district in which the parent or guardian last resided prior to becoming homeless. For the purpose of this amendatory and supplementary act, "homeless" shall mean an individual who temporarily lacks a fixed, regular and adequate residence.

d. If the district of residence cannot be determined according to the criteria contained herein, if the criteria contained herein identify a district of residence outside of the State, or if the child has resided in a domestic violence shelter, homeless shelter, or transitional living facility located outside of the district of residence for more than one year, the State shall assume fiscal responsibility for the tuition of the child. The tuition shall equal the approved per pupil cost established pursuant to section 24 of P.L.1996, c.138 (C.18A:7F-24). This amount shall be appropriated in the same manner as other State aid under this act. The Department of Education shall pay the amount to the Department of Human Services, the Department of Children and Families, the Department of Corrections or the Juvenile Justice Commission established pursuant to section 2 of P.L.1995, c.284 (C.52:17B-170) or, in the case of a homeless child or a child in a family resource home, the Department of Education shall pay to the school district in which the child is enrolled the weighted base per pupil amount calculated pursuant to section 7 of P.L.2007, c.260 (C.18A:7F-49) and the appropriate security categorical aid per pupil and special education categorical aid per pupil.

e. If the State has assumed fiscal responsibility for the tuition of a child in a private educational facility approved by the Department of Education to serve children who are classified as needing special education services, the department shall pay to the Department of Human Services, the Department of Children and Families or the Juvenile Justice Commission, as appropriate, the aid specified in subsection d. of this section and in addition, such aid as required to make the total amount of aid equal to the actual cost of the tuition.

2. Section 3 of P.L.1989, c.290 (C.18A:7B-12.1) is amended to read as follows:

C.18A:7B-12.1 Homeless child, determination of district of residence; tuition costs, transportation.

3. The district of residence for a homeless child determined pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12) shall be responsible for the education of the homeless child. The district of residence shall determine the educational placement of the child after consulting with the parent or guardian. This determination shall be: a. to continue the child's education in the school district of last attendance, b. to enroll the child in the district of residence if the district of residence is not the district of last attendance, or c. to enroll the child in the school district where the child is temporarily living, whichever is in the child's best interest. If the parent or guardian objects to the determination made by the district of residence, the executive county superintendent of schools shall be notified and within 48 hours shall determine the placement of the child based on criteria established by the State Board of Education. Any appeals regarding the determination shall be resolved according to rules established by the State Board of Education.

When the homeless child attends school in a district other than the district of residence, the district of residence shall pay the costs of tuition for the child to attend school in that district and shall pay for any transportation costs incurred by that district; except that in the case of a child who has resided in a domestic violence shelter, homeless shelter, or transitional living facility located in a district other than the district of residence for more than one year, the State shall pay the costs of tuition for the child to attend school in that district. When the homeless child attends school in the district of residence while temporarily residing in another district, the district of residence shall provide for transportation to and from school pursuant to the provisions of N.J.S.18A:58-7.

3. Section 3 of P.L.2012, c.80 (C.18A:7B-12.2) is amended to read as follows:

C.18A:7B-12.2 Rules.

3. The Commissioner of Education, in consultation with the Department of Children and Families, shall promulgate rules pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to effectuate the provisions of this act and P.L.2017, c.83. The rules shall identify those facilities that qualify as transitional living facilities, homeless shelters, or domestic violence shelters.

4. This act shall take effect immediately and shall first apply to the first full school year following the date of enactment.

Approved May 11, 2017.

CHAPTER 84

AN ACT concerning high school graduation ceremonies and supplementing chapter 7C of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:7C-5.3 Certain students permitted to wear military uniforms at high school graduation.

1. A school district shall allow a student to wear a dress uniform issued to the student by a branch of the United States Armed Forces while participating in the student's high school graduation ceremony, if the following requirements are met:

a. the student has fulfilled all of the State and local requirements for receiving a high school diploma, and is otherwise eligible to participate in the high school graduation ceremony; and

b. the student has completed basic training for, and is an active member of, a branch of the United States Armed Forces.

2. This act shall take effect on the first day of the third month next following the date of enactment.

Approved May 11, 2017.

CHAPTER 85

AN ACT concerning the transition by certain community-based health care treatment service providers to a fee-for-service reimbursement model and making an appropriation.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. The Legislature finds the following:

(1) The Division of Mental Health and Addiction Services (DMHAS) and the Division of Developmental Disabilities (DDD) in the Department of Human Services have historically used a cost reimbursement system to provide most State-level funding for community-based services in New Jersey. Both divisions have begun to transition most community-based services from a cost reimbursement system to a fee-for-service reimbursement system. The DMHAS plans to require all providers to complete the transition by July 2017, while the DDD is transitioning providers in a more gradual fashion.

(2) Under the cost reimbursement system, community-based providers in both divisions receive a monthly payment at a predetermined contracted rate, regardless of the actual services provided to consumers, and a close-out process is used at the end of the year to reconcile each provider's actual costs with the payments made. Under the new fee-for-service reimbursement model, monthly reimbursement will not be predetermined, and each provider will instead be required to submit a reimbursement claim for each specific unit of service that it has actually delivered to a consumer.

(3) The divisions have proposed new reimbursement rate schedules that would take effect as part of the transition to a fee-for-service model. The new rates cannot easily be compared to the cost reimbursement system, since the actual payments that providers will receive under the new fee-for-service model will be based on submitted claims, rather than on predetermined monthly amounts. While the Executive Branch estimates that the new rates will result in an overall increase in funding to providers, for many providers the new rates may be insufficient to cover the costs of providing services.

(4) The new fee-for-service reimbursement system may negatively affect many providers' cash flow, particularly during the transition. The fee-for-service system will allow reimbursement only for specific services that have been provided and claimed, and may effectively pay less than providers had received in the past for delivering the same services. This reduced predictability of revenue may impede providers' ability to provide adequate services to persons in need. The conversion may simultaneously force providers to increase their marketing expenditures in an attempt to maximize billable services, while forcing them to maintain a greater reserve of cash on hand in order to ensure their ability to absorb costs when vacancies inevitably arise.

(5) Providers engaged in the transition to a fee-for-service reimbursement model will also be required to be approved by Medicaid, which will necessitate their compliance with extensive administrative regulations, and their use and administration of new billing systems and software, both of which may require additional and unanticipated financial expenditures.

b. The Legislature therefore declares that it is both reasonable and necessary, and in the public interest, for the State to establish procedures for monitoring the transition by community-based providers to a fee-for-service reimbursement system, in order to ensure that reimbursement rates established under the new fee-for-service system are adequate, that client access to care is maintained, and that continuity of care and quality of care are not harmed as a result of the transition.

2. a. There are hereby established two advisory boards to be known as the Independent Mental Health and Addiction Fee-for-Service Transition Oversight Board and the Independent Developmental Disability Fee-for-Service Transition Oversight Board. The purpose of the Independent Mental Health and Addiction Fee-for-Service Transition Oversight Board shall be to monitor and oversee the transition by DMHAS-contracted providers to a fee-for-service reimbursement system; determine the adequacy of fee-for-service reimbursement rates; and provide recommendations to better facilitate the transition. The purpose of the Independent Developmental Disability Fee-for-Service Transition Oversight Board shall be to monitor and oversee the transition by DDD-contracted providers to a fee-for-service reimbursement system; determine the adequacy of fee-for-service reimbursement rates; and provide recommendations to better facilitate the transition.

b. The Independent Mental Health and Addiction Fee-for-Service Transition Oversight Board shall be comprised of 13 members, appointed by the Governor, as follows:

(1) two representatives of provider entities that receive State funds for mental health services;

(2) two representatives of provider entities that receive State funds for substance use disorder treatment services;

(3) a certified public accountant, upon the recommendation of the New Jersey Society of Certified Public Accountants (NJCPA);

(4) a current consumer of State-funded mental health services, or the parent or guardian of such consumer;

(5) a current consumer of State-funded substance use disorder treatment services, or the parent or guardian of such consumer;

(6) one person upon the recommendation of the Mental Health Association in New Jersey;

(7) one person upon the recommendation of the New Jersey chapter of the National Alliance on Mental Illness (NAMI);

(8) one person upon the recommendation of the New Jersey Association of Mental Health and Addiction Agencies (NJAMHAA);

(9) one person upon the recommendation of the New Jersey Psychiatric Rehabilitation Association;

(10) one person upon the recommendation of the New Jersey Hospital Association; and

(11) a member of the New Jersey Association of County Mental Health Administrators.

c. The Independent Developmental Disability Fee-for-Service Transition Oversight Board shall be comprised of 11 members, appointed by the Governor, as follows:

(1) two representatives of provider entities that receive State funds for developmental disability services;

(2) a certified public accountant, upon the recommendation of the New Jersey Society of Certified Public Accountants (NJCPA);

(3) a current consumer of State-funded developmental disability services, or the parent or guardian of such consumer;

(4) one person on the recommendation of the Alliance for the Betterment of Citizens with Disabilities (ABCD);

(5) one person on the recommendation of the Arc of New Jersey;

(6) one person on the recommendation of Autism New Jersey;

(7) one person on the recommendation of the Developmental Disabilities Association of New Jersey;

(8) one person on the recommendation of the New Jersey Association of Community Providers (NJACP);

(9) one person on the recommendation of the New Jersey Council on Developmental Disabilities (NJCDD); and

(10) one person on the recommendation of the Boggs Center on Developmental Disabilities at Robert Wood Johnson Medical School.

d. The members of the boards shall be appointed within 45 days after the effective date of this act, and each board shall hold its initial organizational meeting as soon as practicable, but no later than 30 days, after the appointment of its members. Each board shall select a chairperson from among its members, and shall meet and hold hearings at such places and times as the chairperson may designate. The chairperson may appoint a secretary who need not be a board member.

e. The members of the boards shall serve without compensation, but may be reimbursed for travel and other necessary expenses incurred in the performance of their duties, within the limits of funds appropriated or otherwise made available to each board for its purposes.

f. The Department of Human Services shall provide professional and clerical staff to the boards as may be necessary for each board's purposes.

Each board shall also be entitled to call upon the services of any other State, county, or municipal department, board, commission, or agency, as may be available to it for its purposes.

g. In executing its duties under this act, each board shall consult with the providers and their clients who are being affected by the transition to a fee-for-service reimbursement model.

h. Each board may solicit and receive grants or other funds that are made available for its purposes by any governmental, public, private, not-for-profit, or for-profit agency, including funds that are made available under any federal or State law, regulation, or program.

3. a. Each board shall evaluate and report on the status and effects of the transition by community-based providers to a fee-for-service reimbursement model, in accordance with the provisions of this section. Each board's evaluation of the transition shall primarily focus on its effects on access to care, continuity of care, and quality of care. In order to determine the relationship between the transition to fee-for-service on these measures, each board shall consider information included in reports issued by the selected contractor pursuant to subsection c. of section 4 of this act, and may also independently evaluate providers' costs, revenues, revenue shortfalls, and other needs including technical assistance, training, and business infrastructure needs that are affected by the transition, and how these factors affect providers' ability to serve their clients. Each board may make recommendations to the contractor selected pursuant to section 4 of this act with regard to its evaluation.

b. Each board shall submit a written status report to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), to the Governor, and to the Department of Human Services, at the following intervals: (1) an initial status report shall be submitted six months after the board's organizational meeting; (2) an interim status report shall be submitted one year after the board's organizational meeting; and (3) a final status report shall be submitted two years after the board's organizational meeting.

Each written report prepared pursuant to this subsection shall:

(1) evaluate the adequacy of fee-for-service reimbursement rates as of the time of the reporting;

(2) identify the positive and negative effects revealed during the reporting period that have been associated with the transition to a fee-for-service reimbursement system;

(3) identify the number and percentage of community-based mental health, substance use disorder, and developmental disability treatment providers that are having difficulties with the transition;

(4) identify any specific problems that are hampering the transition;

(5) identify any actions that have been undertaken by any entity during the reporting period to counteract or remedy the negative effects identified pursuant to paragraph (2) of this subsection, or the specific problems identified pursuant to paragraph (4) of this subsection;

(6) indicate the number and percentage of consumers who have been served by community mental health, substance use disorder, and developmental disability treatment providers during the course of the reporting period; identify whether the number or frequency of consumer contacts has been reduced as a result of the transition; and approximate the number and percentage of consumers who have been unable to obtain service as a result of the transition to a fee-for-service model; and

(7) provide recommendations for the modification of applicable reimbursement rate schedules, and recommendations for other actions that could be undertaken to better facilitate the transition or otherwise ease the burden on providers, and to avoid or redress any unintended lapses in service provision or reductions in service quality or capabilities that may result from the transition.

c. Each board shall dissolve 30 days after it submits its final report pursuant to paragraph (3) of subsection b. of this section.

4. a. The Division of Purchase and Property in the Department of the Treasury, in consultation with the Department of Human Services, shall issue a request for proposals to perform two separate independent evaluations of the transitions of the mental health and substance use disorders treatment service system and the developmental disability services system to fee-for-service. The evaluations shall assess the impact of each transition to fee-for-service and the particular rates adopted in the fee-for-service system on the financial sustainability of provider agencies, and on clients' access to care, continuity of care, and quality of care. Proposals shall be submitted no later than April 1, 2017. The criteria for selection shall include, but need not be limited to, demonstrated competence in developing and evaluating reimbursement systems for State health care programs. The division shall review all submissions and select one proposal, with the contract to begin no later than July 1, 2017.

b. The selected contractor shall be responsible for evaluating, on a continual basis, the impact of the transition of the community-based mental health and substance use disorder treatment services system and the community-based developmental disabilities service system to a fee-for-service reimbursement model and the particular rates adopted in the fee-for-service system on the financial sustainability of provider agencies, and on clients'

access to care, continuity of care, and quality of care. The contractor shall conduct its evaluation in accordance with its contract and, to the maximum extent practicable, with the recommendations of the Independent Mental Health and Addiction Fee-for-Service Transition Oversight Board and the Independent Developmental Disability Fee-for-Service Transition Oversight Board established pursuant to section 2 of this act.

c. The contractor shall issue periodic written reports, separately for each of its evaluations, to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), the Governor, the Department of Human Services, the Independent Mental Health and Addiction Fee-for-Service Transition Oversight Board, and the Independent Developmental Disability Fee-for-Service Transition Oversight Board. At a minimum, the contractor shall issue written reports evaluating the transitions for the following reporting periods: (1) the start of the transition through September 30, 2017; (2) October 1, 2017 through December 31, 2017; (3) January 1, 2018 through June 30, 2018; and (4) July 1, 2018 through June 30, 2019. Each report shall be submitted no later than one month following the end of each reporting period. The contract will terminate after the submission of the final report.

5. There are appropriated from the General Fund to the Department of Human Services such amounts as are determined by the Director of the Division of Purchase and Property as are necessary for the performance of the independent evaluation contracts pursuant to section 4 of this act subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury.

6. This act shall take effect immediately, and shall expire on the later of: (1) the 30th day after each board submits its final report pursuant to subsection b. of section 3 of this act, or (2) the 30th day after the contractor submits its final report pursuant to subsection c. of section 4 of this act.

Approved May 11, 2017.

CHAPTER 86

AN ACT to amend "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2017 and regulating the disbursement thereof," approved June 30, 2016 (P.L.2016, c.10).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The following language provision in section 1 of P.L.2016, c.10, the annual appropriations act for the fiscal year ending June 30, 2017, is amended to read as follows:

34 DEPARTMENT OF EDUCATION
30 Educational, Cultural, and Intellectual Development
31 Direct Educational Services and Assistance
STATE AID
03-5120 Miscellaneous Grants-in-Aid

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Lead Testing for Schools is subject to the following condition: amounts shall be paid to school districts and nonpublic schools, subject to the approval of the Director of the Division of Budget and Accounting, based on approved applications for reimbursement of the costs of: 1) testing school drinking water pursuant to program requirements established by the department, which shall be effective upon filing with the Office of Administrative Law; and 2) testing school drinking water on or after January 1, 2016, but prior to the department's filing of the program requirements with the Office of Administrative Law, if the testing that has been conducted meets or exceeds the program requirements established by the department.

2. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 87

AN ACT designating a portion of State Highway Route 18 in the Township of East Brunswick as the "State Trooper Werner Foerster Memorial Interchange."

WHEREAS, State Trooper Werner Foerster was an extraordinary public servant whose service to the Division of State Police ("State Police") was characterized by loyalty, fearless performance of duty, and faithful and honorable devotion to the principles of the State Police; and

WHEREAS, Born on August 19, 1938, in Leipzig, Saxony, Germany, State Trooper Foerster embodied bravery even as a young man, escaping from

communist East Germany before the construction of the Berlin Wall in 1961; and

WHEREAS, Searching for a better life for himself and his family, State Trooper Foerster settled in the United States, where he lived with his family in Old Bridge Township, New Jersey and worked as a welder for Ross Engineering in New Brunswick, New Jersey; and

WHEREAS, In 1963, State Trooper Foerster's passion and love for his new country led him to enlist in the United States Army, where he served during the Vietnam War from 1963 to 1965; and

WHEREAS, An honorable and courageous man who loved serving others and his State, State Trooper Foerster earned a place in the 82nd class of the New Jersey State Police Academy; and

WHEREAS, Upon graduating from the New Jersey State Police Academy on July 24, 1970, State Trooper Foerster was assigned to various stations, including the Toms River, Colts Neck, Fort Dix, and Key Port stations; and

WHEREAS, State Trooper Foerster served honorably for the State Police for three years with his last assignment beginning on November 13, 1972 for Troop "D" in New Brunswick, where he served for less than a year prior to his death; and

WHEREAS, On May 2, 1973, State Trooper Foerster tragically lost his life in the line of duty when he was shot during a traffic stop while coming to the aid of another State Trooper attempting to apprehend three suspects on the New Jersey Turnpike; and

WHEREAS, State Trooper Foerster was a dedicated member of the New Jersey State Police as well as a loving husband and father whose memory will live on in the hearts of his family, friends, and fellow State Troopers; and

WHEREAS, In 2005, the overpass which carries State Highway Route 18 over the New Jersey Turnpike in the Township of East Brunswick was dedicated in State Trooper Foerster's honor as the "Werner Foerster Overpass," however, re-designating the overpass and updating the sign bearing the designation provides a more fitting tribute to State Trooper Foerster; and

WHEREAS, As a true example of leadership and service to the State, it is fitting and proper for the Legislature of the State of New Jersey to honor the memory of State Trooper Werner Foerster by designating a portion of State Highway Route 18 in the Township of East Brunswick as the "State Trooper Werner Foerster Memorial Interchange"; now, therefore,

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The Commissioner of Transportation shall designate the portion of State Highway Route 18, extending from milepost 39.43 to milepost 39.77, in the Township of East Brunswick as the "State Trooper Werner Foerster Memorial Interchange" and erect appropriate signs bearing this designation and dedication.

2. State or other public funds shall not be used for producing, purchasing, or erecting signs bearing the designation established pursuant to section 1 of this act. The Commissioner of Transportation is authorized to receive gifts, grants, or other financial assistance from private sources for the purpose of funding or reimbursing the Department of Transportation for the costs associated with producing, purchasing, and erecting signs bearing the designation established pursuant to section 1 of this act and entering into agreements related thereto, with private sources, including but not limited to non-governmental non-profit, educational, or charitable entities or institutions. Work shall not proceed and funding shall not be accepted by the Department of Transportation until an agreement has been reached with a responsible party for paying the costs associated with producing, purchasing, erecting, and maintaining the signs.

3. This act shall take effect immediately.

Approved May 11, 2017.

CHAPTER 88

AN ACT concerning overdose prevention and the dispensation of opioid antidotes and supplementing P.L.2003, c.280 (C.45:14-40 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.45:14-67.2 Dispensing of opioid antidotes by pharmacist; definitions.

1. a. Notwithstanding any other law or regulation to the contrary, a pharmacist may dispense an opioid antidote to any patient, regardless of whether the patient holds an individual prescription for the opioid antidote, pursuant to a standing order issued by a prescriber or pursuant to the standing order issued pursuant to subsection b. of this section. A pharmacist who dispenses an opioid

New Jersey State Library

antidote pursuant to this section shall comply with the provisions of the "Overdose Prevention Act," P.L.2013, c.46 (C.24:6J-1 et al.).

b. The Commissioner of Health, or, if the commissioner is not a duly licensed physician, the Deputy Commissioner for Public Health Services, shall issue, upon request by a pharmacist licensed to practice in this State, a standing order authorizing the pharmacist to dispense an opioid antidote to any patient, regardless of whether the patient holds an individual prescription for the opioid antidote, provided the pharmacist complies with the requirements of the "Overdose Prevention Act," P.L.2013, c.46 (C.24:6J-1 et al.).

c. As used in this section:

"Opioid antidote" means naloxone hydrochloride, or any other similarly acting drug approved by the United States Food and Drug Administration for self-administration for the treatment of an opioid overdose.

"Patient" means the same as that term is defined in section 3 of P.L.2013, c.46 (C.24:6J-3).

"Prescriber" means the same as that term is defined in section 3 of P.L.2013, c.46 (C.24:6J-3).

2. This act shall take effect immediately.

Approved June 9, 2017.

CHAPTER 89

AN ACT concerning family day care homes, supplementing chapter 5B of Title 30 of the Revised Statutes , and amending P.L.2000, c.77.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.30:5B-25.5 Definitions relative to family day care homes.

1. As used in this act:

"Certificate of registration" means a certificate of registration as defined in section 3 of P.L.1987, c.27 (C.30:5B-18).

"Family day care home" means a family day care home as defined in section 3 of P.L.1987, c.27 (C.30:5B-18).

"Family day care provider" means a family day care provider as defined in section 3 of P.L.1987, c.27 (C.30:5B-18).

"Family day care sponsoring organization" means a family day care sponsoring organization as defined in section 3 of P.L.1987, c.27 (C.30:5B-18).

"Household member" means a person 18 years of age or older who resides in a family day care home.

C.30:5B-25.6 Criminal history background checks for certain family day care providers.

2. a. By October 1, 2017, and as a condition of issuance or renewal of a certificate of registration thereafter, the Department of Children and Families shall require the following persons to undergo a State and federal criminal history record background check, in accordance with the provisions of section 3 of P.L.2017, c.89 (C.30:5B-25.7): (1) any person who is a prospective or current family day care provider; (2) any assistant provider, substitute provider, or alternate provider of the prospective or current family day care provider; and (3) any household member of the prospective or current family day care provider. The background check shall be conducted by the Division of State Police in the Department of Law and Public Safety, and shall include an examination of State files and the obtaining of a similar examination of federal files by federal authorities.

b. If a criminal history record background check reveals that a person identified in subsection a. of this section has a record of disqualifying convictions, the department shall advise the sponsoring organization, in accordance with the provisions of section 5 of P.L.2017, c.89 (C.30:5B-25.9), of the results of the criminal history record background check, within a time period to be determined by the department.

C.30:5B-25.7 Denial, revocation of registration.

3. a. The department shall not issue a certificate or renewal of registration to a prospective or current family day care provider, and shall revoke the existing registration held by a current family day care provider, as the case may be, if the provider, or any other relevant person listed in subsection a. of section 2 of P.L.2017, c.89 (C.30:5B-25.6):

(1) refuses to consent to, or cooperate in, the securing of a criminal history record background check;

(2) knowingly makes a materially false statement in connection with a criminal history record background check;

(3) is registered, or is required to be registered, on a State sex offender registry or repository, or on the National Sex Offender Registry established under the "Adam Walsh Child Protection and Safety Act of 2006," 42 U.S.C. s.16901 et seq.; or

(4) is found by a criminal history record background check to have a record of conviction for any of the following crimes and offenses:

(a) a crime against a child, including endangering the welfare of a child and child pornography pursuant to N.J.S.2C:24-4, and child molestation as set forth in N.J.S.2C:14-1 et seq.;

(b) abuse, abandonment or neglect of a child pursuant to R.S.9:6-3;

(c) endangering the welfare of an incompetent person pursuant to N.J.S.2C:24-7;

(d) sexual assault, criminal sexual contact or lewdness pursuant to N.J.S.2C:14-2 through N.J.S.2C:14-4;

(e) murder pursuant to N.J.S.2C:11-3 or manslaughter pursuant to N.J.S.2C:11-4;

(f) stalking pursuant to P.L.1992, c.209 (C.2C:12-10);

(g) kidnapping and related offenses including criminal restraint; false imprisonment; interference with custody; criminal coercion; or enticing a child into a motor vehicle, structure, or isolated area pursuant to N.J.S.2C:13-1 through C.2C:13-6;

(h) arson pursuant to N.J.S.2C:17-1, or causing or risking widespread injury or damage, which would constitute a crime of the second degree pursuant to N.J.S.2C:17-2;

(i) terroristic threats pursuant to N.J.S.2C:12-3;

(j) aggravated assault, which would constitute a crime of the second or third degree pursuant to subsection b. of N.J.S.2C:12-1;

(k) robbery, which would constitute a crime of the first degree pursuant to N.J.S.2C:15-1;

(l) burglary, which would constitute a crime of the second degree pursuant to N.J.S.2C:18-2;

(m) domestic violence pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.);

(n) any drug related offense committed within the preceding five-year period; or

(o) an attempt or conspiracy to commit any of the crimes or offenses listed in paragraphs (a) through (n) of this subsection.

b. For the purposes of this section, a person shall be deemed to have a disqualifying record of conviction if the person has been convicted in New Jersey of any of the crimes listed in subsection a. of this section, or if the person has been convicted in any other state or jurisdiction, of conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in that subsection.

c. Notwithstanding the provisions of this section to the contrary, a prospective or current provider's application for a certificate or renewal of registration shall not be denied under this act on the basis of any conviction disclosed by a criminal history record background check performed pursu-

ant to this act without an opportunity to challenge the accuracy of the disqualifying criminal history record pursuant to subsection c. of section 5 of P.L.2017, c.89 (C.30:5B-25.9).

C.30:5B-25.8 Payment.

4. The Commissioner of Human Services shall pay the cost of the criminal history record background checks conducted pursuant to P.L.2017, c.89 (C.30:5B-25.5 et al.) on behalf of the prospective or current family day care providers, as applicable.

C.30:5B-25.9 Exchange of fingerprint data; notification.

5. a. The Commissioner of Children and Families is authorized to exchange fingerprint data with, and to receive information from, the Division of State Police in the Department of Law and Public Safety and the Federal Bureau of Investigation.

b. Upon receipt of criminal history record information from the Federal Bureau of Investigation and the Division of State Police, for each of the parties identified in subsection a. of section 2 of P.L.2017, c.89 (C.30:5B-25.6), the Department of Children and Families shall notify the family day care provider, in writing, of the department's decision to approve or deny the family day care provider's application for a certificate or renewal of registration , or its decision to revoke the family day care provider's existing registration, as the case may be. The department shall also advise the family day care provider, the family day care sponsoring organization, and any person, other than the provider, who was the subject of the criminal history record background check, within a reasonable timeframe, of the results of any criminal history record background check that is conducted under section 3 of P.L.2017, c.89 (C.30:5B-25.7).

c. If the department denies an application for a certificate or renewal of registration, or revokes an existing registration, because the family day care provider, or other relevant party listed in subsection a. of section 2 of P.L.2017, c.89 (C.30:5B-25.6), has been determined to have a disqualifying record of convictions, as provided by section 3 of P.L.2017, c.89 (C.30:5B-25.7), the convictions that constitute the basis for such denial or revocation shall be identified in the written notice of disqualifying convictions that is provided to all parties under subsection b. of this section. In such a case, the family day care provider or other person who was the subject of the criminal history record background check shall have 14 days from the date of the written notice to challenge the accuracy of the criminal history record information upon which the denial or revocation was based. If no chal-

lenge is filed, or if a challenge is filed, but the denial or revocation is upheld, the department shall notify the family day care sponsoring organization that the family day care provider's registration has been denied or revoked on the basis of disqualifying criminal history record information.

d. The Division of State Police shall promptly notify the department whenever a person who was the subject of a criminal history record background check under section 3 of P.L.2017, c.89 (C.30:5B-25.7), is convicted of a crime or offense in this State after the date on which the background check was performed. Upon receipt of such notification, the department shall determine whether to revoke the family day care provider's certificate of registration.

6. Section 5 of P.L.2000, c.77 (C.30:5B-6.14) is amended to read as follows:

C.30:5B-6.14 Record of conviction for certain offenses, disqualification from employment; challenge.

5. a. A current staff member and an individual seeking employment shall be permanently disqualified from employment at, or ownership or sponsorship of, a child care center if the staff member or individual:

(1) refuses to consent to, or cooperate in, the securing of a criminal history record background check;

(2) knowingly makes a materially false statement in connection with a criminal history record background check;

(3) is registered, or is required to be registered, on a State sex offender registry or repository, or in the National Sex Offender Registry established under the "Adam Walsh Child Protection and Safety Act of 2006," 42 U.S.C. s.16901 et seq.; or

(4) is found by a criminal history record background check to have a record of conviction for any of the following crimes and offenses:

(a) a crime against a child, including endangering the welfare of a child and child pornography pursuant to N.J.S.2C:24-4, and child molestation as set forth in N.J.S. 2C:14-1 et seq.;

(b) abuse, abandonment, or neglect of a child pursuant to R.S.9:6-3;

(c) endangering the welfare of an incompetent person pursuant to N.J.S.2C:24-7;

(d) sexual assault, criminal sexual contact, or lewdness pursuant to N.J.S.2C:14-2 through N.J.S.2C:14-4;

(e) murder pursuant to N.J.S.2C:11-3 or manslaughter pursuant to N.J.S.2C:11-4;

(f) stalking pursuant to P.L.1992, c.209 (C.2C:12-10);

(g) kidnapping and related offenses including criminal restraint; false imprisonment; interference with custody; criminal coercion; or enticing a child into a motor vehicle, structure, or isolated area pursuant to N.J.S.2C:13-1 through C.2C:13-6;

(h) arson pursuant to N.J.S.2C:17-1, or causing or risking widespread injury or damage which would constitute a crime of the second degree pursuant to N.J.S.2C:17-2;

(i) terroristic threats pursuant to N.J.S.2C:12-3;

(j) aggravated assault, which would constitute a crime of the second or third degree pursuant to subsection b. of N.J.S.2C:12-1;

(k) robbery, which would constitute a crime of the first degree pursuant to N.J.S.2C:15-1;

(l) burglary, which would constitute a crime of the second degree pursuant to N.J.S.2C:18-2;

(m) domestic violence pursuant to P.L.1991, c.261 (C.2C:25-17 et seq.);

(n) any drug related offense committed within the preceding five-year period; or

(o) an attempt or conspiracy to commit any of the crimes or offenses listed in subparagraphs (a) through (n) of this subsection.

b. For the purposes of this section, a person shall be deemed to have a disqualifying record of conviction if the person has been convicted in New Jersey of any of the crimes listed in subsection a. of this section, or if the person has been convicted in any other state or jurisdiction, of conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in that subsection.

c. Notwithstanding the provisions of this section to the contrary, an individual shall not be disqualified from employment or ownership or sponsorship under P.L.2000, c.77 (C.30:5B-6.10 et al.) on the basis of any conviction disclosed by a criminal history record background check performed pursuant to P.L.2000, c.77 (C.30:5B-6.10 et al.) without an opportunity to challenge the accuracy of the disqualifying criminal history record pursuant to the provisions of section 8 of P.L.2000, c.77 (C.53:1-20.9b).

C.30:5B-25.10 Rules, regulations.

7. Notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Children and Families shall, immediately upon filing proper notice with the Office of Administrative Law, adopt rules and regulations as the commissioner deems necessary to implement the provisions of P.L.2017, c.89 (C.30:5B-

25.5 et al.). Such rules and regulations shall remain in effect for a period not to exceed 12 months, and shall, thereafter, be amended, adopted, or readopted by the commissioner in accordance with the requirements of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

8. This act shall take effect on July 1, 2017, except the Commissioner of Children and Families may take such anticipatory administrative action in advance thereof as shall be necessary for the implementation of this act.

Approved June 9, 2017.

CHAPTER 90

AN ACT concerning child advocacy centers and multidisciplinary teams and supplementing Title 9 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.9:6-8.107 Findings, declarations relative to child advocacy centers and multidisciplinary teams.

1. The Legislature finds and declares that:

a. Child advocacy centers are child-friendly centers where a multidisciplinary team of law enforcement, child protective services, prosecutors, mental health and medical professionals, and victim witness and family advocates can provide a coordinated response to the investigation, treatment, prosecution, and prevention of child abuse and neglect.

b. Child advocacy centers and multidisciplinary teams are designed to ease the stress experienced by survivors of child abuse and neglect, and their families, throughout the investigation process and improve methods of responding to acts of child abuse and neglect.

c. Child advocacy centers and multidisciplinary teams reduce the trauma suffered by children who have been abused or neglected by employing forensic interviewers specifically trained to work with survivors of child abuse and neglect.

d. The centers and teams also assist child abuse and neglect survivors and their families in obtaining judicial, medical, therapeutic, and victim advocacy services, and enhance the effectiveness of law enforcement, pros-

ecutors, and child protective services professionals when investigating child abuse and neglect.

e. The number of child advocacy centers in the United States has grown dramatically since 1986 when the first center was established. According to the National Children's Alliance, the national accrediting organization for child advocacy centers, there are now more than 770 centers nationwide, and, as of 2009, there were over 900 multidisciplinary teams throughout the United States.

f. In order to ensure the effective, efficient, and consistent delivery of services to the survivors of child abuse and neglect and their families, it is necessary to establish a certification program for the State's child advocacy centers and multidisciplinary teams.

g. Therefore, it is the intent of the Legislature to create a certification program for the State's child advocacy centers and multidisciplinary teams through the adoption and implementation of guidelines of practice consistent with the accreditation standards developed by the National Children's Alliance, or its successor.

C.9:6-8.108 Definitions relative to child advocacy centers and multidisciplinary teams.

2. As used in this act:

"Child advocacy center" means a county-based center as defined in section 6 of P.L.1998, c.19 (C.9:6-8.104).

"Multidisciplinary team" means a county-based team as established in section 6 of P.L.1998, c.19 (C.9:6-8.104).

C.9:6-8.109 Child Advocacy Center-Multidisciplinary Team Advisory Board.

3. a. There is established in, but not of, the Department of Children and Families in the Executive Branch of State government the Child Advocacy Center-Multidisciplinary Team Advisory Board. For the purpose of complying with the provisions of Article V, Section IV, paragraph 1 of the New Jersey Constitution, the Child Advocacy Center-Multidisciplinary Team Advisory Board is allocated within the Department of Children and Families, but, notwithstanding this allocation, the advisory board shall be independent of any supervision or control by the department or by any officer or employee thereof.

b. The purpose of the board is to establish a certification program for the State's child advocacy centers and multidisciplinary teams to ensure that the certified centers and teams comply with the accreditation standards developed by the National Children's Alliance, or its successor.

c. The board shall consist of 14 members as follows:

(1) the Commissioner of Children and Families, the Attorney General, the Chairperson of the New Jersey Task Force on Child Abuse and Neglect, and the Chapter Coordinator of New Jersey Children's Alliance or their designees, who shall serve ex officio; and

(2) ten public members, with at least 10 years' experience, background, or specialized knowledge in child welfare, child advocacy centers, and multidisciplinary teams, to be appointed by the Governor, including a representative of the New Jersey Prosecutors' Association, a law guardian, a multidisciplinary team coordinator, a pediatrician with expertise in child abuse and neglect, a psychologist with expertise in child abuse and neglect, a representative of a child advocacy center, a representative of a victim or family advocacy group, a law enforcement officer with experience in child abuse and neglect investigations, an academician with experience and expertise in child abuse and neglect research or a related field; and one member with general expertise in child welfare and multidisciplinary teams.

d. Vacancies in the membership of the board shall be filled in the same manner provided for the original appointments. The members of the board shall serve without compensation, but may be reimbursed for traveling and other miscellaneous expenses necessary to perform their duties, within the limits of funds made available to the board for its purposes.

e. The board shall organize as soon as practicable, but no later than 60 days following the appointment of its members, and shall select a chairperson and vice-chairperson from among the members.

The chairperson shall appoint a secretary who need not be a member of the board.

f. The board may meet at the call of its chair and hold hearings at the times and in the places it deems appropriate and necessary to fulfill its charge. The board shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes.

g. The Department of Children and Families shall provide professional and clerical staff to the board as necessary to effectuate the purposes of this act.

C.9:6-8.110 Duties of board.

4. The board shall:

a. direct the development and implementation of a certification program for the State's child advocacy centers and multidisciplinary teams pursuant to section 5 of this act;

b. develop a comprehensive plan for evaluating the effectiveness of the State's child advocacy centers and multidisciplinary teams; and

c. apply for and accept any grant of money from the State or federal government or other sources, which may be available to establish, expand, or improve child advocacy centers or multidisciplinary teams pursuant to section 7 of this act. Any monies received by the board shall be deposited in the "Child Advocacy Center-Multidisciplinary Team Fund" established pursuant to section 6 of this act.

C.9:6-8.111 Certification program; goal.

5. a. The board shall establish a certification program for the State's child advocacy centers and multidisciplinary teams. The goal of the program shall be to ensure that:

(1) every child advocacy center or multidisciplinary team in the State applying for certification pursuant to subsection b. of this section is in compliance with guidelines of practice that are consistent with the accreditation standards developed by the National Children's Alliance, or its successor; and

(2) the State's child advocacy centers and multidisciplinary teams incorporate best practices and standards in providing child abuse prevention, intervention, and treatment services to survivors of child abuse and neglect.

b. Every child advocacy center and multidisciplinary team in the State may apply to the board for certification in a manner and on a form prescribed by the board. In order to qualify for certification with the board, a child advocacy center or multidisciplinary team shall adopt and implement guidelines of practice that are consistent with the accreditation standards developed by the National Children's Alliance, or its successor. The guidelines shall, at a minimum, provide for:

(1) a multidisciplinary team response in an investigation of child abuse and neglect by representatives of the following core disciplines: law enforcement, child protective services, mental health, prosecution, victim advocacy, and medicine;

(2) the designation of a private, child-friendly interview and family meeting room which provides an environment that is physically and psychologically safe for, and provides comfort to, a survivor of child abuse and neglect and the survivor's family during the course of an investigation of child abuse and neglect;

(3) protocols governing the forensic interview of a survivor of child abuse and neglect that comply with the 2010 Guidelines of Practice for Child Abuse Multidisciplinary Teams in New Jersey and current best practice

standards and nationally recognized methods for forensic interviews, New Jersey Court Rules, relevant case law, and internal or external peer review;

(4) an interdisciplinary case review process that describes the responsibilities of each team member in an investigation of child abuse and neglect and the provisions of the services to a survivor of child abuse and neglect and the survivor's family;

(5) a uniform system to identify, track, collect, and coordinate information obtained during an investigation of child abuse and neglect, and to monitor the progress and outcomes of the investigation;

(6) procedures to facilitate communication, collaboration, coordination, information sharing, problem solving, and decision making between team members during an investigation of child abuse and neglect;

(7) a dispute resolution process to resolve interdisciplinary conflicts that may arise between team members during the course of an investigation of child abuse and neglect;

(8) the provision of services, supports, and other assistance in a culturally competent manner to a survivor of child abuse and neglect and the survivor's family during an investigation of child abuse and neglect;

(9) on-going, specialized interdisciplinary training for team members to enhance their basic skills and expertise in the investigation and prevention of child abuse and neglect;

(10) mechanisms and processes to allow the center to self-evaluate the effectiveness of its operations and its success in investigating child abuse and neglect;

(11) the establishment of county based child advocacy center-multidisciplinary team advisory boards to oversee the operations and administration of the child advocacy center or multidisciplinary team;

(12) the creation of an education and outreach program to train professionals from State and local governmental and community-based social services agencies in providing multidisciplinary services to survivors of child abuse and neglect and their families, and to educate the community on child maltreatment and child abuse prevention techniques;

(13) procedures to apply for and accept any grant of money from the State or federal government or other sources, which may be available to child advocacy centers and multidisciplinary teams; and

(14) reporting requirements on the use of grant funds received by a child advocacy center or multidisciplinary team pursuant to section 7 of this act.

c. If a child advocacy center or multidisciplinary team adopts and implements the guidelines of practice specified in subsection b. of this section,

the board shall certify that a child advocacy center or multidisciplinary team is in compliance with the provisions of this act.

d. The board shall conduct an annual compliance review of each child advocacy center and multidisciplinary team the board certifies pursuant to subsection c. of this section, and shall evaluate the center or team to determine whether it continues to comply with the provisions of this act.

C.9:6-8.112 "Child Advocacy Center-Multidisciplinary Team Fund."

6. There is established in the Department of Children and Families a fund to be known as the "Child Advocacy Center-Multidisciplinary Team Fund." This fund shall be the repository for monies appropriated to support the grant program established pursuant to section 7 of this act and any other funds approved by the board.

C.9:6-8.113 Distribution of grants.

7. a. The monies deposited in the Child Advocacy Center-Multidisciplinary Team Fund shall be distributed by the Department of Children and Families as grants to child advocacy centers or multidisciplinary teams certified by the board pursuant to subsection c. of section 5 of this act, as applicable to:

(1) establish or construct new centers, or renew, renovate, improve, expand, or reconstruct existing centers;

(2) make technological improvements, including the modernization of software and hardware;

(3) hire personnel, fund new positions, expand the responsibilities of existing positions, pay for additional diagnostic treatment services and other costs, and provide for continuing funding that has been eliminated from a State, federal, or private funding source for diagnostic mental health and medical treatment services, as necessary, to establish new services or improve existing services provided by the centers or teams; and

(4) fund any other purpose that would enhance the effective and efficient operation of the centers or teams.

b. The Department of Children and Families shall accept and approve the applications of child advocacy centers or multidisciplinary teams for grants from the fund, and shall award the grants to new centers or teams that apply and qualify for, and existing centers or teams that meet the requirements of, certification in accordance with subsection b. of section 5 of this act. The Department of Children and Families shall maintain records of all the grants made from the fund pursuant to this section.

C.9:6-8.114 Rules, regulations.

8. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the board and the Department of Children and Families may adopt any rules and regulations necessary to effectuate the purposes of this act.

9. This act shall take effect on the 90th day after the date of enactment.

Approved June 9, 2017.

CHAPTER 91

AN ACT concerning driver's licenses and identification cards and amending R.S.39:3-10 and P.L.1980, c.47.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.39:3-10 is amended to read as follows:

Licensing of drivers; classification.

39:3-10. A person shall not drive a motor vehicle on a public highway in this State unless the person is under supervision while participating in a behind-the-wheel driving course pursuant to section 6 of P.L.1977, c.25 (C.39:3-13.2a) or is in possession of a validated permit, or a probationary or basic driver's license issued to that person in accordance with this article.

A person under 18 years of age shall not be issued a basic license to drive motor vehicles, and a person shall not be issued a validated permit, including a validated examination permit, until the applicant has passed a satisfactory examination and other requirements as to the applicant's ability as an operator. The examination shall include: a test of the applicant's vision; the applicant's ability to understand traffic control devices; the applicant's knowledge of safe driving practices, including the dangers of driving a vehicle in an aggressive manner, which shall include, but not be limited to, unexpectedly altering the speed of a vehicle, making improper or erratic traffic lane changes, disregarding traffic control devices, failing to yield the right of way, and following another vehicle too closely; the applicant's knowledge of the effects that ingestion of alcohol or drugs has on a person's ability to operate a motor vehicle; the applicant's knowledge of the dangers

of carbon monoxide poisoning from motor vehicles and techniques for the safe operation and proper maintenance of a motor vehicle; the applicant's knowledge of portions of the mechanism of motor vehicles as is necessary to insure the safe operation of a vehicle of the kind or kinds indicated by the applicant; and the applicant's knowledge of the laws and ordinary usages of the road. A person shall not sit for an examination for any permit without exhibiting photo identification deemed acceptable by the commission, unless that person is a high school student participating in a course of automobile driving education approved by the State Department of Education and conducted in a public, parochial, or private school of this State, pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1). The commission may waive the written law knowledge examination for any person 18 years of age or older possessing a valid driver's license issued by any other state, the District of Columbia, or the United States Territories of American Samoa, Guam, Puerto Rico, or the Virgin Islands. The commission shall be required to provide that person with a booklet that highlights those motor vehicle laws unique to New Jersey. A road test shall be required for a probationary license and serve as a demonstration of the applicant's ability to operate a vehicle of the class designated. During the road test, an applicant may use a rear visibility system, parking sensors, or other technology installed on the motor vehicle that enables the applicant to view areas directly behind the vehicle or alerts the applicant of obstacles while parking.

A person shall not sit for a road test unless that person exhibits photo identification deemed acceptable by the commission. A high school student who has completed a course of behind-the-wheel automobile driving education approved by the State Department of Education and conducted in a public, parochial, or private school of this State, who has been issued a special learner's permit pursuant to section 1 of P.L.1950, c.127 (C.39:3-13.1) prior to January 1, 2003, shall not be required to exhibit photo identification in order to sit for a road test. The commission may waive the road test for any person 18 years of age or older possessing a valid driver's license issued by any other state, the District of Columbia, or the United States Territories of American Samoa, Guam, Puerto Rico, or the Virgin Islands. The road test shall be given on public streets, where practicable and feasible, but may be preceded by an off-street screening process to assess basic skills. The commission shall approve locations for the road test which pose no more than a minimal risk of injury to the applicant, the examiner, and other motorists. New locations for the road test shall not be approved unless the test can be given on public streets.

A person who successfully completes a road test for a motorcycle license or a motorcycle endorsement when operating a motorcycle or motorized scooter with an engine displacement of less than 231 cubic centimeters shall be issued a motorcycle license or endorsement restricting the person's operation of the vehicles to any motorcycle with an engine displacement of 500 cubic centimeters or less. A person who successfully completes a road test for a motorcycle license or motorcycle endorsement when operating a motorcycle with an engine displacement of 231 or more cubic centimeters shall be issued a motorcycle license or endorsement without any restriction as to engine displacement. Any person who successfully completes an approved motorcycle safety education course established pursuant to the provisions of section 1 of P.L.1991, c.452 (C.27:5F-36) shall be issued a motorcycle license or endorsement without restriction as to engine displacement.

The commission shall issue a basic driver's license to operate a motor vehicle other than a motorcycle to a person over 18 years of age who previously has not been licensed to drive a motor vehicle in this State or another jurisdiction only if that person has: (1) operated a passenger automobile in compliance with the requirements of this Title for not less than one year, not including any period of suspension or postponement, from the date of issuance of a probationary license pursuant to section 4 of P.L.1950, c.127 (C.39:3-13.4); (2) not been assessed more than two motor vehicle points; (3) not been convicted in the previous year for a violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-50.4a), section 1 of P.L.1992, c.189 (C.39:4-50.14), R.S.39:4-129, N.J.S.2C:11-5, subsection c. of N.J.S.2C:12-1, or any other motor vehicle-related violation the commission determines to be significant and applicable pursuant to regulation; and (4) passed an examination of the applicant's ability to operate a motor vehicle pursuant to this section.

The commission shall expand the driver's license examination by 20 percent. The additional questions to be added shall consist solely of questions developed in conjunction with the Department of Health concerning the use of alcohol or drugs as related to highway safety. The commission shall develop, in conjunction with the Department of Health, supplements to the driver's manual which shall include information necessary to answer any question on the driver's license examination concerning alcohol or drugs as related to highway safety.

Up to 20 questions may be added to the examination on subjects to be determined by the commission that are of particular relevance to youthful drivers, including the dangers of driving a vehicle in an aggressive manner, which shall include, but not be limited to, unexpectedly altering the speed of a vehicle, making improper or erratic traffic lane changes, disregarding traf-

fic control devices, failing to yield the right of way, and following another vehicle too closely, after consultation with the Director of the Division of Highway Traffic Safety in the Department of Law and Public Safety.

The commission shall expand the driver's license examination to include a question asking whether the applicant is aware of the provisions of the "Revised Uniform Anatomical Gift Act," P.L.2008, c.50 (C.26:6-77 et al.) and the procedure for indicating on the driver's license the intention to make a donation of body organs or tissues pursuant to section 1 of P.L.1978, c.181 (C.39:3-12.2).

The commission shall expand the driver's license examination to include a question asking whether the applicant is aware of the dangers of failing to comply with this State's motor vehicle traffic laws and the "STOP for Nikhil Safety Pledge" set forth in subsection e. of R.S.39:3-41.

The commission shall expand the driver's license examination to include questions concerning the dangers of carbon monoxide poisoning from motor vehicles and techniques for the safe operation and proper maintenance of a motor vehicle.

Any person applying for a driver's license to operate a motor vehicle or motorized bicycle in this State shall surrender to the commission any current driver's license issued to the applicant by another state or jurisdiction upon the applicant's receipt of a driver's license for this State. The commission shall refuse to issue a driver's license if the applicant fails to comply with this provision. An applicant for a permit or license who is less than 18 years of age, and who holds a permit or license for a passenger automobile issued by another state or country that is valid or has expired within a time period designated by the commission, shall be subject to the permit and license requirements and penalties applicable to State permit and license applicants who are of the same age; except that if the other state or country has permit or license standards substantially similar to those of this State, the credentials of the other state or country shall be acceptable.

The commission shall create classified licensing of drivers covering the following classifications:

a. Motorcycles, except that for the purposes of this section, motorcycle shall not include any three-wheeled motor vehicle equipped with a single cab with glazing enclosing the occupant, seats similar to those of a passenger vehicle or truck, seat belts and automotive steering or any vehicle defined as a motorcycle pursuant to R.S.39:1-1 having a motor with a maximum piston displacement that is less than 50 cubic centimeters or a motor that is rated at no more than 1.5 brake horsepower with a maximum speed of no more than 35 miles per hour on a flat surface.

b. Omnibuses as classified by R.S.39:3-10.1 and school buses classified under N.J.S.18A:39-1 et seq.

c. (Deleted by amendment, P.L.1999, c.28)

d. All motor vehicles not included in classifications a. and b. A license issued pursuant to this classification d. shall be referred to as the "basic driver's license."

Every applicant for a license under classification b. shall be a holder of a basic driver's license. Any issuance of a license under classification b. shall be by endorsement on the basic driver's license.

A driver's license for motorcycles may be issued separately, but if issued to the holder of a basic driver's license, it shall be by endorsement on the basic driver's license. The holder of a basic driver's license or a separately issued motorcycle license shall be authorized to operate a motorcycle having a motor with a maximum piston displacement that is less than 50 cubic centimeters or a motor that is rated at no more than 1.5 brake horsepower with a maximum speed no more than 35 miles per hour on a flat surface.

The commission, upon payment of the lawful fee and after it or a person authorized by it has examined the applicant and is satisfied of the applicant's ability as an operator, may, in its discretion, issue a license to the applicant to drive a motor vehicle. The license shall authorize the person to drive any registered vehicle, of the kind or kinds indicated.

The license shall expire, except as otherwise provided, during the fourth calendar year following the date in which the license was issued and on the same calendar day as the person's date of birth. If the person's date of birth does not correspond to a calendar day of the fourth calendar year, the license shall expire on the last day of the person's birth month.

The commission may, at its discretion and for good cause shown, issue licenses which shall expire on a date fixed by it. If the commission issues a license to a person who has demonstrated authorization to be present in the United States for a period of time shorter than the standard period of the license, the commission shall fix the expiration date of the license at a date based on the period in which the person is authorized to be present in the United States under federal immigration laws. The commission may renew the license only if it is demonstrated that the person's continued presence in the United States is authorized under federal law. The fee for licenses with expiration dates fixed by the commission shall be fixed by the commission in amounts proportionately less or greater than the fee herein established.

The required fee for a license for the license period shall be as follows:

Motorcycle license or endorsement: $18.

Omnibus or school bus endorsement: $18.

Basic driver's license: $18.

The commission shall waive the payment of fees for issuance of omnibus endorsements whenever an applicant establishes to the commission's satisfaction that the applicant will use the omnibus endorsement exclusively for operating omnibuses owned by a nonprofit organization duly incorporated under Title 15 or 16 of the Revised Statutes or Title 15A of the New Jersey Statutes.

The commission shall issue licenses for the following license period on and after the first day of the calendar month immediately preceding the commencement of the period, the licenses to be effective immediately.

All applications for renewals of licenses shall be made in a manner prescribed by the commission and in accordance with procedures established by it.

The commission in its discretion may refuse to grant a permit or license to drive motor vehicles to a person who is, in its estimation, not a proper person to be granted a permit or license, but a defect of the applicant shall not debar the applicant from receiving a permit or license unless it can be shown by tests approved by the commission that the defect incapacitates the applicant from safely operating a motor vehicle.

In addition to requiring an applicant for a driver's license to submit satisfactory proof of identity and age, the commission also shall require the applicant to provide, as a condition for obtaining a permit and license, satisfactory proof that the applicant's presence in the United States is authorized under federal law.

If the commission has reasonable cause to suspect that any document presented by an applicant as proof of identity, age, or legal residency is altered, false, or otherwise invalid, the commission shall refuse to grant the permit or license until the time when the document may be verified by the issuing agency to the commission's satisfaction.

A person violating this section shall be subject to a fine not exceeding $500 or imprisonment in the county jail for not more than 60 days, but if that person has never been licensed to drive in this State or any other jurisdiction, the applicant shall be subject to a fine of not less than $200 and, in addition, the court shall issue an order to the commission requiring the commission to refuse to issue a license to operate a motor vehicle to the person for a period of not less than 180 days. The penalties provided for by this paragraph shall not be applicable in cases where failure to have actual possession of the operator's license is due to an administrative or technical error by the commission.

Nothing in this section shall be construed to alter or extend the expiration of any license issued prior to the date this amendatory and supplementary act becomes operative.

As used in this section:

"Parking sensors" means proximity sensors which use either electromagnetic or ultrasonic technology and are designed to alert the driver to obstacles while parking.

"Rear visibility system" means devices or components installed on a motor vehicle at the time of manufacture that allow a forward facing driver to view a visual image of the area directly behind the vehicle.

2. Section 4 of P.L.1980, c.47 (C.39:3-29.5) is amended to read as follows:

C.39:3-29.5 Expiration of card; certain cards valid for life; authorized presence in U.S. required for renewal.

4. a. Except as provided in subsection b. of this section, each original identification card authorized by section 2 of P.L.1980, c.47 (C.39:3-29.3) shall, unless canceled earlier or otherwise provided, expire during the fourth calendar year following its date of issuance, and on the same calendar day as the person's date of birth. If the date of birth of the bearer of the identification card does not correspond to a calendar day of the fourth calendar year, the identification card shall expire on the last day of the birth month of the bearer of the card.

The identification card shall be renewable upon the request of the bearer of the card, pursuant to terms of license renewal established by the New Jersey Motor Vehicle Commission, and upon payment of a fee as required by section 6 of P.L.1980, c.47 (C.39:3-29.7). An identification card issued pursuant to P.L.1980, c.47 (C.39:3-29.2 et seq.) to an applicant who is blind, disabled, or handicapped shall be valid for the life of the holder unless canceled by the holder. Cards issued prior to October 16, 1989 and valid upon the effective date of P.L.1990, c.30 shall be valid for the life of the holder unless canceled by the holder. Cards issued to blind, disabled or handicapped persons between October 16, 1989 and the effective date of P.L.1990, c.30, and which are valid on the effective date of P.L.1980, c.47 (C.39:3-29.2 et seq.), shall be made valid for the life of the holder unless canceled by the holder, upon presentation of proof that the blindness, disability, or handicap existed at the time of the original application. The chief administrator is authorized to require periodic verification of information included on any identification card issued for or valid for the life of the

holder. Nothing in this section shall be construed to alter or change any expiration date on any New Jersey identification card issued prior to the operative date of P.L.2001, c.391 (C.39:3-10f4 et al.) and any such identification card shall remain valid until its expiration date.

b. If the chief administrator issues an identification card to a person who has demonstrated authorization to be present in the United States for a period of time shorter than the standard periods of identification cards, the chief administrator shall fix the expiration date of the identification card at a date based on the period in which the person is authorized to be present in the United States under federal immigration laws. The chief administrator may renew such an identification card only if it is demonstrated that the person's continued presence in the United States is authorized under federal law.

3. This act shall take effect on the first day of the seventh month after enactment and shall apply only to licenses and cards issued or renewed on and after this date.

Approved June 9, 2017.

CHAPTER 92

AN ACT concerning the sale and possession of certain fireworks and amending R.S.21:2-2, R.S.21:2-3, and R.S.21:3-2.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. R.S.21:2-2 is amended to read as follows:

General definitions.

21:2-2. As used in this chapter:

"Fireworks" include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, but shall not include sparkling devices and novelties.

"Fireworks factory building" means any building or other structure in which the manufacture of fireworks, other than sparklers, or in which any processing involving fireworks other than sparklers, is carried on.

"Fireworks plant" means and includes all lands, with buildings thereon, used in connection with the manufacturing or processing of fireworks, as well as storehouses located thereon for the storage of finished fireworks.

"Highway" means any public street, public alley, public road, or navigable stream.

"Navigable streams" mean streams susceptible of being used, in their ordinary condition, as highways of commerce, over which trade and travel are or may be conducted in the customary modes, but shall not include streams which are not capable of navigation by barges, tugboats, and other large vessels.

"Railroad" means any steam, electric or other railroad which carries passengers for hire, but shall not include sidings or spur tracks installed primarily for the use of the fireworks plant.

"Sparkling devices and novelties" mean:

a. wood sticks or wire sparklers of not more than 100 grams of pyrotechnic mixture per item;

b. hand held or ground based sparkling devices which are non-explosive and non-aerial, which may produce a crackling or whistling effect, and contain 75 grams or less of pyrotechnic composition per tube or a total of 500 grams or less for multiple tubes; and

c. snakes and glow worms, smoke devices, and trick noisemakers, which include party poppers, snappers, and drop pops, each consisting of 25/100 grains or less of explosive mixture.

2. R.S.21:2-3 is amended to read as follows:

"Dangerous fireworks" defined.

21:2-3. "Dangerous fireworks" mean the following:

Toy torpedoes containing more than 5 grains of an explosive composition.

Paper caps containing more than .35 grain of explosive composition.

Firecrackers or salutes exceeding 5 inches in length or 3/4 inch in diameter.

Cannons, canes, pistols or other devices designed for use otherwise than with paper caps.

Any fireworks containing a compound or mixture of yellow or white phosphorous or mercury.

Any fireworks that contain a detonator or blasting cap.

Fireworks compositions that ignite spontaneously or undergo marked decomposition when subjected for 48 consecutive hours to a temperature of 167 degrees Fahrenheit.

Fireworks that can be exploded en masse by a blasting cap placed in one of the units or by impact of a rifle bullet or otherwise.

Fireworks, such as fusees, containing a match tip, or head, or similar igniting point or surface, unless each individual tip, head or igniting point or surface is thoroughly covered and securely protected from accidental contact or friction with any other surface.

Fireworks containing an ammonium salt and a chlorate.

3. R.S.21:3-2 is amended to read as follows:

Sale, possession or use prohibited; exceptions.

21:3-2. a. It shall be unlawful for any person to offer for sale, expose for sale, sell, possess or use, or explode any blank cartridge, toy pistol, toy cannon, toy cane or toy gun in which explosives are used; the type of balloon which requires fire underneath to propel the same; firecrackers; torpedoes; skyrockets, Roman candles, bombs, or other fireworks of like construction, or any fireworks containing any explosive or inflammable compound or any tablets or other device commonly used and sold as fireworks containing nitrates, chlorates, oxalates, sulphides of lead, barium, antimony, arsenic, mercury, nitroglycerine, phosphorus or any compound containing any of the same or other explosives, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, other than aviation and railroad signal light flares.

b. Notwithstanding subsection a. of this section, it shall be lawful for a person to offer for sale, expose for sale, sell, store, possess, or use:

(1) a toy pistol, toy cane, toy gun, or other device in which paper or plastic caps containing .25 grain or less of explosive compound per cap are used, providing they are so constructed that the hand cannot come in contact with the cap when in place for use, and toy pistol paper or plastic caps which contain less than .20 grains of explosive mixture per cap;

(2) sparkling devices and novelties as defined in R.S.21:2-2 if the person is 16 years of age or older. Sparkling devices and novelties, including their sale or use, shall not be subject to further regulation by a municipality pursuant to R.S.40:48-1, except that the storage and sale of items listed in this paragraph shall be consistent with the standards set forth in NFPA 1124 National Fire Protection Association Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 edition; and

(3) any item or device as otherwise provided in this chapter.

c. Except as otherwise may be provided in this chapter, it shall be lawful to sell fireworks to a person only if that person is named as the au-

thorized purchaser in a valid permit issued pursuant to R.S.21:3-3 or that person is the owner, manager, or designated employee acting as the agent of the owner or manager, of a legally operated commercial enterprise registered pursuant to section 10 of P.L.1991, c.55 (C.21:2-37), and the permit is presented to the manufacturer, seller or distributor at the time of purchase. If the manufacturer, seller or distributor is located in a state other than this State, a purchase shall be by mail order form and a photocopy of the valid permit or registration shall be submitted with the form to satisfy the requirement in this paragraph.

4. This act shall take effect immediately.

Approved June 28, 2017.

CHAPTER 93

AN ACT concerning injured law enforcement officers and certain other employees and supplementing Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.34:15-37.1 Payment of full compensation to certain injured officers.

1. Any State corrections officer, juvenile corrections officer, or juvenile detention officer who, in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by the inmates or detainees under the officer's custody or charge shall continue to receive full wages for up to six months or until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to six months so long as the injured officer remains a State corrections officer, juvenile corrections officer, or juvenile detention officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or im-

paired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

C.34:15-37.2 Payment of full compensation to certain injured parole officers.

2. Any parole officer who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by an adult or juvenile parolee under the officer's supervision shall continue to receive full wages for up to six months or until the parole officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to six months so long as the injured officer remains a parole officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

C.34:15-37.3 Certain injured officers to receive full compensation.

3. Any State Human Services police officer, State conservation officer, State park police officer, Palisades Interstate Park officer appointed pursuant to R.S.32:14-21, or full-time campus police officer appointed by a county college or four-year public institution of higher education pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.) who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault during the arrest or transportation of a suspect or other person in the officer's custody shall continue to receive full wages for up to six months or until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

Any senior, recruit, or assistant supervising medical security officer working under the authority of the Department of Human Services who, in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by a patient or resident who requires medical security shall continue to receive full wages for up to six months or

until the officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to six months so long as the injured officer remains a State Human Services police officer, State conservation officer, State park police officer, Palisades Interstate Park officer, campus police officer, or medical security officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

C.34:15-37.4 Certain injured civilian employees to receive full compensation.

4. Any civilian employee who directly works with or teaches inmates or detainees in a State correctional facility, juvenile correctional facility, or juvenile detention center who, in the course of performing the employee's official duties, suffers serious bodily injury as the direct result of an assault by the inmates or detainees with whom the employee works or teaches shall continue to receive full wages for up to six months or until the employee begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured employee shall receive regular supplemental payments from the employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured employee at the time of the injury. The supplemental payments authorized under this section shall continue for up to six months so long as the injured employee remains employed by the State correctional facility, juvenile correctional facility, or juvenile detention center and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured employee under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that employee is receiving supplemental payments pursuant to this section.

C.34:15-37.5. Certain injured probation officers to receive full compensation.

5. Any probation officer who, while in the course of performing the officer's official duties, suffers serious bodily injury as the direct result of an assault by a person placed on probation who is under the officer's supervision shall continue to receive full wages for up to six months or until the probation officer begins receiving compensation for that injury under R.S.34:15-1 et seq., whichever comes first.

In addition to the compensation received under R.S.34:15-1 et seq., the injured officer shall receive regular supplemental payments from the officer's employer in an amount that is sufficient, when added to the compensation received under R.S.34:15-1 et seq., to equal the net wage of the injured officer at the time of the injury. The supplemental payments authorized under this section shall continue for up to six months so long as the injured officer remains a probation officer and continues to be compensated under R.S.34:15-1 et seq.

The fringe benefits afforded an injured officer under the terms of a collective bargaining agreement, contract, or statute shall not be negated or impaired in any way and shall remain in full force and effect during the time that officer is receiving supplemental payments pursuant to this section.

C.34:15-37.6 "Serious bodily injury" defined.

6. As used in P.L.2017, c.93 (C.34:15-37.1 et seq.), "serious bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

7. This act shall take effect on the first day of the third month following enactment.

Approved July 3, 2017.

CHAPTER 94

AN ACT concerning certificate of need requirements and amending P.L.1992, c.160.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 19 of P.L.1992, c.160 (C.26:2H-7a) is amended to read as follows:

C.26:2H-7a Exemption from certificate of need requirement.

19. Notwithstanding the provisions of section 7 of P.L.1971, c.136 (C.26:2H-7) to the contrary, the following are exempt from the certificate of need requirement:

Community-based primary care centers;

Outpatient drug and alcohol services;

Hospital-based medical detoxification for drugs and alcohol;

Ambulance and invalid coach services;

Mental health services which are non-bed related outpatient services;

Residential health care facility services;

Dementia care homes;

Capital improvements and renovations to health care facilities;

Additions of medical/surgical, adult intensive care and adult critical care beds in hospitals;

Inpatient special psychiatric beds used solely for services for patients with co-occurring mental health and substance use disorders;

Replacement of existing major moveable equipment;

Inpatient operating rooms;

Alternate family care programs;

Hospital-based subacute care;

Ambulatory care facilities;

Comprehensive outpatient rehabilitation services;

Special child health clinics;

New technology in accordance with the provisions of section 18 of P.L.1998, c.43 (C.26:2H-7d);

Transfer of ownership interest except in the case of an acute care hospital;

Change of site for approved certificate of need within the same county;

Additions to vehicles or hours of operation of a mobile intensive care unit;

Relocation or replacement of a health care facility within the same county, except for an acute care hospital;

Continuing care retirement communities authorized pursuant to P.L.1986, c.103 (C.52:27D-330 et seq.);

Magnetic resonance imaging;

Adult day health care facilities;

Pediatric day health care facilities;

Chronic or acute renal dialysis facilities; and

Transfer of ownership of a hospital to an authority in accordance with P.L.2006, c.46 (C.30:9-23.15 et al.).

2. This act shall take effect immediately.

Approved July 3, 2017.

CHAPTER 95

AN ACT concerning participation by minority-owned and women-owned businesses in State contracting and supplementing Title 52 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.52:32-18.1 Chief Diversity Officer.

1. There is established in the Division of Purchase and Property in the State Department of the Treasury a Chief Diversity Officer. It shall be the duty of the Chief Diversity Officer to monitor the State's public contracting process for the purpose of compiling information on the awarding of contracts to minority-owned and women-owned business enterprises, the total value of all contracts and the percentage of the value of those contracts awarded to minority-owned and women-owned business enterprises.

2. This act shall take effect immediately.

Approved July 3, 2017.

CHAPTER 96

AN ACT amending and supplementing the Fiscal Year 2017 annual State appropriations act, P.L.2016, c.10.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The following language provisions in section 1 of P.L.2016, c.10, the annual State appropriations act for Fiscal Year 2017, are amended to read as follows:

22 DEPARTMENT OF COMMUNITY AFFAIRS
40 Community Development and Environmental Management
41 Community Development Management
GRANTS-IN-AID

The amount hereinabove appropriated for the Shelter Assistance program and the Prevention of Homelessness program shall be payable from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1968, c.49 (C.46:15-8) and from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1975, c.176 (C.46:15-10.1). If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

78 DEPARTMENT OF TRANSPORTATION
60 Transportation Programs
61 State and Local Highway Facilities
CAPITAL CONSTRUCTION

The amount hereinabove appropriated for the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds and for the Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds shall be provided from the following revenues : (i) $541,696,000 from motor fuels taxes, which are hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (ii) $543,135,000 from the petroleum products gross receipts tax, which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; and (iii) $200,000,000 from the sales and use tax which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution.

62 Public Transportation
GRANTS-IN-AID

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for New Jersey Transit Corporation, there is appropriated $132,089,000 from the Clean Energy Fund for utility costs associated with New Jersey Transit Corporation operations.

94 INTERDEPARTMENTAL ACCOUNTS
70 Government Direction, Management, and Control
74 General Government Services
DIRECT STATE SERVICES

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Fuel and Utilities, there is appropriated $77,500,000 from the Clean Energy Fund for utility costs in State facilities.

2. The following language is added to section 1 of P.L.2016, c.10, the annual State appropriations act for Fiscal Year 2017:

78 DEPARTMENT OF TRANSPORTATION
60 Transportation Programs
61 State and Local Highway Facilities
CAPITAL CONSTRUCTION

Revenues dedicated for transportation purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution in excess of the amounts of such dedicated revenue appropriated to the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds, Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds, for bond reserve requirements or for other fiscal obligations of the New Jersey Transportation Trust Fund Authority are hereby appropriated to the Transportation Trust Fund Subaccount for Capital Reserves.

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Transportation and the New Jersey Transit Corporation, upon approval of the Director of the Division of Budget and Accounting, may use Special Transportation Fund monies to support contracted Transportation Trust Fund projects until such time as revenues and other funds of the New Jersey Transportation Trust Fund Authority become available for those projects. Subject to the receipt of those revenues and other funds of the Authority, the Special Transportation Fund shall be reimbursed for all the monies that were used to advance Transportation Trust Fund projects.

3. Section 84 of P.L.2016, c.10, the annual State appropriations act for Fiscal Year 2017, is amended to read as follows:

84. Notwithstanding the provisions of section 8 of P.L.1992, c.160 (C.26:2H-18.58) or any other law or regulation to the contrary, $411,000,000 is appropriated from the Health Care Subsidy Fund to the Division of Medical Assistance and Health Services to fund Medical Coverage - Title XIX Parents and Children in the General Medical Services program classification.

4. The following language provisions are added to the General Provisions of P.L.2016, c.10, the annual State appropriations act for Fiscal Year 2017:

89. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $8,100,000 from the State Recycling Fund to the General Fund as State revenue.

90. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $2,000,000 from the Unclaimed Utility Deposits Trust Fund to the General Fund as State revenue.

5. Section 90 of P.L.2016, c.10 is amended to read as follows:

91. This act shall take effect July 1, 2016.

6. This act shall take effect immediately.

Approved July 4, 2017.

CHAPTER 97

AN ACT concerning the New Jersey Surplus Lines Insurance Guaranty Fund and amending P.L.1984, c.101.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 5 of P.L.1984, c.101 (C.17:22-6.74) is amended to read as follows:

C.17:22-6.74 Powers, duties and obligations of the Surplus Lines Insurance Guaranty Fund.

5. a. The fund shall:

(1) Be obligated to the extent of the covered claims against an insolvent insurer incurred prior to or 30 days after the determination of insolvency, or before the policy expiration date, if less than 30 days after that determination, or before the policyholder replaces the policy or causes its cancellation, if he does so within 30 days of the determination. The fund's obligation for covered claims shall not be greater than $300,000 per occurrence, subject to any applicable deductible and self-insured retention contained in the policy. The commissioner may pay a portion of or defer the fund's obligations for covered claims based on the moneys available in the fund. In no event shall the fund be obligated to a policyholder or claimant in excess of the limits of liability of the insolvent insurer stated in the policy from which the claim arises. Any obligation of the fund to defend an insured shall cease upon the fund's payment or tender of an amount equal to the lesser of the fund's covered claim statutory limit or the applicable policy limit;

(2) Be deemed the insurer to the extent of its obligation on the covered claims and to such extent shall have all rights, duties, and obligations of the insolvent insurer as if the insurer had not become insolvent;

(3) Assess member insurers in accordance with section 6 of this act in amounts necessary to pay:

(a) Obligations of the fund under paragraph (1) of this subsection,

(b) Expenses of handling covered claims,

(c) Any other expenses incurred in the implementation of the provisions of this act;

(4) Investigate claims brought against the fund; and adjust, compromise, settle, and pay covered claims to the extent of the fund's obligation; and deny all other claims; and may review settlements, releases and judgments to which the insolvent insurer or its policyholders were parties to determine the extent to which the settlements, releases and judgments may be properly contested;

(5) Notify those persons as the commissioner directs under section 8 of this act;

(6) Handle claims through the association's employees or representatives, or through one or more insurers or other persons designated as servicing facilities;

(7) Pay the other expenses of the association in administering the provisions of this act; and

(8) (Deleted by amendment, P.L.2004, c.165.)

(9) (Deleted by amendment, P.L.2017, c.97)

(10) On or before June 30, 2017, transfer $8,000,000 to the General Fund.

b. The fund may:

(1) Sue or be sued;

(2) Negotiate and become a party to those contracts which are necessary to carry out the purpose of this act;

(3) Perform those other acts which are necessary or appropriate to effectuate the purpose of this act;

(4) (Deleted by amendment, P.L.2002, c.30.)

(5) With the approval of the commissioner, borrow and separately account for moneys from any source, including but not limited to the New Jersey Property-Liability Insurance Guaranty Association and the Unsatisfied Claim and Judgment Fund, in such amounts and on such terms as the New Jersey Property-Liability Insurance Guaranty Association may determine are necessary or appropriate to effectuate the purposes of P.L.2003, c.89 (C.17:30A-2.1 et al.) in accordance with the association's plan of operation; and

(6) Make loans, in such amounts and on such terms as the association may determine are necessary or appropriate, to the New Jersey Property-Liability Insurance Guaranty Association in accordance with the provisions of the "New Jersey Property-Liability Insurance Guaranty Association Act," P.L.1974, c.17 (C.17:30A-1 et seq.) and the "Unsatisfied Claim and Judgment Fund Law," P.L.1952, c.174 (C.39:6-61 et seq.).

2. This act shall take effect immediately and shall be retroactive to June 30, 2017 if enacted thereafter.

Approved July 4, 2017.

CHAPTER 98

AN ACT concerning the contribution of the Lottery Enterprise to certain State-administered retirement systems to benefit State institutions and provide State aid to education, amending various parts of the statutory law, and supplementing P.L.1970, c.13 (C.5:9-1 et seq.).

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.5:9-22.5 Short title.

1. This act shall be known and may be cited as the "Lottery Enterprise Contribution Act."

C.5:9-22.6 Findings, declarations relative to State lottery contributions.

2. The Legislature finds and declares that:

a. The State Lottery, as established by and operated pursuant to Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey and the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.), is a valuable asset of the State of New Jersey.

b. The Lottery Enterprise has been and is a business-like entity, consisting of all of the assets, properties, interests, and rights of every nature and kind, tangible and intangible, of the State useful or necessary to operate the State Lottery.

c. The Division of the State Lottery in the Department of the Treasury is constantly evolving the brand, marketing, and game offerings of the Lottery Enterprise in order to retain existing players and attract new ones.

d. The Lottery Enterprise, as operated by the Division of the State Lottery, is recognized as one of the most profitable and well-operated lotteries in the United States and the world. The division operates the Lottery Enterprise in a manner that is consonant with the dignity of the State and general welfare of its people, as demonstrated by the division having earned the highest level of achievement in responsible gaming, and having received the Best Innovation in Responsible Gambling Award from the World Lottery Association in November 2016.

e. The continued operation, management, conduct, and control of the Lottery Enterprise by the Division of the State Lottery is necessary for the Lottery Enterprise to remain operating at these high standards, consistent with the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.), and with applicable federal law.

f. The Teachers' Pension and Annuity Fund, the Public Employees' Retirement System, and the Police and Firemen's Retirement System are established as qualified governmental defined benefit plans pursuant to sections 401(a) and 414(d) of the federal Internal Revenue Code of 1986 (26 U.S.C. ss.401(a) and 414(d)), as amended, and exempt under section 501(a) of the federal Internal Revenue Code of 1986 (26 U.S.C. s.501(a)), as amended, and such other provision of the federal Internal Revenue Code, as applicable, regulations of the United States Department of the Treasury, and other guidance of the federal Internal Revenue Service, and this act, P.L.2017, c.98 (C.5:9-22.5 et al.). The contribution of the Lottery Enterprise to these retirement systems is intended to comply with all requirements of the federal Internal Revenue Code governing the tax qualified status of the retirement systems, and this act shall at all times be applied and construed in a manner consistent with all such requirements.

g. The members of the Teachers' Pension and Annuity Fund are serving or have served as teachers, educators, and administrators in the schools of this State and are eligible members of the retirement system, and contributing the Lottery Enterprise for their benefit pursuant to this act constitutes State aid for education within the meaning of Article IV, Section VII, paragraph 2 of the State Constitution.

h. Some of the members of the Public Employees' Retirement System are serving or have served as employees of State institutions defined in R.S.30:1-7, but excluding adult or juvenile correctional facilities or institutions, or are serving or have served as employees of public institutions of higher education, and are eligible members of the retirement system, and contributing the Lottery Enterprise for their benefit pursuant to this act con-

stitutes support for State institutions and State aid for education within the meaning of Article IV, Section VII, paragraph 2 of the State Constitution.

i. Some of the members of the Police and Firemen's Retirement System are serving or have served as employees of State institutions defined in R.S.30:1-7, but excluding adult or juvenile correctional facilities or institutions, or are serving or have served as employees of public institutions of higher education, and are eligible members of the retirement system, and contributing the Lottery Enterprise for their benefit pursuant to this act constitutes support for State institutions and State aid for education within the meaning of Article IV, Section VII, paragraph 2 of the State Constitution.

j. The New Jersey Supreme Court has recognized the compelling need for action to solve the tenuous state of New Jersey's pension funding, observing that "the State must get its financial house in order."

k. The New Jersey Pension and Health Benefit Study Commission emphasized the dire condition of the public employee pension systems, which continues to be a matter of grave concern for public employees, retirees, their families, and all of the residents of this State. The commission found that "by any measure, the amount of the unfunded liability is grievous."

l. The contribution of the Lottery Enterprise to the retirement systems pursuant to and in the manner contemplated by this act is in the public interest in alleviating the underfunded status of such retirement systems.

m. The State, pursuant to a competitive process, engaged an independent valuation service provider to conduct a review and due diligence of the Lottery Enterprise, including its cash flows, operating history, legal structure, and projections, and the independent valuation service provider issued a report which represents its opinion as to the valuation of the Lottery Enterprise.

n. The allocable percentages established in section 5 of this act were determined based on: (1) the relative percentages of the total actuarial accrued liabilities of the retirement systems; (2) the relative percentages of the total actuarial accrued liabilities of the eligible member portions of such retirement systems; (3) the relative percentages of the total unfunded actuarially accrued liabilities of the retirement systems; (4) the relative percentages of the total unfunded actuarially accrued liabilities of the eligible member portions of such retirement systems; (5) the relative percentages of the total number of members in each retirement system; and (6) the relative percentages of eligible members participating in each such retirement system.

o. Following the lottery contribution, the Division of the State Lottery will operate, manage, conduct, and control the Lottery Enterprise with a goal of maximizing net proceeds for the benefit of the retirement systems, consonant with the dignity of the State and general welfare of its people.

C.5:9-22.7 Definitions relative to State lottery contributions.

3. As used in this act, P.L.2017, c.98 (C.5:9-22.5 et al.):

"Adult or juvenile correctional facilities or institutions" means adult or juvenile correctional facilities or institutions as defined pursuant to section 8 of P.L.1976, c.98 (C.30:1B-8).

"Eligible members" means:

(1) individuals who are serving or who have served in positions eligible for participation in the Teachers' Pension and Annuity Fund;

(2) individuals who are serving or who have served in positions eligible for participation in the Public Employees' Retirement System and who are serving or have served as employees of State institutions described or listed in R.S.30:1-7, State institutions no longer in operation as identified by the State Treasurer, or any facilities, institutions, or veterans homes established for any similar purpose, but excluding adult or juvenile correctional facilities or institutions, or who are serving or have served as employees of public institutions of higher education; and

(3) individuals who are serving or who have served in positions eligible for participation in the Police and Firemen's Retirement System and who are serving or have served as employees of State institutions described or listed in R.S.30:1-7, State institutions no longer in operation as identified by the State Treasurer, or any facilities, institutions, or veterans homes established for any similar purpose, but excluding adult or juvenile correctional facilities or institutions, or who are serving or have served as employees of public institutions of higher education.

"Lottery Enterprise" means the lottery established pursuant to the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.), and all of the assets, properties, interests, and rights of every nature and kind, tangible and intangible, presently existing or acquired in the future, useful or necessary to operate the State Lottery, including, without limitation: inventory; supplies; equipment; furnishings; fixtures; computers and other electronic equipment; other personal property; real property and rights therein; trademarks and trademark applications; logos; trade names; patents and patent applications; other intellectual property rights; customer lists; going concern value; goodwill; sales records; copies of business books and records; monetary management systems; accounting systems; licenses; permits; contracts and contract rights; rights to take assignment of contracts and related receipts and revenues; accounts receivable; designs; technical data and information; sales materials; the right to merchandising in the State and to sell lottery products in the State; all accounts payable and liabilities related to the foregoing; and all ancillary or necessary appurtenances to the foregoing; pro-

vided, however, that Lottery Enterprise excludes all retained assets and retained liabilities.

"Retained assets" means those assets and rights of or related to the Lottery Enterprise that relate to the operation of the Lottery Enterprise necessary to satisfy liabilities arising on or prior to the lottery contribution effective date as specified in the Memorandum of Lottery Contribution under section 4 of this act, and cash, annuities, and other similar assets specified in the Memorandum of Lottery Contribution.

"Retained liabilities" means those liabilities, encumbrances, and obligations of or related to the Lottery Enterprise that relate to the operation of the Lottery Enterprise on or prior to the lottery contribution effective date as specified in the Memorandum of Lottery Contribution under section 4 of this act.

"Retirement systems" means one or more of the following governmental organizations within the meaning of 18 U.S.C. s.1307(a)(2)(A), as amended, and other applicable law:

(1) the Teachers' Pension and Annuity Fund, established pursuant to N.J.S.18A:66-1 et seq.;

(2) the Public Employees' Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-7 et seq.); and

(3) the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-2 et seq.).

"Special asset" means the Lottery Enterprise, including the operations account but excluding the investment account.

"State institutions" means long-term care facilities, institutions, and psychiatric facilities of this State, as described or listed in R.S.30:1-7 and long-term care facilities, institutions, and psychiatric facilities of this State no longer in operation as identified by the State Treasurer.

C.5:9-22.8 Contributions to the lottery enterprise to benefit retirement systems; memorandum of Lottery Contribution.

4. a. The State Treasurer shall make a contribution of the Lottery Enterprise for a period of 30 years for the benefit of the retirement systems, which shall be deposited in Common Pension Fund L in accordance with this act, P.L.2017, c.98 (C.5:9-22.5 et al.), and the Memorandum of Lottery Contribution required under this section.

b. The Division of the State Lottery shall operate, manage, conduct, and control the Lottery Enterprise with a goal of maximizing net proceeds for the benefit of the retirement systems, consonant with the dignity of the State and the general welfare of the people.

c. The lottery contribution shall be subject to (1) a royalty-free, exclusive license with all substantial rights including the right to sublicense, from Common Pension Fund L, established pursuant to section 6 of this act, to the Division of the State Lottery during the lottery contribution for all trademarks and trademark applications, logos, tradenames, and other intellectual property rights owned or used by or in connection with the Lottery Enterprise, whether existing on the effective date of this act or subsequently acquired or created; and (2) any existing licenses or sublicenses granted prior to the effective date of this act by the Division of the State Lottery to third parties for any and all trademarks and trademark applications, logos, tradenames, and other intellectual property rights owned or used by, or in connection with, the Lottery Enterprise.

d. The State Treasurer shall prepare, execute, and deliver the Memorandum of Lottery Contribution, and such certificates and other documents as the State Treasurer determines are consistent with this act and are reasonably necessary to evidence or effectuate the lottery contribution. The State Treasurer may amend or supplement the Memorandum of Lottery Contribution, including to correct deficiencies or errors therein.

e. The Memorandum of Lottery Contribution shall contain:

(1) the lottery contribution effective date;

(2) a transition period of up to 180 days and transition procedures reasonably necessary to ensure that operations of the Lottery Enterprise are not materially disrupted as a result of the lottery contribution;

(3) a detailed description or list of all of the assets and liabilities of the Lottery Enterprise;

(4) a description of the retained assets and retained liabilities; and

(5) such other provisions as the State Treasurer determines in the Treasurer's sole discretion are useful and necessary to make the lottery contribution in a manner consistent with this act.

f. Notwithstanding the provisions of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the State Treasurer shall provide the Memorandum of Lottery Contribution to the Office of Administrative Law, and the Office of Administrative Law shall publish the Memorandum of Lottery Contribution in the New Jersey Register.

g. The retirement systems shall not be required or permitted to pay any expenses incurred by the State Treasurer, the Division of the State Lottery, or the Division of Investment in the Department of the Treasury in connection with the making of the lottery contribution pursuant to this act.

h. During the lottery contribution, all new assets acquired by or for the Lottery Enterprise shall be owned by Common Pension Fund L for the

benefit of the retirement systems, except those assets, including licenses or similar rights in or to multistate lottery games, which may only be held, licensed, acquired, or procured by the Division of the State Lottery and which relate to the Lottery Enterprise, in which case such assets shall be held, licensed, acquired, or procured by the Division of the State Lottery on behalf of and for the benefit of Common Pension Fund L.

i. The Director of the Division of Investment shall acknowledge receipt of the lottery contribution to the retirement systems and of the Memorandum of Lottery Contribution, and shall deposit the lottery contribution into Common Pension Fund L.

j. Following the lottery contribution, the Division of the State Lottery shall operate, manage, conduct, and control the Lottery Enterprise in accordance with the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.), and with applicable federal law, including the applicable requirements of the federal Internal Revenue Code.

k. At the expiration of the lottery contribution, the Lottery Enterprise, exclusive of all proceeds attributable to the operation of the Lottery Enterprise prior to the expiration of the lottery contribution, shall be returned to the Division of the State Lottery. Prior to that time, the State Treasurer shall, in coordination with the Division of Investment and the Division of the State Lottery, provide for and enter into any agreements or arrangements necessary or advisable for the orderly return of the Lottery Enterprise, exclusive of such proceeds, as provided in the Memorandum of Lottery Contribution. Such arrangements shall include a transition period of up to 180 days following the expiration of the lottery contribution, during which the proceeds of the Lottery Enterprise may continue to be deposited into the operations account established in section 6 of this act, and other transition arrangements reasonably necessary to ensure that operations of the Lottery Enterprise are not materially disrupted as a result of the expiration of the lottery contribution.

l. The State Treasurer shall execute the Memorandum of Lottery Contribution, and the Director of the Division of Investment shall acknowledge receipt of the lottery contribution, on or before December 31, 2017.

C.5:9-22.9 Value of Lottery Enterprise.

5. a. For the purposes of this act, P.L.2017, c.98 (C.5:9-22.5 et al.), the Lottery Enterprise shall be valued at $13,535,000,000, as that value was determined by the independent valuation service provider engaged by the State.

b. The lottery contribution and all proceeds of the Lottery Enterprise shall be allocated among the retirement systems in the allocable percentages as follows: 77.78 percent for the Teachers' Pension and Annuity Fund, established pursuant to N.J.S.18A:66-1 et seq.; 21.02 percent for the Public Employees' Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-7 et seq.); and 1.20 percent for the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-2 et seq.), which have been determined based on (1) the relative percentages of the total actuarial accrued liabilities of the retirement systems; (2) the relative percentages of the total actuarial accrued liabilities of the eligible member portions of such retirement systems; (3) the relative percentages of the total unfunded actuarially accrued liabilities of the retirement systems; (4) the relative percentages of the total unfunded actuarially accrued liabilities of the eligible member portions of such retirement systems; (5) the relative percentages of the total number of members in each retirement system; and (6) the relative percentages of eligible members participating in each such retirement system. Each retirement system shall have an initial equitable interest in Common Pension Fund L, established pursuant to section 6 of this act, equal to its allocable percentage of the entire lottery contribution made on its behalf.

C.5:9-22.10 Common Pension Fund established; subaccounts.

6. a. In order to receive the lottery contribution on behalf of the retirement systems, a Common Pension Fund L is hereby established within the Division of Investment in the Department of the Treasury. Common Pension Fund L shall constitute part of each retirement system and the participating trust through which each retirement system is funded. Only the retirement systems and the trusts through which they are funded shall have an interest in Common Pension Fund L. Common Pension Fund L shall satisfy the requirements of section 401(a)(24) of the federal Internal Revenue Code of 1986 (26 U.S.C. s.401(a)(24)), as amended, in accordance with Revenue Ruling 81-100, as amended by Revenue Ruling 2004-67 and Revenue Ruling 2011-1, and the requirements for exemption under section 501(a) of the federal Internal Revenue Code of 1986 (26 U.S.C. s.501(a)), as amended. Consistent with section 401(a)(24) of the federal Internal Revenue Code of 1986 (26 U.S.C. s.401(a)(24)), as amended, regulations of the United States Department of the Treasury, and other guidance of the federal Internal Revenue Service, each retirement system shall participate in Common Pension Fund L.

No part of the corpus or income of Common Pension Fund L that equitably belongs to a retirement system or a trust of the retirement system may

be used for or diverted to any purpose other than for the exclusive benefit of the members or beneficiaries entitled to benefits under such retirement system or trust of the retirement system. No retirement system or trust of a retirement system may assign any part of its equity or interest in Common Pension Fund L.

b. Upon receipt of the lottery contribution, the Director of the Division of Investment shall:

(1) invest and manage all assets in the investment account;

(2) make distributions of proceeds and investment earnings thereon from the investment account into investment vehicles managed by the Division of Investment for the sole benefit of the retirement systems; and

(3) make distributions of proceeds and investment earnings thereon from the investment account to the retirement systems from Common Pension Fund L to be used by each retirement system for any legitimate purpose of such retirement system, provided that any distribution under this part (3) shall be made on a simultaneous and pro rata basis to the retirement systems, which pro rata basis shall be based on each retirement system's relative equitable interest in the lottery contribution.

c. Upon the establishment of Common Pension Fund L, there shall be established two subaccounts therein as the operations account and investment account for the following purposes.

(1) The gross proceeds of the Lottery Enterprise shall be deposited into an operations account. The Division of the State Lottery solely shall manage the operations account and shall make deposits therein, invest amounts therein, make requisition and payment for costs incurred in the operation and administration of the Lottery Enterprise, including reimbursements of funds used to pay such expenses, and payment for lottery sales agent commissions, certain prizes paid by lottery sales agents, costs resulting from any contract or contracts entered into for promotional, advertising, or operational services, or for the purchase or lease of lottery equipment and materials for the Lottery Enterprise therefrom, hold reserves for payment of prizes and other purposes related to the operation of the Lottery Enterprise, and otherwise manage the operations account. All proceeds of the Lottery Enterprise deposited in the operations account shall be qualified plan assets subject to the requirements of sections 401(a) and 501(a) of the federal Internal Revenue Code of 1986 (26 U.S.C. ss.401(a) and 501(a)), as amended, but shall not be assets managed by the Division of Investment for the benefit of the retirement systems under N.J.S.18A:66-61, section 14 of P.L.1944, c.255 (C.43:16A-14), or section 32 of P.L.1954, c.84 (C.43:15A-

32) until any such assets have been transferred from the operations account to the investment account.

(2) Proceeds in amounts determined by the Division of the State Lottery shall be transferred from the operations account to the investment account on a periodic basis and such proceeds shall constitute the net proceeds of the Lottery Enterprise. Such proceeds transferred together with all investments thereof and investment earnings thereon shall be available solely to and for the benefit of the retirement systems in the allocable percentages specified in section 5 of this act, P.L.2017, c.98 (C.5:9-22.9). The investment account shall be managed and invested by the Director of the Division of Investment pursuant to the authority, responsibilities, and duties set forth in P.L.1950, c.271 (C.52:18A-79 et seq.), subject to the oversight of the State Investment Council, pursuant to the authority of P.L.1950, c.270 (C.52:18A-79 et seq.). The Director of the Division of Investment shall have full discretion to distribute proceeds and all investments thereof and investment earnings thereon from the investment account into investment vehicles managed by the Division of Investment on behalf of the retirement systems. The investment account may be further subdivided into subaccounts in the discretion of the Director of the Division of Investment for purposes of investing in different types of investments.

(3) Notwithstanding any provision of this act or any other provision of law to the contrary, the Director of the Division of Investment and the State Investment Council shall not have any responsibility for the operations account of Common Pension Fund L and shall not be liable for any claims, demands, suits, actions, damages, judgments, costs, charges, or expenses, including court costs or attorneys' fees in any way related to such account. Notwithstanding the establishment of Common Pension Fund L in the Division of Investment, the Director of the Division of Investment, the Division of Investment, and the State Investment Council shall not have any authority to manage the Lottery Enterprise or the operations account.

d. The portion of the lottery contribution allocated to each retirement system shall increase the funded ratio with respect to eligible members of such retirement system, provided, however, all amounts in the investment account, to the extent of the interest of each retirement system therein, may be distributed by the Director of the Division of Investment to the retirement systems from Common Pension Fund L and used by each retirement system for any legitimate purpose of such retirement system, provided that any such distribution shall be made on a simultaneous and pro rata basis to the retirement systems, which pro rata basis shall be based on each retirement system's relative equitable interest in the lottery contribution. For the

purpose of this subsection, the funded ratio shall be the ratio of the actuarial value of assets plus the value of the special asset, determined in accordance with section 38 of P.L.2010, c.1 (C.43:3C-14), to the actuarially determined accrued liabilities expressed as a percentage.

C.5:9-22.11 Construction of act.

7. Nothing in this act, P.L.2017, c.98 (C.5:9-22.5 et al.), shall be construed as a waiver of the sovereign immunity of the State or a relinquishment of the sovereign powers of the State. The Superior Court of New Jersey shall have exclusive original jurisdiction and venue over all matters arising from this act.

C.5:9-22.12 Liberal construction; severability.

8. This act, P.L.2017, c.98 (C.5:9-22.5 et al.), shall be construed liberally. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provisions or applications, and to this end the provisions of this act are declared to be severable.

9. Section 3 of P.L.1970, c.13 (C.5:9-3), is amended to read as follows:

C.5:9-3 Definitions.

3. For the purposes of this act:

a. "Commission" shall mean the State Lottery Commission established by this act.

b. "Division" shall mean the Division of the State Lottery created by this act.

c. "Lottery" or "State lottery" shall mean the lottery established and operated pursuant to this act and includes all lottery games organized or conducted by the division prior to and after the effective date of P.L.2017, c.98 (C.5:9-22.5 et al.).

d. "Director" shall mean the Director of the Division of the State Lottery.

10. Section 5 of P.L.1970, c.13 (C.5:9-5) is amended to read as follows:

C.5:9-5 State lottery commission; members.

5. The commission shall consist of the State Treasurer and six public members, all of whom shall be residents of this State and all of whom shall be appointed by the Governor by and with the advice and consent of the Senate. No more than three of the six public members shall be members of

the same political party. The public members shall be appointed for terms of 5 years, except that of the members first appointed, one shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, commencing as of the date of their appointment by the Governor. The term of each of the members first appointed shall be designated by the Governor. The term of the additional public member appointed pursuant to this 1983 amendatory act shall be five years. The members shall annually elect one of the public members as chairman of the commission and shall also annually elect one of the public members as vice chairman of the commission.

During the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the commission shall consist of the State Treasurer, the Director of the Division of Investment, and five public members, all of whom shall be residents of this State, and all of whom shall be appointed by the Governor with the advice and consent of the Senate. No more than three of the five public members shall be members of the same political party. When the lottery contribution begins, the Governor shall select one public member, who is serving on the effective date of P.L.2017, c.98 (C.5:9-22.5 et al.), for termination of the member's service. Members of the commission serving on the date of enactment of the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.), not terminated by the Governor shall continue to serve for the remainder of their terms.

Any vacancy in the commission occurring for any reason other than the expiration of term shall be filled for the unexpired term in the same manner as the original appointment.

Any public member of the commission may be removed from office by the Governor, for cause, upon notice and opportunity to be heard at a public hearing.

The public members of the commission shall receive no salaries but shall be allowed reasonable expenses incurred in the performance of their official duties in an amount not exceeding $5,000.00 per annum in the case of the chairman, and $3,500.00 in the case of each of the other commissioners.

The Director of the Division of Investment and the State Treasurer may each designate an officer or employee of the Division of Investment or the Department of the Treasury, respectively, to represent the director or the Treasurer at meetings of the commission, who may lawfully vote and otherwise act on behalf of the Treasurer and the director, respectively. Any designation shall be in writing, delivered to the commission and filed with the Secretary of State and shall continue in effect, unless by its terms it is

made for a fixed period, until revoked or amended in the same manner as provided for the designation.

11. Section 7 of P.L.1970, c.13 (C.5:9-7) is amended to read as follows:

C.5:9-7 Commission; powers and duties.

7. The commission shall have the power, and it shall be its duty:

a. After full and thorough study of the report and recommendations of the State Lottery Planning Commission established pursuant to Joint Resolution Number 11, approved November 20, 1969, and such other pertinent information as may be available, to promulgate such rules and regulations governing the establishment and operation of a State lottery as it deems necessary and desirable in order that the mandate of the people expressed in their approval of the amendment to Article IV, Section VII, paragraph 2, of the Constitution in the general election of November, 1969, may be fully implemented, in order that such a lottery shall be initiated at the earliest feasible and practicable time, and in order that such lottery shall produce the maximum amount of net proceeds for State institutions and State aid for education consonant with the dignity of the State and the general welfare of the people. Such rules and regulations may include, but shall not be limited to, the following:

(1) The type of lottery to be conducted.

(2) The price, or prices, of tickets or shares in the lottery.

(3) The number and sizes of the prizes on the winning tickets or shares.

(4) The manner of selecting the winning tickets or shares.

(5) The manner of payment of prizes to the holders of winning tickets or shares, including, subject to the approval of the State Treasurer, provision for payment of prizes not to exceed $599.00 by agents licensed hereunder out of moneys received from sales of tickets or shares.

(6) The frequency of the drawings or selections of winning tickets or shares, without limitation.

(7) Without limit as to number, the type or types of locations at which tickets or shares may be sold.

(8) The method to be used in selling tickets or shares.

(9) The licensing of agents to sell tickets or shares, provided that no person under the age of 21 shall be licensed as an agent.

(10) The manner and amount of compensation, if any, to be paid licensed sales agents necessary to provide for the adequate availability of tickets or shares to prospective buyers and for the convenience of the public.

(11) The apportionment of the total proceeds accruing from the sale of lottery tickets or shares and from all other sources among (a) the payment of prizes to the holders of winning tickets or shares, (b) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the division and the costs resulting from any contract or contracts entered into for promotional, advertising or operational services or for the purchase or lease of lottery equipment and materials, (c) for the repayment of the money appropriated to the State Lottery Fund pursuant to section 23 of this act, and (d) for transfer to the general fund for State institutions and State aid for education; provided, however, that no less than 30% of the total proceeds accruing from the sale of lottery tickets or shares shall be dedicated to (d) above.

During the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the apportionment of the total proceeds accruing from the sale of lottery tickets or shares and from all other sources among (a) the payment of prizes to the holders of winning tickets or shares, (b) the payment of costs incurred in the operation and administration of the Lottery Enterprise, as defined in section 3 of P.L.2017, c.98 (C.5:9-22.7), including the expenses of the division and the costs resulting from any contract or contracts entered into for promotional, advertising, or operational services for the purchase or lease of lottery equipment and materials, and (c) for transfer to the investment account of Common Pension Fund L, for the benefit of retirement systems, as provided in the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.); provided, however, that no less than 30 percent of the proceeds accruing from the sale of lottery tickets or shares shall be dedicated to the investment account under (c) above.

(12) Such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and the Lottery Enterprise and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares.

Notwithstanding the provisions of any other law to the contrary, no rule or regulation establishing a lottery game shall be considered an "administrative rule" or "rule" pursuant to P.L.1968, c. 410 (C. 52:14B-1 et seq.).

b. To amend, repeal, or supplement any such rules and regulations from time to time as it deems necessary or desirable. Notwithstanding any provision of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the contrary, the commission may adopt, immediately upon filing with the Office of Administrative Law, such regulations as are necessary to implement the provisions of the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.), which shall be effective

for a period not to exceed 12 months following adoption, and may thereafter be amended, adopted, or readopted by the commission in accordance with the requirements of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

c. To advise and make recommendations to the director regarding the operation and administration of the lottery and the Lottery Enterprise.

d. To report monthly to the Governor and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and during the lottery contribution, to the Director of the Division of Investment, the total lottery proceeds, prize disbursements and other expenses for the preceding month, and to make an annual report, which shall include a full and complete statement of lottery proceeds, prize disbursements and other expenses, to the Governor, the Legislature, and during the lottery contribution, the Director of the Division of Investment, including such recommendations for changes in this act as it deems necessary or desirable.

e. To report immediately to the Governor and the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and during the lottery contribution, to the Director of the Division of Investment, any matters which shall require immediate changes in the laws of this State in order to prevent abuses and evasions of this act or rules and regulations promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the lottery and the Lottery Enterprise.

f. To carry on a continuous study and investigation of the lottery and the Lottery Enterprise throughout the State, which may include requiring a financial or operational audit of the Lottery Enterprise, (1) for the purpose of ascertaining any defects in this act or in the rules and regulations issued thereunder by reason whereof any abuses in the administration and operation of the lottery and the Lottery Enterprise or any evasion of this act or the rules and regulations may arise or be practiced, (2) for the purpose of formulating recommendations for changes in this act and the rules and regulations promulgated thereunder to prevent such abuses and evasions, (3) to guard against the use of this act and the rules and regulations issued thereunder as a cloak for the carrying on of organized gambling and crime, and (4) to insure that said law and rules and regulations shall be in such form and be so administered as to serve the true purposes of this act and the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.).

g. To make a continuous study and investigation of (1) the operation and the administration of similar laws which may be in effect in other states or countries, (2) any literature on the subject which from time to time may be published or available, (3) any Federal laws which may affect the opera-

tion of the lottery and the Lottery Enterprise, and (4) the reaction of New Jersey residents to existing and potential features of the lottery and the Lottery Enterprise, with a view to recommending or effecting changes that will tend to serve the purposes of this act.

12. Section 8 of P.L.1970, c.13 (C.5:9-8) is amended to read as follows:

C.5:9-8 Director; powers and duties.

8. The director shall have the power, and it shall be his duty to:

a. Supervise and administer the operation of the lottery and the Lottery Enterprise in accordance with the provisions of this act and the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.), and with the rules and regulations of the commission.

b. Subject to the approval of the commission, appoint such deputy directors as may be required to carry out the functions and duties of the division, which deputy directors shall be in the unclassified service of the civil service.

c. Subject to the approval of the commission and Title 11A of the New Jersey Statutes, Civil Service, appoint such professional, technical and clerical assistants and employees as may be necessary to perform the duties imposed upon
the division by this act and the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.).

d. Act as secretary and executive officer of the commission.

e. In accordance with the provisions of this act and the rules and regulations of the commission, to license as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares. The director may require a bond from every licensed agent, in such amount as provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license, or a copy thereof, as provided in the rules and regulations of the commission.

f. Shall confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery and the Lottery Enterprise; shall make available for inspection by the commission, upon request, all books, records, files, and other information and documents of the division; shall advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery and the Lottery Enterprise.

g. Suspend or revoke any license issued pursuant to this act or the rules and regulations promulgated thereunder.

h. Subject to the approval of the commission and the applicable laws relating to public contracts, to act on behalf of the commission as using agency with respect to purchases made by the Division of Purchase and Property of goods and services required in the operation of the lottery and the Lottery Enterprise.

i. To certify monthly to the State Treasurer, the commission, and during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the Director of the Division of Investment, a full and complete statement of lottery proceeds, prize disbursements and other expenses for the preceding month.

j. During the term of the lottery contribution, operate, manage, conduct, and control the retained assets and the retained liabilities, as each term is defined in the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.).

13. Section 17 of P.L.1970, c.13 (C.5:9-17) is amended to read as follows:

C.5:9-17 Unclaimed prize money.

17. Unclaimed prize money for the prize on a winning ticket or share shall be retained by the director for the person entitled thereto for 1 year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall be allocated to State institutions and State aid for education in the same manner as lottery proceeds are allocated for such purposes under this act.

14. Section 18 of P.L.1970, c.13 (C.5:9-18) is amended to read as follows:

C.5:9-18 Deposit of receipts; reports.

18. The director may, in his discretion, require any or all lottery sales agents to deposit to the credit of the operations account of Common Pension Fund L, as provided in the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.) during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), and otherwise deposit to the credit of the State Lottery Fund in banks, designated by the State Treasurer all moneys received by such agents from the sale of lottery tickets or shares, less the amount, if any, retained as compensation for the sale of the tickets or shares, and to file with the director or his designated agents reports

of their receipts and transactions in the sale of lottery tickets in such form and containing such information as he may require. The director may make such arrangements for any person, including a bank, to perform such functions, activities or services in connection with the operation of the lottery as he may deem advisable pursuant to this act and the rules and regulations of the commission, and such functions, activities or services shall constitute lawful functions, activities and services of such person.

15. Section 21 of P.L.1970, c.13 (C.5:9-21) is amended to read as follows:

C.5:9-21 State lottery fund, certain proceeds diverted to Common Pension Fund L.

21. There is hereby created and established in the Department of the Treasury a separate fund, to be known as the "State Lottery Fund," to be deposited in such depositories as the State Treasurer may select. Such fund shall consist of all proceeds received from the sale of lottery tickets or shares, and all other moneys credited or transferred thereto from any other fund or source pursuant to law.

During the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), no proceeds received from the sale of lottery tickets or shares, and no other moneys credited or transferred to the Lottery Enterprise, as defined as section 3 of P.L.2017, c.98 (C.5:9-22.7), from any other fund or source, shall be deposited into the State Lottery Fund, and instead all such amounts shall be deposited into the operations account of Common Pension Fund L, established pursuant to the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.).

16. Section 22 of P.L.1970, c.13 (C.5:9-22) is amended to read as follows:

C.5:9-22 Appropriation of moneys; report; publication.

22. The moneys in said State Lottery Fund shall be appropriated only (a) for the payment of prizes to the holders of winning lottery tickets or shares, (b) for the expenses of the division in its operation of the lottery, (c) for State institutions and State aid for education as shall be provided by law, and (d) for the repayment to the general treasury of the amount appropriated to the fund pursuant to section 23 of this act.

On or about March 15 and September 15 of each year, the State Treasurer shall publish in at least 10 newspapers circulating generally in the State a report accounting for the total revenues received in the State Lottery Fund and the specific amounts of money appropriated therefrom for specific ex-

penditures during the preceding six months ending December 31 and June 30.

During the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the moneys in the operations account of Common Pension Fund L, established pursuant to section 6 of P.L.2017, c.98 (C.5:9-22.10), shall be used only (a) for the payment of prizes to the holders of winning lottery tickets or shares, (b) for the expenses of the division in its operation of the lottery and the Lottery Enterprise, as defined in section 3 of P.L.2017, c.98 (C.5:9-22.7), and (c) for transfer to the investment account of Common Pension Fund L for the benefit of the retirement systems.

17. Section 38 of P.L.2010, c.1 (C.43:3C-14) is amended to read as follows:

C.43:3C-14 State contributions.

38. a. (1) Commencing July 1, 2011 and thereafter, the contribution required, by law, to be made by the State to the Teachers' Pension and Annuity Fund, established pursuant to N.J.S.18A:66-1 et seq., the Judicial Retirement System, established pursuant to P.L.1973, c.140 (C.43:6A-1 et seq.), the Prison Officers' Pension Fund, established pursuant to P.L.1941, c.220 (C.43:7-7 et seq.), the Public Employees' Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-1 et seq.), the Consolidated Police and Firemen's Pension Fund, established pursuant to R.S.43:16-1 et seq., the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-1 et seq.), and the State Police Retirement System, established pursuant to P.L.1965, c.89 (C.53:5A-1 et seq.), shall be made in full each year to each system or fund in the manner and at the time provided by law. The contribution shall be computed by actuaries for each system or fund based on an annual valuation of the assets and liabilities of the system or fund pursuant to consistent and generally accepted actuarial standards and shall include the normal contribution and the unfunded accrued liability contribution. Notwithstanding the provisions of any law to the contrary, the assets to be included in the calculation described in this paragraph shall not include the special asset value.

(2) The State with regard to its obligations funded through the annual appropriations act shall be in compliance with this requirement provided the State makes a payment, to each State-administered retirement system or fund, of at least 1/7th of the full contribution, as computed by the actuaries, in the State fiscal year commencing July 1, 2011 and a payment in each

subsequent fiscal year that increases by at least an additional 1/7th until payment of the full contribution is made in the seventh fiscal year and thereafter.

(3) The sum of the accrued liability and the normal contribution, calculated by the actuaries with respect to the unfunded accrued liability and normal cost for each retirement system, as defined pursuant to section 3 of P.L.2017, c.98 (C.5:9-22.7), shall be reduced annually by the product of the allocable percentage for such retirement system, established in section 5 of P.L.2017, c.98 (C.5:9-22.9), the adjustment percentage for such retirement system, as set forth in subsection c. of this section, and the special asset adjustment as set forth in this paragraph.

For State fiscal year 2018, the annual special asset adjustment shall equal $1,000,976,874.

For State fiscal year 2019, the annual special asset adjustment shall equal $1,037,148,584.

For State fiscal year 2020, the annual special asset adjustment shall equal $1,070,451,102.

For State fiscal year 2021, the annual special asset adjustment shall equal $1,084,354,841.

For State fiscal year 2022, the annual special asset adjustment shall equal $1,095,871,137.

After State fiscal year 2022, the special asset adjustment shall be determined based on an amortization of the special asset value over the remaining term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), at the regular interest rate applicable to the retirement systems; provided, however, in no event shall the annual special asset adjustment be more than the maximum special asset adjustment.

The maximum special asset adjustment shall be determined based on a 30-year amortization of the initial special asset value at the regular interest rate applicable to the retirement systems.

The special asset value shall initially be the value set forth in section 5 of P.L.2017, c.98 (C.5:9-22.9), and shall be revalued periodically as follows:

(a) if and as requested by the State Treasurer, in the Treasurer's discretion, which revaluation shall not occur more than once in any State fiscal year; and

(b) five years from the date of the last valuation performed, whether discretionary or otherwise.

The special asset value shall exclude proceeds counted in any prior actuarial valuation as a receivable. The special asset shall be depreciated on a

straight-line basis over the remaining term of the lottery contribution based on the special asset value.

As used in this paragraph:

"Special asset adjustment" means the periodic actuarial adjustment with respect to the special asset applicable to the retirement systems.

b. In the State fiscal year commencing July 1, 2017 and in each State fiscal year thereafter, the contribution required to be made by the State pursuant to this section shall be made to each system on the following schedule: at least 25 percent by September 30, at least 50 percent by December 31, at least 75 percent by March 31, and at least 100 percent by June 30. The amount of the contribution shall be net of the amount of any increase in the interest on the tax and revenue anticipation notes attributable solely to the need to borrow an increased amount in order to make the quarterly payments.

c. For State fiscal years 2018 through 2022, the adjustment percentage applicable to the Teachers' Pension and Annuity Fund, established pursuant to N.J.S.18A:66-1 et seq., the Public Employees' Retirement System, established pursuant to P.L.1954, c.84 (C.43:15A-1 et seq.), and the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-1 et seq.), shall be 100 percent. For State fiscal years beginning 2023 and thereafter, the adjustment percentage applicable to: (1) the Teachers' Pension and Annuity Fund shall be 88.27 percent; (2) the Public Employees' Retirement System shall be 57.29 percent; and (3) the Police and Firemen's Retirement System shall be 0.00 percent. In State fiscal years 2023 and thereafter, for each of the Teachers' Pension and Annuity Fund, the Public Employees' Retirement System, and the Police and Firemen's Retirement System, in their entirety, if the funded ratio falls below 50 percent for any State fiscal year, the adjustment percentage for such fiscal year shall be reduced by a number of percentage points equal to three times the difference between 50 percent and the funded ratio,
rounded to the nearest percentage point. For the purposes of this subsection, the funded ratio shall include the special asset value.

18. Section 27 of P.L.2011, c.78 (C.43:3C-16) is amended to read as follows:

C.43:3C-16 "Target funded ratio."

27. For the purpose of the Teachers' Pension and Annuity Fund, established pursuant to N.J.S.18A:66-1 et seq., the Judicial Retirement System, established pursuant to P.L.1973, c.140 (C.43:6A-1 et seq.), the Public Employees' Retirement System, established pursuant to P.L.1954, c.84

(C.43:15A-1 et seq.), the Police and Firemen's Retirement System, established pursuant to P.L.1944, c.255 (C.43:16A-1 et seq.), and the State Police Retirement System, established pursuant to P.L.1965, c.89 (C.53:5A-1 et seq.), "target funded ratio" means a ratio of the actuarial value of assets to the actuarially determined accrued liabilities expressed as a percentage that shall be for the State part of each system, and the local part of each system, if any, 75 percent in State fiscal year 2012, and increased in each fiscal year thereafter by equal increments for seven years, until the ratio reaches 80 percent at which it shall remain for all subsequent fiscal years.

During the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), for the purpose of the retirement systems, as defined in section 3 of P.L.2017, c.98 (C.5:9-22.7), "target funded ratio" means a ratio of the actuarial value of assets plus the allocable special asset value, as determined in section 38 of P.L.2010, c.1 (C.43:3C-14), to the actuarially determined accrued liabilities expressed as a percentage that shall be for the State part of each system, and the local part of each system, if any, 75 percent in State fiscal year 2012, and increased in each State fiscal year thereafter by equal increments for seven years, until the ratio reaches 80 percent at which it shall remain for all subsequent State fiscal years.

19. N.J.S.18A:66-17 is amended to read as follows:

Expenses paid by State, reimbursement.

18A:66-17. The expenses of administration of the retirement system shall be paid by the State of New Jersey. Each employing school district shall reimburse the State for a proportionate share of the amount paid by the State for administrative expense. This proportion shall be computed as the number of members under the jurisdiction of such employing school district bears to the total number of members in the system. The pro rata share of the cost of the administrative expense shall be included with the certification by the board of trustees to the Commissioner of Education, the State Treasurer and to each employing school district. The commissioner shall deduct the amount so certified from the certification, to the State Treasurer and the Director of the Division of Budget and Accounting, of State aid payable to such employing school district under the provisions of P.L.1954, c.85. Similar reimbursement shall be made to the State by institutions and districts to which P.L.1954, c.85 does not pertain.

For purposes of this section, during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8) the expenses of the Lottery Enterprise shall not be considered to be expenses of the retire-

ment system but shall be paid in accordance with section 6 of P.L.2017, c.98 (C.5:9-22.10).

20. N.J.S.18A:66-18 is amended to read as follows:

Contingent reserve fund.

18A:66-18. The contingent reserve fund shall be the fund in which shall be credited contributions made by the State and other employers.

a. Upon the basis of the tables recommended by the actuary which the board of trustees adopts and regular interest, the actuary of the board shall compute annually, beginning as of March 31, 1992, the amount of contribution which shall be the normal cost as computed under the projected unit credit method attributable to service rendered under the retirement system for the year beginning on July 1 immediately succeeding the date of the computation. This shall be known as the "normal contribution."

b. Upon the basis of the tables recommended by the actuary which the board of trustees adopts and regular interest, the actuary of the board shall annually determine if there is an amount of the accrued liability of the retirement system, computed under the projected unit credit method, including the liability for pension adjustment benefits for active employees funded pursuant to section 2 of P.L.1987, c.385 (C.18A:66-18.1), which is not already covered by the assets of the retirement system, valued in accordance with the asset valuation method established in this section. This shall be known as the "unfunded accrued liability." If there was no unfunded accrued liability for the valuation period immediately preceding the current valuation period, the actuary, using the total amount of this unfunded accrued liability, shall compute the initial amount of contribution which, if paid annually in level dollars for a specific period of time, will amortize this liability. The State Treasurer shall determine, upon the advice of the Director of the Division of Pensions and Benefits, the board of trustees and the actuary, the time period for full funding of this liability, which shall not exceed 30 years. This shall be known as the "accrued liability contribution." Thereafter, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 30 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 30 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liabil-

ity contribution under this section. Beginning with the July 1, 2019 actuarial valuation, the accrued liability contribution shall be computed so that if the contribution is paid annually in level dollars, it will amortize this unfunded accrued liability over a closed 30-year period. Beginning with the July 1, 2029 actuarial valuation, when the remaining amortization period reaches 20 years, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 20 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 20 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section.

The State may pay all or any portion of its unfunded accrued liability under the retirement system from any source of funds legally available for the purpose, including, without limitation, the proceeds of bonds authorized by law for this purpose.

The value of the assets, excluding the special asset value set forth in section 38 of P.L.2010, c.1 (C.43:3C-14), to be used in the computation of the contributions provided for under this section for valuation periods shall be the value of the assets for the preceding valuation period increased by the regular interest rate, plus the net cash flow for the valuation period (the difference between the benefits and expenses paid by the system and the contributions to the system) increased by one half of the regular interest rate, plus 20% of the difference between this expected value and the full market value of the assets as of the end of the valuation period. This shall be known as the "valuation assets." Notwithstanding the first sentence of this paragraph, the valuation assets for the valuation period ending March 31, 1996 shall be the full market value of the assets as of that date and shall include the proceeds from the bonds issued pursuant to the "Pension Bond Financing Act of 1997," P.L.1997, c.114 (C.34:1B-7.45 et seq.), paid to the system by the New Jersey Economic Development Authority to fund the unfunded accrued liability of the system. Notwithstanding the first sentence of this paragraph, the valuation assets for the valuation period ending June 30, 1999 shall be the full market value of the assets as of that date.

"Excess valuation assets" for a valuation period means:

(1) the valuation assets; less

(2) the actuarial accrued liability for basic benefits and pension adjustment benefits, excluding the unfunded accrued liability for early retire-

ment incentive benefits pursuant to P.L.1991, c.231 and P.L.1993, c.163 for employers other than the State; less

(3) the contributory group insurance premium fund created by N.J.S.18A:66-77; less

(4) the post-retirement medical premium fund created pursuant to section 2 of P.L.1987, c.385 (C.18A:66-18.1), as amended by section 3 of P.L.1994, c.62; less

(5) the present value of the projected total normal cost for pension adjustment benefits in excess of the projected total phased-in normal cost for pension adjustment benefits as originally authorized by section 2 of P.L.1987, c.385 (C.18A:66-18.1) over the full phase-in period, determined in the manner prescribed for the determination and amortization of the unfunded accrued liability of the system, if the sum of the foregoing items is greater than zero.

If there are excess valuation assets for the valuation period ending March 31, 1996, the normal contributions for the valuation periods ending March 31, 1996 and March 31, 1997 which have not yet been paid to the retirement system shall be reduced to the extent possible by the excess valuation assets, provided that the General Fund balances that would have been paid to the retirement system except for this provision shall first be allocated as State aid to public schools to the extent that additional sums are required to comply with the May 14, 1997 decision of the New Jersey Supreme Court in Abbott v. Burke, and provided further that the normal contribution for the valuation period ending March 31, 1996 shall not be less than $54,000,000. If there are excess valuation assets for a valuation period ending after March 31, 1996, the State Treasurer may reduce the normal contribution payable for the next valuation period as follows:

(1) for valuation periods ending March 31, 1997 through March 31, 2001, to the extent possible by up to 100% of the excess valuation assets;

(2) for the valuation period ending March 31, 2002, to the extent possible by up to 84% of the excess valuation assets;

(3) for the valuation period ending March 31, 2003, to the extent possible by up to 68% of the excess valuation assets; and

(4) for valuation periods ending March 31, 2004 through June 30, 2007, to the extent possible by up to 50% of the excess valuation assets.

For calendar years 1998 and 1999, the rate of contribution of members of the retirement system under N.J.S.18A:66-29 shall be reduced by 1/2 of 1% from excess valuation assets. For calendar years 2000 and 2001, the rate of contribution of members of the retirement system shall be reduced equally with normal contributions to the extent possible, but not more than

1/2 of 1%, from excess valuation assets. Thereafter, through calendar year 2007, the rate of contribution of members of the retirement system under that section for a calendar year shall be reduced equally with normal contributions to the extent possible, but not by more than 2%, from excess valuation assets if the State Treasurer determines that excess valuation assets shall be used to reduce normal contributions by the State for the fiscal year beginning immediately prior to the calendar year, and excess valuation assets above the amount necessary to fund the reduction for that calendar year in the member contribution rate plus an equal reduction in the normal contribution shall be available for the further reduction of normal contributions, subject to the limitations prescribed by this subsection.

If there are excess valuation assets after reductions in normal contributions and member contributions as authorized in the preceding paragraphs for a valuation period beginning with the valuation period ending June 30, 1999, an amount of excess valuation assets not to exceed the amount of the member contributions for the fiscal year in which the normal contributions are payable shall be credited to the benefit enhancement fund. The amount of excess valuation assets credited to the benefit enhancement fund shall not exceed the present value of the expected additional normal contributions attributable to the provisions of P.L.2001, c.133 payable on behalf of the active members over the expected working lives of the active members in accordance with the tables of actuarial assumptions for the valuation period. No additional excess valuation assets shall be credited to the benefit enhancement fund after the maximum amount is attained. Interest shall be credited to the benefit enhancement fund as provided under N.J.S.18A:66-25.

The normal contribution for the increased benefits for active members under P.L.2001, c.133 shall be paid from the benefit enhancement fund. If assets in the benefit enhancement fund are insufficient to pay the normal contribution for the increased benefits for a valuation period, the State shall pay the amount of normal contribution for the increased benefits not covered by assets from the benefit enhancement fund.

c. (Deleted by amendment, P.L.1992, c.125.)

d. The retirement system shall certify annually the aggregate amount payable to the contingent reserve fund in the ensuing year, which amount shall be equal to the sum of the amounts described in this section, and which shall be paid into the contingent reserve fund in the manner provided by N.J.S.18A:66-33.

e. Except as provided in N.J.S.18A:66-26 and N.J.S.18A:66-53, the death benefits payable under the provisions of this article upon the death of an active or retired member shall be paid from the contingent reserve fund.

f. The disbursements for benefits not covered by reserves in the system on account of veterans shall be met by direct contribution of the State.

21. Section 3 of P.L.1993, c.375 (C.18A:72A-51) is amended to read as follows:

C.18A:72A-51 "Higher Education Facilities Trust Fund."

3. There is created within the New Jersey Educational Facilities Authority, established pursuant to N.J.S.18A:72A-1 et seq., the "Higher Education Facilities Trust Fund," hereinafter referred to as the "trust fund." The trust fund shall be maintained as a separate account and administered by the authority to carry out the provisions of this act. The trust fund shall consist of:

a. moneys received from the issuance of bonds or notes pursuant to section 9 of P.L.1993, c.375 (C.18A:72A-57) and an annual appropriation in an amount sufficient to pay the principal and interest on the bonds or notes;

b. all moneys appropriated by the State for the purposes of the trust fund; and

c. all interest and investment earnings received on moneys in the trust fund.

22. Section 3 of P.L.1999, c.217 (C.18A:72A-74) is amended to read as follows:

C.18A:72A-74 "Higher Education Capital Improvement Fund."

3. There is created within the New Jersey Educational Facilities Authority, established pursuant to chapter 72A of Title 18A of the New Jersey Statutes, the "Higher Education Capital Improvement Fund," hereinafter referred to as the "capital improvement fund." The capital improvement fund shall be maintained as a separate account and administered by the authority to carry out the provisions of this act. The capital improvement fund shall consist of:

a. moneys received from the issuance of bonds, notes or other obligations issued pursuant to section 7 of P.L.1999, c.217 (C.18A:72A-78) and an annual appropriation in an amount sufficient to pay the principal and interest on the bonds, notes or other obligations;

b. all moneys appropriated by the State for the purposes of the capital improvement fund; and

c. all interest and investment earnings received on moneys in the capital improvement fund.

23. Section 23 of P.L.1954, c.84 (C.43:15A-23) is amended to read as follows:

C.43:15A-23 Expense fund.

23. The expenses of administration of the retirement system on behalf of State employee members shall be paid by the State of New Jersey.

The administration fees hereafter paid by participating employers other than the State, shall be used to pay the expenses of administration of the retirement system on behalf of all members other than State employees.

For purposes of this section, during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the expenses of the Lottery Enterprise shall not be considered to be expenses of the retirement system.

24. Section 24 of P.L.1954, c.84 (C.43:15A-24) is amended to read as follows:

C.43:15A-24 Contingent reserve fund.

24. The contingent reserve fund shall be the fund in which shall be credited contributions made by the State and other employers.

a. Upon the basis of the tables recommended by the actuary which the board adopts and regular interest, the actuary shall compute annually, beginning as of March 31, 1992, the amount of contribution which shall be the normal cost as computed under the projected unit credit method attributable to service rendered under the retirement system for the year beginning on July 1 immediately succeeding the date of the computation. This shall be known as the "normal contribution."

b. With respect to employers other than the State, upon the basis of the tables recommended by the actuary which the board adopts and regular interest, the actuary shall compute the amount of the accrued liability of the retirement system as of March 31, 1992 under the projected unit credit method, excluding the liability for pension adjustment benefits for active employees funded pursuant to section 2 of P.L.1990, c.6 (C.43:15A-24.1), which is not already covered by the assets of the retirement system, valued in accordance with the asset valuation method established in this section. Using the total amount of this unfunded accrued liability, the actuary shall compute the initial amount of contribution which, if paid annually in level dollars for a specific period of time, will amortize this liability. The State Treasurer shall determine, upon the advice of the Director of the Division of Pensions and Benefits, the board of trustees and the actuary, the time

period for full funding of this liability, which shall not exceed 40 years on initial application of this section as amended by this act, P.L.1994, c.62. This shall be known as the "accrued liability contribution." Any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for the 10 valuation years following valuation year 1992 shall serve to increase or decrease, respectively, the unfunded accrued liability contribution. Thereafter, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 30 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 30 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section. Beginning with the July 1, 2019 actuarial valuation, the accrued liability contribution shall be computed so that if the contribution is paid annually in level dollars, it will amortize this unfunded accrued liability over a closed 30-year period. Beginning with the July 1, 2029 actuarial valuation, when the remaining amortization period reaches 20 years, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 20 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 20 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section.

With respect to the State, upon the basis of the tables recommended by the actuary which the commission adopts and regular interest, the actuary shall annually determine if there is an amount of the accrued liability of the retirement system, computed under the projected unit credit method, which is not already covered by the assets of the retirement system, valued in accordance with the asset valuation method established in this section. This shall be known as the "unfunded accrued liability." If there was no unfunded accrued liability for the valuation period immediately preceding the current valuation period, the actuary, using the total amount of this unfunded accrued liability, shall compute the initial amount of contribution which, if paid annually in level dollars for a specific period of time, will amortize this liability. The State Treasurer shall determine, upon the advice of the

Director of the Division of Pensions and Benefits, the commission and the actuary, the time period for full funding of this liability, which shall not exceed 30 years. This shall be known as the "accrued liability contribution." Thereafter, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 30 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 30 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section. Beginning with the July 1, 2019 actuarial valuation, the accrued liability contribution shall be computed so that if the contribution is paid annually in level dollars, it will amortize this unfunded accrued liability over a closed 30-year period. Beginning with the July 1, 2029 actuarial valuation, when the remaining amortization period reaches 20 years, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 20 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 20 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section.

The State may pay all or any portion of its unfunded accrued liability under the retirement system from any source of funds legally available for the purpose, including, without limitation, the proceeds of bonds authorized by law for this purpose.

The value of the assets, excluding the special asset value set forth in section 38 of P.L.2010, c.1 (C.43:3C-14), to be used in the computation of the contributions provided for under this section for valuation periods shall be the value of the assets for the preceding valuation period increased by the regular interest rate, plus the net cash flow for the valuation period (the difference between the benefits and expenses paid by the system and the contributions to the system) increased by one half of the regular interest rate, plus 20% of the difference between this expected value and the full market value of the assets as of the end of the valuation period. This shall be known as the "valuation assets." Notwithstanding the first sentence of this paragraph, the valuation assets for the valuation period ending March

31, 1996 shall be the full market value of the assets as of that date and, with respect to the valuation assets allocated to the State, shall include the proceeds from the bonds issued pursuant to the "Pension Bond Financing Act of 1997," P.L.1997, c.114 (C.34:1B-7.45 et seq.), paid to the system by the New Jersey Economic Development Authority to fund the unfunded accrued liability of the system. Notwithstanding the first sentence of this paragraph, the valuation assets for the valuation period ending June 30, 1999 shall be the full market value of the assets as of that date.

"Excess valuation assets" for a valuation period means, with respect to the valuation assets allocated to the State:

(1) the valuation assets allocated to the State; less

(2) the actuarial accrued liability of the State for basic benefits and pension adjustment benefits under the retirement system; less

(3) the contributory group insurance premium fund, created by section 4 of P.L.1955, c.214 (C.43:15A-91), as amended by section 4 of P.L.1960, c.79; less

(4) the post retirement medical premium fund, created pursuant to section 2 of P.L.1990, c.6 (C.43:15A-24.1), as amended by section 8 of P.L.1994, c.62; less

(5) the present value of the projected total normal cost for pension adjustment benefits in excess of the projected total phased-in normal cost for pension adjustment benefits for the State authorized by section 2 of P.L.1990, c.6 (C.43:15A-24.1) over the full phase-in period, determined in the manner prescribed for the determination and amortization of the unfunded accrued liability of the system, if the sum of the foregoing items is greater than zero.

"Excess valuation assets" for a valuation period means, with respect to the valuation assets allocated to other employers:

(1) the valuation assets allocated to the other employers; less

(2) the actuarial accrued liability of the other employers for basic benefits and pension adjustment benefits under the retirement system, excluding the unfunded accrued liability for early retirement incentive benefits pursuant to P.L.1991, c.229, P.L.1991, c.230, P.L.1993, c.138, and P.L.1993, c.181, for employers other than the State; less

(3) the contributory group insurance premium fund, created by section 4 of P.L.1955, c.214 (C.43:15A-91), as amended by section 4 of P.L.1960, c.79; less

(4) the present value of the projected total normal cost for pension adjustment benefits in excess of the projected total phased-in normal cost for pension adjustment benefits for the other employers authorized by section 2

of P.L.1990, c.6 (C.43:15A-24.1) over the full phase-in period, determined in the manner prescribed for the determination and amortization of the unfunded accrued liability of the system, if the sum of the foregoing items is greater than zero.

If there are excess valuation assets allocated to the State or to the other employers for the valuation period ending March 31, 1996, the normal contributions payable by the State or by the other employers for the valuation periods ending March 31, 1996 and March 31, 1997 which have not yet been paid to the retirement system shall be reduced to the extent possible by the excess valuation assets allocated to the State or to the other employers, respectively, provided that with respect to the excess valuation assets allocated to the State, the General Fund balances that would have been paid to the retirement system except for this provision shall first be allocated as State aid to public schools to the extent that additional sums are required to comply with the May 14, 1997 decision of the New Jersey Supreme Court in Abbott v. Burke. If there are excess valuation assets allocated to the State or to the other employers for a valuation period ending after March 31, 1996, the State Treasurer may reduce the normal contribution payable by the State or by the other employers for the next valuation period as follows:

(1) for valuation periods ending March 31, 1997 through March 31, 2001, to the extent possible by up to 100% of the excess valuation assets allocated to the State or to the other employers, respectively;

(2) for the valuation period ending March 31, 2002, to the extent possible by up to 84% of the excess valuation assets allocated to the State or to the other employers, respectively;

(3) for the valuation period ending March 31, 2003, to the extent possible by up to 68% of the excess valuation assets allocated to the State or to the other employers, respectively; and

(4) for valuation periods ending March 31, 2004 through June 30, 2007, to the extent possible by up to 50% of the excess valuation assets allocated to the State or to the other employers, respectively.

For calendar years 1998 and 1999, the rate of contribution of members of the retirement system under section 25 of P.L.1954, c.84 (C.43:15A-25) shall be reduced by 1/2 of 1% from excess valuation assets and for calendar years 2000 and 2001, the rate of contribution shall be reduced by 2% from excess valuation assets. Thereafter, through calendar year 2007, the rate of contribution of members of the retirement system under that section for a calendar year shall be reduced equally with normal contributions to the extent possible, but not by more than 2%, from excess valuation assets if the

State Treasurer determines that excess valuation assets shall be used to reduce normal contributions by the State and local employers for the fiscal year beginning immediately prior to the calendar year, or for the calendar year for local employers whose fiscal year is the calendar year, and excess valuation assets above the amount necessary to fund the reduction for that calendar year in the member contribution rate plus an equal reduction in the normal contribution shall be available for the further reduction of normal contributions, subject to the limitations prescribed by this subsection.

If there are excess valuation assets after reductions in normal contributions and member contributions as authorized in the preceding paragraphs for a valuation period beginning with the valuation period ending June 30, 1999, an amount of excess valuation assets not to exceed the amount of the member contributions for the fiscal year in which the normal contributions are payable shall be credited to the benefit enhancement fund. The amount of excess valuation assets credited to the benefit enhancement fund shall not exceed the present value of the expected additional normal contributions attributable to the provisions of P.L.2001, c.133 payable on behalf of the active members over the expected working lives of the active members in accordance with the tables of actuarial assumptions for the valuation period. No additional excess valuation assets shall be credited to the benefit enhancement fund after the maximum amount is attained. Interest shall be credited to the benefit enhancement fund as provided under section 33 of P.L.1954, c.84 (C.43:15A-33).

The normal contribution for the increased benefits for active employees under P.L.2001, c.133 shall be paid from the benefit enhancement fund. If assets in the benefit enhancement fund are insufficient to pay the normal contribution for the increased benefits for a valuation period, the State shall pay the amount of normal contribution for the increased benefits not covered by assets from the benefit enhancement fund.

c. The retirement system shall certify annually the aggregate amount payable to the contingent reserve fund in the ensuing year, which amount shall be equal to the sum of the amounts described in this section.

The State Treasurer shall reduce the normal and accrued liability contributions payable by employers other than the State, excluding the contribution payable from the benefit enhancement fund, to a percentage of the amount certified annually by the retirement system, which percentage shall be: for payments due in the State fiscal year ending June 30, 2005, 20%; for payments due in the State fiscal year ending June 30, 2006, not more than 40%; for payments due in the State fiscal year ending June 30, 2007, not

more than 60%; and for payments due in the State fiscal year ending June 30, 2008, not more than 80%.

The State Treasurer shall reduce the normal and accrued liability contributions payable by employers other than the State, excluding the contribution payable from the benefit enhancement fund, to 50 percent of the amount certified annually by the retirement system, for payments due in the State fiscal year ending June 30, 2009. An employer that elects to pay the reduced normal and accrued liability contribution shall adopt a resolution, separate and apart from other budget resolutions, stating that the employer needs to pay the reduced contribution and providing an explanation of that need which shall include (1) a description of its inability to meet the levy cap without jeopardizing public safety, health, and welfare or without jeopardizing the fiscal stability of the employer, or (2) a description of another condition that offsets the long term fiscal impact of the payment of the reduced contribution. An employer also shall document those actions it has taken to reduce its operating costs, or provide a description of relevant anticipated circumstances that could have an impact on revenues or expenditures. This resolution shall be submitted to and approved by the Local Finance Board after making a finding that these fiscal conditions are valid and affirming the findings contained in the employer resolution.

An employer that elects to pay 100 percent of the amount certified by the retirement system for the State fiscal year ending June 30, 2009 shall be credited with such payment and any such amounts shall not be included in the employer's unfunded liability.

The actuaries for the retirement system shall determine the unfunded liability of the retirement system, by employer, for the reduced normal and accrued liability contributions provided under P.L.2009, c.19. This unfunded liability shall be paid by the employer in level annual payments over a period of 15 years beginning with the payments due in the State fiscal year ending June 30, 2012 and shall be adjusted by the rate of return on the actuarial value of assets.

The retirement system shall annually certify to each employer the contributions due to the contingent reserve fund for the liability under P.L.2009, c.19. The contributions certified by the retirement system shall be paid by the employer to the retirement system on or before the date prescribed by law for payment of employer contributions for basic retirement benefits. If payment of the full amount of the contribution certified is not made within 30 days after the last date for payment of employer contributions for basic retirement benefits, interest at the rate of 10% per year shall be assessed against the unpaid balance on the first day after the thirtieth day.

The State shall pay into the contingent reserve fund during the ensuing year the amount so determined. The death benefits, payable as a result of contribution by the State under the provisions of this chapter upon the death of an active or retired member, shall be paid from the contingent reserve fund.

d. The disbursements for benefits not covered by reserves in the system on account of veterans shall be met by direct contributions of the State and other employers.

25. Section 37 of P.L.1954, c.84 (C.43:15A-37) is amended to read as follows:

C.43:15A-37 Obligations of State; basis of State appropriation.

37. Regular interest charges payable, the creation and maintenance of reserves in the contingent reserve fund, the maintenance of retirement reserves as provided for in this act and the payment of all retirement allowances and other benefits granted by the board of trustees under the provisions of this act, except the amounts payable by other employers, are hereby made obligations of the State. All income, interest and dividends derived from deposits and investments authorized by this act shall be used for the payment of these obligations of the State and other employers, including, during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), all income, interest, and dividends derived from deposits and investments in the investment account of Common Pension Fund L, established pursuant to section 6 of P.L.2017, c.98 (C.5:9-22.10).

Upon the basis of each actuarial determination and appraisal provided for in this act, the board of trustees shall submit to the Governor in each year an itemized statement of the amounts necessary to be appropriated by the State to provide for payment in full during the ensuing fiscal year of the obligations of the State accruing during that year. The Legislature shall make an appropriation sufficient to provide for such obligations of the State. The amounts so appropriated shall be paid into the contingent reserve fund.

26. Section 14 of P.L.1944, c.255 (C.43:16A-14) is amended to read as follows:

C.43:16A-14 Management of funds.

14. (1) The board of trustees shall be and are hereby constituted trustees of the various funds and accounts established by this act; provided,

however, that all functions, powers and duties relating to the investment or reinvestment of moneys of, and purchase, sale or exchange of any investments or securities, of or for any fund or account established under this act shall be exercised and performed by the director of the Division of Investment in accordance with the provisions of chapter 270, of the laws of 1950. The secretary of the board of trustees shall determine from time to time the cash requirements of the various funds and accounts established by this act and the amount available for investment, all of which shall be certified to the Director of the Division of Investment.

An elected member of the board of trustees to be designated by a majority vote thereof shall serve on the State Investment Council as a representative of said board of trustees, for a term of three years and until a successor is designated and qualified.

(2) The Treasurer of the State of New Jersey shall be the custodian of the several funds created by this act, shall select all depositories and custodians and shall negotiate and execute custody agreements in connection with the assets or investments of any of said funds. All payments from said funds shall be made by him only upon vouchers signed by the chairman and countersigned by the secretary of the board of trustees. No voucher shall be drawn, except upon the authority of the board duly entered in the records of its proceedings.

(3) (Deleted by amendment.)

(4) Except as otherwise herein provided, no trustee and no employee of the board of trustees shall have any direct interest in the gains or profits of any investments of the retirement system; nor shall any trustee or employee of the board directly or indirectly, for himself or as an agent in any manner use the moneys of the retirement system, except to make such current and necessary payments as are authorized by the board of trustees; nor shall any trustee or employee of the board of trustees become an endorser or surety, or in any manner an obligor for moneys loaned to or borrowed from the retirement system.

(5) For purposes of this section, during the term of the lottery contribution made pursuant to section 4 of P.L.2017, c.98 (C.5:9-22.8), the expenses of the Lottery Enterprise shall not be considered to be expenses of the retirement system.

27. Section 15 of P.L.1944, c.225 (C.43:16A-15) is amended to read as follows:

C.43:16A-15 Contributions, expenses of administration.

15. (1) The contributions required for the support of the retirement system shall be made by members and their employers.

(2) The uniform percentage contribution rate for members shall be 8.5% of compensation. Members of the retirement system shall contribute 10% of compensation to the system on and after the effective date of P.L.2011, c.78.

(3) (Deleted by amendment, P.L.1989, c.204).

(4) Upon the basis of the tables recommended by the actuary which the board adopts and regular interest, the actuary shall compute annually, beginning as of June 30, 1991, the amount of contribution which shall be the normal cost as computed under the projected unit credit method attributable to service rendered under the retirement system for the year beginning on July 1 immediately succeeding the date of the computation. This shall be known as the "normal contribution."

(5) (Deleted by amendment, P.L.1989, c.204).

(6) (Deleted by amendment, P.L.1994, c.62.)

(7) Each employer shall cause to be deducted from the salary of each member the percentage of earnable compensation prescribed in subsection (2) of this section. To facilitate the making of deductions, the retirement system may modify the amount of deduction required of any member by an amount not to exceed 1/10 of 1% of the compensation upon which the deduction is based.

(8) The deductions provided for herein shall be made notwithstanding that the minimum salary provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein, and payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except as to the benefits provided under this act. The chief fiscal officer of each employer shall certify to the retirement system in such manner as the retirement system may prescribe, the amounts deducted; and when deducted shall be paid into said annuity savings fund, and shall be credited to the individual account of the member from whose salary said deduction was made.

(9) With respect to employers other than the State, upon the basis of the tables recommended by the actuary which the board adopts and regular interest, the actuary shall compute the amount of the accrued liability as of June 30, 1991 under the projected unit credit method, which is not already covered by the assets of the retirement system, valued in accordance with

the asset valuation method established in this section. Using the total amount of this unfunded accrued liability, the actuary shall compute the initial amount of contribution which, if the contribution is paid annually in level dollars for a specific period of time, will amortize this liability. The State Treasurer shall determine, upon the advice of the Director of the Division of Pensions and Benefits, the board of trustees and the actuary, the time period for full funding of this liability, which shall not exceed 40 years on initial application of this section as amended by this act, P.L.1994, c.62. This shall be known as the "accrued liability contribution." Any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for the 10 valuation years following valuation year 1991 shall serve to increase or decrease, respectively, the unfunded accrued liability contribution. Thereafter, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 30 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 30 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section. Beginning with the July 1, 2018 actuarial valuation, the accrued liability contribution shall be computed so that if the contribution is paid annually in level dollars, it will amortize this unfunded accrued liability over a closed 30-year period. Beginning with the July 1, 2028 actuarial valuation, when the remaining amortization period reaches 20 years, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 20 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 20 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section.

With respect to the State, upon the basis of the tables recommended by the actuary which the board adopts and regular interest, the actuary shall annually determine if there is an amount of the accrued liability, computed under the projected unit credit method, which is not already covered by the assets of the retirement system, valued in accordance with the asset valuation method established in this section. This shall be known as the "un-

funded accrued liability." If there was no unfunded accrued liability for the valuation period immediately preceding the current valuation period, the actuary, using the total amount of this unfunded accrued liability, shall compute the initial amount of contribution which, if the contribution is paid annually in level dollars for a specific period of time, will amortize this liability. The State Treasurer shall determine, upon the advice of the Director of the Division of Pensions and Benefits, the board of trustees and the actuary, the time period for full funding of this liability, which shall not exceed 30 years. This shall be known as the "accrued liability contribution." Thereafter, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 30 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 30 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section. Beginning with the July 1, 2018 actuarial valuation, the accrued liability contribution shall be computed so that if the contribution is paid annually in level dollars, it will amortize this unfunded accrued liability over a closed 30-year period. Beginning with the July 1, 2028 actuarial valuation, when the remaining amortization period reaches 20 years, any increase or decrease in the unfunded accrued liability as a result of actuarial losses or gains for subsequent valuation years shall serve to increase or decrease, respectively, the amortization period for the unfunded accrued liability, unless an increase in the amortization period will cause it to exceed 20 years. If an increase in the amortization period as a result of actuarial losses for a valuation year would exceed 20 years, the accrued liability contribution shall be computed for the valuation year in the same manner provided for the computation of the initial accrued liability contribution under this section.

The State may pay all or any portion of its unfunded accrued liability under the retirement system from any source of funds legally available for the purpose, including, without limitation, the proceeds of bonds authorized by law for this purpose.

The value of the assets, excluding the special asset value set forth in section 38 of P.L.2010, c.1 (C.43:3C-14), to be used in the computation of the contributions provided for under this section for valuation periods shall be the value of the assets for the preceding valuation period increased by the regular interest rate, plus the net cash flow for the valuation period (the

difference between the benefits and expenses paid by the system and the contributions to the system) increased by one half of the regular interest rate, plus 20% of the difference between this expected value and the full market value of the assets as of the end of the valuation period. This shall be known as the "valuation assets." Notwithstanding the first sentence of this paragraph, the valuation assets for the valuation period ending June 30, 1995 shall be the full market value of the assets as of that date and, with respect to the valuation assets allocated to the State, shall include the proceeds from the bonds issued pursuant to the "Pension Bond Financing Act of 1997," P.L.1997, c.114 (C.34:1B-7.45 et seq.), paid to the system by the New Jersey Economic Development Authority to fund the unfunded accrued liability of the system. Notwithstanding the first sentence of this paragraph, the percentage of the difference between the expected value and the full market value of the assets to be added to the expected value of the assets for the valuation period ending June 30, 1998 for the State shall be 100% and for other employers shall be 57% plus such additional percentage as is equivalent to $150,000,000. Notwithstanding the first sentence of this paragraph, the amount of the difference between the expected value and the full market value of the assets to be added to the expected value of the assets for the valuation period ending June 30, 1999 shall include an additional amount of the market value of the assets sufficient to fund (1) the unfunded accrued liability for the supplementary "special retirement" allowances provided under subsection b. of section 16 of P.L.1964, c.241 (C.43:16A-11.1) and (2) the unfunded accrued liability for the full credit toward benefits under the retirement system for service credited in the Public Employees' Retirement System and transferred pursuant to section 1 of P.L.1993, c.247 (C.43:16A-3.8) and the reimbursement of the cost of any credit purchase pursuant to section 3 of P.L.1993, c.247 (C.43:16A-3.10) provided under section 1 of P.L.2001, c.201 (C.43:16A-3.14).

"Excess valuation assets" means, with respect to the valuation assets allocated to the State, the valuation assets allocated to the State for a valuation period less the actuarial accrued liability of the State for the valuation period, and beginning with the valuation period ending June 30, 1998, less the present value of the expected additional normal cost contributions attributable to the provisions of P.L.1999, c.428 (C.43:16A-15.8 et al.) payable on behalf of the active members employed by the State as of the valuation period over the expected working lives of the active members in accordance with the tables of actuarial assumptions applicable to the valuation period, and less the present value of the expected additional normal cost contributions attributable to the provisions of P.L.2003, c.108 as

amending section 16 of P.L.1964, c.241 (C.43:16A-11.1) payable on behalf of the active members employed by the State as of the valuation period over the expected working lives of the active members in accordance with the tables of actuarial assumptions applicable to the valuation period, if the sum is greater than zero. "Excess valuation assets" means, with respect to the valuation assets allocated to other employers, the valuation assets allocated to the other employers for a valuation period less the actuarial accrued liability of the other employers for the valuation period, excluding the unfunded accrued liability for early retirement incentive benefits pursuant to P.L.1993, c.99 for the other employers, and beginning with the valuation period ending June 30, 1998, less the present value of the expected additional normal cost contributions attributable to the provisions of P.L.1999, c.428 (C.43:16A-15.8 et al.) payable on behalf of the active members employed by other employers as of the valuation period over the expected working lives of the active members in accordance with the tables of actuarial assumptions applicable to the valuation period, and less the present value of the expected additional normal cost contributions attributable to the provisions of P.L.2003, c.108 as amending section 16 of P.L.1964, c.241 (C.43:16A-11.1) payable on behalf of the active members employed by other employers as of the valuation period over the expected working lives of the active members in accordance with the tables of actuarial assumptions applicable to the valuation period, if the sum is greater than zero.

If there are excess valuation assets allocated to the State or to the other employers for the valuation period ending June 30, 1995, the normal contributions payable by the State or by the other employers for the valuation periods ending June 30, 1995, and June 30, 1996 which have not yet been paid to the retirement system shall be reduced to the extent possible by the excess valuation assets allocated to the State or to the other employers, respectively, provided that with respect to the excess valuation assets allocated to the State, the General Fund balances that would have been paid to the retirement system except for this provision shall first be allocated as State aid to public schools to the extent that additional sums are required to comply with the May 14, 1997 decision of the New Jersey Supreme Court in Abbott v. Burke.

If there are excess valuation assets allocated to the other employers for the valuation period ending June 30, 1998, the accrued liability contributions payable by the other employers for the valuation period ending June 30, 1997 shall be reduced to the extent possible by the excess valuation assets allocated to the other employers.

If there are excess valuation assets allocated to the State or to the other employers for a valuation period ending after June 30, 1998, the State Treasurer may reduce the normal contribution payable by the State or by other employers for the next valuation period as follows:

(1) for valuation periods ending June 30, 1996 through June 30, 2000, to the extent possible by up to 100% of the excess valuation assets allocated to the State or to the other employers, respectively;

(2) for the valuation period ending June 30, 2001, to the extent possible by up to 84% of the excess valuation assets allocated to the State or to the other employers, respectively;

(3) for the valuation period ending June 30, 2002, to the extent possible by up to 68% of the excess valuation assets allocated to the State or to the other employers, respectively; and

(4) for valuation periods ending June 30, 2003 through June 30, 2007, to the extent possible by up to 50% of the excess valuation assets allocated to the State or to the other employers, respectively.

Notwithstanding the discretion provided to the State Treasurer in the previous paragraph to reduce the amount of the normal contribution payable by employers other than the State, the State Treasurer shall reduce the amount of the normal contribution payable by employers other than the State by $150,000,000 in the aggregate for the valuation period ending June 30, 1998, and then the State Treasurer may reduce further pursuant to the provisions of the previous paragraph the normal contribution payable by such employers for that valuation period.

The normal and accrued liability contributions shall be certified annually by the retirement system and shall be included in the budget of the employer and levied and collected in the same manner as any other taxes are levied and collected for the payment of the salaries of members.

Notwithstanding the preceding sentence, the normal and accrued liability contributions to be included in the budget of and paid by the employer other than the State shall be as follows: for the payment due in the State fiscal year ending on June 30, 2004, 20% of the amount certified by the retirement system; for the payment due in the State fiscal year ending on June 30, 2005, a percentage of the amount certified by the retirement system as the State Treasurer shall determine but not more than 40%; for the payment due in the State fiscal year ending on June 30, 2006, a percentage of the amount certified by the retirement system as the State Treasurer shall determine but not more than 60%; and for the payment due in the State fiscal year ending on June 30, 2007, a percentage of the amount certified by

the retirement system as the State Treasurer shall determine but not more than 80%.

The State Treasurer shall reduce the normal and accrued liability contributions payable by employers other than the State to 50 percent of the amount certified annually by the retirement system for payments due in the State fiscal year ending June 30, 2009. An employer that elects to pay the reduced normal and accrued liability contribution shall adopt a resolution, separate and apart from other budget resolutions, stating that the employer needs to pay the reduced contribution and providing an explanation of that need which shall include (1) a description of its inability to meet the levy cap without jeopardizing public safety, health, and welfare or without jeopardizing the fiscal stability of the employer, or (2) a description of another condition that offsets the long term fiscal impact of the payment of the reduced contribution. An employer also shall document those actions it has taken to reduce its operating costs, or provide a description of relevant anticipated circumstances that could have an impact on revenues or expenditures. This resolution shall be submitted to and approved by the Local Finance Board after making a finding that these fiscal conditions are valid and affirming the findings contained in the employer resolution.

An employer that elects to pay 100 percent of the amount certified by the retirement system for the State fiscal year ending June 30, 2009 shall be credited with such payment and any such amounts shall not be included in the employer's unfunded liability.

The actuaries for the retirement system shall determine the unfunded liability of the retirement system, by employer, for the reduced normal and accrued liability contributions provided under P.L.2009, c.19. This unfunded liability shall be paid by the employer in level annual payments over a period of 15 years beginning with the payments due in the State fiscal year ending June 30, 2012 and shall be adjusted by the rate of return on the actuarial value of assets.

The retirement system shall annually certify to each employer the contributions due to the contingent reserve fund for the liability under P.L.2009, c.19. The contributions certified by the retirement system shall be paid by the employer to the retirement system on or before the date prescribed by law for payment of employer contributions for basic retirement benefits. If payment of the full amount of the contribution certified is not made within 30 days after the last date for payment of employer contributions for basic retirement benefits, interest at the rate of 10% per year shall be assessed against the unpaid balance on the first day after the thirtieth day.

(10) The treasurer or corresponding officer of the employer shall pay to the State Treasurer no later than April 1 of the State's fiscal year in which payment is due the amount so certified as payable by the employer, and shall pay monthly to the State Treasurer the amount of the deductions from the salary of the members in the employ of the employer, and the State Treasurer shall credit such amount to the appropriate fund or funds, of the retirement system.

If payment of the full amount of the employer's obligation is not made within 30 days of the due date established by this act, interest at the rate of 10% per annum shall commence to run against the unpaid balance thereof on the first day after such 30th day.

If payment in full, representing the monthly transmittal and report of salary deductions, is not made within 15 days of the due date established by the retirement system, interest at the rate of 10% per annum shall commence to run against the total transmittal of salary deductions for the period on the first day after such 15th day.

(11) The expenses of administration of the retirement system shall be paid by the State of New Jersey. Each employer shall reimburse the State for a proportionate share of the amount paid by the State for administrative expense. This proportion shall be computed as the number of members under the jurisdiction of such employer bears to the total number of members in the system. The pro rata share of the cost of administrative expense shall be included with the certification by the retirement system of the employer's contribution to the system.

(12) Notwithstanding anything to the contrary, the retirement system shall not be liable for the payment of any pension or other benefits on account of the employees or beneficiaries of any employer participating in the retirement system, for which reserves have not been previously created from funds, contributed by such employer or its employees for such benefits.

(13) (Deleted by amendment, P.L.1992, c.125.)

(14) Commencing with valuation year 1991, with payment to be made in Fiscal Year 1994, the Legislature shall annually appropriate and the State Treasurer shall pay into the pension accumulation fund of the retirement system an amount equal to 1.1% of the compensation of the members of the system for the valuation year to fund the benefits provided by section 16 of P.L.1964, c.241 (C.43:16A-11.1), as amended by P.L.1979, c.109.

(15) If the valuation assets are insufficient to fund the normal and accrued liability costs attributable to P.L.1999, c.428 (C.43:16A-15.8 et al.) as

New Jersey State Library

provided hereinabove, the normal and unfunded accrued liability contributions required to fund these costs
for the State and other employers shall be paid by the State.

(16) The savings realized as a result of the amendments to this section by P.L.2001, c.44 in the payment of normal contributions computed by the actuary for the valuation periods ending June 30, 1998 for employers other than the State shall be used solely and exclusively by a county or municipality for the purpose of reducing the amount that is required to be raised by the local property tax levy by the county for county purposes or by the municipality for municipal purposes, as appropriate. The Director of the Division of Local Government Services in the Department of Community Affairs shall certify for each year that each county or municipality has complied with the requirements set forth herein. If the director finds that a county or municipality has not used the savings solely and exclusively for the purpose of reducing the amount that is required to be raised by the local property tax levy by the county for county purposes or by the municipality for municipal purposes, as appropriate, the director shall direct the county or municipal governing body, as appropriate, to make corrections to its budget.

28. Section 13 of P.L.1950, c.270 (C.52:18A-91) is amended to read as follows:

C.52:18A-91 Powers and duties of State Investment Council.

13. a. The State Investment Council shall consult with the Director of the Division of Investment from time to time with respect to the work of the division. It shall have access to all files and records of the division and may require any officer or employee therein to provide such information as it may deem necessary in the performance of its functions. The council shall have authority to inspect and audit the respective accounts and funds administered through the Division of Investment. It shall formulate and establish, and may from time to time amend, modify or repeal, such policies as it may deem necessary or proper, which shall govern the methods, practices or procedures for investment, reinvestment, purchase, sale or exchange transactions to be followed by the Director of the Division of Investment established hereunder, except that the provisions of this subsection shall not apply to the operations account of Common Pension Fund L established pursuant to section 6 of P.L.2017, c.98 (C.5:9-22.10). Notwithstanding any provision of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the council may adopt, immedi-

ately upon filing with the Office of Administrative Law such policies and regulations relating to the investment account, established pursuant to section 6 of P.L.2017, c.98 (C.5:9-22.10), as are necessary to implement that section, which regulations shall be effective for a period not to exceed 12 months following adoption, and may thereafter be amended, adopted, or readopted by the council in accordance with the requirements of the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.).

b. On or before January first of each year, and at such other times as it may deem in the public interest, the council shall report to the Governor, the Legislature, and the State Treasurer with respect to its work and the work of the Division of Investment. In addition to the reports specified above and in section 14 of P.L.1950, c.270 (C.52:18A-92), the council shall issue a report by March 1 of each year on the investment activities for the prior State fiscal year, which shall include a summary of the current investment policies and strategies of the council and those in effect during the prior State fiscal year, a detailed summary for each financial product of the amount invested, performance benchmarks, and actual performance during the State fiscal year. The report shall be submitted to the Governor, the Legislature, and the State Treasurer, and shall be made available to the public through the official Internet site of the State.

c. The council shall hold a meeting each year that shall be open to the public, and shall accept comments from the public at such meeting. The matters that shall be open to discussion and public comment during this annual meeting shall include the investment policies and strategies of the council, the investment activities of the council, the financial disclosure statements filed by council members, and the certification of contributions filed by external managers, as well as other appropriate matters concerning the operations, activities and reports of the council.

d. An external manager shall be required to file a certification before being retained, and annually thereafter, that discloses the political contributions made, during the 12 months preceding the certification, by the manager or the manager's firm, or a political committee in which the manager or firm was active. The certification shall specify the political contributions made to candidates for elective public office in this State and any political committee established for the support of such candidates, and contributions made for the transition and inaugural expenses of any candidate who is elected to public office. As used in this subsection, "contribution" and "political committee" shall have the meaning set forth in "The New Jersey Campaign Contributions and Expenditures Reporting Act," P.L.1973, c.83

(C.19:44A-1 et al.). This certification shall be in addition to any other such disclosure required by law or executive order of the Governor.

29. This act shall take effect immediately.

Approved July 4, 2017.

CHAPTER 99

AN ACT making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2018 and regulating the disbursement thereof.

ANTICIPATED RESOURCES FOR THE FISCAL YEAR 2017-2018

GENERAL FUND

Undesignated Fund Balance, July 1, 2017	$434,565,000

Major Taxes

Sales	$9,827,842,000
Less: Sales Tax Deduction	***(761,000,000)***
Corporation Business	2,377,775,000
Petroleum Products Gross Receipts	1,487,155,000
Less: Petroleum Products Gross Receipts - Capital Reserves	***(940,151,000)***
Insurance Premium	578,205,000
Transfer Inheritance	745,752,000
Motor Fuels	552,529,000
Motor Vehicle Fees	508,225,000
Realty Transfer	382,827,000
Corporation Banks and Financial Institutions	201,350,000
Cigarette	181,264,000
Alcoholic Beverage Excise	106,982,000
Tobacco Products Wholesale Sales	24,476,000
Public Utility Excise (Reform)	18,400,000
Total - Major Taxes	$15,291,631,000

Miscellaneous Taxes, Fees and Revenues

Executive Branch	
Department of Agriculture:	
Fertilizer Inspection Fees	$366,000
Miscellaneous Revenue	2,000
Subtotal, Department of Agriculture	$368,000
Department of Banking and Insurance:	
Actuarial Services	$29,000
Banking - Assessments	13,024,000
Banking - Licenses and Other Fees	1,900,000
Fraud Fines	1,500,000
HMO Covered Lives	100,000
Insurance - Examination Billings	1,000,000

Matter within summary of appropriations is not enacted as part of the law and is intended to be for the purpose of displaying summaries of the items of appropriations set forth elsewhere.

Insurance - Licenses and Other Fees	43,961,000
Insurance - Special Purpose Assessment	38,894,000
Insurance Fraud Prevention	29,207,000
Real Estate Commission	3,900,000
Subtotal, Department of Banking and Insurance	$133,515,000
Department of Children and Families:	
Child Care Licensing	$300,000
Contract Recoveries	11,000,000
Divorce Filing Fees	1,300,000
Marriage License/Civil Union Fees	1,150,000
Subtotal, Department of Children and Families	$13,750,000
Department of Community Affairs:	
Affordable Housing and Neighborhood Preservation - Fair Housing	$51,261,000
Construction Fees	16,972,000
Fire Safety	17,424,000
Housing Inspection Fees	10,703,000
Planned Real Estate Development Fees	750,000
Subtotal, Department of Community Affairs	$97,110,000
Department of Education:	
Audit Recoveries	$75,000
Audit of Enrollments	1,500,000
Nonpublic Schools Handicapped and Auxiliary Recoveries	7,500,000
Nonpublic Schools Textbook Recoveries	2,000,000
School Construction Inspection Fees	700,000
State Board of Examiners	4,310,000
Subtotal, Department of Education	$16,085,000
Department of Environmental Protection:	
Air Pollution Fees - Minor Sources	$9,000,000
Air Pollution Fees - Title V Operating Permits	4,500,000
Air Pollution Fines	1,300,000
Clean Water Enforcement Act	1,400,000
Coastal Area Facility Review Act	1,800,000
Endangered Species Tax Check-Off	158,000
Environmental Infrastructure Financing Program Administrative Fee	5,000,000
Excess Diversion	170,000
Freshwater Wetlands Fees	3,100,000
Freshwater Wetlands Fines	250,000
Hazardous Waste Fees	3,800,000
Hazardous Waste Fines	560,000
Hunters' and Anglers' Licenses	11,983,000
Industrial Site Recovery Act	30,000

Laboratory Certification Fees 2,600,000
Laboratory Certification Fines 40,000
Marina Rentals 885,000
Marine Lands - Preparation and Filing Fees 110,000
Medical Waste 5,000,000
New Jersey Pollutant Discharge Elimination System/Stormwater Permits 16,700,000
Parks Management Fees and Permits 4,300,000
Parks Management Fines 60,000
Pesticide Control Fees 4,400,000
Pesticide Control Fines 30,000
Radiation Protection Fees 3,100,000
Radiation Protection Fines 150,000
Radon Testers Certification 240,000
Solid Waste - Utility Regulation Assessments 3,100,000
Solid Waste Fines 1,000,000
Solid Waste Management Fees 5,800,000
Solid and Hazardous Waste Disclosure 202,000
Stream Encroachment 3,800,000
Toxic Catastrophe Prevention Fees 1,730,000
Toxic Catastrophe Prevention Fines 100,000
Treatment Works Approval 1,400,000
Underground Storage Tanks Fees 650,000
Water Allocation 2,425,000
Water Supply Management Regulations 1,215,000
Water/Wastewater Operators Licenses 210,000
Waterfront Development Fees 3,100,000
Waterfront Development Fines 30,000
Well Permits/Well Drillers/Pump Installers Licenses 1,100,000
Wetlands 125,000
Worker Community Right to Know - Fines 5,000
Subtotal, Department of Environmental Protection $106,658,000

Department of Health:
Admission Charge Hospital Assessment $6,000,000
Federal Funds - Graduate Medical Education 141,046,000
Health Care Reform 1,200,000
Licenses, Fines, Permits, Penalties and Fees 5,000,000
Miscellaneous Revenue 50,000
Subtotal, Department of Health $153,296,000

Department of Human Services:
Early Periodic Screening, Diagnosis and Treatment $9,177,000
Medicaid Uncompensated Care - Acute 119,899,000
Medicaid Uncompensated Care - Mental Health 35,618,000
Medicaid Uncompensated Care - Psychiatric 178,685,000

Miscellaneous Revenue 150,000
Patients' and Residents' Cost Recovery - Developmental Disabilities 13,842,000
Patients' and Residents' Cost Recovery - Psychiatric Hospitals 82,275,000
School Based Medicaid 54,348,000
Subtotal, Department of Human Services $493,994,000
Department of Labor and Workforce Development:
Miscellaneous Revenue $145,000
Special Compensation Fund 1,942,000
Workers' Compensation Assessment 13,673,000
Workplace Standards - Licenses, Permits and Fines 4,358,000
Subtotal, Department of Labor and Workforce Development $20,118,000
Department of Law and Public Safety:
Beverage Licenses $4,199,000
Charities Registration Section 556,000
Consumer Affairs 830,000
Controlled Dangerous Substances 100,000
Forfeiture Funds 250,000
Legalized Games of Chance Control 1,200,000
Miscellaneous Revenue 20,000
New Jersey Cemetery Board 2,000
Private Employment Agencies 258,000
Recreational Boating 2,000,000
Securities Enforcement 13,394,000
Settlements 300,000,000
State Board of Architects 480,000
State Board of Audiology and Speech - Language Pathology Advisory 444,000
State Board of Certified Public Accountants 920,000
State Board of Chiropractors 452,000
State Board of Cosmetology and Hairstyling 400,000
State Board of Court Reporting 92,000
State Board of Dentistry 2,556,000
State Board of Electrical Contractors 720,000
State Board of HVAC Contractors 560,000
State Board of Marriage Counselor Examiners 220,000
State Board of Massage and Bodyworks 118,000
State Board of Master Plumbers 60,000
State Board of Medical Examiners 1,680,000
State Board of Mortuary Science 154,000
State Board of Nursing 4,800,000
State Board of Occupational Therapists and Assistants 408,000

State Board of Ophthalmic Dispensers and Ophthalmic Technicians ... 274,000
State Board of Optometrists ... 16,000
State Board of Orthotics and Prosthetics ... 3,000
State Board of Pharmacy ... 480,000
State Board of Physical Therapy ... 480,000
State Board of Polysomnography ... 6,000
State Board of Professional Engineers and Land Surveyors ... 620,000
State Board of Professional Planners ... 136,000
State Board of Psychological Examiners ... 54,000
State Board of Real Estate Appraisers ... 580,000
State Board of Respiratory Care ... 224,000
State Board of Social Workers ... 56,000
State Board of Veterinary Medical Examiners ... 46,000
State Police - Fingerprint Fees ... 3,694,000
State Police - Other Licenses ... 300,000
State Police - Private Detective Licenses ... 185,000
Victims of Violent Crime Compensation ... 3,372,000
Weights and Measures - General ... 2,612,000
Subtotal, Department of Law and Public Safety ... $350,011,000

Department of Military and Veterans' Affairs:
Soldiers' Homes ... $53,000,000
Subtotal, Department of Military and Veterans' Affairs ... $53,000,000

Department of Transportation:
Air Safety Fund ... $965,000
Applications and Highway Permits ... 2,500,000
Autonomous Transportation Authorities ... 24,500,000
Casualty Losses ... 350,000
Drunk Driving Fines ... 400,000
Good Driver ... 82,802,000
Logo Sign Program Fees ... 300,000
Maritime Program Receipts ... 2,000,000
Miscellaneous Revenue ... 40,000
Outdoor Advertising ... 740,000
Subtotal, Department of Transportation ... $114,597,000

Department of the Treasury:
Assessment on Real Property Greater Than $1 Million ... $153,045,000
Assessments - Cable TV ... 4,702,000
Assessments - Public Utility ... 31,702,000
Asset Sales ... 321,800,000
CATV Universal Access ... 9,790,000
Commercial Recording - Expedited ... 1,150,000
Commissions (Notary) ... 1,300,000
Domestic Security ... 37,500,000
Dormitory Safety Trust Fund - Debt Service Recovery ... 351,000

Equipment Leasing Fund - Debt Service Recovery	4,086,000
General Revenue - Fees (Commercial Recording and UCC)	64,500,000
Higher Education Capital Improvement Fund - Debt Service Recovery	23,907,000
Hotel/Motel Occupancy Tax	106,431,000
Miscellaneous Revenue	2,500,000
NJ Economic Development Authority	10,957,000
NJ Public Records Preservation	33,000,000
New Jersey Public Broadcasting Authority	5,725,000
Nuclear Emergency Response Assessment	4,490,000
Office of Dispute Settlement Mediation	50,000
Public Defender Client Receipts	3,750,000
Public Utility Fines	1,050,000
Public Utility Gross Receipts and Franchise Taxes (Water/Sewer)	133,000,000
Railroad Tax - Class II	5,027,000
Railroad Tax - Franchise	6,937,000
Rate Counsel	8,495,000
Surplus Property	1,650,000
Tax Referral Cost Recovery Fee	12,000,000
Telephone Assessment	124,000,000
Tire Clean-Up Surcharge	9,800,000
Subtotal, Department of the Treasury	$1,122,695,000
Other Sources:	
Miscellaneous Revenue	$1,000,000
Subtotal, Other Sources	$1,000,000
Interdepartmental Accounts:	
Administration and Investment of Pension and Health Benefit Funds - Recoveries	$2,810,000
Employee Maintenance Deductions	300,000
Federal Fringe Benefit Recoveries from School Districts	58,800,000
Fringe Benefit Recoveries from Colleges and Universities/University Hospital	229,674,000
Fringe Benefit Recoveries from Federal and Other Funds	370,648,000
Indirect Cost Recoveries - DEP Other Funds	11,600,000
MTF Revenue Fund	35,669,000
Rent of State Building Space	3,470,000
Social Security Recoveries from Federal and Other Funds	62,624,000
Subtotal, Interdepartmental Accounts	$775,595,000
The Judiciary:	
Court Fees	$48,000,000
Subtotal, The Judiciary	$48,000,000
Total, Miscellaneous Taxes, Fees and Revenues	$3,499,792,000

Interfund Transfers

Beaches and Harbor Fund	$5,000
Building Our Future Fund	1,268,000
Cultural Centers and Historic Preservation Fund	4,000
Dam, Lake, Stream and Flood Control Project Fund - 2003	22,000
Developmental Disabilities Waiting List Reduction Fund	1,000
Emergency Flood Control Fund	3,000
Energy Conservation Fund	3,000
Enterprise Zone Assistance Fund	65,967,000
Fund for the Support of Free Public Schools	6,002,000
Garden State Farmland Preservation Trust Fund	2,080,000
Garden State Green Acres Preservation Trust Fund	5,731,000
Garden State Historic Preservation Trust Fund	84,000
Hazardous Discharge Fund	1,000
Hazardous Discharge Site Cleanup Fund	19,022,000
Housing Assistance Fund	23,000
Judiciary Bail Fund	33,000
Judiciary Probation Fund	9,000
Judiciary Special Civil Fund	4,000
Judiciary Superior Court Miscellaneous Fund	3,000
Legal Services Fund	9,150,000
Mortgage Assistance Fund	346,000
Motor Vehicle Security Responsibility Fund	1,000
NJ Bridge Rehab. and Improvement and R.R. Right-of-Way Preservation Fund	13,000
Natural Resources Fund	5,000
New Jersey Spill Compensation Fund	16,914,000
New Jersey Workforce Development Partnership Fund	32,089,000
Pollution Prevention Fund	1,024,000
Public Purpose Buildings and Community-Based Facilities Construction Fund	1,000
Safe Drinking Water Fund	2,573,000
Shore Protection Fund	31,000
State Disability Benefit Fund	38,490,000
State Land Acquisition and Development Fund	1,000
State Owned Real Property Trust Fund	18,200,000
State Recycling Fund	3,900,000
State of New Jersey Cash Management Fund	1,374,000
Statewide Transportation and Local Bridge Fund	20,000
Supplemental Workforce Fund for Basic Skills	2,000,000
Unclaimed Insurance Payments on Deposit Accounts Trust Fund	57,000
Unclaimed Personal Property Trust Fund	170,000,000
Unclaimed Utility Deposits Trust Fund	43,000
Unemployment Compensation Auxiliary Fund	13,322,000

Universal Service Fund 67,650,000
Wage and Hour Trust Fund 2,000
Water Conservation Fund 4,000
Water Supply Fund 4,436,000
Worker and Community Right to Know Fund 2,798,000
Total Interfund Transfers $484,709,000
Total State Revenues General Fund $19,276,132,000
Total Resources, General Fund $19,710,697,000

Property Tax Relief Fund

Gross Income Tax $14,382,159,000
Sales Tax Dedication 783,900,000
Total Resources, Property Tax Relief Fund $15,166,059,000

Casino Control Fund

Investment Earnings $11,000
License Fees 50,032,000
Total Resources, Casino Control Fund $50,043,000

Casino Revenue Fund

Casino Simulcasting Fund $175,000
Gross Revenue Tax 217,481,000
Other Casino Taxes and Fees 7,370,000
Total Resources, Casino Revenue Fund $225,026,000

Gubernatorial Elections Fund

Taxpayers' Designations $700,000
Total Resources, Gubernatorial Elections Fund $700,000

Total Resources, All State Funds $35,152,525,000

Federal Revenue

Executive Branch
Department of Agriculture:
Child Care $95,800,000
Child Nutrition - School Breakfast 105,000,000
Child Nutrition - School Lunch 325,000,000
Child Nutrition - Special Milk 1,300,000
Child Nutrition - Summer Programs 11,217,000
Child Nutrition Administration 9,700,000
Child Nutrition Tech Grant 2,000,000
Farm Risk Management Education Program 282,000
Farmland Preservation 4,500,000
Food Stamp - The Emergency Food Assistance Program (TEFAP) ... 2,650,000
Fresh Fruit and Vegetable Program 5,200,000

Indemnities - Avian Influenza 550,000
National School Lunch Program - Equipment Assistance for
School Food Authorities 1,000,000
Produce Safety Rule Implementation 725,000
Specialty Crop Block Grant Program 1,600,000
Various Federal Programs and Accruals 3,820,000
Subtotal, Department of Agriculture $570,344,000
Department of Children and Families:
Restricted Federal Grants $16,996,000
Social Services Block Grant 44,166,000
Title IV-B Child Welfare Services 11,288,000
Title IV-E Foster Care 170,852,000
Subtotal, Department of Children and Families $243,302,000
Department of Community Affairs:
Community Services Block Grant $20,500,000
Continuum of Care Program 4,000,000
Emergency Solutions Grants Program 3,200,000
Family Self Sufficiency Program Coordinator 350,000
Low Income Home Energy Assistance Program 140,000,000
Mainstream 5 450,000
Moderate Rehabilitation Housing Assistance 9,500,000
National Affordable Housing - HOME Investment Partnerships 6,000,000
National Housing Trust Fund 6,000,000
Section 8 Housing Voucher Program 247,000,000
Small Cities Block Grant Program 8,023,000
Weatherization Assistance Program 5,250,000
Subtotal, Department of Community Affairs $450,273,000
Department of Corrections:
Diversity Training $100,000
Inmate Vocational Certifications 350,000
Medicaid Eligibility Workers 150,000
Offender Reentry 500,000
Prison Rape Elimination Grant 250,000
Smart Supervision 500,000
Special Investigations Division - Intelligence Technology 250,000
Special Operations Tactical Equipment 200,000
State Criminal Alien Assistance Program 3,300,000
Technology Enhancements 500,000
Various Federal Programs and Accruals 200,000
Videoconferencing Equipment Upgrade 175,000
Subtotal, Department of Corrections $6,475,000
Department of Education:
21st Century Schools $22,023,000
AIDS Prevention Education 232,000

Advancing Urban Middle School Leadership	645,000
Bilingual and Compensatory Education - Homeless Children and Youth	1,933,000
Head Start Collaboration	275,000
Improving America's Schools Act - Consolidated Administration	4,883,000
Individuals with Disabilities Education Act Basic State Grant	371,051,000
Individuals with Disabilities Education Act Preschool Grants	12,003,000
Language Acquisition Discretionary Administration	21,115,000
Migrant Education - Administration/Discretionary	2,375,000
Public Charter Schools	5,000,000
Race to the Top - Preschool Development Grant	17,500,000
State Assessments	8,210,000
Student Support & Academic Enrichment State Grants	11,210,000
Supporting Effective Instruction State Grants	50,419,000
Title I - Grants to Local Educational Agencies	347,777,000
Title I - Part D, Neglected and Delinquent	1,519,000
Various Federal Programs and Accruals	1,592,000
Vocational Education - Basic Grants - Administration	22,574,000
Subtotal, Department of Education	$902,336,000
Department of Environmental Protection:	
Air Pollution Maintenance Program	$10,500,000
Artificial Reef Program - PSE&G/NJPDES Permit Fees	985,000
Atlantic Coastal Cooperative Program	150,000
Atlantic Coastal Fisheries	300,000
Beach Monitoring and Notification	700,000
BioWatch Monitoring	700,000
Boat Access (Fish and Wildlife)	1,000,000
Brownfields	1,000,000
Capital Repair to Leonardo Marina	1,700,000
Clean Diesel Retrofit	415,000
Clean Vessels	1,000,000
Clean Water State Revolving Fund	59,635,000
Coastal Wetlands Planning	1,500,000
Coastal Zone Management Implementation	3,400,000
Community Assistance Program	350,000
Consolidated Forest Management	600,000
Cooperative Technical Partnership	1,000,000
Drinking Water State Revolving Fund	21,200,000
Endangered Species	350,000
Endangered and Nongame Species Program State Wildlife Grants	1,000,000
Fish and Wildlife Action Plan	115,000
Fish and Wildlife Health	950,000

Forest Legacy 6,665,000
Forest Resource Management -
Cooperative Forest Fire Control 950,000
Framework for Increased Risk Reduction 1,200,000
Hazardous Waste - Resource Conservation Recovery Act 4,750,000
Historic Preservation Survey and Planning 1,000,000
Hunters' and Anglers' License Fund 9,385,000
Land and Water Conservation Fund 4,000,000
Marine Fisheries Investigation and Management 1,750,000
Maurice River Habitat Restoration 5,200,000
Multimedia 750,000
National Coastal Wetlands Conservation 3,475,000
National Dam Safety Program (FEMA) 120,000
National Geologic Mapping Program 300,000
National Recreational Trails 1,900,000
New Jersey Atlantic and Shortnose Sturgeon 365,000
New Jersey Landowner Incentive 250,000
New Jersey Shooting Range Development and Improvement 2,750,000
New Jersey's Landscape Project 750,000
Nonpoint Source Implementation (319H) 3,830,000
Particulate Monitoring Grant 1,000,000
Pesticide Technology 500,000
Port Security Sector NY 6,250,000
Preliminary Assessments/Site Inspections 1,900,000
Radon Program 500,000
Recovery Land Acquisition 2,500,000
Remedial Planning Support Agency Assistance 1,000,000
Species of Greater Conservation Need - Mammal Research and
Management 300,000
State and EPA Data Management Grant 600,000
Statewide Habitat Restoration and Enhancement 700,000
Superfund Grants 5,020,000
Underground Storage Tank Program Standard Compliance
Inspections 1,250,000
Underground Storage Tanks 2,500,000
Various Federal Programs and Accruals 725,000
Water Monitoring and Planning 1,000,000
Water Pollution Control Program 4,675,000
Wildlife Management Area Conservation Program 2,000,000
Wildlife and Sport Fish Restoration Outreach 600,000
Subtotal, Department of Environmental Protection $190,960,000
Department of Health:
AIDS Drug Distribution Program $2,000,000
Abstinence Education - Family Health Services (FHS) 1,700,000

Asthma Surveillance and Coalition Building 769,000
Bioterrorism Hospital Emergency Preparedness 14,786,000
Birth Defects Surveillance Program 508,000
Breast and Cervical Cancer Early Detection Program 2,800,000
Breastfeeding Peer Counseling 300,000
Chronic Disease Prevention and Health Promotion Programs - Public Health 3,350,000
Clinical Laboratory Improvement Amendments Program 617,000
Comprehensive AIDS Resources Grant 46,311,000
Conformance with the Manufactured Food Regulatory Program Standards 290,000
Coordinated Integrated Initiative 2,255,000
Core Injury Prevention and Control Program 300,000
Early Hearing Detection and Intervention (EHDI) Tracking, Research 210,000
Early Intervention for Infants and Toddlers with Disabilities (Part C) 13,000,000
Ebola Hospital Preparedness and Response 6,022,000
Emergency Medical Services for Children (EMSC) Partnership Grants 200,000
Emergency Preparedness for Bioterrorism 29,581,000
Enhanced HIV/AIDS Surveillance - Perinatal 213,000
Enhancing & Making Programs & Outcomes Work to End Rape 96,000
Federal Lead Abatement Program 440,000
Food Emergency Response Network - E. Coli in Ground Beef 165,000
Food Inspection 603,000
Fundamental & Expanded Occupational Health 985,000
HIV/AIDS Events without Care in New Jersey 373,000
HIV/AIDS Prevention and Education Grant 17,600,000
HIV/AIDS Surveillance Grant 3,318,000
Heart Disease and Stroke Prevention 450,000
Home Visiting Innovation Grant 4,000,000
Housing Opportunities for Incarcerated Persons with AIDS 1,958,000
Housing Opportunities for Persons with AIDS 1,764,000
Immunization Project 10,000,000
Improving Mental Health for Older African Americans 240,000
Integrated Community Systems for Children with Special Health Needs 325,000
Lab Biomonitoring Program - Impact of Biohazards on New Jersey Citizens 1,000,000
Maternal and Child Health (MCH) Early Childhood Comprehensive System 140,000
Maternal and Child Health Block Grant 13,000,000

Maternal, Infant and Early Childhood Home Visiting Innovation Grant	4,000,000
Maternal, Infant and Early Childhood Home Visiting Program	10,582,000
Medicare/Medicaid Inspections of Nursing Facilities	14,500,000
Morbidity and Risk Behavior Surveillance	725,000
National Cancer Prevention and Control - Public Health	6,889,000
National HIV/AIDS Behavioral Surveillance	512,000
National Program of Cancer Registries	842,000
New Jersey Cancer Education & Early Detection (NJ CEED)	197,000
New Jersey Childhood Lead	316,000
New Jersey Personal Responsibility Education Program	1,426,000
New Jersey Plan for Private Well Programs	170,000
New Jersey's Reducing Health Disparities Initiative	160,000
Nurse Aide Certification Program	1,000,000
Pandemic Influenza Healthcare Preparedness	1,935,000
Pediatric AIDS Health Care Demonstration Project	2,350,000
Pregnancy Risk Assessment Monitoring System	750,000
Preventative Health and Health Services Block Grant	4,683,000
Prevention & Public Health Fund - Coordinated Integrated Initiative	1,187,000
Prevention & Public Health Fund - Immunization and Vaccines for Children	9,600,000
Public Employees Occupational Safety and Health - State Plan	900,000
Public Health Laboratory Biomonitoring Planning	2,156,000
Rape Prevention and Education Program	1,896,000
Ryan White Part B - Emergency Relief	7,300,000
Ryan White Part B - Supplemental	1,500,000
Senior Farmers' Market Nutrition Program	2,000,000
Supplemental Food Program - Women, Infants, and Children (WIC)	151,608,000
Surveillance, Epidemiology and End Results (SEER)	1,319,000
Tobacco Age of Sale Enforcement (TASE)	1,726,000
Tuberculosis Control Program	2,595,000
Various Federal Programs and Accruals	14,725,000
Venereal Disease Project	3,882,000
Vital Statistics Component	1,498,000
West Nile Virus - Laboratory	200,000
West Nile Virus - Public Health	1,942,000
Women, Infants, and Children (WIC) Farmers' Market Nutrition Program	2,600,000
Zika Surveillance and Intervention	840,000
Subtotal, Department of Health	$442,180,000
Department of Human Services:	
Block Grant Mental Health Services	$14,500,000

Child Care Block Grant	123,662,000
Child Support Enforcement Program	178,100,000
Chronic Disease Self-Management Expansion	900,000
Cures Grant	12,997,000
Developmental Disabilities Council	1,642,000
Electronic Health Records Provider Incentive Payments	50,000,000
Grants to Prevent Prescription Drug/Opioid Overdose Deaths	1,000,000
Health Information Technology (HIT)	5,661,000
Medication Assisted Drug and Opioid	950,000
National Family Caregiver Program	5,200,000
National Strategy Grant-Suicide Prevention	471,000
New Jersey Money Follows the Person	18,601,000
Older Americas Act - Title III	34,077,000
Program Integration of Primary and Behavioral Health Care	2,000,000
Projects for Assistance in Transition from Homelessness (PATH)	2,139,000
Refugee Resettlement Program	1,578,000
Social Services Administration	40,725,000
Strategic Prevention Framework	2,208,000
Substance Abuse Block Grant	49,000,000
Supplemental Nutrition Assistance Program	151,229,000
Supplemental Nutrition Assistance Program - Education	7,000,000
Temporary Assistance to Needy Families Block Grant	419,785,000
Title XIX Child Residential	92,891,000
Title XIX Community Care Waiver	549,740,000
Title XIX ICF/MR	221,104,000
Title XIX Medical Assistance	8,107,193,000
Title XXI Children's Health Insurance Program	470,639,000
United State Department of Agriculture Older Americans	4,350,000
Various Federal Programs and Accruals	7,001,000
Vocational Rehabilitation Act, Section 120	13,099,000
Subtotal, Department of Human Services	$10,589,442,000
Department of Labor and Workforce Development:	
Assistive Technology	$550,000
Current Employment Statistics	2,417,000
Disability Determination Services	74,553,000
Disabled Veterans' Outreach Program	2,987,000
Employment Services	27,362,000
Employment Services Grants - Alien Labor Certification	690,000
Independent Living	600,000
Local Veterans' Employment Representatives	1,594,000
National Council on Aging - Senior Community Services Employment Project	4,029,000

Occupational Safety Health Act - On-Site Consultation 2,674,000
One Stop Labor Market Information 1,046,000
Public Employees Occupational Safety and Health Act 2,872,000
Redesigned Occupational Safety and Health (ROSH) 385,000
Reemployment Eligibility Assessments - State Administration 2,500,000
Rehabilitation of Supplemental Security Income Beneficiaries 2,000,000
Supported Employment 975,000
Trade Adjustment Assistance Project 4,193,000
Unemployment Insurance 156,245,000
Various Federal Programs and Accruals 1,882,000
Vocational Rehabilitation Act of 1973 53,157,000
Work Opportunity Tax Credit 746,000
Workforce Investment Act 109,428,000
Workforce Investment Act - Adult and Continuing Education 17,239,000
Subtotal, Department of Labor and Workforce Development .. $470,124,000

Department of Law and Public Safety:
Anti-Methamphetamine $500,000
Body Cameras 1,000,000
Bulletproof Vest Partnership 14,000
COPS Anti-Gang Initiative Grant 1,000,000
Community Oriented Policing (COPS) Anti-Heroin Task Force Program 1,500,000
Community Oriented Policing (COPS) Hiring Program 7,000,000
Community Policing Development 500,000
Comprehensive Anti-Gang Strategies and Programs 300,000
Coverdell Competitive 250,000
Domestic Marijuana Eradication Suppression Program 75,000
Emergency Management Performance Grant - Non Terrorism 9,000,000
Encouraging Innovation 500,000
Enhancement of Data Analysis Center 50,000
Equal Employment Opportunity Commission 262,000
Fatality Analysis Reporting System (FARS) 280,000
Flood Mitigation Assistance 9,000,000
Forensic Casework DNA Backlog Reduction 1,800,000
Hazardous Materials Transportation 550,000
Highway Traffic Safety 34,190,000
Homeland Security Grant Program 8,354,000
Intellectual Property 450,000
Internet Crimes Against Children 575,000
Justice Assistance Grant (JAG) 4,641,000
Juvenile Justice Delinquency Prevention 1,013,000
Medicaid Fraud Unit 3,544,000
Medical Examiner Coroner System 550,000

National Criminal History Program - Office of the Attorney General .. 500,000
Non-Motorized Safety 1,340,000
Opioid Crisis System 2,600,000
Paul Coverdell National Forensic Science Improvement 400,000
Port Security 3,000,000
Pre-Disaster Mitigation Grant (Competitive) 5,000,000
Prescription Drug Monitoring Program 500,000
Project Safe Neighborhoods 500,000
Recreational Boating Safety 3,800,000
Residential Treatment for Substance Abuse 173,000
Sex Offender Registration and Notification Act (SORNA)..... 700,000
Smart Policing Initiative 700,000
Solving Cold Cases..... 250,000
UASI Nonprofit Security Grant Program (NSGP) 4,261,000
Urban Area Security Initiative (UASI)..... 20,534,000
Urban Search and Rescue 9,000,000
Various Federal Programs and Accruals 1,890,000
Victim Assistance Grants 63,000,000
Victim Centered Law Enforcement Training 750,000
Victim Compensation Award 3,400,000
Victims of Crime Act - Training Discretionary..... 670,000
Victims of Crime Act - Vision 21..... 250,000
Victims of Human Trafficking 1,350,000
Violence Against Women Act - Criminal Justice..... 3,900,000
Subtotal, Department of Law and Public Safety $215,366,000
Department of Military and Veterans' Affairs:
Antiterrorism Program Manager..... $120,000
Armory Renovations and Improvements..... 5,200,000
Army Facilities Service Contracts 5,000,000
Army National Guard Electronic Security System 300,000
Army National Guard Statewide Security Agreement..... 800,000
Army National Guard Sustainable Range Program 80,000
Army Training and Technology Lab 400,000
Atlantic City Air Base Environmental..... 70,000
Atlantic City Air Base Operations and Maintenance..... 191,000
Atlantic City Air Base Service Contracts 2,052,000
Atlantic City Air Base Sustainment, Restoration and Modernization ... 700,000
Brigadier General Doyle Memorial Cemetery Building Project..... 5,000,000
Dining Facility Operations 150,000
Facilities Support Contract 17,000,000
Federal Distance Learning Program 300,000
Fire Fighter/Crash Rescue Service Cooperative Funding
Agreement..... 2,000,000

Hazardous Waste Environmental Protection Program 3,000,000
McGuire Air Force Base Environmental 83,000
McGuire Air Force Base Operations and Maintenance 201,000
McGuire Air Force Base Service Contracts 1,490,000
Medicare Part A Receipts for Resident Care and Operational Costs 10,970,000
National Guard Communications Agreement 400,000
New Jersey National Guard ChalleNGe Youth Program 3,200,000
Sea Girt Regional Training Institute - Construction 10,000,000
Training Site Facilities Maintenance Agreements 120,000
Training and Equipment - Pool Sites 700,000
Various Federal Programs and Accruals 1,055,000
Veterans' Education Monitoring 552,000
Warren Grove/Coyle Field 60,000
Subtotal, Department of Military and Veterans' Affairs $71,194,000

Department of State:
Americorps Grants $5,642,000
Foster Grandparent Program 850,000
Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) 3,500,000
Institute of Museum and Library Services Grant - Museums for America 106,000
National Endowment for the Arts Partnership 900,000
National Health Service Corps - Student Loan Repayment Program 150,000
State Trade and Export Promotion Pilot Grant Program 850,000
Student Loan Administrative Cost Deduction and Allowance 14,057,000
Subtotal, Department of State $26,055,000

Department of Transportation:
Airport Fund $2,000,000
Boating Infrastructure Program (New Jersey Maritime Program) 1,600,000
Commercial Drivers' License Program 1,300,000
Development and Implementation Grant - Federal Transit Administration 1,000,000
Motor Carrier Safety Assistance Program 8,756,000
New Jersey Maritime Program - Ferry Boat 5,000,000
Subtotal, Department of Transportation $19,656,000

Department of the Treasury:
Pipeline Safety $1,147,000
Pipeline Suspension Funding 25,000
State Energy Conservation Program 1,097,000
Subtotal, Department of the Treasury $2,269,000

Judicial Branch
The Judiciary:
Various Federal Programs and Accruals $1,325,000

Subtotal, The Judiciary	$1,325,000
Special Transportation Fund	
Department of Transportation:	
Transportation Trust Fund - Federal Highway Administration	$1,114,368,845
Transportation Trust Fund - Federal Transit Administration	508,176,923
Subtotal, Special Transportation Fund	$1,622,545,768
Total, Federal Revenue	$15,823,846,768
Grand Total Resources, All Funds	$50,976,371,768

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. The appropriations herein or so much thereof as may be necessary are hereby appropriated out of the General Fund, or such other sources of funds specifically indicated or as may be applicable, for the respective public officers and spending agencies and for the several purposes herein specified for the fiscal year ending on June 30, 2018. Unless otherwise provided, the appropriations herein made shall be available during said fiscal year and for a period of one month thereafter for expenditures applicable to said fiscal year. Unless otherwise provided, at the expiration of said one-month period, all unexpended balances shall lapse into the State Treasury or to the credit of trust, dedicated or non-State funds as applicable, except those balances held by encumbrances on file as of June 30, 2018 with the Director of the Division of Budget and Accounting or held by pre-encumbrances on file as of June 30, 2018 as determined by the Director of the Division of Budget and Accounting. The Director of the Division of Budget and Accounting shall provide the Legislative Budget and Finance Officer with a listing of all pre-encumbrances outstanding as of July 31, 2018 together with an explanation of their status. Nothing contained in this section or in this act shall be construed to prohibit the payment due upon any encumbrance or pre-encumbrance made under any appropriation contained in any appropriation act of the previous year or years. Furthermore, balances held by pre-encumbrances as of June 30, 2017 are available for payments applicable to fiscal year 2017 as determined by the Director of the Division of Budget and Accounting. The Director of the Division of Budget and Accounting shall provide the Legislative Budget and Finance Officer with a listing of all pre-encumbrances outstanding as of July 31, 2017 together with an explanation of their status. On or before December 1, 2017, the State Treasurer, in accordance with the provisions of section 37 of article 3 of P.L.1944, c.112 (C.52:27B-46), shall transmit to the Legislature the Annual Financial Report of the State of New Jersey for the fiscal year ending June 30, 2017, depicting the financial condition of the State and the results of operation for the fiscal year ending June 30, 2017.

01 LEGISLATURE

70 Government Direction, Management, and Control

71 Legislative Activities

0001 Senate
DIRECT STATE SERVICES

01-0001 Senate $11,700,000
Total Direct State Services Appropriation, Senate..... $11,700,000

Direct State Services:

Personal Services:
Senators (40) .....($1,990,000)
Salaries and Wages .....(4,590,000)
Members' Staff Services.....(4,400,000)
Materials and Supplies.....(135,000)
Services Other Than Personal.....(486,000)
Maintenance and Fixed Charges.....(72,000)
Additions, Improvements and Equipment .....(27,000)

The unexpended balance at the end of the preceding fiscal year in this account is appropriated. In addition to the amount hereinabove appropriated, there is appropriated $2,000,000 for Senate operations.

0002 General Assembly
DIRECT STATE SERVICES

02-0002 General Assembly $18,217,000
Total Direct State Services Appropriation, General Assembly... $18,217,000

Direct State Services:

Personal Services:
Assemblypersons (80).....($3,937,000)
Salaries and Wages .....(4,702,000)
Members' Staff Services.....(8,800,000)
Materials and Supplies.....(108,000)
Services Other Than Personal.....(576,000)
Maintenance and Fixed Charges.....(90,000)
Additions, Improvements and Equipment .....(4,000)

The unexpended balance at the end of the preceding fiscal year in this account is appropriated. In addition to the amount hereinabove appropriated, there is appropriated $2,000,000 for General Assembly operations.

0003 Office of Legislative Services
DIRECT STATE SERVICES

03-0003 Legislative Support Services..... $33,646,000
Total Direct State Services Appropriation, Office of Legislative Services..... $33,646,000

Direct State Services:

Personal Services:
Salaries and Wages .....($26,389,000)
Materials and Supplies.....(1,065,000)

Services Other Than Personal ..... (2,527,000)
Maintenance and Fixed Charges ..... (3,181,000)
Special Purpose:
03 State House Express Civics Education Program ..... (30,000)
03 Affirmative Action and Equal Employment Opportunity ..... (29,000)
03 Senator Wynona Lipman Chair in Women's Political Leadership, Eagleton Institute ..... (100,000)
03 Henry J. Raimondo Legislative Fellows Program ..... (69,000)
Additions, Improvements and Equipment ..... (256,000)

Such amounts as are required, as determined by the Technology Executive Group of the Legislative Information Systems Committee of the Legislative Services Commission, for the continuation and expansion of existing and emerging computer and information technologies for the Legislature including but not limited to interactive video conferencing, telecommunication capabilities, electronic copying and facsimile transmissions, training and such other technologies in order to sustain a coordinated and comprehensive legislative technology infrastructure that the Legislature deems necessary are appropriated. No amounts so determined shall be obligated, expended or otherwise made available without the written prior authorization of the Senate President and the Speaker of the General Assembly.

Such amounts as are required for Master Lease payments are appropriated, subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer.

Such amounts as may be required for the cost of information system audits performed by the State Auditor are funded from the departmental data processing accounts of the department in which the audits are performed.

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

Receipts from fees and charges for public access to legislative information systems and the unexpended balance at the end of the preceding fiscal year of such receipts are appropriated and shall be credited to a non-lapsing revolving fund established in and administered by the Office of Legislative Services for the purpose of continuing to modernize, maintain, and expand the dissemination and availability of legislative information.

77 Legislative Commissions and Committees

DIRECT STATE SERVICES

09-0010 Intergovernmental Relations Commission $400,000
09-0014 Joint Committee on Public Schools 335,000
09-0018 State Commission of Investigation 4,679,000
09-0053 New Jersey Law Revision Commission 321,000
09-0058 State Capitol Joint Management Commission 9,838,000

Total Direct State Services Appropriation, Legislative Commissions and Committees $15,573,000

Direct State Services:

Intergovernmental Relations Commission:
09 The Council of State Governments .....($145,000)
09 National Conference of State Legislatures.....(184,000)
09 Eastern Trade Council - The Council of State Governments .....(31,000)
09 National Foundation for Women Legislators.....(40,000)

Joint Committee on Public Schools:
09 Expense of Commission .....(335,000)

State Commission of Investigation:
09 Expense of Commission .....(4,679,000)

New Jersey Law Revision Commission:
09 Expense of Commission .....(321,000)

State Capitol Joint Management Commission:
09 Expense of Commission .....(9,838,000)

The unexpended balances at the end of the preceding fiscal year in these accounts are appropriated.

Such amounts as are required for the establishment and operation of the Apportionment Commission and the legislative New Jersey Redistricting Commission are appropriated, subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer.

Receipts from the rental of the Cafeteria and the Welcome Center and any other facility under the jurisdiction of the State Capitol Joint Management Commission are appropriated to defray custodial, security, maintenance and other related costs of these facilities.

Legislature, Total State Appropriation..... $79,136,000

Summary of Legislature Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $79,136,000
Appropriations by Fund:
General Fund..... $79,136,000

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06 OFFICE OF THE CHIEF EXECUTIVE
70 Government Direction, Management, and Control
76 Management and Administration
DIRECT STATE SERVICES

01-0300 Executive Management $6,736,000

Total Direct State Services Appropriation, Management and Administration $6,736,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($5,724,000)
Special Purpose:
01 National Governors' Association ..... (185,000)
01 Education Commission of the States ..... (125,000)
01 National Conference of Commissioners On Uniform State Laws ..... (65,000)
01 Brian Stack Intern Program ..... (10,000)
Allowance to the Governor of Funds Not Otherwise Appropriated, For Official Reception on Behalf of the State, Operation of an Official Residence and Other Expenses ..... (95,000)
Materials and Supplies ..... (133,000)
Services Other Than Personal ..... (356,000)
Maintenance and Fixed Charges ..... (43,000)

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

Office of the Chief Executive, Total State Appropriation $6,736,000

Summary of Office of the Chief Executive Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $6,736,000
Appropriations by Fund:
General Fund $6,736,000

10 DEPARTMENT OF AGRICULTURE
40 Community Development and Environmental Management
49 Agricultural Resources, Planning, and Regulation
DIRECT STATE SERVICES

01-3310 Animal Disease Control $1,274,000
02-3320 Plant Pest and Disease Control 1,553,000
03-3330 Agricultural and Natural Resources 533,000
05-3350 Food and Nutrition Services 343,000
06-3360 Marketing and Development Services 687,000
08-3380 Farmland Preservation 2,093,000
99-3370 Administration and Support Services 870,000

Total Direct State Services Appropriation, Agricultural Resources, Planning and Regulation $7,353,000

Direct State Services:

Personal Services:
Salaries and Wages .....($4,461,000)
Materials and Supplies.....(88,000)
Services Other Than Personal.....(156,000)
Maintenance and Fixed Charges.....(162,000)
Special Purpose:
05 The Emergency Food Assistance Program .....(343,000)
06 Promotion/Market Development.....(50,000)
08 Agricultural Right to Farm Program.....(85,000)
08 Open Space Administrative Costs.....(2,008,000)

Receipts from laboratory test fees are appropriated to support the Animal Health Diagnostic Laboratory program. The unexpended balance at the end of the preceding fiscal year in the Animal Health Diagnostic Laboratory receipt account is appropriated for the same purpose.

Receipts from the seed laboratory testing and certification programs are appropriated for the cost of these programs. The unexpended balance at the end of the preceding fiscal year in the seed laboratory testing and certification receipt account is appropriated for the same purpose.

Receipts from Nursery Inspection fees are appropriated for the cost of that program. The unexpended balance at the end of the preceding fiscal year in the Nursery Inspection program is appropriated for the same purpose.

Receipts from the sale or studies of beneficial insects are appropriated to support the Beneficial Insect Laboratory. The unexpended balance at the end of the preceding fiscal year in the Sale of Insects account is appropriated for the same purpose.

Receipts from Stormwater Discharge Permit program fees are appropriated for the cost of that program. The unexpended balance at the end of the preceding fiscal year in the Stormwater Discharge Permit program account is appropriated for the same purpose.

Receipts from the distribution of commodities, sale of containers, and salvage of commodities, in accordance with applicable federal regulations, are appropriated for Commodity Distribution expenses.

Receipts in excess of the amount anticipated from feed, fertilizer, and liming material registrations and inspections are appropriated for the cost of that program.

Receipts from dairy licenses and inspections are appropriated for the cost of that program.

Receipts from agriculture chemistry fees not to exceed $75,000 are appropriated to support the organic certification program.

Receipts from organic certification program fees are appropriated for the cost of that program.

Receipts from inspection fees from fruit, vegetable, fish, red meat, and poultry inspections are appropriated for the cost of conducting fruit, vegetable, fish, red meat, and poultry inspections.

An amount equal to receipts generated at the rate of $0.47 per gallon of wine, vermouth, and sparkling wine sold by plenary winery and farm winery licensees licensed pursuant to R.S.33:1-10, and certified by the Director of the Division of Taxation, are appropriated to the Department of Agriculture from the alcoholic beverage excise tax for expenses of the Wine Promotion Program.

Receipts from the surcharge on vehicle rentals pursuant to section 54 of P.L.2002, c.34 (C.App.A:9-78), not to exceed $278,000, are appropriated to support the Agro-Terrorism program within the Department of Agriculture.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Open Space Administrative Costs account is transferred from the Garden State Farmland Preservation Trust Fund, the 2009 Farmland Preservation Fund, and the Preserve New Jersey Farmland Preservation Fund to the General Fund, together with an amount not to exceed $1,029,000, and is appropriated to the Department of Agriculture for the State Agriculture Development Committee's administration of the Farmland Preservation program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, an amount not to exceed $200,000 shall be transferred from the appropriate funds established in the "Open Space Preservation Bond Act of 1989," P.L.1989, c.183, to the State Transfer of Development Rights Bank account and is appropriated to the State Agriculture Development Committee for Transfer of Development Rights administrative costs.

GRANTS-IN-AID

05-3350 Food and Nutrition Services $6,818,000

Total Grants-in-Aid Appropriation, Agricultural Resources, Planning and Regulation $6,818,000

Grants-in-Aid:

05 Hunger Initiative/Food Assistance Program ..... ($6,818,000)

Notwithstanding the provisions of any law or regulation to the contrary, an amount not to exceed $250,000 may be transferred from the Department of Environmental Protection's Water Resources Monitoring and Planning - Constitutional Dedication special purpose account and is appropriated for the Animal Waste Management portion of the Conservation Assistance Program in the Division of Agricultural and Natural Resources in the Department of Agriculture, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Conservation Assistance Program is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, $540,000 shall be transferred from the Department of Environmental Protection's Water

Resources Monitoring and Planning - Constitutional Dedication special purpose account and is appropriated to support nonpoint source pollution control programs in the Department of Agriculture on or before September 1 of the current fiscal year. Further additional amounts may be transferred pursuant to a Memorandum of Understanding between the Department of Environmental Protection and the Department of Agriculture from the Department of Environmental Protection's Water Resources Monitoring and Planning - Constitutional Dedication special purpose account to support nonpoint source pollution control programs in the Department of Agriculture, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance of this program at the end of the preceding fiscal year is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The expenditure of funds for the Conservation Cost Share program hereinabove appropriated shall be based upon an expenditure plan, subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

05-3350 Food and Nutrition Services	$5,613,000
08-3380 Farmland Preservation	3,000
Total State Aid Appropriation, Agricultural Resources, Planning and Regulation	$5,616,000

State Aid:

05 School Lunch Aid - State Aid Grants	($5,613,000)
08 Payment in Lieu of Taxes	(3,000)

The unexpended balance at the end of the preceding fiscal year in the School Lunch Aid - State Aid Grants account is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amount necessary to reimburse State and local government entities for participating in the School Lunch Program shall be paid from the School Lunch Aid - State Aid Grants account, subject to the approval of the Director of the Division of Budget and Accounting.

Department of Agriculture, Total State Appropriation $19,787,000

Summary of Department of Agriculture Appropriations
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$7,353,000
Grants-in-Aid	6,818,000
State Aid	5,616,000
Appropriations by Fund:	
General Fund	$19,787,000

14 DEPARTMENT OF BANKING AND INSURANCE
50 Economic Planning, Development, and Security
52 Economic Regulation
DIRECT STATE SERVICES

01-3110	Consumer Protection Services and Solvency Regulation	$21,484,000
02-3120	Actuarial Services	5,200,000
03-3130	Regulation of the Real Estate Industry	3,680,000
04-3110	Public Affairs, Legislative and Regulatory Services	2,322,000
06-3110	Bureau of Fraud Deterrence	22,996,000
07-3170	Supervision and Examination of Financial Institutions	4,159,000
99-3150	Administration and Support Services	4,172,000
	Total Direct State Services Appropriation, Economic Regulation	$64,013,000

Direct State Services:

Personal Services:	
Salaries and Wages	($42,720,000)
Materials and Supplies	(384,000)
Services Other Than Personal	(7,209,000)
Maintenance and Fixed Charges	(487,000)
Special Purpose:	
01 Rate Counsel - Insurance	(149,000)
02 Actuarial Services	(168,000)
06 Insurance Fraud Prosecution Services	(12,896,000)

The unexpended balance at the end of the preceding fiscal year in the Public Adjusters' Licensing account, together with receipts from the "Public Adjusters' Licensing Act," P.L.1993, c.66 (C.17:22B-1 et seq.), are appropriated for the administration of the act, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the investigation of out-of-State land sales are appropriated for the conduct of those investigations.

There are appropriated from the Real Estate Guaranty Fund such sums as may be necessary to pay claims.

There are appropriated from the assessments imposed by the New Jersey Individual Health Coverage Program Board, created pursuant to P.L.1992, c.161 (C.17B:27A-2 et seq.), and by the New Jersey Small Employer Health Benefits Program Board, created pursuant to P.L.1992, c.162 (C.17B:27A-17 et seq.), those amounts as may be necessary to carry out the provisions of those acts, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of anticipated revenues from licensing fees, bank assessments, fines and penalties, and the unexpended balances at the end of the preceding fiscal year, not to exceed $400,000, are appropriated to the Division of Banking, subject to the approval of the Director of the Division of Budget and Accounting.

Proceeds from the sale of credits by the Pinelands Development Credit Bank pursuant to P.L.1985, c.310 (C.13:18A-30 et seq.) are appropriated to the Pinelands Development Credit Bank to administer the "Pinelands Development Credit Bank Act." The unexpended balance at the end of the preceding fiscal year in the Pinelands Development Credit Bank is appropriated to administer the operations of the bank.

In addition to the amounts hereinabove appropriated, such other amounts, as the Director of the Division of Budget and Accounting shall determine, are appropriated from the assessments of the insurance industry pursuant to P.L.1995, c.156 (C.17:1C-19 et seq.) and from the assessments of the banking and consumer finance industries pursuant to P.L.2005, c.199 (C.17:1C-33 et seq.) for the purpose of implementing the requirements of those statutes.

The amount hereinabove appropriated for the Division of Insurance accounts is payable from receipts from the Special Purpose Assessment of insurance companies pursuant to section 2 of P.L.1995, c.156 (C.17:1C-20). If the Special Purpose Assessment cap calculation is less than the amount hereinabove appropriated for this purpose for the Division of Insurance, the appropriation shall be reduced to the level of funding supported by the Special Purpose Assessment cap calculation.

Department of Banking and Insurance, Total State Appropriation $64,013,000

Summary of Department of Banking and Insurance Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $64,013,000
Appropriations by Fund:
General Fund $64,013,000

16 DEPARTMENT OF CHILDREN AND FAMILIES
50 Economic Planning, Development, and Security
55 Social Services Programs
DIRECT STATE SERVICES

01-1610 Child Protection and Permanency $469,012,000
(From General Fund ..... $191,490,000)
(From Federal Funds ..... 277,110,000)
(From All Other Funds ..... 412,000)
02-1620 Children's System of Care 2,132,000
(From General Fund ..... 1,919,000)
(From Federal Funds ..... 213,000)
03-1630 Family and Community Partnerships 1,889,000
(From General Fund ..... 1,889,000)

04-1600 Education Services 33,425,000
(From General Fund ..... 14,943,000)
(From Federal Funds ..... 1,231,000)
(From All Other Funds ..... 17,251,000)
05-1600 Child Welfare Training Academy Services and Operations 8,249,000
(From General Fund ..... 6,181,000)
(From Federal Funds ..... 2,068,000)
06-1600 Safety and Security Services 7,455,000
(From General Fund ..... 3,775,000)
(From Federal Funds ..... 3,680,000)
99-1600 Administration and Support Services 61,785,000
(From General Fund ..... 46,674,000)
(From Federal Funds ..... 15,111,000)
Total Appropriation, State, Federal, and All Other Funds $583,947,000
(From General Fund ..... $266,871,000)
(From Federal Funds ..... 299,413,000)
(From All Other Funds ..... 17,663,000)
Less:
Federal Funds $299,413,000
All Other Funds 17,663,000
Total Deductions $317,076,000
Total Direct State Services Appropriations, Social Services Programs $266,871,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($485,396,000)
Materials and Supplies ..... (4,371,000)
Services Other Than Personal ..... (18,289,000)
Maintenance and Fixed Charges ..... (36,671,000)
Special Purpose:
01 Child Collaborative Mental Health Care Pilot Program ..... (5,000,000)
05 NJ Partnership for Public Child Welfare ..... (3,500,000)
06 Safety and Security Services ..... (7,455,000)
99 Information Technology ..... (1,524,000)
99 Safety and Permanency in the Courts ..... (15,545,000)
Additions, Improvements and Equipment ..... (6,196,000)
Less:
Federal Funds 299,413,000
All Other Funds 17,663,000

Of the amounts hereinabove appropriated for Salaries and Wages for the Child Welfare Training Academy Services and Operations, such amounts as may be necessary shall be used to train the Department of Children and Families' staff

who serve children and families in the field, who have not already received training in cultural competency. The Department of Children and Families shall also offer training opportunities in cultural competency to staff of community-based organizations serving children and families under contract to the Department of Children and Families.

Of the amount hereinabove appropriated for Safety and Permanency in the Courts, an amount not to exceed $15,045,000 shall be reimbursed to the Department of Law and Public Safety and is appropriated for legal services implementing the approved child welfare settlement with the federal court, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

01-1610 Child Protection and Permanency $490,014,000
(From General Fund ..... $437,971,000)
(From Federal Funds ..... 45,189,000)
(From All Other Funds ..... 6,854,000)
02-1620 Children's System of Care 620,930,000
(From General Fund ..... 394,362,000)
(From Federal Funds ..... 226,418,000)
(From All Other Funds ..... 150,000)
03-1630 Family and Community Partnerships 104,184,000
(From General Fund ..... 59,801,000)
(From Federal Funds ..... 43,050,000)
(From All Other Funds ..... 1,333,000)
04-1600 Education Services 27,357,000
(From Federal Funds ..... 1,081,000)
(From All Other Funds ..... 26,276,000)
99-1610 Administration and Support Services 658,000
(From Federal Funds ..... 658,000)
Total Appropriation, State, Federal, and All Other Funds $1,243,143,000
(From General Fund ..... $892,134,000)
(From Federal Funds ..... 316,396,000)
(From All Other Funds ..... 34,613,000)

Less:
Federal Funds $316,396,000
All Other Funds 34,613,000
Total Deductions $351,009,000
Total Grants-in-Aid Appropriation, Social Services Programs $892,134,000

Grants-in-Aid:
01 Substance Use Disorder Services ..... ($10,024,000)
01 Court Appointed Special Advocates ..... (2,000,000)
01 Independent Living and Shelter Care ..... (14,459,000)
01 Out-of-Home Placements ..... (16,912,000)

01	Family Support Services	(84,250,000)
01	Child Abuse Prevention	(12,324,000)
01	Foster Care	(90,521,000)
01	Subsidized Adoption	(142,279,000)
01	Foster Care and Permanency Initiative	(7,558,000)
01	New Jersey Homeless Youth Act	(1,556,000)
01	Wynona M. Lipman Child Advocacy Center, Essex County	(537,000)
01	Purchase of Social Services	(62,289,000)
01	Child Health Units	(31,516,000)
01	Restricted Federal Grants	(8,789,000)
01	Child Advocacy Center - Multidisciplinary Team Fund	(5,000,000)
02	Care Management Organizations	(113,986,000)
02	Out-of-Home Treatment Services	(275,785,000)
02	Family Support Services	(27,918,000)
02	Mobile Response	(36,551,000)
02	Intensive In-Home Behavioral Assistance	(132,871,000)
02	Youth Incentive Program	(1,803,000)
02	Outpatient	(11,464,000)
02	Contracted Systems Administrator	(13,552,000)
02	State Children's Health Insurance Program Administration	(4,000,000)
02	Restricted Federal Grants	(3,000,000)
03	Early Childhood Services	(22,159,000)
03	School Linked Services Program	(30,293,000)
03	Family Support Services	(18,079,000)
03	Women's Services	(22,480,000)
03	Children's Trust Fund	(180,000)
03	Restricted Federal Grants	(7,818,000)
03	Sexual Violence Prevention and Intervention Services	(2,800,000)
03	Latino Action Network Hispanic Women's Resource Center	(250,000)
03	Project S.A.R.A.H.	(125,000)
04	Education Services	(27,357,000)
99	National Center for Child Abuse and Neglect	(658,000)

Less:

Federal Funds	**316,396,000**
All Other Funds	**34,613,000**

Of the amounts hereinabove appropriated for Substance Use Disorder Services, an amount not to exceed $10,024,000 shall be transferred to the Department of Hu-

man Services' Division of Mental Health and Addiction Services to fund the Division of Child Protection and Permanency Child Welfare Substance Use Disorder Treatment Services contracts as specified in the Memorandum of Agreement between the Department of Children and Families and the Department of Human Services' Division of Mental Health and Addiction Services, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the Out-of-Home Placements, Independent Living and Shelter Care, Foster Care, Subsidized Adoption, and Family Support Services accounts are available for the payment of obligations applicable to prior fiscal years.

Of the amounts hereinabove appropriated for Out-of-Home Placements and Independent Living and Shelter Care, such amounts as determined by the Department of Children and Families may be transferred between such accounts to properly align expenditures based upon changes in client placements, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for Foster Care, Subsidized Adoption , and Independent Living and Shelter Care are subject to the following condition: any change by the Department of Children and Families in the rates paid for these programs shall be approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated in the Out-of-Home Placements account is subject to the following condition: amounts that become available as a result of the return of persons from in-State and out-of-State residential placements to community programs within the State may be transferred from the Residential Placements account to the appropriate Child Protection and Permanency account, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for Foster Care and Subsidized Adoption, such amounts as determined by the Department of Children and Families may be transferred between such accounts to address the movement of children from foster care to a permanent adoption setting, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for the Purchase of Social Services account, $1,000,000 is appropriated for the programs administered under the "New Jersey Homeless Youth Act," P.L.1999, c.224 (C.9:12A-2 et seq.), and the Division of Child Protection and Permanency shall prioritize the expenditure of this allocation to address transitional living services in the division's region that is experiencing the most severe over-capacity.

Of the amounts hereinabove appropriated for the Purchase of Social Services, an amount as specified in the Memorandum of Agreement between the Department of Children and Families and the Department of Human Services' Division of Family Development shall be transferred to the Department of Human Services' Division of Family Development to fund the Post Adoption Child Care Program, subject to the approval of the Director of the Division of Budget and Accounting.

Funds recovered under P.L.1951, c.138 (C.30:4C-1 et seq.) during the current fiscal year are appropriated for resource families and other out-of-home placements.

Receipts from counties for persons under the care and supervision of the Division of Child Protection and Permanency are appropriated for the purpose of providing State Aid to the counties, subject to the approval of the Director of the Division of Budget and Accounting.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred among accounts in the Children's System of Care program classification. Amounts may also be transferred to and from various items of appropriation within the General Medical Services program classification of the Division of Medical Assistance and Health Services in the Department of Human Services and the Children's System of Care program classification in the Department of Children and Families. All such transfers are subject to the approval of the Director of the Division of Budget and Accounting. Notice of the Director of the Division of Budget and Accounting's approval shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, no funds hereinabove appropriated for Out-of-Home Treatment Services, Care Management Organizations, Youth Incentive Program, Behavioral Assistance and In-Home Community Services, Family Support Services, except those services provided pursuant to the "Family Support Act," P.L.1993,c.98 (C.30:6D-33 et seq.), and Mobile Response shall be expended for any individual served by Children's System of Care, with the exception of court-ordered placements or to ensure services necessary to prevent risk of harm to the individual or others, unless that individual makes a full and complete application for NJ FamilyCare. Individuals receiving services from appropriations covered by the exceptions above shall apply for NJ FamilyCare in a timely manner, as shall be defined by the Commissioner of Children and Families, after receiving services.

Of the amounts hereinabove appropriated for Early Childhood Services, an amount as specified in the Memorandum of Agreement between the Department of Children and Families and the Department of Human Services' Division of Family Development shall be transferred to the Department of Human Services' Division of Family Development to fund the Strengthening Families Initiative Training Program, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for the School Linked Services Program, there shall be available $400,000 for the After School Reading Initiative, $200,000 for the After School Start-Up Fund, $400,000 for School Health Clinics, and $530,000 for Positive Youth Development.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the increases in divorce filing fees enacted in the amendment to

N.J.S.22A:2-12 by section 41 of P.L.2003, c.117, are appropriated for transfer to the General Fund as general State revenue, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for the domestic violence prevention services, $1,150,000 is payable out of the Marriage and Civil Union License Fee Fund. If receipts to that fund are less than anticipated, the appropriation shall be reduced by the amount of the shortfall.

Receipts in the Marriage and Civil Union License Fee Fund in excess of the amount anticipated are appropriated for domestic violence prevention services.

Of the amounts hereinabove appropriated for Child Advocacy Center-Multidisciplinary Team Fund, $500,000 shall be allocated to the New Jersey Children's Alliance to assist in the implementation of P.L.2017, c.90 (C.9:6-8.107 et seq.) to provide support, guidance, and training to centers applying to the Department of Children and Families for grants in order to become certified as Child Advocacy Centers.

The amount hereinabove appropriated for Care Management Organizations is conditioned upon the following: the per youth monthly rate shall be increased by $100 above the rate in effect on June 30, 2017.

Of the amount hereinabove appropriated for Women's Services, the amounts allocated to the lead domestic violence agencies in the State and to the New Jersey Coalition for Battered Women and the amount allocated to the 21 county-based sexual violence service organizations and the New Jersey Coalition Against Sexual Assault shall be no less than the amounts allocated for FY 2015 to those agencies.

Department of Children and Families, Total State Appropriation $1,159,005,000

Summary of Department of Children and Families Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $266,871,000
Grants-in-Aid 892,134,000
Appropriations by Fund:
General Fund $1,159,005,000

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22 DEPARTMENT OF COMMUNITY AFFAIRS
40 Community Development and Environmental Management
41 Community Development Management
DIRECT STATE SERVICES

01-8010 Housing Code Enforcement $8,604,000
02-8020 Housing Services 3,164,000
06-8015 Uniform Construction Code 12,994,000

13-8027 Codes and Standards 435,000
18-8017 Uniform Fire Code 7,703,000
Total Direct State Services Appropriation, Community Development Management $32,900,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($28,667,000)
Materials and Supplies ..... (86,000)
Services Other Than Personal ..... (563,000)
Maintenance and Fixed Charges ..... (102,000)
Special Purpose:
02 Affordable Housing ..... (1,766,000)
02 Local Planning Services ..... (1,341,000)
18 Local Fire Fighters' Training ..... (375,000)

The amount hereinabove appropriated for the Housing Code Enforcement program classification is payable out of the fees and penalties derived from bureau activities. The unexpended balance at the end of the preceding fiscal year, together with any receipts in excess of the amounts anticipated, is appropriated for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting. If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the additional fee established by section 10 of P.L.2003, c.311 (C.52:27D-437.10) are appropriated to the Housing Code Enforcement program classification for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Uniform Construction Code program classification is payable out of the fees and penalties derived from code enforcement activities. The unexpended balance at the end of the preceding fiscal year, together with any receipts in excess of the amounts anticipated, is appropriated for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting. If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

The unexpended balance at the end of the preceding fiscal year in "The Planned Real Estate Development Full Disclosure Act," P.L.1977, c.419 (C.45:22A-21 et seq.) fees account, together with any receipts in excess of the amount anticipated, is appropriated for code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts received by the Uniform Construction Code Revolving Fund attributable to that portion of the surcharge fee in excess of $0.0006, and to surcharges on other construction, shall be dedicated to the general support of the Uniform Construction Code program and, notwithstanding the provisions of section 2 of P.L.1979, c.121 (C.52:27D-124.1), shall be available for training and non-

training purposes. Notwithstanding the provisions of any law or regulation to the contrary, unexpended balances at the end of the preceding fiscal year in the Uniform Construction Code Revolving Fund are appropriated for expenses of code enforcement activities.

Such amounts as may be required for the registration of builders and reviewing and paying claims under "The New Home Warranty and Builders' Registration Act," P.L.1977, c.467 (C.46:3B-1 et seq.), are appropriated from the New Home Warranty Security Fund in accordance with section 7 of P.L.1977, c.467 (C.46:3B-7), subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Uniform Fire Code program classification is payable out of the fees and penalties derived from code enforcement activities. The unexpended balance at the end of the preceding fiscal year, together with any receipts in excess of the amounts anticipated, is appropriated for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting. If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of any law or regulation to the contrary, the Division of Fire Safety may transfer within its own division between a Direct State Services appropriations account and a Grants-In-Aid appropriations account, such amounts as are necessary for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts appropriated from the Department of Community Affairs' code enforcement activities in excess of the amount anticipated and in excess of the amounts required to support the code enforcement activity for which they were collected may be transferred as necessary to cover shortfalls in other Department of Community Affairs' code enforcement accounts, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from fees associated with the Fire Protection Contractor's Certification program pursuant to P.L.2001, c.289 (C.52:27D-25n et seq.), are appropriated to the Department of Community Affairs Division of Fire Safety, in such amounts as are necessary to operate the program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Local Planning Services and Affordable Housing accounts shall be payable from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1968, c.49 (C.46:15-8) and from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1975, c.176 (C.46:15-10.1). Any receipts in excess of the amount anticipated, and any unexpended balance at the end of the preceding fiscal year are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the Division of Housing and Community Resources may transfer between the Affordable Housing State Aid appropriations account, the Local Planning Services Direct State Services appropriations account and the Affordable Housing Direct State Services appropriations account, such amounts as are necessary, subject to the approval of the Director of the Division of Budget and Accounting. The Director of the Division of Budget and Accounting shall provide written notice of such a transfer to the Joint Budget Oversight Committee within 10 working days of making such a transfer.

There is appropriated from the "Petroleum Overcharge Reimbursement Fund" the amount of $300,000 for the expenses of the Green Homes Office, subject to the approval of the Director of the Division of Budget and Accounting.

Any receipts from the Boarding Home Regulation and Assistance program, including fees, fines, and penalties, are appropriated for the Boarding Home Regulation and Assistance program.

Pursuant to section 15 of P.L.1983, c.530 (C.55:14K-15), the Commissioner of Community Affairs shall determine, at least annually, the eligibility of each boarding house resident for rental assistance payments; and notwithstanding the provisions of P.L.1983, c.530 (C.55:14K-1 et seq.) to the contrary, moneys held in the "Boarding House Rental Assistance Fund" that were originally appropriated from the General Fund may be used by the commissioner for the purpose of providing life safety improvement loans, and any moneys held in the "Boarding House Rental Assistance Fund" may be used for the purpose of providing rental assistance for repayment of such loans. Notwithstanding any provision of P.L.1983, c.530 (C.55:14K-1 et seq.), the commissioner shall have authority to disburse funds from the "Boarding House Rental Assistance Fund" established pursuant to section 14 of P.L.1983, c.530 (C.55:14K-14) for the purpose of repaying, through rental assistance or otherwise, loans made to the boarding house owners for the purpose of rehabilitating boarding houses.

GRANTS-IN-AID

01-8010 Housing Code Enforcement	$919,000
02-8020 Housing Services	35,660,000
18-8017 Uniform Fire Code	8,571,000
Total Grants-in-Aid Appropriation, Community Development Management	$45,150,000

Grants-in-Aid:

01	Cooperative Housing Inspection	($919,000)
02	Shelter Assistance	(2,300,000)
02	Prevention of Homelessness	(4,360,000)
02	State Rental Assistance Program	(18,500,000)
02	Lead-Safe Home Renovation Pilot Program	(10,000,000)
02	Camden Coalition of Health Care Providers Housing First Pilot Program	(500,000)

18 Uniform Fire Code - Local Enforcement
Agency Rebates.....(8,425,000)
18 Uniform Fire Code - Continuing Education.....(146,000)

There is appropriated to the Revolving Housing Development and Demonstration Grant Fund an amount not to exceed 50% of the penalties derived from bureau activities in the Housing Code Enforcement program classification, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for the State Rental Assistance Program, an amount not to exceed $2,000,000 may be transferred to the Division of Mental Health and Addiction Services in the Department of Human Services for the purpose of assisting clients previously supported by the Housing Assistance component of the federal Hurricane Sandy Social Services Block Grant Supplemental funding, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Housing Code Enforcement program classification is payable out of the fees and penalties derived from bureau activities. The unexpended balance at the end of the preceding fiscal year, together with any receipts in excess of the amounts anticipated, is appropriated for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting. If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove appropriated for the Uniform Fire Code program classification is payable out of the fees and penalties derived from code enforcement activities. The unexpended balance at the end of the preceding fiscal year, together with any receipts in excess of the amounts anticipated, is appropriated for expenses of code enforcement activities, subject to the approval of the Director of the Division of Budget and Accounting. If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

The unexpended balance at the end of the preceding fiscal year in the State Rental Assistance Program account is appropriated for the expenses of the State Rental Assistance Program.

Upon determination by the Commissioner of Community Affairs that all eligible shelter assistance projects have received funding from the amount appropriated for Shelter Assistance from receipts of the portions of the realty transfer fee dedicated to the "New Jersey Affordable Housing Trust Fund," any available balance in the Shelter Assistance account may be transferred to the Affordable Housing account, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Shelter Assistance program and the Prevention of Homelessness program shall be payable from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1968, c.49 (C.46:15-8) and from the receipts of the portion of the realty transfer fee directed to be

credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1975, c.176 (C.46:15-10.1). If the receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of any law or regulation to the contrary, such amounts as are necessary shall be available from the Prevention of Homelessness Grants-In-Aid appropriation for program administrative expenses, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from repayment of loans from the Downtown Business Improvement Loan Fund, together with the unexpended balance at the end of the preceding fiscal year of such loan fund and any interest thereon, are appropriated for the purposes of P.L.1998, c.115 (C.40:56-71.1 et seq.).

Notwithstanding the provisions of any law or regulation to the contrary, Revolving Housing Development and Demonstration Grant funds are appropriated to support loans and grants to non-profit entities for the purpose of economic development and historic preservation.

Notwithstanding the provisions of any law or regulation to the contrary, such amounts as may be received from the New Jersey Housing and Mortgage Finance Agency for the State Rental Assistance Program are appropriated to the Department of Community Affairs for the purposes of providing rental assistance.

Of the amount hereinabove appropriated for the Lead-Safe Home Renovation Pilot Program, such amounts as are necessary may be transferred to the Revolving Housing Development and Demonstration Grant Fund for the purpose of remediating lead in dwellings statewide, and such amounts as are determined by the State Treasurer to be necessary may be transferred to the Division of Family Health Services in the Department of Health for purposes in accordance with N.J.A.C.8:51-1.1 et seq., subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the State Rental Assistance Program (SRAP), an amount not less than $20,000,000 is appropriated from the "New Jersey Affordable Housing Trust Fund" to SRAP for the purposes of subsections a. and c. of section 1 of P.L.2004, c.140 (C.52:27D-287.1).

An amount not to exceed $400,000 is appropriated from the New Jersey Affordable Housing Trust Fund as determined by the Commissioner of Community Affairs as necessary to match, on a 50/50 basis, the federal share of the administrative costs of the USHUD Community Development Block Grant-Small Cities Program, subject to the approval of the Director of the Division of Budget and Accounting.

Such amounts as the Commissioner of Community Affairs determines are necessary are appropriated from the New Jersey Affordable Housing Trust Fund, to be pledged as a match for the USHUD HOME Investment Partnership Program to ensure adherence to the federal matching requirements for affordable housing production, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the New Jersey Affordable Housing Trust Fund an amount to be determined by the Commissioner of Community Affairs to be used to provide technical assistance grants to non-profit housing organizations and authorities for creating and supporting affordable housing and community development opportunities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Community Affairs may determine that monies appropriated from the New Jersey Affordable Housing Trust Fund can be provided directly to the housing project being assisted; provided, however, that any such project has the support by resolution of the governing body of the municipality in which it is located; and subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

Notwithstanding the provisions of any law or regulation to the contrary, such amounts as may be required to fund relocation costs of boarding home residents are appropriated from the "Boarding House Rental Assistance Fund."

The unexpended balance at the end of the preceding fiscal year in the Relocation Assistance account, not to exceed $250,000, is appropriated for the expenses of the Relocation Assistance program, subject to the approval of the Director of the Division of Budget and Accounting.

50 Economic Planning, Development, and Security
55 Social Services Programs
DIRECT STATE SERVICES

05-8050 Community Resources	$100,000
Total Direct State Services Appropriation, Social Services Programs	$100,000

Direct State Services:

Personal Services:	
Salaries and Wages	($76,000)
Services Other Than Personal	(24,000)

Additional funds as may be allocated by the federal government for New Jersey's Low Income Home Energy Assistance Block Grant Program (LIHEAP) are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

05-8050 Community Resources	$12,420,000
Total Grants-in-Aid Appropriation, Social Services Programs	$12,420,000

Grants-in-Aid:

05 Recreation for the Handicapped	($585,000)

05 New Jersey Re-entry Corporation -
One-Stop Offender Re-entry Services ..... (4,000,000)
05 Volunteers of America -
Re-entry Services ..... (4,000,000)
05 Boys and Girls Club of New Jersey -
At Risk Youth..... (145,000)
05 Dismal Swamp Preservation Commission ..... (200,000)
05 Anti-violence Out-of-School Youth
Summer Program-Newark, Trenton,
Paterson ..... (3,000,000)
05 Garden to Nurture Human Understanding,
Teaneck ..... (85,000)
05 Special Olympics ..... (405,000)

Of the amount hereinabove appropriated for the Special Olympics program, an amount not to exceed $75,000 may be allocated for the administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.2003, c.311 (C.52:27D-437.1 et seq.), or any law or regulation to the contrary, the amount hereinabove appropriated for the "Lead Hazard Control Assistance Fund" is payable from receipts of the portion of the sales tax directed to be credited to the "Lead Hazard Control Assistance Fund" pursuant to section 11 of P.L.2003, c.311 (C.52:27D-437.11), and there is further appropriated from such receipts an amount not to exceed $8,000,000, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 4 of the "Lead Hazard Control Assistance Act," P.L.2003, c.311 (C.52:27D-437.4), such amounts as are necessary are appropriated from the "Lead Hazard Control Assistance Fund" for administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for New Jersey Re-entry Corporation - One-Stop Offender Re-entry Services shall be utilized to continue to provide One-Stop Re-entry services in Newark, Jersey City, Paterson, and Toms River and to establish new services in the counties of Bergen, Union, Middlesex, Somerset, and Monmouth, which shall include medication-assisted treatment for relapse prevention.

The amount hereinabove appropriated for Volunteers of America - Re-entry Services shall be utilized to provide expanded re-entry services in Atlantic City, Trenton, and the counties of Camden, Gloucester, Cumberland, and Salem, which shall include medication-assisted treatment for relapse prevention.

70 Government Direction, Management, and Control
75 State Subsidies and Financial Aid
DIRECT STATE SERVICES

04-8030 Local Government Services..... $4,512,000

Total Direct State Services Appropriation, State Subsidies and Financial Aid $4,512,000

Direct State Services:

Personal Services:
Local Finance Board Members .....($84,000)
Salaries and Wages .....(4,146,000)
Materials and Supplies.....(40,000)
Services Other Than Personal.....(227,000)
Maintenance and Fixed Charges.....(15,000)

Receipts received by the Division of Local Government Services are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

04-8030 Local Government Services $739,315,000
(From General Fund..... ..... $1,600,000)
(From Property Tax Relief Fund..... 737,715,000)
Total State Aid Appropriation, State Subsidies and Financial Aid $739,315,000
(From General Fund..... $1,600,000)
(From Property Tax Relief Fund .... 737,715,000)

State Aid:

04 Consolidated Municipal Property Tax Relief Aid (PTRF).....($639,238,000)
04 County Prosecutors and Officials Salary Increase (P.L.2007, c.350).....(1,600,000)
04 Consolidation Implementation (PTRF).....(1,000,000)
04 Transitional Aid to Localities (PTRF) .....(86,994,000)
04 County Prosecutor Funding Initiative Pilot Program (PTRF).....(4,000,000)
04 Open Space Payments in Lieu of Taxes (PTRF).....(6,483,000)

The amount hereinabove appropriated for Consolidated Municipal Property Tax Relief Aid shall be distributed on the following schedule: on or before August 1, 45% of the total amount due; September 1, 30% of the total amount due; October 1, 15% of the total amount due; November 1, 5% of the total amount due; December 1 for municipalities operating under a calendar fiscal year; 5% of the total amount due; and June 1 for municipalities operating under the State fiscal year, 5% of the total amount due; provided, however, that notwithstanding the provisions of any law or regulation to the contrary, the Director of Local Government Services, in consultation with the Commissioner of Community Affairs and the State Treasurer, may direct the Director of the Division of Budget and Accounting to provide such payments on an accelerated schedule if necessary to ensure fiscal stability for a municipality.

Notwithstanding the provisions of any law or regulation to the contrary, from the amounts received from the appropriation to the Consolidated Municipal Property

Tax Relief Aid program and received from amounts transferred from Consolidated Municipal Property Tax Relief Aid to the "Energy Tax Receipts Property Tax Relief Fund" account, each municipality shall be required to distribute to each fire district within its boundaries the amount received by the fire district from the Supplementary Aid for Fire Services program pursuant to the provisions of the fiscal year 1995 annual appropriations act, P.L.1994, c.67, less an amount proportional to reductions in the combined total amount received by the municipality from Consolidated Municipal Property Tax Relief Aid and from the "Energy Tax Receipts Property Tax Relief Fund" since fiscal year 2008.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Consolidated Municipal Property Tax Relief Aid shall be distributed in the same amounts, and to the same municipalities that received funding pursuant to the previous fiscal year's annual appropriations act; provided further, however, that from the amount hereinabove appropriated there are transferred to the "Energy Tax Receipts Property Tax Relief Fund" account such amounts as were determined for fiscal year 2003, fiscal year 2006, fiscal year 2007, fiscal year 2008, fiscal year 2009, fiscal year 2010, fiscal year 2012, fiscal year 2013, fiscal year 2014, fiscal year 2015, fiscal year 2016, and fiscal year 2018 pursuant to subsection e. of section 2 of P.L.1997, c.167 (C.52:27D-439), as amended by P.L.1999, c.168; and except that the amount of Consolidated Municipal Property Tax Relief Aid received by a municipality shall be increased by such amounts of Transitional Aid to Localities deemed to constitute Consolidated Municipal Property Tax Relief Aid by the Director of the Division of Local Government Services in the previous fiscal year.

Notwithstanding the provisions of any law or regulation to the contrary, the Director of the Division of Local Government Services shall take such actions as may be necessary to ensure that proportional amounts of the Consolidated Municipal Property Tax Relief Aid and the amounts transferred from Consolidated Municipal Property Tax Relief Aid to the "Energy Tax Receipts Property Tax Relief Fund" account appropriated to offset losses from business personal property tax that would have otherwise been used for the support of public schools will be used to reduce the school property tax levy for those affected school districts with the remaining State Aid used as municipal property tax relief. The chief financial officer of the municipality shall pay to the school districts such amounts as may be due by December 31.

Notwithstanding the provisions of any law or regulation to the contrary, the release of the total annual amount due for the current fiscal year from Consolidated Municipal Property Tax Relief Aid to municipalities is subject to the following condition: the municipality shall submit to the Director of the Division of Local Government Services a report describing the municipality's compliance with the "Best Practices Inventory" established by the Director of the Division of Local Government Services and shall receive at least a minimum score on such inventory as determined by the Director of the Division of Local Government Ser-

vices; provided, however, that the director may take into account the particular circumstances of a municipality. In preparing the Best Practices Inventory, the director shall identify best municipal practices in the areas of general administration, fiscal management, and operational activities, as well as the particular circumstances of a municipality, in determining the minimum score acceptable for the release of the total annual amount due for the current fiscal year.

The Director of the Division of Local Government Services may permit any municipality that received Regional Efficiency Aid Program funds pursuant to the annual appropriations act for fiscal year 2010, P.L.2009, c.68, to use a portion of Consolidated Municipal Property Tax Relief Aid to provide "Regional Efficiency Aid Program" benefits pursuant to P.L.1999, c.61 (C.54:4-8.76 et seq.).

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Consolidation Implementation shall be allocated to provide reimbursement to local government units that consolidate pursuant to any law, including but not limited to P.L.2007, c.63 (C.40A:65-1 et seq.) and P.L.2009, c. 118 (C.54:1-86 et seq.), or to a municipality that is wholly annexed by another municipality pursuant to N.J.S.40A:7-1 et seq., for non-recurring costs that the Director of the Division of Local Government Services, or in the case of a school district consolidation the Commissioner of Education, determines to be necessary to implement such consolidation or annexation, subject to the approval of the Director of the Division of Budget and Accounting; provided, however, that in addition to the amounts hereinabove appropriated, there are appropriated such additional amounts as are determined to be necessary for reimbursement of non-recurring costs associated with local government unit consolidations, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for Transitional Aid to Localities, an amount may be allocated by the Director of the Division of Local Government Services to provide short-term financial assistance to a local government unit that is determined by the director to be experiencing financial distress caused by the destruction or loss of a major local business ratable. For purposes of this paragraph, a "major local business ratable" means one or more related parcels of property owned by a single business entity, classified as commercial or industrial, which comprised the largest assessed valuation of any one or more line items of taxable property in a municipality, or generated an annual PILOT payment in excess of 10% of the total municipal levy, or is otherwise determined by the director to be of such significance to a municipality that its destruction or loss has resulted in financial distress; provided, however, that notwithstanding the provisions of any law or regulation to the contrary, the Director of the Division of Local Government Services may direct that part of any such allocation be paid to an affected school district or county, or to both, in the same manner as if the award of Transitional Aid were raised as revenue from the municipal tax levy; and provided further that a local government unit determined to be experiencing financial distress because of the loss or destruction of a major local business ratable shall not be required to be subject to any additional conditions, requirements, or-

ders, or other operational efficiency or oversight measures authorized pursuant to P.L.2011, c.144 (C.52:27D-118.42a), except as determined to be appropriate by the Director of the Division of Local Government Services.

The amount hereinabove appropriated for Transitional Aid to Localities is subject to the following condition: notwithstanding the provisions of R.S.43:21-14, or any other law or regulation to the contrary, the Commissioner of Labor and Workforce Development, in consultation with the Commissioner of Community Affairs, is authorized to enter into individualized payment plan agreements with municipalities that receive Transitional Aid for the reimbursement of unemployment benefits paid to former employees of such municipal government units, at reasonable interest rates based on current market conditions, and on such other terms and conditions as may be determined to be appropriate by the Commissioner of Labor and Workforce Development. Any municipality that enters into an individualized payment plan agreement pursuant to this section shall be required to expend all funds budgeted for this activity remaining as of the last day of its budget year for the repayment of outstanding obligations under the plan.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Transitional Aid to Localities shall be allocated to provide short-term financial assistance where needed to help a municipality that is in serious fiscal distress meet immediate budgetary needs and regain financial stability. A municipality shall be deemed to be eligible for transitional aid if it is identified by the Director of the Division of Local Government Services as experiencing serious fiscal distress where the director determines that, despite local officials having implemented substantive cost reduction strategies, there continue to exist conditions of serious fiscal distress, which may include but shall not be limited to: substantial structural or accumulated deficits; ongoing reliance on non-recurring revenues; limited ability to raise supplemental non-property tax revenues; extraordinary demands for public safety appropriations; and other factors indicating a constrained ability to raise sufficient revenues to meet budgetary requirements that substantially jeopardizes the fiscal integrity of the municipality. Municipalities seeking transitional aid shall file an application on a form prescribed by the director, which application, among other things, shall set forth the minimum criteria that must be met in order for an application to be considered by the director for a determination of eligibility. The director shall determine whether a municipality which files an application meeting such minimum criteria is in serious fiscal distress, and, if so, what amount of transitional aid should be provided to address the municipality's serious fiscal distress. The transitional aid shall be provided to the municipality subject to the provisions of subsection a. of section 1 of P.L.2011, c.144 (C.52:27D-118.42a); provided, however, that an amount of Transitional Aid to Localities as determined by the Director of the Division of Local Government Services for a municipality may be deemed to constitute Consolidated Municipal Property Tax Relief Aid in an amount not in excess of the amount of Transitional Aid to Localities such

municipality received in the previous fiscal year and shall not reduce the amount of Consolidated Municipal Property Tax Relief Aid such municipality shall receive for the current fiscal year. Provided, however, if the Director of the Division of Local Government Services deems an amount of Transitional Aid to Localities for a municipality as constituting Consolidated Municipal Property Tax Relief Aid pursuant to this provision, that municipality is not relieved from compliance with the requirements for transitional aid.

Notwithstanding the provisions of subsection d. of section 29 of P.L.1999, c.152 (C.13:8C-29) or subsection d. of section 30 of P.L.1999, c.152 (C.13:8C-30), or any law or regulation to the contrary, all payments to municipalities in lieu of taxes for lands acquired by the State and non-profit organizations for recreation and conservation purposes shall be retained by the municipality and not apportioned in the same manner as the general tax rate of the municipality.

Notwithstanding the provisions of any law or regulation to the contrary, payments to municipalities in lieu of taxes for lands acquired by the State and non-profit organizations for recreation and conservation purposes shall be provided only to municipalities whose payments received in fiscal year 2010 exceeded $5,000 and shall be provided at two-thirds of the payment amount provided in fiscal year 2010.

Notwithstanding the provisions of any law or regulation to the contrary, any qualifying municipality, as defined in section 1 of P.L.1978, c.14 (C.52:27D-178) for the previous fiscal year, shall continue to be a qualifying municipality thereunder during the current fiscal year.

Notwithstanding the provisions of any law or regulation to the contrary, whenever funds appropriated as State Aid and payable to any municipality, which municipality requests and receives the approval of the Local Finance Board, such funds may be pledged as a guarantee for payment of principal and interest on any bond anticipation notes issued pursuant to section 11 of P.L.2003, c.15 (C.40A:2-8.1) and any tax anticipation notes issued pursuant to N.J.S.40A:4-64 by such municipality. Such funds, if so pledged, shall be made available by the State Treasurer upon receipt of a written notification by the Director of the Division of Local Government Services that the municipality does not have sufficient funds available for prompt payment of principal and interest on such notes, and shall be paid by the State Treasurer directly to the holders of such notes at such time and in such amounts as specified by the director, notwithstanding that payment of such funds does not coincide with any date for payment otherwise fixed by law.

The State Treasurer, in consultation with the Commissioner of Community Affairs, is empowered to direct the Director of the Division of Budget and Accounting to transfer appropriations from any State department to any other State department as may be necessary to provide a loan for a term not to exceed 180 days to a local government unit faced with a fiscal crisis, including but not limited to a potential default on tax anticipation notes and on such other terms and conditions as may be required by the commissioner.

Notwithstanding the provisions of N.J.S.40A:4-39 or any other law or regulation to the contrary, a county that assumes responsibility for the provision of local police

services in one or more municipalities utilizing a new or expanded county police force may display the anticipated revenues and appropriations associated with such county police force in its annual budget by annexing to that budget a statement describing the sources and amounts of anticipated dedicated revenues and appropriating those dedicated amounts for the purposes of the county police force.

The amount hereinabove appropriated for the County Prosecutor Funding Initiative Pilot Program shall be distributed as follows: Camden County, $895,000; Essex County, $1,811,000; Hudson County, $802,500; and Mercer County, $491,500.

76 Management and Administration

DIRECT STATE SERVICES

49-8049 Historic Trust	$654,000
99-8070 Administration and Support Services	2,578,000
Total Direct State Services Appropriation, Management and Administration	$3,232,000

Direct State Services:

Personal Services:	
Salaries and Wages	($2,016,000)
Materials and Supplies	(8,000)
Services Other Than Personal	(60,000)
Maintenance and Fixed Charges	(16,000)
Special Purpose:	
49 Historic Trust/Open Space Administrative Costs	(654,000)
99 Government Records Council	(478,000)

The amount hereinabove appropriated for the Historic Trust/Open Space Administrative Costs program is appropriated for all administrative costs and expenses pursuant to the "New Jersey Cultural Trust Act," P.L.2000, c.76 (C.52:16A-72 et seq.); the "Garden State Preservation Trust Act," sections 1 through 42 of P.L.1999, c.152 (C.13:8C-1 et seq.); the "Historic Preservation Revolving Loan Fund," P.L.1991, c.41 (C.13:1B-15.115a et seq.); the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992," P.L.1992, c.88; the "Green Acres, Farmland and Historic Preservation, and Blue Acres Bond Act of 1995," P.L.1995, c.204; the "Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007," P.L.2007, c.119; the "Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009," P.L.2009, c.117; and the Preserve New Jersey Historic Preservation Fund subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Historic Trust/Open Space Administrative Costs account is transferred from the Garden State Historic Preservation Trust Fund, the 2007 Historic Preservation Fund, the 2009 Historic Preservation Fund, and the Preserve New Jersey Historic Preservation Fund to the General Fund and is appropriated to the Department of Community Affairs for Historic Trust/Open

Space Administrative Costs, subject to the approval of the Director of the Division of Budget and Accounting.

Department of Community Affairs, Total State Appropriation $837,629,000

All moneys comprising original bond proceeds or the repayment of loans or advances from the Mortgage Assistance Fund established under the "New Jersey Mortgage Assistance Bond Act of 1976," P.L.1976, c.94, are appropriated in accordance with the purposes set forth in section 5 of that act.

Notwithstanding the provisions of any law or regulation to the contrary, deposits of any funds into the Revolving Housing Development and Demonstration Grant Fund are subject to prior approval of the Director of the Division of Budget and Accounting.

Summary of Department of Community Affairs Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $40,744,000
Grants-in-Aid 57,570,000
State Aid 739,315,000

Appropriations by Fund:
General Fund $99,914,000
Property Tax Relief Fund 737,715,000

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26 DEPARTMENT OF CORRECTIONS
10 Public Safety and Criminal Justice
16 Detention and Rehabilitation
DIRECT STATE SERVICES

07-7040 Institutional Control and Supervision $458,414,000
08-7040 Institutional Care and Treatment 247,034,000
99-7040 Administration and Support Services 67,871,000
Total Direct State Services Appropriation, Detention and Rehabilitation $773,319,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($505,555,000)
Food in Lieu of Cash ..... (2,752,000)
Materials and Supplies ..... (57,826,000)
Services Other Than Personal ..... (155,161,000)
Maintenance and Fixed Charges ..... (15,514,000)
Special Purpose:

07 Civilly Committed Sexual Offender Program..... (31,246,000)
08 Mid-State Licensed Drug Treatment Program ..... (4,000,000)
08 Edna Mahan Visitation Program..... (115,000)
Additions, Improvements and Equipment ..... (1,150,000)

The unexpended balances at the end of the preceding fiscal year in the Civilly Committed Sexual Offender Program account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the Upholstery Program at the Albert C. Wagner Youth Correctional Facility, and any unexpended balance at the end of the preceding fiscal year are appropriated for the operation of the program with surplus funds being credited to the institution's Inmate Welfare Fund, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated in the Detention and Rehabilitation various institutional accounts, an amount may be transferred to the Purchase of Community Services account or to other programs that reduce the number of inmates housed in State facilities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for payment of inmate health care are available for the payment of obligations applicable to prior fiscal years.

Notwithstanding the provisions of any law or regulation to the contrary, amounts collected by the Department of Corrections as commissions in connection with the provision of services for inmates at inmate kiosks, including automated banking, video visitation, electronic mail, and related services, and any unexpended balance at the end of the preceding fiscal year in that account are appropriated to offset departmental costs associated with the provision of such services and other materials and services that directly benefit the inmate population, subject to the approval of the Director of the Division of Budget and Accounting.

7025 System-Wide Program Support
DIRECT STATE SERVICES

07-7025 Institutional Control and Supervision..... $29,987,000
13-7025 Institutional Program Support 37,262,000
Total Direct State Services Appropriation, System-Wide Program Support..... $67,249,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($41,316,000)
Materials and Supplies..... (1,544,000)
Services Other Than Personal..... (12,678,000)
Special Purpose:
13 Integrated Information Systems ..... (9,023,000)
13 Offender Re-entry Program..... (1,100,000)

13 DOC/DOT Work Details .....(537,000)
13 Additions, Improvements and Equipment.....(1,051,000)

GRANTS-IN-AID

13-7025 Institutional Program Support $73,279,000
Total Grants-in-Aid Appropriation, System-Wide Program Support $73,279,000

Grants-in-Aid:

13 Purchase of Service for Inmates Incarcerated In County Penal Facilities .....($1,820,000)
13 Essex County-Recidivism Pilot Program.....(6,000,000)
13 Purchase of Community Services .....(65,459,000)

Of the amount hereinabove appropriated for Purchase of Service for Inmates Incarcerated In County Penal Facilities, an amount may be transferred for operational costs of State facilities for inmate housing, which become ready for occupancy and other programs which reduce the number of State inmates in county facilities, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Purchase of Service for Inmates Incarcerated In County Penal Facilities account is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Purchase of Community Services shall be subject to the following condition: in order to permit flexibility and efficiency in the housing of State inmates, the operational capacity of the Residential Community Release Program, as a place of confinement, shall be determined by the Commissioner of Corrections as authorized by section 2 of P.L.1969, c.22 (C.30:4-91.2), subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Purchase of Community Services is conditioned upon the following: the Commissioner of Corrections shall report to the Presiding Officers of the Legislature in accordance with section 2 of P.L.1991, c.164 (C.52:14-19.1) on the operation of each Community Based Residential Placement. The report shall include, but not be limited to, the following: (a) the total reimbursement provided; (b) the rate of reimbursement received per client; (c) the number of clients for which reimbursement was received; (d) the number of clients imprisoned for violent crimes and the total number of days such clients were imprisoned; (e) the number of clients imprisoned for non-violent crimes and the total number of days such clients were imprisoned; (f) the number of escapes by clients imprisoned for violent crimes and the number of escapes by clients imprisoned for non-violent crimes; and (g) the number of incidents involving physical violence documented.

STATE AID

13-7025 Institutional Program Support $22,500,000
(From Property Tax Relief Fund..... 22,500,000)

Total State Aid Appropriation, Appropriation, System-Wide Program Support $22,500,000
(From Property Tax Relief Fund ..... 22,500,000)

State Aid:

13 Essex County-County Jail Substance Use Disorder Programs (PTRF) ..... ($20,000,000)
13 Union County Inmate Rehabilitation Services (PTRF) ..... (2,500,000)

17 Parole

DIRECT STATE SERVICES

03-7010 Parole $46,199,000
05-7280 State Parole Board 11,699,000
99-7280 Administration and Support Services 3,372,000
Total Direct State Services Appropriation, Parole $61,270,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($38,257,000)
Materials and Supplies ..... (535,000)
Services Other Than Personal ..... (2,010,000)
Maintenance and Fixed Charges ..... (1,030,000)
Special Purpose:
03 Parolee Electronic Monitoring Program ..... (4,073,000)
03 Supervision, Surveillance, and Gang Suppression Program ..... (1,339,000)
03 Sex Offender Management Unit ..... (11,694,000)
03 Satellite-based Monitoring of Sex Offenders ..... (2,282,000)
Additions, Improvements and Equipment ..... (50,000)

GRANTS-IN-AID

03-7010 Parole $35,882,000
Total Grants-in-Aid Appropriation, Parole $35,882,000

Grants-in-Aid:

03 Re-Entry Substance Abuse Program ..... ($7,889,000)
03 Mutual Agreement Program (MAP) ..... (4,618,000)
03 Community Resource Center Program (CRC) ..... (11,381,000)
03 Stages to Enhance Parolee Success Program (STEPS) ..... (11,994,000)

Any change by the Division of Parole in the per diem rates affecting Special Case-load accounts first shall be approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the New Jersey State Parole Board is authorized to expend the amounts appropriated for Re-Entry Substance Abuse Program, Stages to Enhance Parolee Success Program (STEPS), Mutual Agreement Program (MAP), and Community Resource Center Program (CRC) to provide services to ex-offenders who are age 18 or older and under juvenile or adult parole supervision, subject to the approval of the Director of the Division of Budget and Accounting.

To permit flexibility and ensure the appropriate levels of services are provided, appropriated amounts may be transferred between the following accounts: Re-Entry Substance Abuse Program, Mutual Agreement Program (MAP), Community Resource Center Program (CRC), and Stages to Enhance Parolee Success Program (STEPS), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for the Mutual Agreement Program (MAP), the amount of $175,000 shall be transferred to the Department of Human Services, Division of Mental Health and Addiction Services for the reimbursement of salaries and to fund other related administrative costs for the Mutual Agreement Program (MAP), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for the Community Resource Center Program (CRC), an amount not to exceed $3,000,000 may be transferred to the Department of Labor and Workforce Development, Employment and Training Services Program, for parolee employment services from contracted providers, subject to the approval of the Director of the Division of Budget and Accounting.

19 Central Planning, Direction and Management

DIRECT STATE SERVICES

99-7000 Administration and Support Services $17,427,000

Total Direct State Services Appropriation, Central Planning, Direction and Management $17,427,000

Direct State Services:

Personal Services:

Salaries and Wages .....($12,863,000)

Materials and Supplies.....(583,000)

Services Other Than Personal.....(539,000)

Maintenance and Fixed Charges.....(791,000)

Additions, Improvements and Equipment .....(2,651,000)

Receipts from the Culinary Arts Vocational Program, and any unexpended balance at the end of the preceding fiscal year in that account, are appropriated for the operation of the program, subject to the approval of the Director of the Division of Budget and Accounting.

Department of Corrections, Total State Appropriation $1,050,926,000

The unexpended balance at the end of the preceding fiscal year of funds held for the benefit of inmates in the several institutions, and such funds as may be received, are appropriated for the benefit of such inmates.

Payments received by the State from employers of prisoners on their behalf, as part of any work release program, are appropriated for the purposes provided under section 4 of P.L.1969, c.22 (C.30:4-91.4 et seq.).

Summary of Department of Corrections Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $919,265,000
Grants-in-Aid 109,161,000
State Aid 22,500,000
Appropriations by Fund:
General Fund $1,028,426,000
Property Tax Relief Fund $22,500,000

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34 DEPARTMENT OF EDUCATION
30 Educational, Cultural, and Intellectual Development
31 Direct Educational Services and Assistance
DIRECT STATE SERVICES

36-5120 Student Transportation $215,000
38-5120 Facilities Planning and School Building Aid 1,461,000
42-5120 School Finance 3,610,000
Total Direct State Services Appropriation, Direct Educational Services and Assistance $5,286,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($4,928,000)
Materials and Supplies ..... (69,000)
Services Other Than Personal ..... (264,000)
Maintenance and Fixed Charges ..... (25,000)

GRANTS-IN-AID

03-5120 Miscellaneous Grants-In-Aid $30,000
Total Grants-in-Aid Appropriation, Direct Educational Services and Assistance $30,000

Grants-in-Aid:
03 Community Relations Committee of the United Jewish Federation of Metrowest ..... ($30,000)

STATE AID

01-5120 General Formula Aid $7,822,994,000

(From General Fund ..... $1,453,000)
(From Property Tax Relief Fund..... 7,821,541,000)
02-5120 Nonpublic School Aid 101,603,000
03-5120 Miscellaneous Grants-In-Aid 159,238,000
(From Property Tax Relief Fund..... 159,238,000)
04-5120 Adult and Continuing Education 4,000,000
07-5120 Special Education 975,335,000
(From Property Tax Relief Fund..... 975,335,000)
36-5120 Student Transportation 196,092,000
(From Property Tax Relief Fund..... 196,092,000)
38-5120 Facilities Planning and School Building Aid 1,049,226,000
(From Property Tax Relief Fund..... 1,049,226,000)
Total State Aid Appropriation, Direct Educational Services and Assistance..... $10,308,488,000
(From General Fund..... $107,056,000)
(From Property Tax Relief Fund ..... 10,201,432,000)

Less:

Assessment of EDA Debt Service..... $26,529,000
Growth Savings - Payment Changes 10,317,000
Total Deductions..... $36,846,000

Total State Aid Appropriation, Direct Educational Services and Assistance..... $10,271,642,000
(From General Fund ..... $107,056,000)
(From Property Tax Relief Fund..... 10,164,586,000)

State Aid:

01 Equalization Aid .....($1,453,000)
01 Equalization Aid (PTRF) .....(6,207,207,000)
01 Supplemental Enrollment Growth Aid (PTRF) .....(4,141,000)
01 Per Pupil Growth Aid (PTRF) .....(13,460,000)
01 PARCC Readiness (PTRF) .....(13,460,000)
01 Professional Learning Community Aid (PTRF) .....(13,427,000)
01 Educational Adequacy Aid (PTRF) .....(82,397,000)
01 Security Aid (PTRF) .....(199,526,000)
01 Adjustment Aid (PTRF) .....(535,605,000)
01 Preschool Education Aid (PTRF) .....(655,517,000)
01 Preschool Education Expansion Aid (PTRF) .....(25,000,000)
01 Under Adequacy Aid (PTRF) .....(16,763,000)
01 School Choice (PTRF) .....(55,038,000)
02 Nonpublic Textbook Aid .....(8,243,000)
02 Nonpublic Handicapped Aid .....(28,240,000)
02 Nonpublic Auxiliary Services Aid .....(31,649,000)
02 Nonpublic Auxiliary/Handicapped Transportation Aid .....(2,469,000)
02 Nonpublic Nursing Services Aid .....(14,302,000)

02 Nonpublic Security Aid ..... (11,300,000)
02 Nonpublic Technology Initiative ..... (5,400,000)
03 Charter School Aid (PTRF) ..... (51,355,000)
03 Bridge Loan Interest and Approved Borrowing Cost (PTRF) ..... (200,000)
03 Payments for Institutionalized Children - Unknown District of Residence (PTRF) ..... (41,000,000)
03 Host District Support Aid (PTRF) ..... (27,683,000)
03 Commercial Valuation Stabilization Aid (PTRF).. (32,000,000)
03 Lead Testing for Schools (PTRF) ..... (7,000,000)
04 Adult Education Programs ..... (4,000,000)
07 Special Education Categorical Aid (PTRF) ..... (780,335,000)
07 Extraordinary Special Education Costs Aid (PTRF)..... (195,000,000)
36 Transportation Aid (PTRF)..... (195,992,000)
36 Family Crisis Transportation Aid (PTRF) ..... (100,000)
38 School Building Aid (PTRF) ..... (40,572,000)
38 School Construction Debt Service Aid (PTRF)..... (89,887,000)
38 School Construction & Renovation Fund (PTRF)..... (918,767,000)

Less:

Deductions.....36,846,000

Of the amount hereinabove appropriated for Equalization Aid, an amount equal to the total earnings of investments of the Fund for the Support of Free Public Schools first shall be charged to such fund.

Notwithstanding the provisions of any law or regulation to the contrary, a district's 2017-2018 allocation of the amounts hereinabove appropriated for Equalization Aid shall be determined based on the relationship between the district's modified proposed aid amount and uncapped aid amount. In the case of a district in which the funding percentage exceeds 100 percent, the district's allocation of the amounts hereinabove appropriated for Equalization Aid shall be as set forth in the March 2017 State Aid notice issued by the Commissioner of Education. In the case of a district in which the funding percentage is less than 100 percent, the district's allocation of the amounts hereinabove appropriated for Equalization Aid shall be as set forth in the March 2017 State Aid notice issued by the commissioner plus any additional aid awarded pursuant to this provision. In the case of a district in which the funding percentage is no greater than 70 percent, the commissioner shall allocate additional aid to the district in an amount equal to 11.71 percent of the district's modified underfunding amount. In the case of a district in which the funding percentage is greater than 70 percent, but less than 100 percent, the commissioner shall allocate additional aid to the district in an amount equal to 25.54 percent of the district's modified underfunding amount.

The additional funding shall first be used to increase a school district's allocation of Equalization Aid, up to the amount calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52), provided that the district's Equalization Aid as calculated pursuant to that section is greater than the amount of Equalization Aid included in the March 2017 State Aid notice issued by the commissioner. As used in this provision: "total proposed aid amount" means the sum of Equalization Aid, Adjustment Aid, Security Aid, Special Education Categorical Aid, School Choice Aid, Educational Adequacy Aid, Supplemental Enrollment Growth Aid, Transportation Aid, Under Adequacy Aid, PARCC Readiness, Per Pupil Growth Aid, Professional Learning Community Aid, and Host District Support Aid as set forth in the March 2017 State Aid notice issued by the commissioner; "modified proposed aid amount" means the total proposed aid amount minus the amount of School Choice Aid and Educational Adequacy Aid as set forth in the March 2017 State Aid notice issued by the commissioner; "uncapped aid amount" means the sum of Equalization Aid, as calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52), Special Education Categorical Aid, as calculated pursuant to section 13 of P.L.2007, c.260 (C.18A:7F-55), Security Aid, as calculated pursuant to section 14 of P.L.2007, c.260 (C.18A:7F-56), and Transportation Aid, as calculated pursuant to section 15 of P.L.2007, c.260 (C.18A:7F-57); "funding percentage" means a district's modified proposed aid amount divided by the uncapped aid amount; and "modified underfunding amount" means 1 minus the district's funding percentage multiplied by the difference between the district's uncapped aid amount and modified proposed aid amount.

Of the amounts hereinabove appropriated for Nonpublic School Aid, such amounts as determined by the Commissioner of Education may be transferred between such accounts to address changes in enrollments and services, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from nonpublic schools handicapped and auxiliary recoveries are appropriated for the payment of additional aid in accordance with section 17 of P.L.1977, c.192 (C.18A:46A-14) and section 14 of P.L.1977, c.193 (C.18A:46-19.8), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 14 of P.L.1977, c.193 (C.18A:46-19.8), for the purpose of computing Nonpublic Handicapped Aid for pupils requiring the following services, the per pupil amounts for the 2017-2018 school year shall be: $1,326.17 for an initial evaluation or reevaluation for examination and classification; $380 for an annual review for examination and classification; $930 for speech correction; and $826 for supplementary instruction services, provided, however, that the Commissioner of Education may adjust the per pupil amounts based upon the nonpublic pupil population and the need for services.

Notwithstanding the provisions of section 9 of P.L.1977, c.192 (C.18A:46A-9), the per pupil amount for compensatory education for the 2017-2018 school year for the purposes of computing Nonpublic Auxiliary Services Aid shall equal

$995.33 and the per pupil amount for providing the equivalent service to children of limited English-speaking ability shall be $1,015, provided, however, that the Commissioner of Education may adjust the per pupil amounts based upon the nonpublic pupil population and the need for services.

Notwithstanding the provisions of section 9 of P.L.1991, c.226 (C.18A:40-31), the amount hereinabove appropriated for Nonpublic Nursing Services Aid shall be made available to local school districts based upon the number of pupils enrolled in each nonpublic school on the last day prior to October 16, 2016.

Items purchased for the use of nonpublic school students with Nonpublic Technology Initiative funds in previous budget cycles shall remain the property of the local education agency; provided, however, that they shall remain on permanent loan for the use of nonpublic school students for the balance of the technologies' useful life.

Notwithstanding the provisions of any law or regulation to the contrary, Nonpublic Technology Initiative Aid shall be paid to school districts and allocated for nonpublic school pupils at the rate of $37 per pupil in a manner that is consistent with the provisions of the federal and State constitutions.

From the amount hereinabove appropriated for Nonpublic Security Aid, the Commissioner of Education shall provide State aid to each school district in an amount equal to $75 multiplied by the number of nonpublic school students within the district identified by the district on or before November 5 for security services, equipment, or technology to ensure a safe and secure school environment for nonpublic school students.

Notwithstanding the provisions of any law or regulation to the contrary, following notification to the Joint Budget Oversight Committee there are appropriated to the Emergency Fund account such additional amounts as may be required to fund approved applications for aid following district needs assessments conducted by the Department of Education, subject to the approval of the Director of the Division of Budget and Accounting. The Commissioner of Education may use an amount appropriated to the Emergency Fund to provide to a school district that is experiencing fiscal distress as a result of receiving less State school aid in the 2017-2018 school year than the amount received in the prior school year. The commissioner shall determine the repayment terms, if any, that will be assessed.

Such amounts received in the "School District Deficit Relief Account," established pursuant to section 5 of P.L.2006, c.15 (C.18A:7A-58), including loan repayments, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1999, c.12 (C.54A:9-25.12 et seq.), there is appropriated from the Drug Abuse Education Fund, the amount of $50,000, to be used for the NJSIAA Steroid Testing program.

Notwithstanding the provisions of P.L.2006, c.15 (C.18A:7A-54 et seq.) or any law or regulation to the contrary, in the event that a school district owes an amount greater than 50 percent of its annual general fund budget attributable in substan-

tial part to loans made to the district from the "School District Deficit Relief Account" established pursuant to P.L.2006, c.15 (C.18A:7A-54 et seq.), such debt, as reduced by the liquidation of all available assets of the school district, may be forgiven upon the school district's merger with another district if the Commissioner of Education determines that such debt represents an impediment to consolidation, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the School Construction and Renovation Fund account to make payments under the contracts authorized pursuant to section 18 of P.L.2000, c.72 (C.18A:7G-18), there are appropriated such other amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

The unexpended balance at the end of the preceding fiscal year in the School Construction and Renovation Fund account is appropriated for the same purpose.

Notwithstanding any provision of law or regulation to the contrary, the commissioner shall reallocate up to $4,350,000 from Nonpublic Auxiliary Services Aid and up to $4,350,000 from Nonpublic Handicapped Aid in order to provide essential transportation aid for nonpublic school students.

The amount hereinabove appropriated for Adult Education Programs shall be distributed at a rate of $1,500 per pupil for students enrolled on a full-time equivalent basis (as determined by the Commissioner of Education) in an approved adult high school, a postsecondary career and technical education program at a county vocational-technical school, or a non-credit career and technical education program that has been transferred to a county college from a county vocational school district pursuant to a formal resolution prior to the effective date of this appropriations act. The per pupil amount shall be reduced proportionally if the amount appropriated is insufficient to provide full funding for all eligible enrolled students. The Commissioner of Education and the Commissioner of Labor and Workforce Development shall review all sources of federal and state funding for employment training programs, and shall make recommendations to the Legislature by May 1, 2018 regarding the availability of such funds to support these programs in future fiscal years.

Notwithstanding the provisions of any law or regulation to the contrary, in the event that an "SDA district" sells district surplus property, the proceeds from such sale shall be applied as follows, subject to the approval of the Director of the Division of Budget and Accounting: the Commissioner of Education, in his discretion, may direct that the proceeds be used by the SDA district upon a showing of financial need for a capital maintenance project or for a school facilities project if such project is consistent with the district's Long-Range Facilities Plan (LRFP) and the project cost does not exceed $500,000. If the project cost exceeds $500,000, the commissioner may direct all or a portion of the proceeds to the New Jersey Schools Development Authority (SDA) for use in projects identified in that district's LRFP. In the case of capital maintenance projects, the

SDA may forward the specified aid amount directly to the district for completion of the projects. If the commissioner is not satisfied that there is a sufficient showing of financial need for a capital maintenance project or for a school facilities project or if the commissioner is not satisfied that the proposed project is consistent with the district's LRFP, the proceeds shall be returned to the SDA for use by the SDA for school facilities projects in that SDA district which are consistent with the SDA district's LRFP. For the purposes of this provision, "surplus property" means property which is not being replaced by other property under a grant agreement with the SDA.

Notwithstanding the provisions of any law or regulation to the contrary, a district's 2017-2018 allocation of the amounts hereinabove appropriated for Educational Adequacy Aid, Preschool Education Aid, School Choice Aid, Supplemental Enrollment Growth Aid, Under Adequacy Aid, PARCC Readiness, Per Pupil Growth Aid, Professional Learning Community Aid, and Host District Support Aid shall be as set forth in the March 2017 State Aid notice issued by the Commissioner of Education.

Notwithstanding the provisions of any law or regulation to the contrary, "non-SDA" districts that received their State support for approved project costs through the New Jersey Schools Development Authority shall be assessed an amount equal to the 2013-2014 assessment. District allocations shall be withheld from 2017-2018 formula aid payments and the assessment cannot exceed the total of those payments.

Notwithstanding the provisions of any law or regulation to the contrary, the preschool per pupil aid amounts set forth in subsection d. of section 12 of P.L.2007, c.260 (C.18A:7F-54) shall be adjusted by the geographic cost adjustment developed by the Commissioner of Education pursuant to P.L.2007, c.260.

Notwithstanding the provisions of any law or regulation to the contrary, amounts hereinabove appropriated for Preschool Education Aid shall be used for such amounts as are necessary: 1) in the case of a district that received Early Launch to Learning Initiative aid in the 2007-2008 school year, an amount equal to the district's 2007-2008 allocation of Early Launch to Learning Initiative aid; 2) in the case of a school district that received a 2008-2009 allocation of Preschool Education Aid based on its 2007-2008 Early Childhood Program Aid allocation, an aid amount equal to the district's 2016-2017 per pupil allocation of Preschool Education Aid multiplied by the district's projected preschool enrollment, except in the case of a school district participating in the federal Preschool Expansion Grant, in which case the district shall receive the greater of either the district's total 2016-2017 Preschool Education Aid allocation or the district's 2016-2017 per pupil allocation of Preschool Education Aid multiplied by the district's projected preschool enrollment; and 3) in the case of any other district with an allocation of Preschool Education Aid in the 2016-2017 school year calculated using the provisions of section 12 of P.L.2007, c.260 (C.18A:7F-54), an amount calculated in accordance with those provisions based upon 2017-2018 projected en-

rollments multiplied by the per pupil allocations as set forth in the March 2017 State Aid notice issued by the Commissioner of Education.

Notwithstanding the provisions of any law or regulation to the contrary, a charter school's initial 2017-2018 allocation of the amount hereinabove appropriated for Charter School Aid shall be as set forth in the March 2017 State Aid notice issued by the Commissioner of Education, and shall be adjusted based on the October 15th and the end of the school year actual pupil counts. In addition to the amount hereinabove appropriated for Charter School Aid, such amounts as the Commissioner of Education shall determine to be necessary to support the initial and adjusted payments are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Lead Testing for Schools account is appropriated for the same purpose.

Notwithstanding the provisions of P.L.2011, c.176 (C.18A:36C-1 et seq.) or any other law or regulation to the contrary, the per pupil allocation of funding by student characteristic for a renaissance school shall be equal to its 2016-2017 per pupil allocation of funding by student characteristic as prescribed by the Commissioner of Education, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 3 of P.L.1971, c.271 (C.18A:46-31), a portion of the district tuition amounts payable to a county special services school district operating an extended school year program may be transferred to the county special services school district prior to the first of September in the event the board shall file a written request with the Commissioner of Education stating the need for the funds. The commissioner shall review the board's request and determine whether to grant the request after an assessment of whether the district needs to spend the funds prior to September and after considering the availability of district surplus. The commissioner shall transfer the payment for the portion of the tuition payable for which need has been demonstrated.

Notwithstanding the provisions of section 1 of P.L.1997, c.53 (C.18A:39-11.1) districts shall not be reimbursed for administrative fees paid to Cooperative Transportation Service Agencies.

For any school district receiving amounts from the amount hereinabove appropriated for Transportation Aid, and notwithstanding the provisions of any law or regulation to the contrary, if the school district is located in a county of the third class or a county of the second class with a population of less than 235,000, according to the 1990 federal decennial census, transportation shall be provided to school pupils residing in this school district in going to and from any remote school other than a public school, not operated for profit in whole or in part, located within the State not more than 30 miles from the residence of the pupil.

Notwithstanding the provisions of section 2 of P.L.1981, c.57 (C.18A:39-1a) or any other law or regulation to the contrary, the maximum amount of nonpublic school transportation costs per pupil provided for in N.J.S.18A:39-1 shall equal $1,000.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Family Crisis Transportation Aid shall be paid to districts based on applications approved from the prior year in accordance with the provisions of section 1 of P.L.2013, c.231 (C.18A:38-1.1), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for School Building Aid and School Construction Debt Service Aid, the calculation of each eligible district's allocation shall include the amount based on school bond and lease purchase agreement payments for interest and principal payable during the 2017-2018 school year pursuant to sections 9 and 10 of P.L.2000, c.72 (C.18A:7G-9 and C.18A:7G-10) and the adjustments required for prior years based on the difference between the amounts calculated using actual principal and interest amounts in a prior year and the amounts allocated and paid in that prior year.

Notwithstanding the provisions of any law or regulation to the contrary, an eligible district's allocation of the amounts hereinabove appropriated for School Construction Debt Service Aid and School Building Aid shall be 85% of the district's approved October 5, 2016 application amount.

Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for School Building Aid, a district's district aid percentage calculated for purposes of the provisions of section 10 of P.L.2000, c.72 (C.18A:7G-10) shall equal the percentage calculated for the 2001-2002 school year.

Notwithstanding the provisions of any law or regulation to the contrary, when calculating a district's allocation of the amount hereinabove appropriated for School Construction Debt Service Aid, the provisions of subsection d. of section 9 of P.L.2000, c.72 (C.18A:7G-9) shall also be applicable for a school facilities project approved by the Commissioner of Education and by the voters in a referendum after the effective date of P.L.2000, c.72 (C.18A:7G-1 et al.) and prior to the effective date of P.L.2008, c.39 (C.18A:7G-14.1 et al.).

Notwithstanding the provisions of section 9 of P.L.2000, c.72 (C.18A:7G-9) or any other law or regulation to the contrary, for the purpose of calculating a district's State Debt Service Aid, "M", the maintenance factor, shall equal 1.

In addition to the amount hereinabove appropriated for the School Construction and Renovation Fund account to make payments under the contracts authorized pursuant to section 18 of P.L.2000, c.72 (C.18A:7G-18), there are appropriated such other sums as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

The unexpended balance at the end of the preceding fiscal year in the School Construction and Renovation Fund account is appropriated for the same purpose.

From the amount hereinabove appropriated for Preschool Education Expansion Aid, the Commissioner of Education shall provide State aid to districts for the purpose of providing free access to full-day preschool for three- and four-year

old children residing in the school district in accordance with the preschool quality standards adopted by the commissioner. The commissioner shall determine which districts shall receive Preschool Education Expansion Aid based on a district's demonstration of its readiness to operate a preschool program consistent with the preschool quality standards.

Notwithstanding the provisions of any law or regulation to the contrary, a district's 2017 - 2018 allocation of the amounts hereinabove appropriated for Equalization Aid, Security Aid, Special Education Categorical Aid, Transportation Aid, and Adjustment Aid shall be determined based on the relationship between the district's modified proposed aid amount and uncapped aid amount. In the case of a district, other than a county vocational district, in which the funding percentage exceeds 100 percent: (1) the district's allocation of the amounts hereinabove appropriated for Equalization Aid, Security Aid, Special Education Categorical Aid, and Transportation Aid shall be as set forth in the March 2017 State Aid notice issued by the Commissioner of Education; and (2) the district's allocation of the amount hereinabove appropriated for Adjustment Aid shall equal the amount as set forth in the March 2017 State Aid notice issued by the commissioner reduced by the lesser of: (i) an amount equal to 20 percent of the difference between the district's uncapped aid amount and modified proposed aid amount; (ii) an amount equal to two percent of the district's total proposed aid amount; or (iii) an amount equal to 1.5 percent of the district's general fund budget for the 2016-2017 school year. Any reduction in a district's allocation of Adjustment Aid shall not include any amount classified as Additional Adjustment Aid in the March 2017 State Aid notice issued by the commissioner. In the case of a county vocational district in which the funding percentage is greater than 100 percent, the district's allocation of the amounts hereinabove appropriated for Equalization Aid, Security Aid, Special Education Categorical Aid, Transportation Aid, and Adjustment Aid shall be as set forth in the March 2017 State Aid notice issued by the commissioner. In the case of a district in which the funding percentage is less than 100 percent: (1) the district's allocation of the amount hereinabove appropriated for Adjustment Aid shall be as set forth in the March 2017 State Aid notice issued by the commissioner; and (2) the district's allocation of the amounts hereinabove appropriated for Equalization Aid, Security Aid, Special Education Categorical Aid, and Transportation Aid shall be as set forth in the March 2017 State Aid notice issued by the commissioner plus any additional aid awarded pursuant to this provision. In the case of a district in which the funding percentage is no greater than 70 percent, the commissioner shall allocate additional aid to the district in an amount equal to 11.71 percent of the district's modified underfunding amount. In the case of a district in which the funding percentage is greater than 70 percent, but less than 100 percent, the commissioner shall allocate additional aid to the district in an amount equal to 25.54 percent of the district's modified underfunding amount. The additional funding shall first be used to increase a school district's allocation of Equalization Aid, up to the amount calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52),

provided that the district's Equalization Aid as calculated pursuant to that section is greater than the amount of Equalization Aid included in the March 2017 State Aid notice issued by the commissioner. If any additional funding for a district remains unallocated, the additional funding shall next be used to increase a school district's allocation of Special Education Categorical Aid, up to the amount calculated pursuant to section 13 of P.L.2007, c.260 (C.18A:7F-55), provided that the district's Special Education Categorical Aid as calculated pursuant to that section is greater than the amount of Special Education Categorical Aid included in the March 2017 State Aid notice issued by the commissioner. If any additional funding for a district remains unallocated, the additional funding shall next be used to increase a school district's allocation of Security Aid, up to the amount calculated pursuant to section 14 of P.L.2007, c.260 (C.18A:7F-56), provided that the district's Security Aid as calculated pursuant to that section is greater than the amount of Security Aid included in the March 2017 State Aid notice issued by the commissioner. If any additional funding for a district remains unallocated, the additional funding shall next be used to increase a school district's allocation of Transportation Aid, up to the amount calculated pursuant to section 15 of P.L.2007, c.260 (C.18A:7F-57), provided that the district's Transportation Aid as calculated pursuant to that section is greater than the amount of Transportation Aid included in the March 2017 State Aid notice issued by the commissioner. As used in this provision: "total proposed aid amount" means the sum of Equalization Aid, Adjustment Aid, Security Aid, Special Education Categorical Aid, School Choice Aid, Educational Adequacy Aid, Supplemental Enrollment Growth Aid, Transportation Aid, Under Adequacy Aid, PARCC Readiness, Per Pupil Growth Aid, Professional Learning Community Aid, and Host District Support Aid as set forth in the March 2017 State Aid notice issued by the commissioner; "modified proposed aid amount" means the total proposed aid amount minus the amount of School Choice Aid and Educational Adequacy Aid as set forth in the March 2017 State Aid notice issued by the commissioner; "uncapped aid amount" means the sum of Equalization Aid, as calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52), Special Education Categorical Aid, as calculated pursuant to section 13 of P.L.2007, c.260 (C.18A:7F-55), Security Aid, as calculated pursuant to section 14 of P.L.2007, c.260 (C.18A:7F-56), and Transportation Aid, as calculated pursuant to section 15 of P.L.2007, c.260 (C.18A:7F-57); "funding percentage" means a district's modified proposed aid amount divided by the uncapped aid amount; and "modified underfunding amount" means 1 minus the district's funding percentage multiplied by the difference between the district's uncapped aid amount and modified proposed aid amount.

Notwithstanding the provisions of section 4 of P.L.1997, c.72 (C.26:2H-18.58g), section 17 of P.L.2000, c.72 (C.18A:7G-17), or any law or regulation to the contrary, of the amount hereinabove appropriated to the School Construction and Renovation Fund such amounts as the Director of the Division of Budget and

Accounting may determine first shall be charged to the Property Tax Relief Fund.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Extraordinary Special Education Costs Aid, such amounts as the Director of the Division of Budget and Accounting determines shall be charged to the Property Tax Relief Fund instead of receipts deposited into the Extraordinary Aid Account.

32 Operation and Support of Educational Institutions

DIRECT STATE SERVICES

12-5011 Marie H. Katzenbach School for the Deaf $14,701,000
(From General Fund ..... $6,590,000)
(From All Other Funds ..... 8,111,000)
13-5011 Behavioral Support Program 308,000
(From All Other Funds ..... 308,000)
Total Appropriation, State and All Other Funds $15,009,000
(From General Fund ..... $6,590,000)
(From All Other Funds ..... 8,419,000)

Less:
All Other Funds $8,419,000
Total Deductions $8,419,000
Total Direct State Services Appropriation, Operation and Support of Educational Institutions $6,590,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($11,779,000)
Materials and Supplies ..... (1,067,000)
Services Other Than Personal ..... (1,117,000)
Maintenance and Fixed Charges ..... (550,000)
Special Purpose:
12 Transportation Expenses for Students ..... (40,000)
Additions, Improvements and Equipment ..... (456,000)

Less:
All Other Funds 8,419,000

Notwithstanding the provisions of N.J.S.18A:61-1 and N.J.S.18A:46-13, or any law or regulation to the contrary, in addition to the amount hereinabove appropriated to the Marie H. Katzenbach School for the Deaf for the current academic year, payments from local boards of education to the school at an annual rate and payment schedule adopted by the Commissioner of Education and the Director of the Division of Budget and Accounting are appropriated.

Any income from the rental of vacant space at the Marie H. Katzenbach School for the Deaf is appropriated for the operation and maintenance cost of the facility and for capital costs at the school, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the receipt account of the Marie H. Katzenbach School for the Deaf is appropriated for expenses of operating the school.

The unexpended balance at the end of the preceding fiscal year in the receipt account of the Behavioral Support Program (BSP) is appropriated for the expenses of operating the Marie H. Katzenbach School for the Deaf.

33 Supplemental Education and Training Programs

DIRECT STATE SERVICES

20-5062 General Vocational Education $943,000
Total Direct State Services Appropriation, Supplemental Education and Training Programs $943,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($893,000)
Materials and Supplies ..... (26,000)
Services Other Than Personal ..... (24,000)

STATE AID

20-5062 General Vocational Education $7,860,000
Total State Aid Appropriation, Supplemental Education and Training Programs $7,860,000

State Aid:

20 County Vocational School District Partnership Grant Program ..... ($3,000,000)
20 Vocational Education ..... (4,860,000)

Of the amount hereinabove appropriated for General Vocational Education, an amount not to exceed $367,000 is available for transfer to Direct State Services for the administration of vocational education programs, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for County Vocational School District Partnership Grant Program shall be allocated for grants to county vocational school districts to partner with urban districts, other school districts, county colleges, and other entities to create high-quality career and technical education programs in existing facilities. The Commissioner of Education shall award grants, within the limit of available State appropriations, to selected county vocational school districts to be used to support the development and implementation of a career and technical education program. The commissioner shall determine the amount of each grant awarded under the program and may award multi-year grants.

The unexpended balance at the end of the preceding fiscal year in the County Vocational School District Partnership Grant Program is appropriated for the same purposes.

34 Educational Support Services

DIRECT STATE SERVICES

30-5063 Standards, Assessments and Curriculum $28,697,000
31-5060 Grants Management 699,000
32-5061 Teacher and Leader Effectiveness 5,994,000
33-5067 Service to Local Districts 5,541,000
34-5068 Innovation 1,879,000
35-5069 Early Childhood Education 1,791,000
37-5069 School Improvement 2,840,000
40-5064 Learning Supports and Specialized Services 1,264,000
Total Direct State Services Appropriation, Educational Support Services $48,705,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($20,516,000)
Materials and Supplies ..... (203,000)
Services Other Than Personal ..... (2,030,000)
Maintenance and Fixed Charges ..... (21,000)
Special Purpose:
30 Statewide Assessment Program ..... (25,550,000)
30 General Education Development ..... (226,000)
40 New Jersey Commission on Holocaust Education ..... (159,000)

Receipts from the State Board of Examiners' fees in excess of those anticipated, and the unexpended program balances at the end of the preceding fiscal year, are appropriated for the operation of the Professional Development and Licensure programs.

In addition to the amount hereinabove appropriated for the Statewide Assessment Program, there are appropriated such additional amounts as may be necessary for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Statewide Assessment Program account is appropriated for the same purpose.

GRANTS-IN-AID

30-5063 Standards, Assessments and Curriculum $2,055,000
40-5064 Learning Supports and Specialized Services 1,000,000
Total Grants-in-Aid Appropriation, Educational Support Services $3,055,000

Grants-in-Aid:

30 Liberty Science Center - Educational Services ..... ($1,350,000)
30 Governor's Literacy Initiative ..... (270,000)
30 Advanced Placement Exam Fee Waiver ..... (435,000)

40 Grants for After School and Summer
Activities for At-Risk Children ..... (1,000,000)

The amount hereinabove appropriated for the Liberty Science Center - Educational Services shall be used to provide educational services to districts with high concentrations of at-risk students in the science education component of the core curriculum content standards as established by law.

The amount hereinabove appropriated for the Governor's Literacy Initiative shall be used for a grant for the Learning Through Listening program at the New Jersey Unit of Learning Ally.

The amount hereinabove appropriated for Advanced Placement Exam Fee Waiver shall supplement that portion of the Advanced Placement Exam Fee that is not currently funded by The College Board Test Fee Waiver and School Test Processing Fee Waiver for students that qualify for the Free or Reduced Lunch Program.

STATE AID

39-5094 Teachers' Pension and Annuity Assistance $2,939,045,000
(From Property Tax Relief Fund ..... $2,939,045,000)
Total State Aid Appropriation, Educational Support Services $2,939,045,000
(From Property Tax Relief Fund ..... $2,939,045,000)

State Aid:

39 Teachers' Pension and Annuity Fund - Post Retirement Medical (PTRF) .....($970,058,000)
39 Teachers' Pension and Annuity Fund (PTRF)..... (719,396,000)
39 Social Security Tax (PTRF)..... (758,351,000)
39 Teachers' Pension and Annuity Fund - Non-contributory Insurance (PTRF) ..... (38,770,000)
39 Post Retirement Medical Other Than TPAF (PTRF)..... (225,469,000)
39 Affordable Care Act Fees (PTRF) ..... (784,000)
39 Debt Service on Pension Obligation Bonds (PTRF)..... (226,217,000)

Such additional amounts as may be required for Teachers' Pension and Annuity Fund - Post Retirement Medical are appropriated, as the Director of the Division of Budget and Accounting shall determine.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Social Security Tax, there is appropriated such amounts, as determined by the Director of the Division of Budget and Accounting, to make payments on behalf of school districts that do not receive sufficient State formula aid payments under this act, for amounts due and owing to the State including out-of-district placements and such amounts shall be recognized by the school district as State revenue.

In addition to the amounts hereinabove appropriated for Social Security Tax, there are appropriated such amounts as are required for payment of Social Security Tax on behalf of members of the Teachers' Pension and Annuity Fund.

Such additional amounts as may be required for the Teachers' Pension and Annuity Fund - Non-contributory Insurance, Post Retirement Medical Other Than TPAF, and Affordable Care Act Fees are appropriated, as the Director of the Division of Budget and Accounting shall determine.

Such additional amounts as may be required for Debt Service on Pension Obligation Bonds are appropriated, as the Director of the Division of Budget and Accounting shall determine.

The unexpended balance at the end of the preceding fiscal year in the Debt Service on Pension Obligation Bonds account is appropriated for the same purpose.

35 Education Administration and Management

DIRECT STATE SERVICES

41-5092 Data, Research Evaluation and Reporting	$612,000
43-5092 Office of Fiscal Accountability and Compliance	3,211,000
99-5095 Administration and Support Services	12,587,000
Total Direct State Services Appropriation, Education Administration and Management	$16,410,000

Direct State Services:

Personal Services:	
Salaries and Wages	($14,171,000)
Materials and Supplies	(168,000)
Services Other Than Personal	(1,349,000)
Maintenance and Fixed Charges	(57,000)
Special Purpose:	
43 Internal Auditing	(500,000)
99 New Jersey Italian Heritage Commission	(100,000)
99 State Board of Education Expenses	(65,000)

Receipts from fees for school district personnel background checks and unexpended balances at the end of the preceding fiscal year of such receipts are appropriated for the operation of the criminal history review program.

Such additional amounts as may be required for payments to arbitrators in accordance with section 22 of P.L.2012, c.26 (C.18A:6-17.1) are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Student Registration and Record System account is appropriated for the same purpose.

Costs attributable to EdSmart, as well as required enhancements to the Statewide longitudinal data system, shall be paid from revenue received from the Special Education Medicaid Initiative (SEMI) program and are appropriated for these purposes to the Student Registration and Record System account upon recommendation from the Commissioner of Education, subject to the approval of the Director of the Division of Budget and Accounting.

In the event that revenues received from the Special Education Medicaid Initiative (SEMI) program are insufficient to satisfy costs attributable to EdSmart, as well as required enhancements to the Statewide longitudinal data system, there are appropriated to the Student Registration and Record System account such amounts as may be required as the Director of the Division of Budget and Accounting shall determine.

Department of Education, Total State Appropriation..... $13,299,566,000

Subject to the availability of federal funds, the Commissioner of Education shall enter into a contract with a nonprofit entity, having the largest library of audio textbooks, for the provision of products and services to public schools to assist students who are unable to use standard text due to a learning disability, visual impairment, or a physical disability. The products and services to be provided may include, but need not be limited to, accessible, human-narrated audiobooks that are available through both mainstream and specialized devices, software capable of recording and reporting data for instructional purposes, and professional development opportunities for instructional and support staff. Upon the certification of the Director of the Division of Budget and Accounting of the availability of federal funds for the performance of the terms of such contract for the 2017-2018 school year, there is appropriated an amount of federal funds not to exceed $1,500,000 subject to the approval of the director.

Of the amounts hereinabove appropriated from the General Fund for the Department of Education, or otherwise available from federal resources, there are appropriated funds to establish the Office of School Preparedness and Emergency Planning within the Department of Education, to plan, coordinate, and conduct comprehensive school safety and preparedness assessments for schools and districts Statewide, in collaboration with law enforcement, the Office of Homeland Security and Preparedness, and the Governor's School Security Task Force, subject to the approval of the Director of the Division of Budget and Accounting.

In the event that sufficient funds are not appropriated to fully fund any State Aid item, the Commissioner of Education shall apportion such appropriation among the districts in proportion to the State Aid each district would have been apportioned had the full amount of State Aid been appropriated.

Notwithstanding the provisions of any law or regulation to the contrary, should appropriations in the Property Tax Relief Fund exceed available revenues, the Director of the Division of Budget and Accounting is authorized to transfer General Fund revenues into the Property Tax Relief Fund, provided that unrestricted balances are available from the General Fund, as determined by the Director of the Division of Budget and Accounting.

The Director of the Division of Budget and Accounting may transfer from one State Aid appropriations account for the Department of Education in the General Fund to another appropriations account in the same department in the Property

Tax Relief Fund such funds as are necessary to effect the intent of the provisions of the appropriations act governing the allocation of State Aid to local school districts and to effect the intent of legislation enacted subsequent to the enactment of the appropriations act, provided that sufficient funds are available in the appropriations for that department.

Notwithstanding the provisions of section 8 of P.L.1996, c.138 (C.18A:7F-8), the June school aid payments are subject to the approval of the State Treasurer.

From the amounts hereinabove appropriated, such amounts as are required to satisfy delayed June 2017 school aid payments are appropriated and the State Treasurer is hereby authorized to make such payment in July 2017, as adjusted for any amounts due and owing to the State as of June 30, 2017.

Notwithstanding the provisions of any law or regulation to the contrary, payments from amounts hereinabove appropriated for State Aid may be made directly to the district bank account for the repayment of principal and interest and other costs, when authorized under the terms of a promissory note entered into under the provisions of section 1 of P.L.2003, c.97 (C.18A:22-44.2).

Notwithstanding the provisions of any law or regulation to the contrary, any school district receiving a final judgment or order against the State to assume the fiscal responsibility for the residential placement of a special education student shall have the amount of the judgment or order deducted from the State Aid to be allocated to that district.

Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Education may reduce the total State Aid amount payable for the 2017-2018 school year for a district in which an independent audit of the 2016-2017 school year conducted pursuant to N.J.S.18A:23-1 identifies any deviation from the Uniform Minimum Chart of Accounts after the recalculation of the district's actual Total Administrative Costs pursuant to N.J.A.C.6A:23A-8.3.

Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Education may withhold State Aid payments to a school district that has not submitted in final form the data elements requested for inclusion in a Statewide data warehouse within 60 days of the department's initial request or its request for additional information, whichever is later.

In the event that sufficient balances are not available in the "School District Deficit Relief Account" for amounts recommended by the Commissioner of Education to the State Treasurer for advance State Aid payments in accordance with P.L.2006, c.15 (C.18A:7A-54 et seq.), the Director of the Division of Budget and Accounting is authorized to transfer such amounts as required from available balances in State Aid accounts.

Notwithstanding the provisions of any law or regulation to the contrary, except for the purpose of calculating a school district's Equalization Aid pursuant to the provisions of section 10 of P.L.2007, c.260 (C.18A:7F-52), school district adequacy budgets for fiscal year 2018 shall be equal to the school district's adequacy budget for fiscal year 2017.

Notwithstanding the provisions of "The State Facilities Education Act of 1979," P.L.1979, c.207 (C.18A:7B-1 et al.) and section 24 of P.L.1996, c.138 (C.18A:7F-24), or any law or regulation to the contrary, the amount of the Department of Education State Aid appropriations made available to the Department of Human Services, the Department of Children and Families, the Department of Corrections or the Juvenile Justice Commission pursuant to P.L.1979, c.207 (C.18A:7B-1 et al.) to defray the costs of educating eligible children in approved facilities under contract with the applicable department shall be made at an annual rate and payment schedule adopted by the Commissioner of Education and the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, tuition for pupils under contract for services at the Marie H. Katzenbach School for the Deaf, the Commission for the Blind and Visually Impaired, or in a regional day school operated by or under contract with the Department of Human Services or the Department of Children and Families shall be withheld from State Aid and paid to the respective department.

Notwithstanding the provisions of "The State Facilities Education Act of 1979," (SFEA) P.L.1979, c.207 (C.18A:7B-1 et al.) or any law or regulation to the contrary, funding forwarded to the Juvenile Justice Commission pursuant to subsection c. of section 6 of P.L.1979, c.207 (C.18A:7B-2) may be used to support the costs of SFEA students enrolled in a career and technical education program, an adult education assessment program, or a post-secondary dual and concurrent enrolment education program.

The Director of the Division of Budget and Accounting may transfer from one appropriations account for the Department of Education in the Property Tax Relief Fund to another account in the same department and fund such funds as are necessary to effect the intent of the provisions of the appropriations act governing the allocation of State Aid to local school districts, provided that sufficient funds are available in the appropriations for that department.

Summary of Department of Education Appropriations
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$77,934,000
Grants-in-Aid	3,085,000
State Aid	13,218,547,000
Appropriations by Fund:	
General Fund	$195,935,000
Property Tax Relief Fund	13,103,631,000

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42 DEPARTMENT OF ENVIRONMENTAL PROTECTION
40 Community Development and Environmental Management
42 Natural Resource Management
DIRECT STATE SERVICES

11-4870 Forest Resource Management	$9,061,000
12-4875 Parks Management	15,147,000
13-4880 Hunters' and Anglers' License Fund	15,195,000
14-4885 Shellfish and Marine Fisheries Management	3,540,000
20-4880 Wildlife Management	364,000
21-4895 Natural Resources Engineering	1,290,000
24-4876 Palisades Interstate Park Commission	3,007,000
Total Direct State Services Appropriation, Natural Resource Management	$47,604,000

Direct State Services:

Personal Services:	
Salaries and Wages	($23,823,000)
Employee Benefits	(4,025,000)
Materials and Supplies	(5,009,000)
Services Other Than Personal	(3,524,000)
Maintenance and Fixed Charges	(1,782,000)
Special Purpose:	
11 Fire Fighting Costs	(2,259,000)
12 Green Acres/Open Space Administration	(5,528,000)
20 Endangered Species Tax Check-Off Donations	(364,000)
21 Dam Safety	(1,290,000)

Receipts in excess of the amount anticipated from fees, leases and permit receipts from the use of Parks Management fees, leases, permits and marina rentals, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $19,972,000 from the Clean Energy Fund for Parks Management.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Green Acres/Blue Acres/Open Space Administration account shall be provided first from five percent of any supplemental appropriations for the Preserve New Jersey Green Acres Fund or the Preserve New Jersey Blue Acres Fund, and the balance shall be transferred from the Garden State Green Acres Preservation Trust Fund, the Green Acres, Farmland, Blue Acres, and Historic Preservation Bond Act of 2007, and the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009, and any Green Trust Fund established pursuant to a Green Acres bond act to the General Fund, together with an amount not to exceed $403,000, and is appropriated to the Department of Environmental Protection for Green Acres/Blue Acres/Open Space Administration, subject to the ap-

proval of the Director of the Division of Budget and Accounting. Further, there are appropriated from the Garden State Green Acres Preservation Trust Fund such amounts as may be required for the Department's administrative costs related to programs for buyout of flood-prone properties funded by the federal "Disaster Relief Appropriations Act, 2013," provided that reimbursements to the Department of such costs from federal funding agencies shall be reimbursed to the Garden State Green Acres Preservation Trust Fund.

There is appropriated to the Delaware and Raritan Canal Commission such amounts as may be collected from permit review fees pursuant to section 12 of P.L.1974, c.118 (C.13:13A-12), subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Recreational Land Development and Conservation - Constitutional Dedication administrative account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from police court, stands, concessions, and self-sustaining activities operated or supervised by the Palisades Interstate Park Commission, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated for the same purpose.

Of the amount hereinabove appropriated for the Hunters' and Anglers' License Fund, the first $11,983,000 is appropriated from that fund and any amount remaining therein and the unexpended balance at the end of the preceding fiscal year of the receipts in the Hunters' and Anglers' License Fund, together with any receipts in excess of the amount anticipated, are appropriated for the same purpose. If receipts to that fund are less than anticipated, the appropriation from the fund shall be reduced proportionately.

Pursuant to section 2 of P.L.1993, c.303 (C.23:3-1f), there are appropriated such amounts as may be necessary to offset revenue losses associated with the issuance of free waterfowl stamps and hunting and fishing licenses to active members of the New Jersey National Guard and disabled veterans. The amount to be appropriated shall be certified by the Division of Fish and Wildlife and is subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Endangered Species Tax Check-Off Donations account is payable from receipts, and the unexpended balances in the Endangered Species Tax Check-Off Donations account at the end of the preceding fiscal year, together with Endangered Species Tax Check-Off receipts in excess of the amount anticipated, are appropriated for the same purpose. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

There is appropriated to the Department of Environmental Protection $200,000 from the "Drug Enforcement and Demand Reduction Fund" for the cost of implementing and administering the Hooked on Fishing-Not on Drugs Program established pursuant to P.L.2012, c.46 (C.23:2-13 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed $4,442,000 is appropriated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated, subject to the approval of the Director of the Division of Budgeting and Accounting, from the Shore Protection Fund such additional amounts as are required to fund the Department's administrative costs related to the Department's oversight of flood control, coastal replenishment, and other projects funded by the federal "Disaster Relief Appropriations Act, 2013"; provided, however, that any reimbursements received by the State from the federal "Disaster Relief Appropriations Act, 2013" that reimburse the State for such departmental administrative costs shall be deposited in the Shore Protection Fund.

An amount not to exceed $440,000 is appropriated from the capital construction appropriation for Shore Protection Fund Projects for the operation and maintenance of the Bayshore Flood Control facility.

There is appropriated to the Department of Environmental Protection from penalties collected under the "Safe Dam Act," P.L.1981, c.249 (C.58:4-8.1 et al.) and R.S.58:4-1 et seq., such amounts as may be necessary to remove dams that may be abandoned, have disputed ownership, or are not in compliance with current inspection requirements or repair. The unexpended balance at the end of the preceding fiscal year of such receipts are appropriated to the Department of Environmental Protection for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed $1,158,000 is appropriated from the capital construction appropriation for HR-6 Flood Control for costs attributable to the operation and administration of the State Flood Control Program, subject to the approval of the Director of the Division of Budget and Accounting.

In accordance with the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003," P.L.2003, c.162, an amount not to exceed $68,000 is appropriated from the 2003 Dam, Lake, Stream and Flood Control Project Fund-Flood Control account for administrative costs attributable to flood control and an amount not to exceed $255,000 is appropriated from the 2003 Dam, Lake and Stream Project Revolving Loan Fund-Dam Safety account for administrative costs attributable to dam safety, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Forest Resource Management, there is appropriated $800,000 from the New Jersey Motor Vehicle Commission.

GRANTS-IN-AID

12-4875 Parks Management	$2,025,000
21-4895 Natural Resources Engineering	105,000

Total Grants-in-Aid Appropriation, Natural Resource Management $2,130,000

Grants-in-Aid:

12 Public Facility Programming ..... ($2,025,000)
21 Lake Hopatcong Commission-Weed Harvesting ..... (105,000)

Loan repayments received from dam rehabilitation projects pursuant to P.L.1999, c.347, and any unexpended balance at the end of the preceding fiscal year are appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

CAPITAL CONSTRUCTION

21-4895 Natural Resources Engineering $31,500,000
Total Capital Construction Appropriation, Natural Resource Management $31,500,000

Capital Projects:

Natural Resources Engineering:

21 Shore Protection Fund Projects ..... ($25,000,000)
21 HR-6 Flood Control ..... (6,500,000)

The amount hereinabove appropriated for Shore Protection Fund Projects is payable from the receipts of the portion of the realty transfer fee directed to be credited to the Shore Protection Fund pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1).

An amount not to exceed $500,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for repairs to the Bayshore Flood Control facility.

43 Science and Technical Programs

DIRECT STATE SERVICES

05-4840 Water Supply $8,316,000
07-4850 Water Monitoring and Resource Management 10,266,000
15-4890 Land Use Regulation 13,011,000
18-4810 Division of Science, Research and Environmental Health 250,000
29-4850 Environmental Management and Preservation - CBT Dedication 5,584,000
Total Direct State Services Appropriation, Science and Technical Programs $37,427,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($8,164,000)
Materials and Supplies ..... (20,000)
Services Other Than Personal ..... (2,592,000)
Maintenance and Fixed Charges ..... (78,000)
Special Purpose:

05 Administrative Costs Water Supply Bond Act of 1981 - Management ..... (2,572,000)
05 Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer ..... (1,864,000)
05 Water/Wastewater Operators Licenses ..... (43,000)
05 Safe Drinking Water Fund ..... (2,573,000)
07 Water Resources Monitoring and Planning ..... (10,266,000)
15 Tidelands Peak Demands ..... (3,421,000)
18 Hazardous Waste Research ..... (250,000)
29 Water Resources Monitoring and Planning - Constitutional Dedication ..... (5,584,000)

Notwithstanding the provisions of any law or regulation to the contrary, an amount, as determined by the Director of the Division of Budget and Accounting, is appropriated from the Clean Energy Fund to support the Office of Sustainability and Green Energy in the Department of Environmental Protection subject to the following condition: The Board of Public Utilities and the Office of Sustainability and Green Energy shall enter into a memorandum of understanding providing for the terms and conditions for the expenditure of the funds, including but not limited to the uses of the funds and program coordination between the two agencies.

The amount hereinabove appropriated for the Safe Drinking Water Fund account is appropriated from receipts received pursuant to the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), together with an amount not to exceed $354,000, for administration of the Safe Drinking Water program, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.), or any law or regulation to the contrary, the amount hereinabove appropriated for the Hazardous Waste Research account is appropriated from the available balance in the New Jersey Spill Compensation Fund for research on the prevention and the effects of discharges of hazardous substances on the environment and organisms, on methods of pollution prevention and recycling of hazardous substances, and on the development of improved cleanup, removal and disposal operations, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Office of Science Support, an amount not to exceed $2,703,000 is appropriated from the Hazardous Discharge Site Cleanup Fund for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of those anticipated for Water Allocation fees, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection to offset the costs of

the Water Supply program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amounts anticipated for Well Permits, Well Drillers, Pump Installers Licenses, and the unexpended balances at the end of the preceding year of such receipts, are appropriated to the Department of Environmental Protection for the Water Supply program and for the Private Well Testing program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from fees from the Water and Wastewater Operators Licensing program, and the unexpended balances at the end of the preceding year of such receipts, are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Administrative Costs Water Supply Bond Act of 1981 - Management and Watershed and Aquifer accounts are appropriated from the "Water Supply Bond Act of 1981," P.L.1981, c.261, together with an amount not to exceed $21,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Water Resources Monitoring and Planning - Constitutional Dedication shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance at the end of the preceding fiscal year in the Water Resources Monitoring and Planning - Constitutional Dedication special purpose account is appropriated to be used in a manner consistent with the requirements of the constitutional dedication.

Notwithstanding the provisions of any law or regulation to the contrary, funds appropriated in the Water Resources Monitoring and Planning - Constitutional Dedication special purpose account shall be made available to support nonpoint source pollution and watershed management programs, consistent with the constitutional dedication, within the Department of Environmental Protection in the amounts of $1,645,000 for New Jersey Geological Survey, $542,000 for Watershed Management, $500,000 for Forest Resource Management, and an amount not to exceed $790,000 for the Department of Agriculture to support nonpoint source pollution control programs, at a level of $540,000, and the Conservation Assistance Program, at an amount not to exceed $250,000, on or before September 1, 2017, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.) and the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), the Commissioner of Environmental Protection may utilize from the funds hereinabove appropriated from those sources such amounts as the commissioner may determine as necessary to broaden the department's research efforts to address emerging environmental issues.

In addition to the federal funds amount hereinabove appropriated for the Water Supply program classification, such additional amounts that may be received from the federal government for the Drinking Water State Revolving Fund program are appropriated for the same purpose.

Receipts in excess of the individual amounts anticipated for "Coastal Area Facility Review Act," P.L.1973, c.185 (C.13:19-1 et seq.), Freshwater Wetlands, Stream Encroachment, Waterfront Development, and Wetlands fees, and the unexpended balance at the end of the preceding year of such receipts, are appropriated for administrative costs associated with Land Use Regulation, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

The unexpended balance at the end of the preceding fiscal year in the Stormwater Management Grants account is appropriated for the same purpose.

The unexpended balance at the end of the preceding fiscal year in the Watershed Restoration Projects account is appropriated for the same purpose.

Of the amount hereinabove appropriated for the Stormwater Management Grants and Watershed Restoration Projects programs, such amounts as are necessary or required may be transferred to the Water Resources Monitoring and Planning - Constitutional Dedication special purpose account, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated to the Lake Hopatcong Commission such amounts as may be collected from a boat registration surcharge, or other fee as may be authorized pursuant to separate legislation, for the purposes of continuing operations of the commission.

44 Site Remediation and Waste Management

DIRECT STATE SERVICES

19-4815 Publicly - Funded Site Remediation and Response	$9,546,000
23-4910 Solid and Hazardous Waste Management	4,923,000
27-4815 Remediation Management	33,651,000
Total Direct State Services Appropriation, Site Remediation and Waste Management	$48,120,000

Direct State Services:

Personal Services:	
Salaries and Wages	($15,573,000)
Materials and Supplies	(146,000)
Services Other Than Personal	(3,396,000)
Maintenance and Fixed Charges	(437,000)
Special Purpose:	
19 Cleanup Projects Administrative Costs	(9,546,000)
27 Hazardous Discharge Site Cleanup Fund - Responsible Party	(19,022,000)

In addition to site specific charges, the amounts hereinabove for the Remediation Management program classification, excluding the Hazardous Discharge Site Cleanup Fund - Responsible Party and the Underground Storage Tanks accounts, are appropriated from the New Jersey Spill Compensation Fund, in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), together with an amount not to exceed $10,875,000 for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Hazardous Discharge Site Cleanup Fund - Responsible Party account is appropriated from responsible party cost recoveries and Licensed Site Remediation Professionals fees deposited into the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed $13,545,000 for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove, there is appropriated to the Hazardous Discharge Site Cleanup Fund - Responsible Party account such additional amounts, as necessary, received from cost recoveries and from the Licensed Site Remediation Professionals fees and deposited into the Hazardous Discharge Site Cleanup Fund, for the cleanup of hazardous waste sites and the costs associated with the "Site Remediation Reform Act," P.L.2009, c.60 (C.58:10C-1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, from the amounts hereinabove appropriated from the Hazardous Discharge Site Cleanup Fund and from the New Jersey Spill Compensation Fund, such amounts as are necessary are appropriated for costs associated with the Administration and Support Services program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from Solid Waste - Utility Regulation Assessments, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Solid and Hazardous Waste Management program classification and "County Environmental Health Act," P.L.1977, c.443 (C.26:3A2-21 et seq.) agencies for costs incurred to oversee the State's recycling efforts and other solid waste program activities.

In addition to the federal funds amount for the Publicly-Funded Site Remediation and Response program classification and the Remediation Management program classification, such additional amounts that may be received from the federal government for the Superfund Grants program are hereby appropriated for the same purpose.

Receipts from the sale of salvaged materials are appropriated to offset costs incurred in the cleanup and removal of hazardous substances.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.) or any other law to the contrary, monies appropriated to the Department of Environmental

Protection from the Clean Communities Program Fund shall be provided by the department to the New Jersey Clean Communities Council pursuant to a contract between the department and the New Jersey Clean Communities Council to implement the requirements of the Clean Communities Program pursuant to subsection d. of section 6 of P.L.2002, c.128 (C.13:1E-218).

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the Hazardous Discharge Site Cleanup Fund an amount not to exceed $500,000 for the direct and indirect costs of legal and consulting services associated with litigation related to the Passaic River cleanup, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances at the end of the preceding fiscal year in the Private Underground Storage Tank Administrative Costs - Constitutional Dedication account are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

CAPITAL CONSTRUCTION

29-4815 Environmental Management and Preservation- CBT Dedication $26,805,000

Total Capital Construction Appropriation, Site Remediation and Waste Management $26,805,000

Capital Projects:

Site Remediation:

29 Hazardous Substance Discharge Remediation - Constitutional Dedication .....($5,584,000)

29 Private Underground Storage Tank Remediation - Constitutional Dedication .....(10,052,000)

29 Hazardous Substance Discharge Remediation Loans & Grants - Constitutional Dedication .....(11,169,000)

The amounts hereinabove appropriated for Hazardous Substance Discharge Remediation - Constitutional Dedication and Hazardous Substance Discharge Remediation Loans and Grants - Constitutional Dedication shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

Of the amount hereinabove appropriated for Hazardous Substance Discharge Remediation - Constitutional Dedication, such amounts as necessary, as determined by the Director of the Division of Budget and Accounting, are appropriated for site remediation costs associated with State-owned properties and State-owned underground storage tanks.

Funds made available for the remediation of the discharges of hazardous substances pursuant to the amendments effective December 4, 2003, to Article VIII, Section II, paragraph 6 of the State Constitution and hereinabove appropriated, shall be appropriated to the New Jersey Economic Development Authority's Hazard-

ous Discharge Site Remediation Fund and the Department of the Treasury's Brownfield Site Reimbursement Fund, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for Private Underground Storage Tank Remediation - Constitutional Dedication shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

Except as otherwise provided in this act and notwithstanding the provisions of any other law or regulation to the contrary, the first $50,000,000 in natural resource, cost recoveries and other associated damages recovered by the State, along with such additional amounts as may be determined by the Director of the Division of Budget and Accounting, in consultation with the Attorney General, to be necessary to pay for the costs of legal services related to such recoveries, shall be deposited into the Hazardous Discharge Site Cleanup Fund established pursuant to section 1 of P.L.1985, c.247 (C.58:10-23.34), and are appropriated for: direct and indirect costs of remediation, restoration, and clean up; costs for consulting, expert, and legal services incurred in pursuing claims for damages; and grants to local governments and nonprofit organizations to further implement restoration activities of the Office of Natural Resource Restoration. Recoveries in excess of the amounts appropriated pursuant to this paragraph, consistent with the terms and conditions of applicable settlement agreements or court rulings, shall be deposited in the General Fund as general State revenue.

45 Environmental Regulation

DIRECT STATE SERVICES

01-4820 Radiation Protection	$5,684,000
02-4892 Air Pollution Control	14,682,000
08-4891 Water Pollution Control	7,605,000
09-4860 Public Wastewater Facilities	2,647,000
Total Direct State Services Appropriation, Environmental Regulation	$30,618,000

Direct State Services:

Personal Services:	
Salaries and Wages	($16,899,000)
Materials and Supplies	(149,000)
Services Other Than Personal	(4,549,000)
Maintenance and Fixed Charges	(177,000)
Special Purpose:	
01 Nuclear Emergency Response	(2,634,000)
01 Quality Assurance - Lab Certification Programs	(1,393,000)
02 Pollution Prevention	(1,024,000)

02 Toxic Catastrophe Prevention.....(991,000)
02 Worker and Community Right to Know Act.....(767,000)
02 Oil Spill Prevention .....(2,035,000)

There is appropriated from the "Commercial Vehicle Enforcement Fund," established pursuant to section 17 of P.L.1995, c.157 (C.39:8-75), such amounts as may be necessary to fund the costs of the regulation of the Diesel Exhaust Emissions program, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the Nuclear Regulatory Commission - Agreement State account, such amounts as may be necessary to fund the costs of the Radiation Protection program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Nuclear Emergency Response account is payable from receipts received pursuant to the assessments of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.). Receipts in excess of the amount anticipated, not to exceed $1,120,000, are appropriated. The unexpended balance at the end of the preceding fiscal year in the Nuclear Emergency Response account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Pollution Prevention account is payable from receipts received pursuant to the "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.), together with an amount not to exceed $142,000, for administration of the Pollution Prevention program, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove appropriated for the "Worker and Community Right to Know Act" account is payable out of the "Worker and Community Right to Know Fund," and the receipts in excess of the amount anticipated, not to exceed $534,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove appropriated for the Oil Spill Prevention account is payable out of the New Jersey Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed $673,000, from the New Jersey Spill Compensation Fund for the Oil Spill Prevention program are appropriated, in accordance with the provisions of P.L.1990, c.76 (C.58:10-23.11f2 et seq.), P.L.1990, c.78 (C.58:10-23.11d1 et seq.), and section 1 of P.L.1990, c.80 (C.58:10-23.11f1), subject to the approval of the Director of the Division of Budget and Accounting.

Any funds received by the New Jersey Environmental Infrastructure Trust from any State agency to offset the trust's annual operating expenses are appropriated for the same purpose.

In addition to the federal funds amount for the Public Wastewater Facilities program classification, such additional amounts that may be received from the federal government for the Clean Water State Revolving Fund program are appropriated.

Notwithstanding the provisions of subsection b. of section 1 of P.L.2005, c.202 (C.58:11B-10.2) or any law or regulation to the contrary, in addition to the amount anticipated to the General Fund from the New Jersey Environmental Infrastructure Financing Program Administrative Fee, there is appropriated $2,600,000 to the Department of Environmental Protection for associated administrative and operating expenses, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of those anticipated from Air Pollution Fees - Minor Sources, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection for expansion of the Air Pollution Control program, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

Notwithstanding the provisions of any law or regulation to the contrary, the unexpended balances at the end of the preceding fiscal year in the Diesel Risk Mitigation Fund - Constitutional Dedication account are appropriated to be used in a manner consistent with the requirements of the constitutional dedication of the corporation business tax as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution as follows: 5% for water resources monitoring and planning; 9% for private underground storage tank remediation; 10% for hazardous substance discharge remediation loans and grants; 5% for hazardous substance discharge remediation; and 71% for acquisition, development and stewardship.

46 Environmental Planning and Administration

DIRECT STATE SERVICES

26-4805 Regulatory and Governmental Affairs	$1,805,000
99-4800 Administration and Support Services	19,218,000
Total Direct State Services Appropriation, Environmental Planning and Administration	$21,023,000

Direct State Services:

Personal Services:	
Salaries and Wages	($15,234,000)
Materials and Supplies	(113,000)
Services Other Than Personal	(667,000)
Maintenance and Fixed Charges	(159,000)
Special Purpose:	
99 New Jersey Environmental Management System	(4,850,000)

The unexpended balance at the end of the preceding fiscal year in the Office of the Records Custodian - Open Public Records Act account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

99-4800 Administration and Support Services $6,310,000
(From General Fund ..... $4,964,000)
(From Property Tax Relief Fund ..... 1,346,000)
Total State Aid Appropriation, Environmental Planning and Administration $6,310,000
(From General Fund ..... $4,964,000)
(From Property Tax Relief Fund ..... 1,346,000)

State Aid:

99 Mosquito Control, Research, Administration and Operations (PTRF) .....($1,346,000)
99 Administration and Operations of the Highlands Council .....(2,315,000)
99 Administration, Planning and Development Activities of the Pinelands Commission .....(2,649,000)

Receipts from permit fees imposed by the Pinelands Commission on behalf of the Department of Environmental Protection, pursuant to a memorandum of agreement between the Pinelands Commission and the Department of Environmental Protection, are hereby appropriated to the Pinelands Commission.

The unexpended balance at the end of the preceding fiscal year in the Mosquito Control, Research, Administration and Operations account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

47 Compliance and Enforcement

DIRECT STATE SERVICES

02-4855 Air Pollution Control $4,430,000
04-4835 Pesticide Control 2,199,000
08-4855 Water Pollution Control 6,125,000
15-4855 Land Use Regulation 2,806,000
23-4855 Solid and Hazardous Waste Management 5,790,000
Total Direct State Services Appropriation, Compliance and Enforcement $21,350,000

Direct State Services:

Personal Services:
Salaries and Wages .....($16,158,000)
Materials and Supplies .....(196,000)
Services Other Than Personal .....(3,164,000)
Maintenance and Fixed Charges .....(704,000)
Special Purpose:
15 Tidelands Peak Demands .....(1,128,000)

Receipts in excess of the amount anticipated for Pesticide Control fees, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts deposited into the "Coastal Protection Trust Fund" pursuant to P.L.1993, c.168 (C.39:3-27.47 et seq.) shall be allocated in the following priority order and are appropriated in the amount of $485,000 for the cleanup or maintenance of beaches or shores, the amount of $90,000 for a program of grants for the operation of a sewage pump-out boat and the construction of sewage pump-out devices for marine sanitation devices and portable toilet emptying receptacles at public and private marinas and boatyards in furtherance of the provisions of P.L.1988, c.117 (C.58:10A-56 et seq.), the amount of $65,000 for the cost of providing monitoring, surveillance and enforcement activities for the Cooperative Coastal Monitoring Program, and the amount of $10,000 for the implementation of the "New Jersey Adopt a Beach Act," P.L.1992, c.213 (C.13:19-22 et seq.). Receipts deposited into the Coastal Protection Trust Fund in excess of $650,000, but not to exceed $1,000,000, will be distributed proportionately among the programs listed above in accordance with P.L.1993, c.168 (C.39:3-27.47 et seq.). Receipts deposited into the Coastal Protection Trust Fund in excess of $1,000,000 are appropriated to finance emergency shore protection projects and the cleanup of discharges into the ocean, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated to the Department of Environmental Protection, pursuant to R.S.12:5-6, all penalties, fines, recoveries of costs, and interest deposited to the "Cooperative Coastal Monitoring, Restoration and Enforcement Fund," established pursuant to subsection h. of section 18 of P.L.1973, c.185 (C.13:19-18), for the costs of coastal restoration projects, providing aircraft overflights for coastal monitoring and surveillance, and enforcement activities conducted by the department, subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

08-4855 Water Pollution Control $2,700,000
(From Property Tax Relief Fund..... $2,700,000)

Total State Aid Appropriation, Compliance and Enforcement $2,700,000
(From Property Tax Relief Fund..... $2,700,000)

State Aid:

08 County Environmental Health Act (PTRF)..... ($2,700,000)

Department of Environmental Protection, Total State Appropriation $275,587,000

In the event that revenues are received in excess of the amount of revenues anticipated from Solid Waste Utility Regulation Assessments, Water Allocation, New Jersey Pollutant Discharge Elimination System/Stormwater Permits, Coastal Area Facility Review Act, Freshwater Wetlands Fees, Stream Encroachment, Waterfront Development Fees, Wetlands, Well Permits/Well Drillers/Pump Installers Licenses, Water/Wastewater Operators Licenses, Air Pollution Fees - Minor Sources, and Pesticide Control Fees, if the amounts of such unanticipated revenues exceed $8,224,000, the amounts of such unanticipated revenues in excess of $8,224,000 and any reappropriated balances are appropriated for information technology enhancements in the Department of Environmental Protection, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for the Private Underground Storage Tank Remediation - Constitutional Dedication account, an amount not to exceed $1,000,000 shall be allocated for costs associated with the State Underground Storage Tank Inspection Program, pursuant to the amendments effective July 1, 2015, to Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance at the end of the preceding fiscal year in the Underground Storage Tank Inspection Program account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Tidelands Peak Demands accounts are payable from receipts from the sales, grants, leases, licensing, and rentals of State riparian lands. If receipts are less than anticipated, the appropriation shall be reduced proportionately. In addition, there is appropriated an amount not to exceed $3,451,000 from the same source for other administrative costs, including legal services, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, with regard to the fee-related appropriations provided hereinabove, the Commissioner of Environmental Protection shall obtain concurrence from the Director of the Division of Budget and Accounting before altering fee schedules or any other revenue-generating mechanism under the department's purview.

Notwithstanding the provisions of the "Environmental Fee Accountability Act of 1991," P.L.1991, c.426 (C.52:27B-20.1 et seq.) and P.L.1991, c.427 (C.13:1D-9.1 et seq.), all revenues from fees and fines collected by the Department of Environmental Protection, unless otherwise herein dedicated, shall be deposited into the General Fund without regard to their specific dedication.

Notwithstanding the provisions of any law or regulation to the contrary, of the federal fund amounts hereinabove appropriated for the programs included in the Performance Partnership Grant Agreement with the United States Environmental Protection Agency, the Department of Environmental Protection is authorized to reallocate the appropriations, in accordance with the grant agreement and subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.) or any law or regulation to the contrary, of the amounts appropriated for site remediation, the

Department of Environmental Protection may enter into a contract with the United States Environmental Protection Agency (EPA) to provide the State's statutory matching share for EPA-led Superfund remedial actions pursuant to the State Superfund contract.

Receipts in excess of $4,600,000 anticipated for Air Pollution Fines, Clean Water Enforcement Act, Stream Encroachment Fines, Waterfront Development Fines, Freshwater Wetlands Fines, Solid Waste Fines, and Hazardous Waste Fines, not to exceed $1,500,000, and the unexpended balance at the end of the preceding fiscal year are appropriated for the expansion of compliance, enforcement, and permitting efforts in the department, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from New Jersey Pollutant Discharge Elimination System/Stormwater Permits, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection to offset the costs of the Water Pollution Control Program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.) or any law or regulation to the contrary, of the amounts hereinabove appropriated for water resource evaluation studies and monitoring, the Department of Environmental Protection may enter into contracts with the United States Geological Survey to provide the State's match to joint funding agreements for water resource evaluation studies and monitoring analyses.

There is reappropriated to the Department of Environmental Protection an amount not to exceed $5,000,000 from the "Shore Protection Fund" established pursuant to the "Shore Protection Bond Act of 1983," P.L.1983, c.356, for the cost, as defined by that act, of State Projects, including State Projects to restore coastal protection systems and removal of sand from State waterways resulting from Superstorm Sandy, subject to the approval of the Director of the Division of Budget and Accounting.

There is hereby appropriated for the same purpose the unexpended balance of funds that were appropriated to the Department of Environmental Protection from the "1996 Dredging and Containment Facility Fund," established pursuant to section 18 of the "Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration and Delaware Bay Area Economic Development Bond Act of 1996," P.L.1996, c.70, to provide funding to the Department of Transportation for financing the cost of dredging navigation channels not located in the port region, as provided for in section 7 of P.L.1996, c.70, pursuant to a memorandum of understanding between the Department of Environmental Protection and the Department of Transportation, setting forth, among other things, a list of the channels to be dredged.

There are reappropriated to the Department of Environmental Protection unexpended balances in the "1996 Dredging and Containment Facility Fund," estab-

lished pursuant to section 18 of the "Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Development Bond Act of 1996," P.L.1996, c.70, appropriated pursuant to P.L.2000, c.171, for the cost of Projects, as defined in P.L.1996, c.70, including the removal of wet debris, resulting from Superstorm Sandy, in various State navigation channels not located in the port region, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.) or any law or regulation to the contrary, of the amounts hereinabove appropriated for environmental restoration and mitigation, the Department of Environmental Protection may enter into agreements with the United States Army Corps of Engineers to provide the State's matching share to any federally authorized restoration or mitigation projects.

Summary of Department of Environmental Protection Appropriations
(For Display Purposes Only)

Appropriations by Category:

Direct State Services	$206,142,000
Grants-in-Aid	2,130,000
State Aid	9,010,000
Capital Construction	58,305,000

Appropriations by Fund:

General Fund	$271,541,000
Property Tax Relief Fund	$4,046,000

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46 DEPARTMENT OF HEALTH
20 Physical and Mental Health
21 Health Services
DIRECT STATE SERVICES

01-4215 Vital Statistics	$1,323,000
02-4220 Family Health Services	6,023,000
03-4230 Public Health Protection Services	14,044,000
08-4280 Laboratory Services	3,880,000
12-4245 AIDS Services	1,338,000
Total Direct State Services Appropriation, Health Services	$26,608,000

Direct State Services:

Personal Services:	
Salaries and Wages	($10,342,000)
Materials and Supplies	(2,229,000)
Services Other Than Personal	(1,163,000)
Maintenance and Fixed Charges	(330,000)

Special Purpose:

02	WIC Farmers Market Program	(87,000)
02	Breast Cancer Public Awareness Campaign	(90,000)
02	Identification System for Children's Health and Disabilities	(300,000)
02	Governor's Council for Medical Research and Treatment of Autism	(500,000)
02	Public Awareness Campaign for Black Infant Mortality	(500,000)
02	Cancer Screening - Early Detection and Education Program	(3,500,000)
03	Cancer Registry	(400,000)
03	Cancer Investigation and Education	(500,000)
03	Emergency Medical Services for Children	(50,000)
03	Animal Welfare	(150,000)
03	Worker and Community Right to Know	(1,720,000)
03	New Jersey Compassionate Use Medical Marijuana Act	(857,000)
03	New Jersey State Commission on Cancer Research	(2,000,000)
03	Smoking Cessation and Prevention	(500,000)
03	New Jersey Stroke Registry and Stroke Centers Reporting System	(750,000)
08	West Nile Virus - Laboratory	(640,000)

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $500,000 from the Autism Medical Research and Treatment Fund for the operations of New Jersey's Autism Registry.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $500,000 from the Autism Medical Research and Treatment Fund for the operations of the Governor's Council for Medical Research and Treatment of Autism.

Receipts deposited into the Autism Medical Research and Treatment Fund are appropriated for the Governor's Council for Medical Research and Treatment of Autism, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of subsection c. of section 6 of P.L.1983, c.6 (C.52:9U-6), subsection c. of section 5 of P.L.2003, c.200 (C.52:9EE-5), subsection c. of section 5 of P.L.1999, c.201 (C.52:9E-5) and section 4 of P.L.1999, c.105 (C.30:6D-59) or any other law or regulation to the contrary, the amounts hereinabove appropriated to the New Jersey State Commission on Brain Injury Research, New Jersey Commission on Spinal Cord Research, and the Governor's Council for Medical Research and Treatment of Autism are subject to the following condition: an amount from each appropriation, subject to the approval of

the Director of the Division of Budget and Accounting, may be used to pay the salary and other benefits of one person who shall serve as Executive Director for all three entities, with the services of such person allocated to the three entities as shall be determined by the three entities.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the Autism Medical Research and Treatment Fund such amounts as are necessary to support the award of grants for a Special Health Needs Medical Homes pilot program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $250,000 from the Autism Medical Research and Treatment Fund for the Autism New Jersey Helpline.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the New Jersey Brain Injury Research Fund such amounts as are necessary to support the award of grants for research on the treatment of brain injuries, both traumatic and non-traumatic, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the New Jersey Spinal Cord Research Fund such amounts as are necessary to support the award of grants for research on the treatment of spinal cord injuries, both traumatic and non-traumatic, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated, notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $154,000 from the "Emergency Medical Technician Training Fund" to fund the Emergency Medical Services for Children Program.

Amounts deposited into the "New Jersey Breast Cancer Research Fund" from the gross income tax check-offs pursuant to the provisions of P.L.1995, c.26 (C.54A:9-25.7 et al.) are appropriated to the New Jersey State Commission on Cancer Research for breast cancer research projects, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances at the end of the preceding fiscal year in the Statewide Trauma Registry account are appropriated to implement a Statewide registry of hospitalization for traumatic injury, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove appropriated for the Worker and Community Right to Know account is payable from the "Worker and Community Right to Know Fund."

The unexpended balance at the end of the preceding fiscal year in the New Jersey Emergency Medical Service Helicopter Response Program account is appropriated.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the "Pilot Clinic Fund" such amounts as are necessary to pay

New Jersey State Library

the reasonable and necessary expenses of the "Animal Population Control Fund," subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the agency surcharge on vehicle rentals pursuant to section 54 of P.L.2002, c.34 (C.App.A:9-78), not to exceed $4,722,000, are appropriated for the Medical Emergency Disaster Preparedness for Bioterrorism program and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the "Emergency Medical Technician Training Fund" $125,000 for Emergency Medical Services and $180,000 for the First Response EMT Cardiac Training Program.

In the event that amounts available in the "Emergency Medical Technician Training Fund" are insufficient to support reimbursement levels of $750 for initial EMT training, while at the same time continuing to ensure funding for continuing EMT education at current levels, there are appropriated such amounts as the Director of the Division of Budget and Accounting shall determine to be necessary to maintain these increased levels for initial and continuing EMT training and education.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the "Emergency Medical Technician Training Fund" $150,000 to support the web-based certification platform for all certified NJ Emergency Medical Services Personnel.

In addition to the purposes set forth in section 2 of P.L.1993, c.227 (C.26:4-100.13), funds in the Hepatitis Inoculation Fund are appropriated and may be used for hepatitis prevention activities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, $1,000,000 from the Cancer Research Fund established pursuant to section 5 of P.L.1982, c.40 (C.54:40A-37.1) is transferred to the General Fund.

The Director of the Division of Budget and Accounting is empowered to transfer or credit appropriations to the Department of Health for diagnostic laboratory services provided to any other agency or department, provided that funds have been appropriated or allocated to such agency or department for the purpose of purchasing these services.

Receipts from fees established by the Commissioner of Health for licensing of clinical laboratories, pursuant to P.L.1975, c.166 (C.45:9-42.26 et seq.), and blood banks, pursuant to P.L.1963, c.33 (C.26:2A-2 et seq.), are appropriated.

Receipts from licenses, permits, fines, penalties, and fees collected by the Department of Health in health services, in excess of those anticipated, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

02-4220 Family Health Services..... $151,608,000

(From General Fund ..... $151,079,000)
(From Casino Revenue Fund ..... 529,000)
03-4230 Public Health Protection Services 47,881,000
12-4245 AIDS Services 21,651,000
Total Grants-in-Aid Appropriation, Health Services $221,140,000
(From General Fund ..... $220,611,000)
(From Casino Revenue Fund ..... 529,000)

Grants-in-Aid:

02 Maternal, Child and Chronic Health Services.....($36,948,000)
02 Statewide Birth Defects Registry (CRF).....(529,000)
02 Poison Control Center.....(587,000)
02 Early Childhood Intervention Program.....(103,594,000)
02 Surveillance, Epidemiology, and End Results Expansion Program - CINJ.....(2,000,000)
02 Improving Veterans Access to Health Care.....(2,500,000)
02 REED Academy-Autism Services Pilot Program.....(1,000,000)
02 Integrated Care Pilot Program for Military, Veterans and First Responders.....(500,000)
02 New Jersey Center for Tourette Syndrome and Associated Disorders, Inc. .....(400,000)
02 Princeton Healthcare System - CHOP New Jersey Transition to Adulthood Comprehensive Care Program.....(100,000)
02 Adler Aphasia Center.....(200,000)
02 Level 1 Trauma Center Security Grants.....(3,000,000)
02 ALS Association.....(250,000)
03 Implementation of Comprehensive Cancer Control Program.....(1,200,000)
03 Cancer Institute of New Jersey .....(28,000,000)
03 South Jersey Cancer Program - Camden.....(15,400,000)
03 Worker and Community Right to Know.....(281,000)
03 Cancer Institute of New Jersey - University Hospital Cancer Center Services.....(1,000,000)
03 Cancer Institute of New Jersey - Colorectal and Lung Cancer, Service Expansion.....(2,000,000)
12 AIDS Grants .....(21,651,000)

Of the amount hereinabove appropriated for Maternal, Child and Chronic Health Services, an amount may be transferred to Direct State Services in the Department of Health to cover administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the federal Medicaid (Title XIX) program for handicapped infants are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Early Childhood Intervention Program shall be conditioned on the Early Childhood Intervention Program's family cost sharing program involving a progressive charge for each hour of direct services provided to the child and/or the child's family in accordance with the child's Individualized Family Service Plan, based upon household size and gross income as set forth in the most recent published edition of the New Jersey Early Intervention System Family Cost Participation Handbook.

In addition to the amount hereinabove appropriated for the Early Childhood Intervention Program, such additional amounts as may be necessary are appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for the Early Childhood Intervention Program, there is appropriated $1,000,000 from the Autism Medical Research and Treatment Fund for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Early Childhood Intervention Program shall be conditioned on adherence to the requirements of the "Individuals with Disabilities Education Improvement Act of 2004," Pub.L. 108-446 (20 U.S.C. s.1400 et seq.), as amended, and part 303 of Title 34, Code of Federal Regulations, as set forth in the State Plan filed by the Early Childhood Intervention Program with the U.S. Department of Education, Office of Special Education Programs.

Of the amount hereinabove appropriated for the Surveillance, Epidemiology, and End Results Expansion Program-CINJ account, an amount may be transferred to Direct State Services in the Department of Health to cover administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Improving Veterans Access to Health Care shall be used to support the costs of continued operations by the Vets4Warriors Program and any remaining amounts may be allocated by the Commissioner of Health on a competitive basis to fund initiatives to improve veterans access to health care.

Upon a determination by the Commissioner of Health, made in consultation with the State Treasurer, that additional State funding is necessary to reimburse centers for services to uninsured clients, the Director of the Division of Budget and Accounting shall authorize the appropriation of such sums as the commissioner determines are necessary for grants to federally qualified health centers.

Notwithstanding the provisions of section 9 of P.L.2003, c.200 (C.52:9EE-9), there is appropriated from the New Jersey Brain Injury Research Fund the amount of $140,000 which shall be transferred to the Department of Human Services and allocated to the Brain Injury Alliance of New Jersey for specialized community based services.

There is appropriated $570,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Fetal Alcohol Syndrome Program.

From the amount hereinabove appropriated for the Cancer Institute of New Jersey, $250,000 is appropriated to the Ovarian Cancer Research Fund.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Cancer Institute of New Jersey (CINJ) shall be conditioned upon the following provision: no funds shall be expended except to support CINJ's infrastructure necessary to support cancer research, prevention, and treatment.

The unexpended balance at the end of the preceding fiscal year in the South Jersey Cancer Program - Camden account are appropriated to the program for cancer-related capital equipment, design, engineering, and construction expenses.

There are appropriated from the New Jersey Emergency Medical Service Helicopter Response Program Fund, established pursuant to section 2 of P.L.1992, c.87 (C.26:2K-36.1), such amounts as are necessary to pay the reasonable and necessary expenses of the operation of the New Jersey Emergency Medical Service Helicopter Response Program, established pursuant to P.L.1986, c.106 (C.26:2K-35 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

No funds hereinabove appropriated to the Department of Health shall be used for the Medical Waste Management Program. The Department of Health and the Department of Environmental Protection shall establish a transition plan to ensure provisions of the "Comprehensive Regulated Medical Waste Management Act," P.L.1989, c.34 (C.13:1E-48.1 et al.) are met.

In order to permit flexibility in the handling of appropriations, amounts may be transferred to and from the various items of appropriation within the AIDS Services program classification in the Department of Health, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Of the amount hereinabove appropriated for AIDS Grants, savings realized from reduced transportation costs may be transferred to the AIDS Drug Distribution Program account, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize prescription drug coverage under the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," the amounts hereinabove appropriated for the AIDS Drug Distribution Program (ADDP) shall not be spent unless the ADDP is designated as the authorized representative for the purposes of coordinating benefits with the Medicare Part D program, including enrollment and appeals of coverage determinations. ADDP is authorized to represent program beneficiaries in the pursuit of such coverage. ADDP representation shall not result in any additional financial liability on behalf of such program beneficiaries and shall in-

clude, but need not be limited to, the following actions: application for the premium and cost-sharing subsidies on behalf of eligible program beneficiaries; pursuit of appeals, grievances, or coverage determinations; and facilitated enrollment in a prescription drug plan or Medicare Advantage Prescription Drug plan. If any beneficiary declines enrollment in any Medicare Part D plan, that beneficiary shall be barred from all benefits of the ADDP Program.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated to the AIDS Drug Distribution Program (ADDP) is conditioned upon the Department of Health coordinating the benefits of ADDP with the prescription drug benefits of the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" as the primary payer. The ADDP benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs, as determined by the Commissioner of Health, associated with enrollment in Medicare Part D for ADDP beneficiaries, and for Medicare Part D premium costs for ADDP beneficiaries.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the AIDS Drug Distribution Program (ADDP) account shall be available as payment as an ADDP benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under the Medicare Part D program established pursuant to the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003."

Commencing with the start of the fiscal year, and consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), no funds hereinabove appropriated from the AIDS Drug Distribution Program (ADDP) account shall be expended for any individual enrolled in the ADDP program unless the individual provides all data necessary to enroll the individual in the Medicare Part D program established pursuant to the MMA, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.

Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the AIDS Drug Distribution Program shall be expended for drugs used for the treatment of erectile dysfunction, or cosmetic drugs, including but not limited to drugs used for baldness and weight loss.

The Commissioner of Health shall, pursuant to applications, award funding for a pilot program for integrated health care for military, veterans, and first responders, to up to one health system or general hospital in the northern part of the State and up to one health system or general hospital in the southern part of the State.

Of the amounts hereinabove appropriated for Level 1 Trauma Center Security Grants, there shall be allocated to each level 1 trauma center located in Newark, New Brunswick, and Camden an amount of $1,000,000 to maintain continuous operations and to enable these centers to strengthen existing security capabilities.

Of the amount hereinabove appropriated for the ALS Association to provide support services to New Jersey residents, 50 percent shall be allocated to the Greater Philadelphia Chapter of the ALS Association to serve residents in southern New Jersey and 50 percent shall be allocated to the Greater New York Chapter of the ALS Association to serve residents in central and northern New Jersey.

The amount hereinabove appropriated for Cancer Institute of New Jersey - University Hospital Cancer Center Services is allocated to the Cancer Institute of New Jersey for the expansion of National Cancer Institute-designated Cancer Center services at University Hospital in Newark to attract clinical trials and advanced cancer care and prevention strategies to the Greater Newark Area with the goal of ensuring parity among cancer patients, including the underserved and underinsured populations.

STATE AID

Notwithstanding the provisions of any law or regulation to the contrary, none of the monies appropriated to the Department of Health are appropriated to public health priority programs under P.L.1966, c.36 (C.26:2F-1 et seq.) as amended.

22 Health Planning and Evaluation

DIRECT STATE SERVICES

06-4260 Health Care Facility Regulation and Oversight	$4,598,000
07-4270 Health Care Systems Analysis	1,456,000
Total Direct State Services Appropriation, Health Planning and Evaluation	$6,054,000

Direct State Services:

Personal Services:	
Salaries and Wages	($3,948,000)
Materials and Supplies	(73,000)
Services Other Than Personal	(441,000)
Maintenance and Fixed Charges	(176,000)
Special Purpose:	
06 Nursing Home Background Checks/Nursing Aide Certification Program	(979,000)
06 Implement Patient Safety Act	(400,000)
Additions, Improvements and Equipment	(37,000)

There are appropriated such sums as are required to the "Health Care Facilities Improvement Fund" to provide available resources in an emergency situation at a health care facility, as defined by the Commissioner of Health, or for closure of a health care facility, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from fees charged for processing Certificate of Need applications and the unexpended balances at the end of the preceding fiscal year of such receipts are appropriated for the cost of this program, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

07-4270 Health Care Systems Analysis $328,292,000
Total Grants-in-Aid Appropriation, Health Planning and Evaluation $328,292,000

Grants-in-Aid:

07 Health Care Subsidy Fund Payments ..... ($27,155,000)
07 Hospital Asset Transformation Program ..... (15,492,000)
07 Hospital Delivery System Reform Incentive Payments - DSRIP ..... (62,645,000)
07 Holy Name Hospital, Teaneck-Palliative Care Pilot Program ..... (5,000,000)
07 Graduate Medical Education ..... (218,000,000)

Notwithstanding the provisions of any law or regulation to the contrary, any revenues collected from the tax on cosmetic medical procedures pursuant to P.L.2004, c.53 (C.54:32E-1) shall be deposited into the Health Care Subsidy Fund established pursuant to section 8 of P.L.1992, c.160 (C.26:2H-18.58) for the support of payments to federally qualified health centers.

Notwithstanding the provisions of any law or regulation to the contrary, as a condition of the receipt of any monies hereunder by an acute care hospital that is requesting an advance of charity care/NJ FamilyCare or payments from the "Health Care Facilities Improvement Fund" or any payments over and above this act, the hospital shall comply with a request by the Commissioner of Health for a review of its finances and operations to ensure that access to health care is maintained and public funds are utilized for their intended purposes. The cost of such review shall be borne by the acute care hospital and shall comply with any financial and operational performance requirements imposed by the commissioner as deemed necessary as a result of the review.

Notwithstanding the provisions of section 3 of P.L.2004, c.113 (C.26:2H-18.59i) or any law or regulation to the contrary, the appropriation for Health Care Subsidy Fund Payments is subject to the following conditions: the distribution of Charity Care funding shall be calculated in the following manner: (a) source data for the most recent census data shall be from the 2014 5-Year American Community Survey; (b) source data used shall be from calendar year (CY) 2015 for documented charity care claims data and hospital-specific gross revenue for charity care patients and shall include all adjustments and void claims related to CY 2015 and any prior year submitted claims, as submitted by each acute care hospital or determined by the Department of Health (DOH); (c) source data used for CY 2015 documented charity care for each hospital's total gross revenue for all patients shall be from the CY 2015 Acute Care Hospital Cost Report as defined by Form E4, Line 1, Column E data and shall be according to the DOH advance submission request dated February 29, 2016, as submitted by each acute care hospital and source data used for Medicare Cost Report data shall be from CY 2014; (d) in the event that an eligible hospital failed to submit by March 30,

2016, its total gross revenue for all patients from the CY 2015 Acute Care Hospital Cost Report as defined by Form E4, Line 1, Column E data according to the DOH advance submission request dated February 29, 2016, source data from CY 2014 shall be used for hospital-specific gross revenue for charity care patients and for hospital total gross revenue for all patients as defined by Form E4, Line 1, Column E; (e) for each eligible hospital, except those designated 96% by their hospital-specific reimbursed documented charity care, a proportionate decrease shall be applied to its calculated subsidy based on its percentage of total subsidy such that the total calculated subsidy for all hospitals shall equal $252,000,000; and (f) the resulting value will constitute each eligible hospital's SFY 2018 charity care subsidy allocation.

Notwithstanding the provisions of any law or regulation to the contrary, any funds remaining as the result of a closure of a hospital eligible to receive Disproportionate Share Hospital (DSH) funds shall be redistributed at the discretion of the Commissioner of Health. Factors the commissioner will consider shall include, but not be limited to, maintenance of continued timely access to essential health services for persons eligible to participate in Charity Care, and continued operation in the same or adjoining municipality as the closed hospital of an acute care hospital, eligible to receive DSH funds, and serving substantially the same eligible population. Notice of such redistribution shall be provided to the Joint Budget Oversight Committee within five business days of each redistribution.

The amounts hereinabove appropriated for Health Care Subsidy Fund Payments are conditioned upon the following provision: the Department of Health shall review, examine and/or audit any and all financial information maintained by an acute care hospital to ensure appropriate use of public funds.

The amounts hereinabove appropriated for Charity Care or other funding to a health care facility are conditioned upon the following requirement: such health care facility shall participate in planning meetings supervised by the Department of Health for the planning of the provision of hospital, medical, or health programs and services, and shall, to the extent permitted by State and federal law, share patient-level data as needed to facilitate such purposes.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated from the Health Care Subsidy Fund for Charity Care payments are subject to the following condition: In a manner determined by the Commissioner of Health and subject to the approval of the Director of the Division of Budget and Accounting, eligible hospitals shall receive (1) their charity care subsidy payments beginning in July 2017, and (2) their January 2018 payments in December 2017.

There are appropriated such additional sums as are required to pay all amounts due from the State pursuant to any contract entered into between the State Treasurer and the New Jersey Health Care Facilities Financing Authority pursuant to section 6 of P.L.2000, c.98 (C.26:2I-7.1) in connection with the Hospital Asset Transformation Program.

Notwithstanding the provisions of any law or regulation to the contrary, in the event that the State's waiver extension for the Hospital Delivery System Reform Incentive Payments (DSRIP) program does not receive federal approval, the amounts hereinabove appropriated for that purpose may be transferred to either Charity Care or Graduate Medical Education, or both, to ensure payments to hospitals continue to include federal matching funds; provided, however, that any such reallocation of DSRIP funds shall be subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the Hospital Delivery System Reform Incentive Payments (DSRIP) program of $166,600,000 are subject to the following condition: a hospital's payment shall be calculated and distributed as set forth in the final approved version of New Jersey's Hospital Delivery System Reform Incentive Payments (DSRIP) funding and mechanics protocol approved on March 27, 2014, as amended, by the Centers for Medicare and Medicaid Services (CMS), in connection with the New Jersey Comprehensive Medicaid 1115 Waiver, consistent with the Special Terms and Conditions of the approved Waiver, including but not limited to Section XIII, paragraphs 91 through 97 thereof as may be amended by CMS.

The amount hereinabove appropriated for the Hospital Delivery System Reform Incentive Payments program is subject to the following condition: the Department of Health shall promptly file with the Presiding Officers of the Legislature copies of any reports or other determinations regarding DSRIP eligibility or plan performance, including but not limited to whether or not a hospital has satisfied any eligibility benchmarks required for receipt of DSRIP funding, which are made by the State or received from the Centers for Medicare and Medicaid Services (CMS).

Notwithstanding the provisions of any law or regulation to the contrary, and except as otherwise provided and subject to such modifications as may be required by the Centers for Medicare and Medicaid Services in order to achieve any required federal approval and full Federal Financial Participation, the amounts hereinabove appropriated for Graduate Medical Education (GME) are conditioned upon the following: the subsidy payment shall be split into a Direct Medical Education (DME) allocation, which is calculated by multiplying the total subsidy amount by the ratio of 2015 total median Medicaid managed care DME costs-to-total 2015 median Medicaid managed care GME costs; and an Indirect Medical Education (IME) allocation, which is calculated by multiplying the total subsidy amount by the ratio of 2015 total Medicaid managed care IME costs-to-total 2015 Medicaid managed care GME costs. Each hospital's percentage of total 2015 Medicaid managed care DME costs shall be multiplied by the DME allocation to calculate its DME payment. Each hospital's percentage of total 2015 Medicaid managed care IME costs shall be multiplied by the IME allocation to calculate its IME payment. The sum of a hospital's DME and IME payments equal its subsidy payment. The total amount of these payments shall not exceed

$218,000,000 and shall be paid in 12 monthly payments. In the event that a hospital reported less than 12 months of 2015 Medicaid costs, the number of reported months of data regarding days, costs, or payments shall be annualized. In the event the hospital completed a merger, acquisition, or business combination resulting in two cost reports filed during the calendar year, the two cost reports will be combined into one cost report for the calendar year. In the event that a hospital did not report its Medicaid managed care days on the cost report utilized in this calculation, the Department of Health (DOH) shall ascertain Medicaid managed care encounter days for Medicaid and NJ FamilyCare clients as reported by insurers to the State for the following reporting period: services dates between January 1, 2015 and December 31, 2015; payment dates between January 1, 2015 and December 31, 2016; and a run-date not later than January 31, 2017. Medicaid managed care DME cost is defined as the approved intern and residency program costs using the 2015 Medicaid cost report total residency costs, reported on Worksheet B Pt I Column 21 line 21 plus Worksheet B Pt I Column 22 Line 22 divided by 2015 resident full time equivalent employees (FTE), reported on Worksheet S-3 Pt 1 Column 9 line 14 to develop an average cost per FTE for each hospital used to calculate the overall median cost per FTE. The median cost per FTE is multiplied by the 2015 resident FTEs reported on Worksheet S-3 Pt 1 Column 9 line 14 to develop approved total residency program costs. The approved residency costs are multiplied by the quotient of Medicaid managed care days, reported on Worksheet S-3 Column 7 line 2, divided by the quantity of total days, on Worksheet S-3 Column 8 line 14, less nursery days, on Worksheet S-3 Column 8 line 13. Medicaid managed care IME cost is defined as the Medicare IME factor multiplied by Medicaid managed care encounter payments for Medicaid and NJ FamilyCare clients as reported by insurers to the State for the following reporting period: services dates between January 1, 2015 and December 31, 2015; payment dates between January 1, 2015 and December 31, 2016; and a run-date of not later than January 31, 2017. The IME factor is calculated using the Medicare IME formula as follows: $1.35 * [(1 + x)^{0.405} - 1]$, in which "x" is the quotient of submitted IME resident full-time equivalencies reported on Worksheet S-3 Pt 1 Column 9 line 14 divided by the quantity of total available beds less nursery beds reported on Worksheet S-3 Column 2 line 14. In the event that a hospital believes that there are mathematical errors in the calculations, or data not matching the actual source documents used to calculate the subsidy as defined above, hospitals shall be permitted to file calculation appeals within 15 working days of receipt of the subsidy allocation letter. If upon review it is determined by the DOH that the error has occurred and would constitute at least a five percent change in the hospital's allocation amount, a revised industry-wide allocation shall be issued. Each hospital receiving a GME allocation shall, on or before October 31, provide a report to the Commissioner of Health indicating the total number of physicians who completed their training during the preceding calendar year, and the number of those physicians who plan to practice medicine within the State of New Jersey.

In addition to the amount hereinabove appropriated for Health Care Systems Analysis, an amount not to exceed $1,000,000 is appropriated from amounts assessed and collected by the Department of Banking and Insurance pursuant to section 9 of P.L.2007, c.330 (C.17:1D-2), for the purpose of funding costs associated with the development and maintenance of the New Jersey Health Information Network, subject to a plan prepared by the Department of Health and approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Graduate Medical Education (GME) is subject to the following condition: participating hospitals shall provide to residents and fellows participating in the GME program instruction concerning prevention of opioid addiction as well as diagnosis, assessment, and treatment strategies: provided, however, that such instruction may also be provided to other students and providers including, but not limited to, physicians, nurses, pharmacists, and social workers, working within the hospital or in the outpatient setting. To satisfy this condition, participating hospitals may develop an internal training program, enter into a partnership with a school or university, or provide financial support for residents and fellows to participate in independent educational programs or conferences that provide continuing medical education credits that are specifically focused in the subject area of addiction. To document compliance, participating hospitals shall complete a report to the Department of Health no later than May 31, 2018.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Health Care Subsidy Fund Payments, there are appropriated such amounts as are required to the Health Care Subsidy Fund, subject to the approval of the Director of the Division of Budget and Accounting, to provide supplemental Charity Care, upon a determination by the State Treasurer after conferring with the Commissioner of Human Services and the Commissioner of Health that fiscal year 2018 documented charity care is increased or likely to be increased as a result of enactment of any federal law or regulation modifying eligibility criteria for enrollment of individuals in the Medicaid program pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) or the NJ FamilyCare program pursuant to P.L.2005, c.156 (C.30:4J-8 et al.). The distribution of supplemental Charity Care shall be determined by the Commissioner of Health.

25 Health Administration

DIRECT STATE SERVICES

99-4210 Administration and Support Services	$4,460,000
Total Direct State Services Appropriation, Health Administration	$4,460,000

Direct State Services:

Personal Services:	
Salaries and Wages	($2,685,000)
Materials and Supplies	(49,000)

Services Other Than Personal.....(226,000)
Special Purpose:
Office of Minority and Multicultural Health.....(1,500,000)

Department of Health, Total State Appropriation..... $586,554,000

Notwithstanding the provisions of P.L.2005, c.237 or any other law or regulation to the contrary, $30,000,000 from the surcharge on each general hospital and each specialty heart hospital is appropriated to fund federally qualified health centers. Any unexpended balance at the end of the preceding fiscal year in the Health Care Subsidy Fund received through the hospital and other health care initiatives account during the preceding fiscal year is appropriated for payments to federally qualified health centers.

Receipts from licenses, permits, fines, penalties, and fees collected by the Department of Health, in excess of those anticipated, are appropriated, subject to a plan prepared by the department and approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 7 of P.L.1992, c.160 (C.26:2H-18.57) or any law or regulation to the contrary, the first $1,200,000 in per adjusted admission charge assessment revenues, attributable to $10 per adjusted admission charge assessments made by the Department of Health, shall be anticipated as revenue in the General Fund available for health-related purposes. Furthermore, the remaining revenue attributable to this fee shall be available to carry out the provisions of section 7 of P.L.1992, c.160 (C.26:2H-18.57), as determined by the Commissioner of Health, and subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the State Treasurer shall transfer to the Health Care Subsidy Fund, established pursuant to section 8 of P.L.1992, c.160 (C.26:2H-18.58), only those additional revenues generated from third party liability recoveries, excluding NJ FamilyCare, by the State arising from a review by the Director of the Division of Budget and Accounting of hospital payments reimbursed from the Health Care Subsidy Fund with service dates that are after the date of enactment of P.L.1996, c.29.

Any change in program eligibility criteria and increases in the types of services or rates paid for services to or on behalf of clients for all programs under the purview of the Department of Health, not mandated by federal law, first shall be approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, fees, fines, penalties and assessments owed to the Department of Health shall be offset against payments due and owing from other appropriated funds.

In addition to the amount hereinabove appropriated, receipts from the federal Medicaid (Title XIX) program for health services-related programs throughout the Department of Health are appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Summary of Department of Health Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $37,122,000
Grants-in-Aid 549,432,000
Appropriations by Fund:
General Fund $586,025,000
Casino Revenue Fund 529,000

54 DEPARTMENT OF HUMAN SERVICES
20 Physical and Mental Health
23 Mental Health and Addiction Services
DIRECT STATE SERVICES

10-7710 Patient Care and Health Services $246,914,000
99-7710 Administration and Support Services 60,334,000
Total Direct State Services Appropriation, Mental Health and Addiction Services $307,248,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($274,786,000)
Materials and Supplies ..... (15,430,000)
Services Other Than Personal ..... (10,284,000)
Maintenance and Fixed Charges ..... (4,677,000)
Special Purpose:
10 Interim Assistance ..... (809,000)
Additions, Improvements and Equipment ..... (1,262,000)

The amount hereinabove appropriated for the Division of Mental Health and Addiction Services for State facility operations and the amount appropriated as State Aid for the costs of county facility operations are first charged to the federal disproportionate share hospital (DSH) reimbursements anticipated as Medicaid uncompensated care. As such, DSH revenues earned by the State related to services provided by county psychiatric hospitals which are supported through this State Aid appropriation, shall be considered as the first source supporting the State Aid appropriation.

Receipts recovered from advances made under the Interim Assistance program in the mental health institutions are appropriated for the same purpose.

The unexpended balances at the end of the preceding fiscal year in the Interim Assistance program accounts in the mental health institutions are appropriated for the same purpose.

7700 Division of Mental Health and Addiction Services

DIRECT STATE SERVICES

99-7700 Administration and Support Services $14,306,000
Total Direct State Services Appropriation, Division of Mental Health and Addiction Services $14,306,000

Direct State Services:

Personal Services:
Salaries and Wages .....($11,838,000)
Materials and Supplies.....(91,000)
Services Other Than Personal.....(1,875,000)
Maintenance and Fixed Charges.....(186,000)
Additions, Improvements and Equipment .....(316,000)

There are appropriated from the Alcohol Education, Rehabilitation and Enforcement Fund such amounts as may be necessary to carry out the provisions of P.L.1983, c.531 (C.26:2B-32 et seq.).

There is appropriated from the "Drug Enforcement and Demand Reduction Fund" $350,000 to carry out the provisions of P.L.1995, c.318 (C.26:2B-36 et seq.) to establish an "Alcohol and Drug Abuse Program for the Deaf, Hard of Hearing and Disabled" in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

08-7700 Community Services $526,414,000
09-7700 Addiction Services 37,813,000
Subtotal Grants-in-Aid Appropriation, Division of Mental Health and Addiction Services $564,227,000

Less:

Enhanced Federal Match and Third-Party Recoveries..... $116,037,000

Total Grants-in-Aid Appropriation, Division of Mental Health and Addiction Services $448,190,000

Grants-in-Aid:

08 Community Care.....($372,448,000)
08 Univ. Behavioral Healthcare Centers - Newark (Rutgers, the State University).....(6,165,000)
08 Univ. Behavioral Healthcare Centers - Piscataway (Rutgers, the State University) .....(11,780,000)
08 Behavioral Health Rate Increase.....(136,021,000)
09 Substance Use Disorder Treatment for DCP&P/Work-First Mothers.....(1,421,000)
09 Community Based Substance Use Disorder Treatment and Prevention - State Share.....(27,682,000)

09 Medication Assisted Treatment Initiative ..... (7,167,000)
09 Compulsive Gambling ..... (650,000)
09 Mutual Agreement Parolee Rehabilitation Project for Substance Use Disorders ..... (893,000)

Less:

Enhanced Federal Match and Third - Party Recoveries..... 116,037,000

An amount not to exceed $2,490,000 may be transferred from the Community Care account to the Health Care Subsidy Fund Payments account in the Department of Health, to increase the Mental Health Subsidy Fund portion of this account in order to maintain an amount not to exceed the fiscal 2008 per bed allocation for Short-Term Care Facility (STCF) beds, for new STCF beds which opened after January 1, 2008, subject to the approval of the Director of the Division of Budget and Accounting.

In order to permit flexibility in the handling of appropriations and assure timely payment to service providers, funds may be transferred within the Grants-In-Aid accounts within the Division of Mental Health and Addiction Services, in a cumulative amount not to exceed $4,000,000, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Substance Use Disorder Treatment for DCP&P/Work-First Mothers, Community Based Substance Use Disorder Treatment and Prevention - State Share, Medication Assisted Treatment Initiative, and Mutual Agreement Parolee Rehabilitation Project for Substance Use Disorders are subject to the following condition: all providers of addiction services under these programs shall be required, not later than January 1, 2015, to enroll as NJ FamilyCare providers and to bill the State NJ FamilyCare program for all appropriate services provided to eligible beneficiaries who are covered under the Medicaid State Plan.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, the amounts hereinabove appropriated may be transferred from the Substance Use Disorder Treatment for DCP&P/Work-First Mothers, Community Based Substance Use Disorder Treatment and Prevention - State Share, Medication Assisted Treatment Initiative, and Mutual Agreement Parolee Rehabilitation Project for Substance Use Disorders accounts in the Division of Mental Health and Addiction Services to the various items of appropriation within the General Medical Services program classification in the Division of Medical Assistance and Health Services, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

The unexpended balance at the end of the preceding fiscal year of appropriations made to the Department of Human Services by section 20 of P.L.1989, c.51 for State-licensed or approved drug use disorder prevention and treatment programs is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $1,000,000 to the Department of Human Services from the "Drug Enforcement and Demand Reduction Fund" for drug use disorder services.

In addition to the amount hereinabove appropriated for Community Based Substance Use Disorder Treatment and Prevention - State Share, there is appropriated $1,500,000 from the "Drug Enforcement and Demand Reduction Fund" for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $500,000 to the Department of Human Services from the "Drug Enforcement and Demand Reduction Fund" for the Sub-Acute Residential Detoxification Program.

Notwithstanding the provisions of any other law or regulation to the contrary, monies in the "Alcohol Treatment Programs Fund" established pursuant to section 2 of P.L.2001, c.48 (C.26:2B-9.2), and the amounts hereinabove appropriated for Community Based Substance Use Disorder Treatment and Prevention - State Share, are hereby appropriated, subject to the approval of the Director of the Division of Budget and Accounting, for the purpose of engaging the Division of Property Management and Construction (DPMC) to retain architects and consultants as deemed necessary by DPMC to review the proposed plans for capital construction projects for facilities providing addiction treatment services submitted by providers of addiction treatment services to the Division of Mental Health and Addiction Services to enable DPMC to determine the best facility layout at the lowest possible cost, to monitor the capital projects during design and construction, to provide assistance to the grantee with respect to the undertaking of the capital projects, and to advise the Assistant Commissioner or designee of the Department of Human Services as may be required.

Of the amounts hereinabove appropriated for Community Based Substance Use Disorder Treatment and Prevention - State Share, an amount not to exceed $7,902,000 may be transferred to the Division of Children's System of Care in the Department of Children and Families to support substance use disorder treatment programs as specified in the Memorandum of Agreement between the Department of Human Services and the Department of Children and Families, subject to the approval of the Director of the Division of Budget and Accounting.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of mental health and substance use disorder services, amounts may be transferred to and from the various items of appropriation within the General Medical Services program classification in the Division of Medical Assistance and Health Services and the Community Services and Addiction Services program classifications in the Division of Mental Health and

Addiction Services, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Compulsive Gambling, an amount not to exceed $200,000 is appropriated from the annual assessment against permit holders to the Department of Human Services for prevention, education, and treatment programs for compulsive gambling pursuant to the provisions of section 34 of P.L.2001, c.199 (C.5:5-159), subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Compulsive Gambling, an amount equal to one-half of forfeited winnings collected by the Division of Gaming Enforcement, not to exceed $50,000 annually, shall be deposited into the State General Fund for appropriation to the Department of Human Services to provide funds for compulsive gambling treatment and prevention programs, pursuant to section 2 of P.L.2001, c.39 (C.5:12-71.3), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1998, c.149 or any law or regulation to the contrary, $400,000 is appropriated from the Body Armor Replacement Fund to the Division of Mental Health and Addiction Services for the purposes of the "Law Enforcement Officer Crisis Intervention Services" Hotline and the reporting and operations of the Cop 2 Cop program.

Notwithstanding the provisions of any law or regulation to the contrary, monies in the "Alcohol Treatment Programs Fund" established pursuant to section 2 of P.L.2001, c.48 (C.26:2B-9.2), not to exceed $12,500,000, are appropriated, as determined by the Assistant Commissioner or designee of the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting, for grants to providers of addiction services for capital construction projects selected and approved by the Assistant Commissioner of the Division of Mental Health and Addiction Services provided that: (1) such grants are made only after the Division of Property Management and Construction (DPMC) has reviewed and approved the proposed capital projects for validity of estimated costs and scope of the project; (2) the capital projects selected by the Assistant Commissioner of the Division of Mental Health and Addiction Services shall be based upon the need to retain existing capacity, complete the construction of previously funded projects which are currently under contract and necessary for the delivery of addiction services, or to relocate existing facilities to new sites; (3) the capital projects may consist of new construction and/or renovation to maintain and increase capacity at existing sites or at new sites; (4) the grant agreement entered into between the Assistant Commissioner of the Division of Mental Health and Addiction Services and the Grantee, or the governmental entity, as the case may be, described below, shall follow all applicable grant procedures which shall include, in addition to all other provisions, requirements for oversight by DPMC; (5) receipt of grant monies pursuant to this appropriation shall not obligate or require the Division of Mental Health and

Addiction Services to provide any additional funding to the provider of addiction services to operate their existing facilities or the facility being funded through the construction grant; and (6) instead of the grant being made to the eligible provider for the approved capital project, the grant may be made to a governmental entity to undertake the approved capital project on behalf of the provider of addiction services.

There is appropriated $1,000,000 from the "Drug Enforcement and Demand Reduction Fund" to the Department of Human Services for a grant to Partnership for a Drug-Free New Jersey.

There is appropriated $420,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Local Alcoholism Authorities-Expansion program.

Notwithstanding the provisions of P.L.1983, c.531 (C.26:2B-32 et seq.) or any law or regulation to the contrary, the unexpended balance at the end of the preceding fiscal year in the Alcohol Education, Rehabilitation and Enforcement Fund is appropriated and shall be distributed to counties for the treatment of alcohol and drug use disorders and for education purposes, subject to the approval of the Director of the Division of Budget and Accounting.

In order to permit flexibility in the handling of appropriations and assure timely payment to service providers during the conversion to a fee-for-service reimbursement structure, funds may be transferred from the Community Care account to the Division of Children's System of Care in the Department of Children and Families to support mental health treatment programs for children, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, $1,300,000 from the "Alcohol Treatment Programs Fund," established pursuant to section 2 of P.L.2001, c.48 (C.26:2B-9.2), is appropriated to the Division of Mental Health and Addiction Services for the Opioid Overdose Recovery Program, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Community Based Substance Use Disorder Treatment and Prevention - State Share, an amount not to exceed $500,000 is appropriated to support a pilot Medication Assisted Treatment program to serve individuals reintegrating into society, subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

08-7700 Community Services $105,214,000
(From Property Tax Relief Fund..... $105,214,000)
Total State Aid Appropriation, Division of Mental Health and Addiction Services..... $105,214,000
(From Property Tax Relief Fund ..... $105,214,000)

State Aid:

08 Support of Patients in County Psychiatric Hospitals (PTRF).....($105,214,000)

The unexpended balance at the end of the preceding fiscal year in the Support of Patients in County Psychiatric Hospitals account is appropriated for the same purpose.

Notwithstanding the provisions of R.S.30:4-78, or any law or regulation to the contrary, the State share of payments from the Support of Patients in County Psychiatric Hospitals account to the several county psychiatric facilities on behalf of the reasonable cost of maintenance of patients deemed to be county indigents shall be at the rate of 125% of the rate established by the Commissioner of Human Services for the period July 1 to December 31 and at the rate of 45% of the rate established by the Commissioner of Human Services for the period January 1 to June 30 such that the total amount to be paid by the State on behalf of county indigent patients for the calendar year shall not exceed 85% of the total reasonable per capita cost; and further provided that the rate at which the State will reimburse the county psychiatric hospitals shall not exceed 100% of the per capita rate at which each county pays to the State for the reasonable cost of maintenance and clothing of each patient residing in a State psychiatric facility, excluding the depreciation, interest and carry-forward adjustment components of this rate, and including the depreciation, interest, and carry-forward adjustment components of each individual county psychiatric hospital's rate established for the period January 1 to December 31 by the Commissioner of Human Services. The initial determination of whether a county hospital rate exceeds the per capita rate that counties pay to the State on behalf of applicable patients residing in a State psychiatric facility will be based on a comparison of estimated cost used to set reimbursement rates for the upcoming calendar year. A second comparison of the actual per diem costs of the county psychiatric hospital and State psychiatric hospitals will be completed after actual cost reports for the period are available including an inflationary adjustment for the six-month difference in fiscal reporting periods between State and county hospitals. The county hospital carry-forward adjustment to be included in rates paid by the State will exclude costs found to exceed 100% of the actual cost rate of the State psychiatric facilities.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals is conditioned upon the following provision: payments to county psychiatric hospitals will only be made after receipt of their claims by the Division of Mental Health and Addiction Services. County psychiatric hospitals shall submit such claims no less frequently than quarterly and within 15 days of the close of each quarter.

With the exception of all past, present, and future revenues representing federal financial participation received by the State from the United States that is based on payments to hospitals that serve a disproportionate share of low-income patients, which shall be retained by the State, the sharing of revenues received to defray the State Aid appropriation for the costs of maintaining patients in State

and county psychiatric hospitals shall be based on the same percent as costs are shared between the State and counties.

The amount hereinabove appropriated for State Aid reimbursement payments for maintenance of patients in county psychiatric facilities shall be limited to inpatient services only, except that such reimbursement shall be paid to a county for outpatient and partial hospitalization services as defined by the Department of Human Services, if outpatient and/or partial hospitalization services had been previously provided at the county psychiatric facility prior to January 1, 1998. These outpatient and partial hospitalization payments shall not exceed the amount of State Aid funds paid to reimburse outpatient and partial hospitalization services provided during calendar year 1997. In addition, any revision or expansion to the number of inpatient beds or inpatient services provided at such hospitals which will have a material impact on the amount of State Aid payments made for such services, must first be approved by the Department of Human Services before such change is implemented.

The amount hereinabove appropriated for the Division of Mental Health and Addiction Services for State facility operations and the amount appropriated as State Aid for the costs of county facility operations are first charged to the federal Disproportionate Share Hospital (DSH) reimbursements anticipated as Medicaid uncompensated care. Accordingly, DSH revenues earned by the State related to services provided by county psychiatric hospitals which are supported through this State Aid appropriation shall be considered as the first source supporting the State Aid appropriation.

In addition to the amounts hereinabove appropriated for the Support of Patients in County Psychiatric Hospitals, in the event that the Assistant Commissioner of the Division of Mental Health and Addiction Services determines that, in order to provide the least restrictive setting appropriate, a patient should be admitted to a county psychiatric hospital in a county other than the one in which the patient is domiciled rather than to a State psychiatric hospital, there are hereby appropriated such additional amounts as may be required, as determined by the Assistant Commissioner to reimburse a county for the extra costs, if any, which were incurred in connection with the care of such patient in a county psychiatric hospital which exceeded the cost of care which would have been incurred had the patient been placed in a State psychiatric hospital, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals is conditioned upon the following provisions: County psychiatric hospitals shall: (1) enroll and continue to maintain enrollment as providers in the State's NJ FamilyCare program; (2) complete or pursue in good faith the completion of eligibility applications for patients who could be NJ FamilyCare eligible; (3) bill the NJ FamilyCare program for all applicable services; and (4) neither admit nor discharge patients based upon NJ FamilyCare eligibility.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals

is conditioned upon the county psychiatric hospitals providing and certifying all information that is required by the State, in the form specified by the Division of Mental Health and Addiction Services, to prepare a complete, accurate, and timely claim to federal authorities for Medicaid Disproportionate Share Hospital (DSH) claim revenues.

Notwithstanding the provisions of R.S.30:4-78, or any other law or regulation to the contrary, the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals is conditioned upon the following provisions: for rates effective January 1, 2013, and any prior year rate adjustments that may be required beginning January 1, 2013, the approval of the State House Commission shall not be required for the setting of such rates and the Commissioner of Human Services shall set the per capita cost rates to be paid by the State to the several counties on behalf of the reasonable cost of maintenance of State and county patients in any county psychiatric facility, including outpatient psychiatric services, the per capita rates which each county shall pay to the Treasurer for the reasonable cost of maintenance and clothing of each patient residing in a State psychiatric facility having a legal settlement in such county ("County Patients"), the rates to be paid for the reasonable cost of maintenance and clothing of the convict and criminal mentally ill in any State psychiatric facility and the cost of maintenance of County Patients residing in State developmental centers or receiving other residential functional services for the developmentally disabled. Such rates will be fixed no later than October 1 of each calendar year. Notice of such rates shall be provided by the Commissioner of Human Services to the clerk of the respective boards of chosen freeholders.

In the event that the Division of Mental Health and Addiction Services is notified that a county psychiatric hospital will cease operations for the current fiscal year, or any portion thereof, in order to assure continuity of care for patients who otherwise would have been served by the county hospital, as well as to preserve patient and public safety, the Division shall have the authority to transfer funds from the Support of Patients in County Psychiatric Hospitals account to Direct State Services and Grants-In-Aid accounts in the Division of Mental Health and Addiction Services, for the fiscal year, subject to a plan approved by the Director of the Division of Budget and Accounting.

24 Special Health Services
7540 Division of Medical Assistance and Health Services
DIRECT STATE SERVICES

21-7540 Health Services Administration and Management $237,408,000
(From General Fund ..... $31,654,000)
(From Federal Funds ..... 202,737,000)
(From All Other Funds ..... 3,017,000)
Total Appropriation, State and Federal Funds $237,408,000

Less:

Federal Funds **$202,737,000**
All Other Funds **3,017,000**
Total Direct State Services Appropriation, Division of Medical Assistance and Health Services $31,654,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($37,522,000)
Materials and Supplies ..... (207,000)
Services Other Than Personal ..... (14,407,000)
Maintenance and Fixed Charges ..... (1,994,000)
Special Purpose:
21 Federal Incentive Payments ..... (55,911,000)
21 Payments to Fiscal Agents ..... (109,985,000)
21 Professional Standards Review Organization - Utilization Review ..... (1,171,000)
21 Drug Utilization Review Board - Administrative Costs ..... (33,000)
21 NJ KidCare - Administration ..... (15,790,000)
Additions, Improvements and Equipment ..... (388,000)

Less:
Federal Funds **202,737,000**
All Other Funds **3,017,000**

The amounts hereinabove appropriated for Personal Services are conditioned upon the Department of Human Services working collaboratively with the various county corrections agencies to promote the proper enrollment in the NJ FamilyCare program of all eligible inmates requiring medical services. The department shall provide guidance to the county corrections agencies on this subject and, upon request, shall provide such additional assistance as may be necessary to support the counties in ensuring that all eligible Medicaid reimbursements are properly claimed consistent with federal law.

Such funds as are necessary from the Health Care Subsidy Fund are appropriated to the Division of Medical Assistance and Health Services for payment to disproportionate share hospitals for uncompensated care costs as defined in P.L.1991, c.187 (C.26:2H-18.24 et seq.), and for subsidized children's health insurance in the NJ FamilyCare Program established in P.L.2005, c.156 (C.30:4J-8 et al.) to maximize federal Title XXI funding, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, all past, present, and future revenues representing federal financial participation received by the State from the United States and that are based on payments made by the State to hospitals that serve a disproportionate share of low-income patients shall be deposited into the General Fund and may be expended only upon appropriation by law.

Additional federal Title XIX revenue generated from the claiming of uncompensated care payments made to disproportionate share hospitals shall be deposited into the General Fund as anticipated revenue.

Notwithstanding the provisions of any law or regulation to the contrary, all revenues received from health maintenance organizations shall be deposited into the General Fund.

The unexpended balances at the end of the preceding fiscal year, in the Payments to Fiscal Agents account are appropriated for the same purpose.

Of the amounts hereinabove appropriated for Services Other Than Personal, an amount not to exceed $1,500,000, subject to the approval of the Director of the Division of Budget and Accounting, is allocated for support of efforts by the New Jersey approved Accountable Care Organizations (ACOs) to provide intensive management of high utilization Medicaid recipients with the goal of improving health outcomes and patient satisfaction while lowering costs; provided, however, that payments to an individual ACO shall not exceed $1,000,000 in State and matching federal funds per ACO and shall be made available to reimburse each approved ACO for administrative expenses.

GRANTS-IN-AID

22-7540 General Medical Services $13,244,633,000
(From General Fund ..... $4,078,667,000)
(From Federal Funds ..... 7,564,642,000)
(From All Other Funds ..... 1,601,324,000)
Total Appropriation, State and Federal Funds $13,244,633,000

Less:
Federal Funds $7,564,642,000
All Other Funds 1,601,324,000
Total Grants-in-Aid Appropriation, Division of Medical Assistance and Health Services $4,078,667,000

Grants-in-Aid:

22 Medical Coverage - Aged, Blind and Disabled ..... ($2,891,791,000)
22 Medical Coverage - Community - Based Long Term Care Recipients ..... (918,945,000)
22 Medical Coverage - Nursing Home Residents ..... (1,783,882,000)
22 Medical Coverage - Title XIX Parents and Children ..... (2,202,632,000)
22 Medical Coverage - Title XXI Children ..... (477,742,000)
22 Medical Coverage - ACA Expansion Population ..... (3,029,466,000)
22 Medicare Parts A and B ..... (431,980,000)
22 Medicare Part D ..... (443,741,000)

22 Eligibility and Enrollment Services .....(72,146,000)
22 Provider Settlements and
Adjustments.....(964,654,000)
22 Hospital Mental Health Offset
Payments .....(24,654,000)
22 ACA Health Insurance
Providers Fee.....(3,000,000)

Less:

Federal Funds..... 7,564,642,000
All Other Funds..... 1,601,324,000

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred to and from accounts within the General Medical Services program classification in the Division of Medical Assistance and Health Services. All such transfers are subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, any third party as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), or in 42 U.S.C. s. 1396a(a)(25)(A), including, but not limited to, a pharmacy benefit manager, writing health, casualty, workers' compensation, or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Division of Medical Assistance and Health Services to permit and assist the matching no less frequently than on a monthly basis of the NJ FamilyCare, Charity Care, and Work First New Jersey General Public Assistance eligibility files and/or adjudicated claims files against that third party's eligibility file, including indication of coverage derived from the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (Pub.L.108-173), and/or adjudicated claims file for the purpose of coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.

Notwithstanding the provisions of subparagraphs (8) of subsection i. of section 3 of P.L.1968, c.413 (C.30:4D-3) and subparagraphs (3), (4), and (5) of subsection g of section 6 of P.L.1968, c.413 (C.30:4D-6), or any other law or regulation to the contrary, the amounts hereinabove appropriated in the General Medical Services program classification are subject to the following conditions: in order to encourage home and community services as an alternative to nursing home placement, consistent with the federally approved Section 1115 Medicaid demonstration waiver and any approved amendments thereto, the Commissioner of Human Services is authorized to adjust financial eligibility and other requirements and services for medically needy eligibility groups and the Managed Long Term Services and Supports population, subject to the approval of the Director of the Division of Budget and Accounting and subject to any other required federal approval.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated in the General Medical Services program

classification are subject to the following condition: effective January 1, 2015, the Commissioner of Human Services is authorized to provide any or all types and levels of services that are provided through the Medicaid State Plan's Alternative Benefit Plan to any or all of the types of qualified applicants described in subparagraphs (1), (2), (4), (6), (7), (9), (10), (11), (12), (13), (16(a)), (17), (18), and (19) of subsection i. of section 3 of P.L.1968, c.413 (C.30:4D-3), subject to the approval of the Director of the Division of Budget and Accounting and subject to any required federal approval.

Of the amount hereinabove appropriated within the General Medical Services program classification, the Division of Medical Assistance and Health Services, subject to federal approval, shall implement policies that would limit the ability of persons who have the financial ability to provide for their own long-term care needs to manipulate current NJ FamilyCare rules to avoid payment for that care. The Division shall require, in the case of a married individual requiring long-term care services, that the portion of the couple's resources that is not protected for the needs of the community spouse be used solely for the purchase of long-term care services.

Notwithstanding the provisions of any law or regulation to the contrary, all object accounts appropriated in the General Medical Services program classification shall be conditioned upon the following provision: when any action by a county welfare agency, whether alone or in combination with the Division of Medical Assistance and Health Services, results in a recovery of improperly granted medical assistance, the Division of Medical Assistance and Health Services may reimburse the county welfare agency in the amount of 25% of the gross recovery.

In addition to the amounts hereinabove appropriated for payments to providers on behalf of medical assistance recipients, such additional amounts as may be required are appropriated from the General Fund to cover costs consequent to the establishment of presumptive eligibility for children, pregnant women, single adults or couples without dependent children, and parents and caretaker relatives in the NJ FamilyCare program as defined in P.L.2005, c.156 (C.30:4J-8 et al.).

Notwithstanding the provisions of any law or regulation to the contrary, all object accounts appropriated in the General Medical Services program classification shall be conditioned upon the following provision: the Commissioner of Human Services shall have the authority to convert individuals enrolled in a State-funded program who are also eligible for a federally matchable program, to the federally matchable program without the need for regulations.

Notwithstanding the provisions of any law or regulation to the contrary, a sufficient portion of receipts generated or savings realized in Medical Assistance Grants-In-Aid accounts from initiatives may be transferred to the Health Services Administration and Management accounts to fund costs incurred in realizing these additional receipts or savings, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, and subject to federal approval, of the amounts appropriated in the General Medical Services program classification, the Commissioner of Human Services is authorized to develop and introduce optional service plan innovations to enhance client choice for users of NJ FamilyCare optional services, while containing expenditures.

The appropriations within the General Medical Services program classification are subject to the following conditions: the Division of Medical Assistance and Health Services (DMAHS), in coordination with the county welfare agencies, shall continue a program to outstation eligibility workers in disproportionate share hospitals and federally qualified health centers, provided, however, that if an alternate eligibility function at an outstanding location complies with the outstation process at 42 USC 1396a(a)(55), the county welfare agency worker may be removed from the outstation location.

For the purposes of account balance maintenance, all object accounts appropriated in the General Medical Services program classification shall be considered as one object. This will allow timely payment of claims to providers of medical services but ensure that no overspending will occur in the program classification.

The amounts hereinabove appropriated for the General Medical Services program classification are conditioned upon the Commissioner of Human Services making changes to such programs to make them consistent with the federal "Deficit Reduction Act of 2005" (Pub.L.109-171).

All funds recovered pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.1975, c.194 (C.30:4D-20 et seq.) during the current fiscal year are appropriated for payments to providers in the same program classification from which the recovery originated.

The amount hereinabove appropriated for the Division of Medical Assistance and Health Services first shall be charged to the federal disproportionate share hospital reimbursements anticipated as Medicaid uncompensated care.

Notwithstanding the provisions of P.L.1962, c.222 (C.44:7-76 et seq.) or any law or regulation to the contrary, no funds are appropriated to the Medical Assistance for the Aged program, which has been eliminated.

The amounts hereinabove appropriated for the General Medical Services program classification are available for the payment of obligations applicable to prior fiscal years.

Notwithstanding the provisions of any law or regulation to the contrary, and subject to the notice provisions of 42 C.F.R. s.447.205, of the amount hereinabove appropriated for the General Medical Services program classification, personal care assistant services shall be limited to no more than 25 hours per week, per recipient.

Notwithstanding the provisions of any law or regulation to the contrary, and subject to the notice provisions of 42 C.F.R. s.447.205, of the amount hereinabove appropriated for the General Medical Services program classification, personal care assistant services shall be authorized prior to the beginning of services by the Director of the Division of Disability Services. The hourly rate for fee-for-service personal care services shall be $19.00.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following conditions: as of January 1, 2014 or on such date established by the federal government for the Health Insurance Marketplace pursuant to the Patient Protection and Affordable Care Act, the following groups of current enrollees shall be transitioned to the federal Health Insurance Exchange for continued health care coverage: a) adults or couples without dependent children who were enrolled in the New Jersey Health ACCESS program on October 31, 2001; b) all parents or caretakers who: (i) have gross family income that does not exceed 200% of the poverty level; (ii) have no health insurance, as determined by the Commissioner of Human Services; (iii) are ineligible for NJ FamilyCare, or (iv) are adult aliens lawfully admitted for permanent residence, but who have lived in the United States for less than five full years after such lawful admittance, and are enrolled in NJ FamilyCare; and c) Essential Persons (Spouses) whose coverage is funded solely by the State.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: only the following individuals shall be excluded from mandatory enrollment in the Medicaid/NJ FamilyCare managed care program: (1) individuals who are institutionalized in an inpatient psychiatric institution, an inpatient psychiatric program for children under the age of 21, or a residential facility including facilities characterized by the federal government as ICFs/MR, except that individuals who are eligible through the Division of Child Protection and Permanency (DCP&P) and are placed in a DCP&P non-Joint Committee on Accreditation of Healthcare Organizations (JCAHO) accredited children's residential care facility and individuals in a mental health or substance abuse residential treatment facility shall not be excluded from enrollment pursuant to this paragraph; (2) individuals in out-of-State placements; (3) special low-income Medicare beneficiaries (SLMBs); (4) individuals in the Program of All-Inclusive Care for the Elderly (PACE) program; and (5) Medically Needy segment of the NJ FamilyCare.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: Non-contracted hospitals providing emergency services to NJ FamilyCare members enrolled in the managed care program shall accept as payment in full 90% of the amounts that the non-contracted hospital would receive from NJ FamilyCare for the emergency services and/or any related hospitalization if the beneficiary were enrolled in NJ FamilyCare fee-for-service.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: Effective July 1, 2011, the following services, which were previously covered by NJ FamilyCare fee-for-

service, shall be covered and provided instead through a managed care delivery system for all clients served by and/or enrolled in that system: 1) home health agency services; 2) medical day care, including both adult day health services and pediatric medical day care; 3) prescription drugs; and 4) rehabilitation services, including occupational, physical, and speech therapies. The above condition shall be effective for personal care assistant services.

Of the revenues received as a result of sanctions to health maintenance organizations participating in NJ FamilyCare managed care, an amount not to exceed $500,000 is appropriated to the General Medical Services program classification or NJ KidCare - Administration account to improve access to medical services and quality care through such activities as outreach, education, and awareness, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: the Director of the Division of Medical Assistance and Health Services may restrict the number of provider agreements with managed care entities, if such restriction does not substantially impair access to services.

In addition to the amounts hereinabove appropriated for the General Medical Services program classification, there are appropriated such amounts as may be necessary for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, effective at the beginning of the current fiscal year and subject to federal approval, of the amounts hereinabove appropriated for the General Medical Services program classification, inpatient medical services provided through the Division of Medical Assistance and Health Services shall be conditioned upon the following provision: No funds shall be expended for hospital services during which a preventable hospital error occurred or for hospital services provided for the necessary inpatient treatment arising from a preventable hospital error, as shall be defined by the Commissioner of Human Services.

Of the amount hereinabove appropriated for the General Medical Services program classification, the Division of Medical Assistance and Health Services is authorized to competitively bid and contract for performance of federally mandated inpatient hospital utilization reviews, and the funds necessary for the contracted utilization review of these hospital services are made available from the General Medical Services program classification, subject to the approval of the Director of the Division of Budget and Accounting.

Such amounts as may be necessary are appropriated from enhanced audit recoveries obtained by the Division of Medical Assistance and Health Services to fund the costs of enhanced audit recovery efforts of the division within the General Medical Services program classification, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, all financial recoveries obtained through the efforts of any entity authorized to undertake the prevention and detection of NJ FamilyCare fraud, waste, and abuse are appropriated to General Medical Services program classification in the Division of Medical Assistance and Health Services.

Notwithstanding the provisions of any law or regulation to the contrary and subject to notice provisions of 42 CFR, Subchapter 447.205 where applicable, the amount hereinabove appropriated for fee-for-service prescription drugs in the General Medical Services program classification is subject to the following conditions: the maximum allowable cost for legend and non-legend drugs shall be calculated based on Actual Acquisition Cost (AAC) defined as the lowest of: (i) the National Average Drug Acquisition Cost (NADAC) Retail Price Survey, in accordance with section 1927(f) of the Social Security Act (SSA); (ii) Wholesale Acquisition Cost (WAC) less a volume discount of two (2) percent in the absence of a NADAC price; (iii) the federal upper limit (FUL); (iv) the State upper limit; (v) cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source and multi-source drugs in the absence of any alternative pricing benchmarks. For legend and non-legend drugs purchased through the 340B program, the maximum allowable cost shall be based on the 340B ceiling price, which is defined as Average Manufacturer's Price minus the Unit Rebate Amount (URA). In the absence of a 340B ceiling price, the alternative benchmark used shall be the Wholesale Acquisition Cost (WAC) minus a volume discount of twenty-five (25) percent. The 340B ceiling price or the alternative benchmark shall only apply when its price is the lowest compared to the pricing formulas described by (i.) through (v.) above. Reimbursement for covered outpatient drugs shall be calculated based on the lower of the AAC plus a professional fee of $10.92; or a provider's usual and customary charge; or (ii) the lower of cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source and multi-source drugs, where an alternative pricing benchmark is not available, plus a professional fee of $10.92; or a provider's usual and customary charge. To effectuate the calculation of SUL rates and/or the calculation of single-source and brand-name multi-source legend and non-legend drug costs where an alternative pricing benchmark is not available, the Department of Human Services shall mandate ongoing submission of current drug acquisition data by providers of pharmaceutical services and no funds hereinabove appropriated shall be paid to any entity that fails to submit required data. Reimbursement for covered outpatient drugs dispensed to beneficiaries residing in long-term-care facilities shall be calculated based on the lower of the AAC plus a professional fee of $10.92; or a provider's usual and customary charge; or (ii) the lower of cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source and multi-source drugs, where an alternative pricing benchmark is not available, plus a professional fee of $10.92; or a provider's usual and customary charge. To effectuate the calculation of SUL

rates and/or the calculation of single-source and brand-name multi-source legend and non-legend drug costs where an alternative pricing benchmark is not available, the Department of Human Services shall mandate ongoing submission of current drug acquisition data by providers of pharmaceutical services and no funds hereinabove appropriated shall be paid to any entity that fails to submit required data.

Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the General Medical Services program classification shall be conditioned upon the following provision: each prescription order for protein nutritional supplements and specialized infant formulas dispensed shall be filled with the generic equivalent unless the prescription order states "Brand Medically Necessary" in the prescriber's own handwriting.

Notwithstanding the provisions of any law or regulation to the contrary, no funds hereinabove appropriated for the General Medical Services program classification are available to any pharmacy that does not agree to allow NJ FamilyCare to bill on its behalf any third party, as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), by participating in a billing agreement executed between the State and the pharmacy.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated to the General Medical Services program classification, no payment shall be expended for drugs used for the treatment of erectile dysfunction, select cough/cold medications as defined by the Commissioner of Human Services, or cosmetic drugs, including, but not limited to: drugs used for baldness, weight loss, and purely cosmetic skin conditions.

Notwithstanding the provisions of any law or regulation to the contrary, and subject to the notice provisions of 42 C.F.R. s.447.205, approved nutritional supplements which are hereinabove appropriated in the General Medical Services program classification shall be consistent with reimbursement for legend and non-legend drugs.

Notwithstanding the provisions of any law or regulation to the contrary, the hereinabove appropriation for the General Medical Services program classification shall be conditioned upon the following provision: no funds shall be appropriated for the refilling of a prescription drug until such time as the original prescription is 85% finished.

Of the amount hereinabove appropriated for the General Medical Services program classification, the Commissioners of Human Services and Health shall establish a system to utilize unopened and unexpired prescription drugs previously dispensed but not administered to individuals residing in nursing facilities.

Rebates from pharmaceutical manufacturing companies during the current fiscal year for prescription expenditures made to providers on behalf of NJ FamilyCare clients are appropriated for the General Medical Services program classification.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the General Medical Services program classification shall be conditioned upon the following provision: certifications shall not be

granted for new or relocating offsite hospital-based entities in accordance with N.J.A.C.10:52-1.3 with the exception of providers whose services are deemed necessary to meet special needs by the Division of Medical Assistance and Health Services.

Of the amount hereinabove appropriated for the General Medical Services program classification, an amount not to exceed $1,900,000 is allocated for limited prenatal medical care for New Jersey pregnant women who, except for financial requirements, are not eligible for any other State or federal health insurance program.

Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the General Medical Services program classification shall be conditioned upon the following provision: reimbursement for the cost of physician administered drugs shall not exceed the lower of the Wholesale Acquisition Cost (WAC) for the drugs administered in a practitioner's office less a volume discount of one (1) percent or the practitioner's usual and customary charge.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts expended from the General Medical Services program classification shall be conditioned upon the following: reimbursement for adult incontinence briefs and oxygen concentrators shall be set at 70% of reasonable and customary charges.

Notwithstanding the provisions of any law or regulation to the contrary, the appropriation in the General Medical Services program classification shall be conditioned upon the following provision: no funds shall be expended for partial care services, chiropractic services, medical supplies except those sold in a pharmacy, or podiatry services to any provider who was not a NJ FamilyCare approved provider of partial care services, chiropractic services, medical supplies except those sold in a pharmacy, or podiatry services, respectively, prior to July 1, 2006 with the exception of new providers whose services are deemed necessary to meet special needs by the Division of Medical Assistance and Health Services.

Notwithstanding the provisions of subsection (a) of N.J.A.C.10:60-5.7 and subsection (e) of N.J.A.C.10:60-11.2 to the contrary, the amount hereinabove appropriated for the General Medical Services program classification is conditioned upon the Commissioner of Human Services increasing the hourly nursing rates for Early and Periodic Screening, Diagnosis and Treatment/Private Duty Nursing (EPSDT/PDN) services by $10 per hour above the fiscal year 2008 rate.

Of the amount hereinabove appropriated for the General Medical Services program classification, an amount not to exceed $1,900,000 is allocated for limited prenatal medical care provided by clinics, or in the case of radiology and clinical laboratory services ordered by a clinic, for New Jersey pregnant women who, except for financial requirements, are not eligible for any other State or federal health insurance program.

Notwithstanding the provisions of any law or regulation to the contrary, effective July 1, 2009, no payments for partial care services in mental health clinics, as

hereinabove appropriated in the General Medical Services program classification shall be provided unless the services are prior authorized by professional staff designated by the Department of Human Services.

The amount hereinabove appropriated for the General Medical Services program classification may be used to pay financial rewards to individuals or entities who report instances of health care-related fraud and/or abuse involving the programs administered by the Division of Medical Assistance and Health Services (DMAHS), the Pharmaceutical Assistance to the Aged and Disabled (PAAD) or Work First New Jersey General Public Assistance programs. Rewards may be paid only when the reports result in a recovery by DMAHS, and only if other conditions established by DMAHS are met, and shall be limited to 10% of the recovery or $15,000, whichever is less. Notwithstanding the provisions of any law or regulation to the contrary, but subject to any necessary federal approval and/or change in federal law, receipt of such rewards shall not affect an applicant's individual financial eligibility for the programs administered by DMAHS, or for PAAD or Work First New Jersey General Public Assistance programs.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: the Commissioner of Human Services is authorized to implement a pilot program, effective on or after January 1, 2015, to remove the NJ FamilyCare eligibility determination and redetermination process from one or more county welfare agencies, as determined by the Commissioner of Human Services, subject to any required federal approval.

Of the amount hereinabove appropriated in the General Medical Services program classification, there shall be transferred to various accounts, including Direct State Services and State Aid accounts, such amounts, not to exceed $6,000,000, as are necessary to pay for the administrative costs of the program classification, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, State funding for the New Jersey Health ACCESS program shall cease, and all enrollment shall be terminated as of July 1, 2001, or at such later date as shall be established by the Commissioner of Human Services.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the General Medical Services program classification are subject to the following conditions: (a) as of July 1, 2011, all parents or caretakers whose applications to enroll in the NJ FamilyCare program were received on or after March 1, 2010: (i) whose family gross income does not exceed 200% of the federal poverty level; (ii) who have no health insurance, as determined by the Commissioner of Human Services; and (iii) who are ineligible for Medicaid shall not be eligible for enrollment in the NJ FamilyCare program and there shall be no future enrollments of such persons in the NJ FamilyCare program; and (b) as of July 1, 2011, any adult alien lawfully admitted for permanent residence, but who has lived in the United States for less than five full years after such lawful admittance and whose enrollment in the NJ FamilyCare pro-

gram was terminated on or before July 1, 2010 shall not be eligible to be enrolled in the NJ FamilyCare program; provided, however, that this termination of enrollment and benefits shall not apply to such persons who are either (i) pregnant or (ii) under the age of 19.

Notwithstanding the provisions of subsection d. of section 5 of P.L.2005, c.156 (C.30:4J-12) or any law or regulation to the contrary, the amounts hereinabove appropriated for NJ FamilyCare are subject to the following condition: the Department of Human Services may determine eligibility for the NJ FamilyCare program by verifying income through any means authorized by the Children's Health Insurance Program Reauthorization Act of 2009, (Pub.L.111-3), including through electronic matching of data files provided that any consents, if required, under State or federal law for such matching are obtained.

Premiums received from families enrolled in the NJ FamilyCare program established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.) are appropriated for NJ FamilyCare payments.

Such amounts as may be necessary are hereinabove appropriated from enhanced audit recoveries obtained by the Department of Human Services to fund the costs of enhanced audit recovery efforts of the department within the General Medical Services program classification, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the General Medical Services program classification are available for the payment of obligations applicable to prior fiscal years.

Notwithstanding the provisions of any law or regulation to the contrary, payments from appropriations hereinabove in the General Medical Services program classification for special hospital prospective per diem reimbursements for Medicaid fee-for-service recipients are subject to the following condition: subject to the approval of any required State plan amendment by the federal Centers for Medicare and Medicaid Services, special hospitals licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) with more than 60 but less than 102 special beds shall be reimbursed at a prospective per diem rate for Medicaid fee-for-service recipients established by the Division of Medical Assistance and Health Services. The base year prospective per diem rate shall be equal to the per diem rate in effect and paid on June 30, 2015 and may be updated by the economic factor specified in N.J.A.C. 10:52-5.13, subject to the approval of the Director of the Division of Budget and Accounting. Provided however, in the event that the number of licensed beds decreases by 20% or more, the prospective per diem rate may be renegotiated. Any Medicaid cost reports not final settled for Medicaid fee-for-service reimbursement prior to July 1, 2016 shall be prospectively settled based on the per diem rate in effect and paid on June 30, 2015, adjusted to deflate to the applicable cost report year.

The unexpended balance at the end of the preceding fiscal year in the Medical Coverage - Aged, Blind and Disabled account is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the General Medical Services program classification are subject to the following condition: assisted living facilities, comprehensive personal care homes, and assisted living programs, shall receive a per diem rate of no less than $75, $65, and $55, respectively, as reimbursement for each NJ FamilyCare beneficiary under their care.

Subject to federal approval, the appropriations for those programs within the General Medical Services program classification are conditioned upon the Department of Human Services implementing policies that would limit the ability of individuals who have the financial ability to provide for their own long-term care needs to manipulate current NJ FamilyCare rules to avoid payment for that care. The Division of Medical Assistance and Health Services shall require, in the case of a married individual requiring long-term care services, that the portion of the couple's resources which are not protected for the needs of the community spouse be used solely for the purchase of long-term care services.

Notwithstanding the provisions of any law or regulation to the contrary, no payment for NJ FamilyCare Adult or Pediatric Medical Day Care Services, as hereinabove appropriated in the General Medical Services program classification, shall be provided unless the services are prior authorized by professional staff designated by the Department of Human Services.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated within the General Medical Services program classification for Medical Day Care Services shall be conditioned upon the following provision: the fee-for-service per diem reimbursement rate for adult Medical Day Care providers shall be set at $78.50.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated within the General Medical Services program classification for Medical Day Care Services shall be conditioned on the following provision: physical therapy, occupational therapy, and speech therapy shall no longer serve as a permissible criteria for eligibility in the adult Medical Day Care Program.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated within the General Medical Services program classification for Medical Day Care Services shall be conditioned on the following provision: effective August 15, 2010, no payments for NJ FamilyCare adult medical day care services shall be provided on behalf of any beneficiary who received prior authorization for these services based exclusively on the need for medication administration.

Notwithstanding the provisions of chapter 166 of Title 10 of the New Jersey Administrative Code or any other law or regulation to the contrary, the amounts hereinabove appropriated within the General Medical Services program classification for Medical Day Care Services shall be subject to the following condition: the daily reimbursement for fee-for-service pediatric medical day care shall remain at the rate established in the preceding fiscal year.

Notwithstanding the provisions of chapter 85 of Title 8 of the New Jersey Administrative Code or any other law or regulation to the contrary, and subject to any required federal approval, the amounts hereinabove appropriated within the General Medical Services program classification are subject to the following conditions: (1) Class I (private), Class II (county), and Class III (special care) nursing facilities being paid on a fee-for-service basis, shall be reimbursed at the rate received on June 30, 2017 plus a per diem adjustment that shall be calculated based upon an additional $5,250,000 in State and $5,250,000 in federal appropriations. Further, no Class I, II, and III nursing facilities being paid on a fee-for-service basis shall receive any additional per diem rate adjustment, with the exception of the provider tax add-on payments; (2) nursing facilities that are being paid by a Managed Care Organization (MCO) for custodial care through a provider contract that includes a negotiated rate shall receive that negotiated rate; (3) any Class I and Class III nursing facility that is being paid by an MCO for custodial care through a provider contract but has not yet negotiated a rate shall receive the equivalent fee-for-service per diem reimbursement rate as it received as of June 30, 2017 plus a per diem adjustment that shall be calculated based upon an additional $5,250,000 in State and $5,250,000 in federal appropriations and any Class II nursing facility that is being paid by an MCO but has not yet negotiated a rate shall receive the equivalent fee-for-service per diem reimbursement rate received on June 30, 2017, had it been a Class I nursing facility plus a per diem adjustment that shall be calculated based upon an additional $5,250,000 in State and $5,250,000 in federal appropriations; (4) monies designated pursuant to subsection c. of section 6 of P.L.2003, c.105 (C.26:2H-97) for distribution to nursing facilities, less the portion of those funds to be paid as pass-through payments in accordance with paragraph (1) of subsection d. of section 6 of P.L.2003, c.105 (C.26:2H-97), shall be combined with amounts hereinabove appropriated for the General Medical Services program classification for the purpose of calculating NJ FamilyCare reimbursements for nursing facilities; and (5) for the purposes of this paragraph, a nursing facility's per diem reimbursement rate or negotiated rate shall not include, if the nursing facility is eligible for reimbursement, the difference between the full calculated provider tax add-on and the quality-of-care portion of the provider tax add-on, which difference shall be payable as an allowable cost pursuant to subsection d. of section 6 of P.L.2003, c.105 (C.26:2H-97). Provided further, that on or before September 15, 2017, the Department shall calculate and disseminate to the MCOs the amount of the add-on payable during the year starting October 1, 2017 as an allowable cost, as well as the list of nursing facilities that will receive this add-on, and the MCOs shall adjust the rates paid to nursing facilities accordingly; the add-ons calculated for FY 2017 shall be applied from July 1, 2017, through September 30, 2017 and the first add-on shall be applied to fee-for-service per diem reimbursement rates effective October 1, 2017. There shall be reallocated from amounts included in the appropriation for Medical Coverage - Community -

Based Long-Term Care Recipients, for Managed Long-Term Services and Supports, such sums as are necessary for the additional per diem adjustment.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the General Medical Services program classification are subject to the following condition: nursing facilities shall not receive payments for bed hold or therapeutic leave days for NJ FamilyCare beneficiaries, provided that nursing facilities shall continue to reserve beds for NJ FamilyCare beneficiaries who are hospitalized or on therapeutic leave as required by N.J.A.C.8:85-1.14.

Notwithstanding the provisions of any law or regulation to the contrary, as a condition of receipt of any NJ FamilyCare payments a nursing home shall provide to the Commissioner of Human Services information on the facility's finances comparable to the information provided by hospitals to the Department of Health pursuant to N.J.A.C.8:31B-3.1 et seq. and N.J.A.C.8:31B-4.1 et seq., as requested by the commissioner, and the commissioner shall periodically assess the financial status of the industry.

Such amounts as may be necessary are hereinabove appropriated from the General Fund for the payment of increased nursing home rates to reflect the costs incurred due to the payment of a nursing home provider assessment, pursuant to the "Nursing Home Quality of Care Improvement Fund Act," P.L.2003, c.105 (C.26:2H-92 et seq.), and P.L.2004, c.41, subject to the approval of the Director of the Division of Budget and Accounting.

26 Division of Aging Services

DIRECT STATE SERVICES

20-7530 Medical Services for the Aged	$2,371,000
24-7530 Pharmaceutical Assistance to the Aged and Disabled	4,925,000
55-7530 Programs for the Aged	1,234,000
(From General Fund	*$363,000)*
(From Casino Revenue Fund	*871,000)*
57-7530 Office of the Public Guardian	634,000
Total Direct State Services Appropriation, Division of Aging Services	$9,164,000
(From General Fund	*$8,293,000)*
(From Casino Revenue Fund	*871,000)*

Direct State Services:

Personal Services:	
Salaries and Wages	($5,898,000)
Salaries and Wages (CRF)	(796,000)
Materials and Supplies	(137,000)
Materials and Supplies (CRF)	(14,000)
Services Other Than Personal	(1,743,000)
Services Other Than Personal (CRF)	(47,000)
Maintenance and Fixed Charges	(372,000)

Maintenance and Fixed Charges (CRF) ..... (2,000)
Special Purpose:
55 Federal Programs for the Aged ..... (143,000)
Additions, Improvements and Equipment (CRF) ..... (12,000)

When any action by a county welfare agency, whether alone or in combination with the Department of Human Services, results in a recovery of improperly granted medical assistance, the Department of Human Services may reimburse the county welfare agency in the amount of 25% of the gross recovery.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program is subject to the following condition: any third party, as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), or in 42 U.S.C. s.1396a(a)(25)(A), including, but not limited to, a pharmacy benefit manager writing health, casualty, or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Department of Human Services to permit and assist the matching of the Department of Human Services' program eligibility and/or adjudication claims files against that third party's eligibility and/or adjudicated claims files for the purpose of the coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.

Receipts from the Office of the Public Guardian for Elderly Adults are appropriated to the Office of the Public Guardian.

GRANTS-IN-AID

20-7530 Medical Services for the Aged $120,000
(From Casino Revenue Fund ..... $120,000)
24-7530 Pharmaceutical Assistance to the Aged and Disabled 66,287,000
(From General Fund ..... 56,729,000)
(From Casino Revenue Fund ..... 9,558,000)
55-7530 Programs for the Aged 45,772,000
(From General Fund ..... 31,024,000)
(From Casino Revenue Fund ..... 14,748,000)
Total Grants-in-Aid Appropriation, Division of Aging Services $112,179,000
(From General Fund ..... $87,753,000)
(From Casino Revenue Fund ..... 24,426,000)

Grants-in-Aid:
20 Hearing Aid Assistance for the Aged and Disabled (CRF) ..... ($120,000)
24 Pharmaceutical Assistance to the Aged - Claims ..... (1,279,000)
24 Pharmaceutical Assistance to the Aged and Disabled - Claims ..... (49,672,000)
24 Pharmaceutical Assistance to the Aged and Disabled - Claims (CRF) ..... (9,558,000)

24 Senior Gold Prescription Discount Program.....(5,778,000)
55 Holocaust Survivor Assistance Program,
Samost Jewish Family and Children's
Services Southern New Jersey.....(400,000)
55 Community Based Senior Programs.....(30,624,000)
55 Community Based Senior Program (CRF) .....(14,748,000)

All funds recovered pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.1975, c.194 (C.30:4D-20 et seq.) during the preceding fiscal year are appropriated for payments to providers in the same program classification from which the recovery originated.

Notwithstanding the provisions of any law or regulation to the contrary, a sufficient portion of receipts generated or savings realized in the Medical Services for the Aged or Pharmaceutical Assistance to the Aged and Disabled Grants-In-Aid accounts from initiatives included in the current fiscal year appropriations act may be transferred to administration accounts to fund costs incurred in realizing these additional receipts or savings, subject to the approval of the Director of the Division of Budget and Accounting.

In order to permit flexibility in implementing ElderCare Initiatives hereinabove appropriated as part of Community Based Senior Programs, amounts may be transferred between Direct State Services and Grants-In-Aid accounts, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Discount Program account shall be expended for fee-for-service prescription drug claims with no Medicare Part D coverage except under the following conditions: (1) the maximum allowable cost for legend and non-legend drugs shall be calculated based on Actual Acquisition Cost (AAC) defined as the lowest of (i) the National Average Drug Acquisition Cost (NADAC) Retail Price Survey, developed in accordance with Section 1927(f) of the Social Security Act; (ii) Wholesale Acquisition Cost (WAC) less a volume discount, in the absence of a NADAC price, that is consistent with the NJ FamilyCare Program; (iii) the federal upper limit (FUL); or (iv) the State upper limit (SUL); and (v) cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source drugs and multi-source drugs in the absence of any alternative pricing benchmarks; (2) pharmacy reimbursement for legend and non-legend drugs shall be calculated based on (i) the lower of the AAC plus a professional fee, that is consistent with the NJ FamilyCare Program; or a provider's usual and customary charge; or (ii) the lower of cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source and multi-source drugs, where an alternative pricing benchmark is not available, plus a professional fee that is consistent with the NJ FamilyCare Program; or a provider's usual and customary charge. To effectuate the calculation

of SUL rates and/or the calculation of single-source and brand-name multi-source legend and non-legend drug costs where an alternative pricing benchmark is not available, the Department of Human Services shall mandate ongoing submission of current drug acquisition data by providers of pharmaceutical services. No funds hereinabove appropriated shall be paid to any entity that fails to submit required data.

The amounts hereinabove appropriated for payments for the Pharmaceutical Assistance to the Aged and Disabled program, P.L.1975, c.194 (C.30:4D-20 et seq.), the Senior Gold Prescription Discount Program, P.L.2001, c.96 (C.30:4D-43 et seq.), and Community Based Senior Programs are available for the payment of obligations applicable to prior fiscal years.

Benefits provided under the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, P.L.1975, c.194 (C.30:4D-20 et seq.), and the Senior Gold Prescription Discount Program, P.L.2001, c.96 (C.30:4D-43 et seq.), shall be the last resource benefits, notwithstanding any provisions contained in contracts, wills, agreements, or other instruments. Any provision in a contract of insurance, will, trust agreement, or other instrument which reduces or excludes coverage or payment to an individual because of that individual's eligibility for, or receipt of, PAAD or Senior Gold Prescription Discount Program benefits shall be void, and no PAAD and Senior Gold Prescription Discount Program payments shall be made as a result of any such provision.

Of the amount hereinabove appropriated in the Pharmaceutical Assistance to the Aged and Disabled-Claims program, notwithstanding the provisions of section 3 of P.L.1975, c.194 (C.30:4D-22) or any law or regulation to the contrary, the co-payment in the Pharmaceutical Assistance to the Aged and Disabled program shall be $5 for generic drugs and $7 for brand name drugs.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), or the Senior Gold Prescription Discount Program (Senior Gold), pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.), shall be expended, when PAAD or Senior Gold is the primary payer, unless participating pharmaceutical manufacturing companies execute contracts with the Department of Human Services. Name brand manufacturers must provide for the payment of rebates to the State on the same basis as provided for in subsections (a) through (c) of section 1927 of the federal Social Security Act, 42 U.S.C. s.1396r-8.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), and the Senior Gold Prescription Discount Program, pursuant to P.L.2001, c.96 (C.30:4D-43 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Human Services, providing for the payment of rebates to the State. Furthermore, rebates from pharmaceuti-

cal manufacturing companies for prescriptions purchased by the PAAD program and the Senior Gold Prescription Discount Program shall continue during the current fiscal year, provided that the manufacturer's rebates for PAAD claims paid as secondary to Medicare Part D and for the Senior Gold Prescription Discount Program shall apply only to the amount paid by the State under the PAAD and Senior Gold Prescription Discount Programs. All revenues from such rebates during the current fiscal year are appropriated for the PAAD program and the Senior Gold Prescription Discount Program.

In addition to the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled and the Senior Gold Prescription Discount programs, there are appropriated from the General Fund and available federal matching funds such additional amounts as may be required for the payment of claims, credits, and rebates, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law to the contrary, amounts hereinabove appropriated for Aging and Disability Resource Connections (ADRC) shall be conditioned upon the following: federal matching funds derived from ADRC or Area Agencies on Aging Medicaid costs, pursuant to an approved cost allocation plan, shall be disbursed to counties solely for the expansion of long term care services and supports for older adults and individuals seeking home and community based services.

Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the Pharmaceutical Assistance to the Aged and Disabled program and the Senior Gold Prescription Discount Program are conditioned upon the Department of Human Services coordinating benefits with any voluntary prescription drug mail-order or specialty pharmacy in a Medicare Part D provider network or private third party liability plan network for beneficiaries enrolled in a Medicare Part D program or beneficiaries with primary prescription coverage that requires use of mail order. The mail-order program may waive, discount, or rebate the beneficiary copayment and mail-order pharmacy providers may dispense up to a 90-day supply on prescription refills with the voluntary participation of the beneficiary, subject to the approval of the Commissioner of Human Services and the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Pharmaceutical Assistance to the Aged and Disabled (PAAD) programs are conditioned upon the Department of Human Services coordinating the benefits of the PAAD programs with the prescription drug benefits of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, as the primary payer due to the current federal prohibition against State automatic enrollment of PAAD program recipients in the federal program. The PAAD program benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs (as determined by the Commissioner of Human Services)

associated with enrollment in Medicare Part D for beneficiaries of the PAAD and Senior Gold Prescription Discount programs, and for Medicare Part D premium costs for PAAD beneficiaries.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged or Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and Senior Gold Prescription Discount Program accounts shall be available as payment as a PAAD program or Senior Gold Prescription Discount Program benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under Medicare Part D.

Consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, and the current federal prohibition against State automatic enrollment of Pharmaceutical Assistance to the Aged and Pharmaceutical Assistance to the Aged and Disabled (PAAD) programs and Senior Gold Prescription Discount Program recipients, no funds hereinabove appropriated to the PAAD program or Senior Gold Prescription Discount Program accounts shall be expended for any individual unless the individual enrolled in the PAAD program or Senior Gold Prescription Discount Program provides all data necessary to enroll the individual in Medicare Part D, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Pharmaceutical Assistance to the Aged and Disabled (PAAD) programs, and Senior Gold Prescription Discount Program shall be conditioned upon the following provision: no funds shall be appropriated for the refilling of a prescription drug when paid by PAAD or the Senior Gold Prescription Discount Program as the primary payer until such time as the original prescription is 85% finished.

Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program or the Senior Gold Prescription Discount Program shall be expended to cover medications not on the formulary of a PAAD program or Senior Gold Prescription Discount Program beneficiary's Medicare Part D plan. This exclusion shall not apply to those drugs covered by the PAAD program and Senior Gold Prescription Discount Program which are specifically excluded by the federal Medicare Prescription Drug Program. In addition, this exclusion shall not impact the beneficiary's rights, guaranteed by the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, to appeal the medical necessity of coverage for drugs not on the formulary of a Medicare Part D plan.

Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program or the Senior Gold Prescription Discount Pro-

gram shall be expended for diabetic testing materials and supplies which are covered under the federal Medicare Part B program, or for vitamins, cough/cold medications, drugs used for the treatment of erectile dysfunction, or cosmetic drugs, including, but not limited to: drugs used for baldness, weight loss, and skin conditions.

From the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged - Claims and Senior Gold Prescription Discount Program, an amount not to exceed $2,850,000 may be transferred to various accounts as required, including Direct State Services accounts, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in order to maximize drug coverage under Medicare Part D, the appropriation for the Senior Gold Prescription Discount Program is conditioned on the Senior Gold Prescription Discount Program being designated the authorized representative for the purpose of coordinating benefits with the Medicare drug program, including appeals of coverage determinations. The Senior Gold Prescription Discount Program is authorized to represent program beneficiaries in the pursuit of such coverage. Senior Gold Prescription Discount Program representation shall include, but not be limited to, the following actions: pursuit of appeals, grievances, and coverage determinations.

In order to permit flexibility in implementing the ElderCare Advisory Commission Initiatives, hereinabove appropriated as part of Community Based Senior Programs within the Programs for the Aged program classification, amounts may be transferred between Direct State Services and Grants-In-Aid accounts, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, a sufficient portion of receipts generated or savings realized in the Casino Revenue Fund or Pharmaceutical Assistance to the Aged and Disabled Grants-In-Aid accounts from initiatives included in the current fiscal year's annual appropriations act may be transferred to administration accounts to fund costs incurred in realizing these additional receipts or savings, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated for Pharmaceutical Assistance to the Aged and Disabled and Hearing Aid Assistance for the Aged and Disabled programs, there are appropriated from the Casino Revenue Fund and available federal matching funds such additional amounts as may be required for the payment of claims, credits, and rebates, subject to the approval of the Director of the Division of Budget and Accounting.

All funds recovered under P.L.1968, c.413 (C.30:4D-1 et seq.) and P.L.1975, c.194 (C.30:4D-20 et seq.), during the current fiscal year are appropriated for payments to providers in the same program classification from which the recovery originated.

The amounts hereinabove appropriated for payments for the Pharmaceutical Assistance to the Aged and Disabled program, P.L.1975, c.194 (C.30:4D-20 et seq.), are available for the payment of obligations applicable to prior fiscal years.

Benefits provided under the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, P.L.1975, c.194 (C.30:4D-20 et seq.), shall be the last resource benefits, notwithstanding any provision contained in contracts, wills, agreements, or other instruments. Any provision in a contract of insurance, will, trust agreement, or other instrument which reduces or excludes coverage or payment to an individual because of that individual's eligibility for or receipt of PAAD benefits shall be void, and no PAAD payments shall be made as a result of any such provision.

Of the amount hereinabove appropriated in the Pharmaceutical Assistance to the Aged and Disabled-Claims program, notwithstanding the provisions of section 3 of P.L.1975, c.194 (C.30:4D-22) or any law or regulation to the contrary, the co-payment in the Pharmaceutical Assistance to the Aged and Disabled program shall be $5 for generic drugs and $7 for brand name drugs.

Notwithstanding the provisions of any law or regulation to the contrary, subject to the approval of a plan by the Commissioner of Human Services, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), shall be expended, when PAAD is the primary payer, unless participating pharmaceutical manufacturing companies execute contracts with the Department of Human Services. Name brand manufacturers must provide for the payment of rebates to the State on the same basis as provided for in subsections (a) through (c) of section 1927 of the federal Social Security Act, 42 U.S.C. s.1396r-8.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program, pursuant to P.L.1975, c.194 (C.30:4D-20 et seq.), shall be expended unless participating pharmaceutical manufacturing companies execute contracts with the Department of Human Services, providing for the payment of rebates to the State. Furthermore, rebates from pharmaceutical manufacturing companies for prescriptions purchased by the PAAD program shall continue during the current fiscal year, provided that the manufacturers' rebates for PAAD claims paid as secondary to Medicare Part D shall apply only to the amount paid by the State under the PAAD program. All revenues from such rebates during the current fiscal year are appropriated for the PAAD program.

Notwithstanding the provisions of any law or regulation to the contrary, the appropriations for the Pharmaceutical Assistance to the Aged and Disabled program are conditioned upon the Department of Human Services coordinating benefits with any voluntary prescription drug mail-order or specialty pharmacy in a Medicare Part D provider network or private third party liability plan network for beneficiaries enrolled in a Medicare Part D program or beneficiaries with primary prescription coverage that requires use of mail-order. The mail-order program

may waive, discount, or rebate the beneficiary copayment and mail-order pharmacy providers may dispense up to a 90-day supply on prescription refills with the voluntary participation of the beneficiary, subject to the approval of the Commissioner of Human Services and the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated to the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program is conditioned upon the Department of Human Services coordinating the benefits of the PAAD program with the prescription drug benefits of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, as the primary payer due to the current federal prohibition against State automatic enrollment of PAAD program recipients in the federal program. The PAAD program benefit and reimbursement shall only be available to cover the beneficiary cost share to in-network pharmacies and for deductible and coverage gap costs (as determined by the Commissioner of Human Services) associated with enrollment in Medicare Part D for beneficiaries of the PAAD and the Senior Gold Prescription Discount Program, and for Medicare Part D premium costs for PAAD program beneficiaries.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program and the Senior Gold Prescription Discount Program accounts shall be available as payment as a PAAD program or Senior Gold Prescription Discount Program benefit to any pharmacy that is not enrolled as a participating pharmacy in a pharmacy network under Medicare Part D.

Consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, and the current federal prohibition against State automatic enrollment of Pharmaceutical Assistance to the Aged and Disabled (PAAD) program recipients, no funds hereinabove appropriated from the PAAD account shall be expended for any individual enrolled in the PAAD program unless the individual provides all data that may be necessary to enroll the individual in Medicare Part D, including data required for the subsidy assistance, as outlined by the Centers for Medicare and Medicaid Services.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program shall be conditioned upon the following provision: no funds shall be appropriated for the refilling of a prescription drug paid by PAAD as a primary payer until such time as the original prescription is 85% finished.

Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program shall be expended to cover medications not on the formulary of a PAAD program beneficiary's Medicare Part D plan. This exclusion shall not apply to those drugs covered by PAAD which are specifically excluded by the federal Medicare Prescription Drug Program. In addition, this

exclusion shall not impact the beneficiary's rights, guaranteed by the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003" (MMA), Pub.L.108-173, to appeal the medical necessity of coverage for drugs not on the formulary of a Medicare Part D plan.

Notwithstanding the provisions of any law or regulation to the contrary, no amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program shall be expended for diabetic testing materials and supplies which are covered under the federal Medicare Part B program, or for vitamins, cough/cold medications, drugs used for the treatment of erectile dysfunction, or cosmetic drugs including but not limited to: drugs used for baldness, weight loss, and skin conditions.

Notwithstanding the provisions of any law or regulation to the contrary, no funds appropriated in the Pharmaceutical Assistance to the Aged and Disabled program classification and the Senior Gold Prescription Discount Program account shall be expended for fee-for-service prescription drug claims with no Medicare Part D coverage except under the following conditions: (1) the maximum allowable cost for legend and non-legend drugs shall be calculated based on Actual Acquisition Cost (AAC) defined as the lowest of (i) the National Average Drug Acquisition Cost (NADAC) Retail Price Survey, developed in accordance with Section 1927(f) of the Social Security Act; (ii) Wholesale Acquisition Cost (WAC) less a volume discount, in the absence of a NADAC price, that is consistent with the NJ FamilyCare Program; (iii) the federal upper limit (FUL); or (iv) the State upper limit (SUL); and (v) cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source drugs and multi-source drugs in the absence of any alternative pricing benchmarks; (2) pharmacy reimbursement for legend and non-legend drugs shall be calculated based on (i) the lower of the AAC plus a professional fee, that is consistent with the NJ FamilyCare Program; or a provider's usual and customary charge; or (ii) the lower of cost acquisition data submitted by providers of pharmaceutical services for brand-name multi-source and multi-source drugs, where an alternative pricing benchmark is not available, plus a professional fee that is consistent with the NJ FamilyCare Program; or a provider's usual and customary charge. To effectuate the calculation of SUL rates and/or the calculation of single-source and brand-name multi-source legend and non-legend drug costs where an alternative pricing benchmark is not available, the Department of Human Services shall mandate ongoing submission of current drug acquisition data by providers of pharmaceutical services. No funds hereinabove appropriated shall be paid to any entity that fails to submit required data.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for the Community Based Senior Programs (CRF) account, $175,000 shall be charged to the Casino Simulcasting Fund.

STATE AID

55-7530 Programs for the Aged..... $7,152,000

(From General Fund ..... $4,654,000)
(From Property Tax Relief Fund ..... 2,498,000)
Total State Aid Appropriation, Division of Aging Services $7,152,000
(From General Fund ..... $4,654,000)
(From Property Tax Relief Fund ..... 2,498,000)

State Aid:
55 County Offices on Aging (PTRF) ..... ($2,498,000)
55 Older Americans Act - State Share ..... (4,654,000)

27 Disability Services
7545 Division of Disability Services
DIRECT STATE SERVICES

27-7545 Disability Services $1,255,000
Total Direct State Services Appropriation, Division of Disability Services $1,255,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($969,000)
Materials and Supplies ..... (4,000)
Services Other Than Personal ..... (273,000)
Maintenance and Fixed Charges ..... (9,000)

GRANTS-IN-AID

27-7545 Disability Services $12,855,000
(From General Fund ..... $9,121,000)
(From Casino Revenue Fund ..... 3,734,000)
Total Grants-in-Aid Appropriation, Division of Disability Services $12,855,000
(From General Fund ..... $9,121,000)
(From Casino Revenue Fund ..... 3,734,000)

Grants-in-Aid:
27 Personal Assistance Services Program ..... ($7,383,000)
27 Personal Assistance Services Program (CRF) ..... (3,734,000)
27 Community Supports to Allow Discharge from Nursing Homes ..... (79,000)
27 Transportation/Vocational Services for the Disabled ..... (1,659,000)

Notwithstanding the provisions of section 1 of P.L.2009, c.181 (C.30:4D-7j), or any other law or regulation to the contrary, providers of Medicaid funded Personal Care Assistance services shall no longer be required to file cost reports with the Division of Disability Services.

30 Educational, Cultural, and Intellectual Development
32 Operation and Support of Educational Institutions
DIRECT STATE SERVICES

05-7610 Residential Care and Habilitation Services $247,708,000
(From General Fund ..... $85,629,000)
(From Federal Funds ..... 162,079,000)
99-7610 Administration and Support Services 54,439,000
(From General Fund ..... 18,947,000)
(From Federal Funds ..... 35,492,000)
Total Appropriation, State and Federal Funds $302,147,000
(From General Fund ..... $104,576,000)
(From Federal Funds ..... 197,571,000)
Less:
Federal Funds $197,571,000
Total Direct State Services Appropriation, Operation and Support of Educational Institutions $104,576,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($252,100,000)
Materials and Supplies ..... (22,373,000)
Services Other Than Personal ..... (18,564,000)
Maintenance and Fixed Charges ..... (8,150,000)
Additions, Improvements and Equipment ..... (960,000)
Less:
Federal Funds 197,571,000

The State appropriation for the State's developmental centers is based on ICF/MR revenues of $221,104,000 provided that if the ICF/MR revenues exceed $221,104,000, an amount equal to the excess ICF/MR revenues may be deducted from the State appropriation for the developmental centers, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Operation and Support of Educational Institutions of the Division of Developmental Disabilities, such other amounts provided in Inter-Departmental accounts for Employee Benefits, as the Director of the Division of Budget and Accounting shall determine, are considered as appropriated on behalf of the developmental centers and are available for matching federal funds.

7601 Community Programs
DIRECT STATE SERVICES

08-7601 Community Services $40,171,000
(From General Fund ..... $20,967,000)
(From Federal Funds ..... 19,204,000)
99-7601 Administration and Support Services 31,107,000
(From General Fund ..... 18,356,000)

(From Federal Funds..... 12,751,000)
Total Appropriation, State and Federal Funds $71,278,000
(From General Fund..... $39,323,000)
(From Federal Funds..... 31,955,000)
Less
Federal Funds..... $31,955,000
Total Direct State Services Appropriation, Community Programs $39,323,000
Direct State Services:
Personal Services:
Salaries and Wages .....($55,637,000)
Materials and Supplies.....(1,703,000)
Services Other Than Personal.....(10,840,000)
Maintenance and Fixed Charges.....(1,511,000)
Special Purpose:
99 Developmental Disabilities Council .....(306,000)
Additions, Improvements and Equipment .....(1,281,000)
Less:
Federal Funds..... $31,955,000

GRANTS-IN-AID

01-7601 Purchased Residential Care $960,369,000
(From General Fund..... $331,734,000)
(From Casino Revenue Fund..... 175,377,000)
(From Federal Funds..... 397,039,000)
(From All Other Funds ..... 56,219,000)
02-7601 Social Supervision and Consultation..... 175,001,000
(From General Fund..... 94,721,000)
(From Federal Funds..... 80,280,000)
03-7601 Adult Activities 310,045,000
(From General Fund..... 170,886,000)
(From Federal Funds..... 139,159,000)
Total Appropriation, State and Federal Funds $1,445,415,000
(From General Fund..... $597,341,000)
(From Casino Revenue Fund..... 175,377,000)
(From Federal Funds ..... 616,478,000)
(From All Other Funds..... 56,219,000)
Less:
Federal Funds..... $616,478,000
All Others Funds..... 56,219,000
Total Grants-in-Aid Appropriation, Community Programs $772,718,000
(From General Fund..... $597,341,000)
(From Casino Revenue Fund..... 175,377,000)

Grants-in-Aid:

01	CCW - Individual Supports	($607,073,000)
01	CCW - Individual Supports (CRF)	(175,377,000)
01	Skill Development Homes	(10,000,000)
01	Client Housing	(93,966,000)
01	Contracted Services	(73,953,000)
02	Office for Prevention of Developmental Disabilities	(573,000)
02	CCW - Individual and Family Support Services	(111,979,000)
02	Supports Program - Individual and Family Support Services	(61,266,000)
02	Developmental Disabilities Council	(1,183,000)
03	Supports Program - Employment and Day Services	(113,259,000)
03	CCW - Employment and Day Services	(196,786,000)

Less:

Federal Funds **616,478,000**

All Other Funds **56,219,000**

Notwithstanding the provisions of Title 30 of the Revised Statutes or any other law or regulation to the contrary, the Assistant Commissioner of the Division of Developmental Disabilities is authorized to waive statutory, regulatory, or licensing requirements in the use of funds hereinabove appropriated for the operation of the self-determination program including participants from the Community Services Waiting List Reduction Initiatives - FY1997 through FY2002, subject to the approval of a plan by the Assistant Commissioner of the Division of Developmental Disabilities, which allowed an individual to be removed from the waiting list. This waiver also applies to those persons identified as part of the Community Transition Initiative - FY2001 and FY2002, and the Community Nursing Care Initiative - FY2002, who chose self-determination.

Cost recoveries from consumers with developmental disabilities collected during the current fiscal year, not to exceed $56,219,000, are appropriated for the continued operation of the Division of Developmental Disabilities community-based residential programs, subject to the approval of the Director of the Division of Budget and Accounting.

Such amounts as may be necessary are appropriated from the General Fund for the payment of any provider assessments to State ICF/MR facilities, subject to the approval of the Director of the Division of Budget and Accounting of a plan to be submitted by the Commissioner of Human Services. Notwithstanding the provisions of any law or regulation to the contrary, only the federal share of funds anticipated from these assessments shall be available to the Department of Human Services for the purposes set forth in P.L.1998, c.40 (C.30:6D-43 et seq.).

Notwithstanding the provisions of any law or regulation to the contrary, $549,740,000 of federal Community Care Waiver funds is appropriated for community-based programs in the Division of Developmental Disabilities. The appro-

priation of federal Community Care Waiver funds above this amount is conditional upon the approval of a plan submitted by the Department of Human Services that must be approved by the Director of the Division of Budget and Accounting.

In order to permit flexibility in the handling of appropriations and assure timely payment to service providers, funds may be transferred within the Grants-In-Aid accounts within the Division of Developmental Disabilities, subject to the approval of the Director of the Division of Budget and Accounting.

Amounts required to return persons with developmental disabilities presently residing in out-of-State institutions to community residences within the State may be transferred from the Private Institutional Care account to other Casino Revenue Fund Grants-In-Aid accounts within the Division of Developmental Disabilities, subject to the approval of the Director of the Division of Budget and Accounting.

33 Supplemental Education and Training Programs
7560 Commission for the Blind and Visually Impaired
DIRECT STATE SERVICES

11-7560 Services for the Blind and Visually Impaired	$7,793,000
99-7560 Administration and Support Services	2,488,000
Total Direct State Services Appropriation, Commission for the Blind and Visually Impaired	$10,281,000

Direct State Services:

Personal Services:	
Salaries and Wages	($7,971,000)
Materials and Supplies	(126,000)
Services Other Than Personal	(785,000)
Maintenance and Fixed Charges	(456,000)
Special Purpose:	
11 Technology for the Visually Impaired	(765,000)
Additions, Improvements and Equipment	(178,000)

Notwithstanding the provisions of N.J.S.18A:61-1 and N.J.S.18A:46-13, or any law or regulation to the contrary, local boards of education shall reimburse the Commission for the Blind and Visually Impaired for the documented costs of providing services to children who are classified as "educationally handicapped"; provided, however, each local board of education shall pay that portion of cost which the number of children classified "educationally handicapped" bears to the total number of such children served; provided further, however, that payments shall be made by each local board in accordance with a schedule adopted by the Commissioners of Education and Human Services, and further, the Director of the Division of Budget and Accounting is authorized to deduct such reimbursements from the State Aid payments to the local boards of education.

The unexpended balances at the end of the preceding fiscal year in the Technology for the Visually Impaired account are appropriated for the Commission for the Blind and Visually Impaired, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated from funds recovered from audits or other collection activities, an amount sufficient to pay vendors' fees to compensate the recoveries and the administration of the State's vending machine program, subject to the approval of the Director of the Division of Budget and Accounting. Receipts in excess of $130,000 are appropriated for the purpose of expanding vision screening services and other prevention services, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year of such receipts is appropriated.

GRANTS-IN-AID

11-7560 Services for the Blind and Visually Impaired $3,552,000
Total Grants-in-Aid Appropriation, Commission for the Blind and Visually Impaired $3,552,000

Grants-in-Aid:

11 State Match for Federal Grants ..... ($617,000)
11 Educational Services for Children ..... (1,670,000)
11 Services to Rehabilitation Clients ..... (1,265,000)

50 Economic Planning, Development, and Security
53 Economic Assistance and Security
7550 Division of Family Development

DIRECT STATE SERVICES

15-7550 Income Maintenance Management $174,553,000
(From General Fund ..... $30,810,000)
(From Federal Funds ..... 130,235,000)
(From All Other Funds ..... 13,508,000)
Total Appropriation, State and Federal Funds $174,553,000
(From General Fund ..... $30,810,000)
(From Federal Funds ..... 130,235,000)
(From All Other Funds ..... 13,508,000)

Less:

Federal Funds $130,235,000
All Other Funds 13,508,000
Total Direct State Services Appropriation, Division of Family Development $30,810,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($31,262,000)
Materials and Supplies ..... (330,000)
Services Other Than Personal ..... (26,620,000)
Maintenance and Fixed Charges ..... (343,000)
Special Purpose:
15 Electronic Benefit Transfer/Distribution System ..... (6,324,000)

15 Work First New Jersey - Technology Investment .....(109,466,000)
Additions, Improvements and Equipment .....(208,000)
Less:
Federal Funds..... 130,235,000
All Other Funds..... 13,508,000

In order to permit flexibility, amounts may be transferred between various items of appropriation within the Income Maintenance Management program classification, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

The unexpended balances at the end of the preceding fiscal year in accounts where expenditures are required to comply with Maintenance of Effort requirements as specified in the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

15-7550 Income Maintenance Management..... $511,571,000
(From General Fund..... $187,039,000)
(From Federal Funds..... 289,532,000)
(From All Other Funds ..... 35,000,000)
Total Appropriation, State and Federal Funds $511,571,000
(From General Fund..... $187,039,000)
(From Federal Funds..... 289,532,000)
(From All Other Funds ..... 35,000,000)
Less:
Federal Funds..... $289,532,000
All Others Funds..... 35,000,000
Total Grants-in-Aid Appropriation, Division of Family Development $187,039,000

Grants-in-Aid:
15 Work First New Jersey - Training Related Expenses.....(17,177,000)
15 Work First New Jersey Support Services.....(72,539,000)
15 Work First New Jersey - Breaking theCycle.....(1,055,000)
15 Work First New Jersey Child Care .....(358,165,000)
15 Kinship Care Initiatives .....(5,555,000)
15 Wage Supplement Program .....(2,800,000)
15 Kinship Care Guardianship and Subsidy .....(1,600,000)
15 Supplemental Nutrition Assistance Program - Education.....(7,000,000)
15 Social Services for the Homeless.....(19,216,000)
15 SSI Attorney Fees .....(2,914,000)

15 Substance Use Disorder Initiatives ..... (23,550,000)

Less:

Federal Funds.....289,532,000

All Other Funds.....35,000,000

In order to permit flexibility, amounts may be transferred between various items of appropriation within the Income Maintenance Management program classification, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

The unexpended balances at the end of the preceding fiscal year in accounts where expenditures are required to comply with Maintenance of Effort requirements as specified in the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193 are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts appropriated for Work First New Jersey, amounts may be transferred to the various departments in accordance with the Division of Family Development's agreements, subject to the approval of the Director of the Division of Budget and Accounting. Any unobligated balances remaining from funds transferred to the departments shall be transferred back to the Division of Family Development, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for Work First New Jersey Child Care, an amount not to exceed $35,000,000 is appropriated from the Workforce Development Partnership Fund established pursuant to section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, no funds hereinabove appropriated for before-school, after-school, and summer "wrap around" child care shall be expended except in accordance with the following condition: Effective September 1, 2010, families with incomes between 101% and 250% of the federal poverty level who reside in districts who received Preschool Expansion Aid or Education Opportunity Aid in the 2007-2008 school year shall be subject to a copayment for "wrap around" child care, based upon a schedule approved by the Department of Human Services and published in the New Jersey Register, and effective September 1, 2010, families who reside in districts who received Preschool Expansion Aid or Education Opportunity Aid in the 2007-2008 school year must meet the eligibility requirements under the New Jersey Cares for Kids child care program (N.J.A.C.10:15-5.1 et seq.) in order to receive free or subsidized "wrap around" child care.

STATE AID

15-7550 Income Maintenance Management..... $750,500,000

(From General Fund ..... $182,380,000)
(From Property Tax Relief Fund ..... 78,436,000)
(From Federal Funds ..... 482,978,000)
(From All Other Funds ..... 6,706,000)

Total Appropriation, State and Federal Funds $750,500,000
(From General Fund ..... $182,380,000)
(From Property Tax Relief Fund ..... 78,436,000)
(From Federal Funds ..... 482,978,000)
(From All Other Funds ..... 6,706,000)

Less:
Federal Funds $482,978,000
All Other Funds 6,706,000

Total State Aid Appropriation, Division of Family Development $260,816,000
(From General Fund ..... $182,380,000)
(From Property Tax Relief Fund ..... 78,436,000)

State Aid:

15 County Administration Funding ..... ($319,461,000)
15 County Administration Funding (PTRF) ..... (26,533,000)
15 Work First New Jersey - Client Benefits ..... (45,722,000)
15 Earned Income Tax Credit Program ..... (113,500,000)
15 General Assistance Emergency Assistance Program ..... (25,029,000)
15 Payments for Cost of General Assistance ..... (34,963,000)
15 Work First New Jersey - Emergency Assistance .... (43,385,000)
15 Payments for Supplemental Security Income ..... (69,493,000)
15 State Supplemental Security Income Administrative Fee ..... (19,711,000)
15 General Assistance County Administration (PTRF) ..... (27,678,000)
15 Supplemental Nutrition Assistance Program Administration - State (PTRF) ..... (24,225,000)
15 Fair Labor Standards Act - Minimum Wage Requirements (TANF) ..... (800,000)

Less:
Federal Funds 482,978,000
All Other Funds 6,706,000

The net State share of reimbursements and the net balances remaining after full payment of amounts due the federal government of all funds recovered under P.L.1997, c.38 (C.44:10-55 et seq.) and P.L.1950, c.166 (C.30:4B-1 et seq.), at the end of the preceding fiscal year are appropriated for the Work First New Jersey Program.

Receipts from State administered municipalities during the preceding fiscal year are appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Income Maintenance Management are available for payment of obligations applicable to prior fiscal years.

The amounts hereinabove appropriated for Income Maintenance Management are conditioned upon the following provision: any change by the Department of Human Services in the standards upon which or from which grants of categorical public assistance are determined, first shall be approved by the Director of the Division of Budget and Accounting.

In order to permit flexibility and ensure the timely payment of benefits to welfare recipients, amounts may be transferred between the various items of appropriation within the Income Maintenance Management program classification, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, the Director of the Division of Budget and Accounting is authorized to withhold State Aid payments to municipalities to satisfy any obligations due and owing from audits of that municipality's General Assistance program.

The unexpended balances at the end of the preceding fiscal year in accounts where expenditures are required to comply with Maintenance of Effort requirements as specified in the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, and in the Payments for Cost of General Assistance and General Assistance Emergency Assistance Program accounts are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of R.S.46:30B-74 or any other law or regulation to the contrary, balances in the Unclaimed Child Support Trust Fund are appropriated to the Department of Human Services, Division of Family Development to offset unpaid receivables for the child support program.

In addition to the amounts hereinabove appropriated, to the extent that federal child support incentive earnings are available, such additional amounts are appropriated from federal child support incentive earnings to pay on behalf of individuals on whom is imposed a $25 annual child support user fee, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated an amount equal to the difference between actual revenue loss reflected in the Earned Income Tax Credit program and the amount anticipated as the revenue loss from the Earned Income Tax Credit to meet federal Maintenance of Effort requirements to allow the Department of Human Services to comply with the Maintenance of Effort requirements as specified in the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L. 104-193, and as legislatively required by the Work First New Jersey program established pursuant to section 4 of P.L.1997, c.38 (C.44:10-58), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for Work First New Jersey - Client Benefits and General Assistance Emergency Assistance Program, an amount not to exceed $6,900,000 is appropriated from the Universal Service Fund for utility payments for Work First New Jersey recipients, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Payments for Cost of General Assistance and General Assistance Emergency Assistance Program are subject to the following condition: no funds shall be expended to provide benefits to recipients enrolled in college. For purposes of this provision, "college" is defined as that term is defined at N.J.A.C.9A:1-1.2.

Receipts from counties for persons receiving Old Age Assistance, Disability Assistance, and Assistance for the Blind under the Supplemental Security Income (SSI) program are appropriated for the purpose of providing State Aid to the counties, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 3 of P.L.1973, c.256 (C.44:7-87) or any other law or regulation to the contrary, the amount hereinabove appropriated for State Supplemental Security Income Administrative Fee is subject to the following condition: in order to expedite and improve efficiency in the administration of the State Supplemental Security Income Program ("Program"), the Division of Family Development may enter into contracts with one or more other states to issue, on behalf of the State of New Jersey, State Supplemental Social Security checks to clients approved by the State of New Jersey to receive payments under the Program and to pay the state or states for any costs incurred under such contract, subject to the approval of the Director of the Division of Budget and Accounting.

From the amount appropriated hereinabove for Payments for Cost of General Assistance, the commissioner shall allocate not less than $2,000,000 to Volunteers of America Delaware Valley to provide enhanced navigation and coordination of housing and homeless services in locations to include but not limited to Camden and Atlantic counties.

55 Social Services Programs
7580 Division of the Deaf and Hard of Hearing
DIRECT STATE SERVICES

23-7580 Services for the Deaf	$862,000
Total Direct State Services Appropriation, Division of the Deaf and Hard of Hearing	$862,000

Direct State Services:

Personal Services:	
Salaries and Wages	($482,000)
Services Other Than Personal	(40,000)

Maintenance and Fixed Charges ..... (1,000)
Special Purpose:
23 Services to Deaf Clients ..... (284,000)
23 Communication Access Services ..... (55,000)

70 Government Direction, Management, and Control
76 Management and Administration
7500 Division of Management and Budget
DIRECT STATE SERVICES

96-7500 Institutional Security Services $7,073,000
99-7500 Administration and Support Services 31,160,000
Total Direct State Services Appropriation, Division of Management and Budget $38,233,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($25,456,000)
Materials and Supplies ..... (349,000)
Services Other Than Personal ..... (6,446,000)
Maintenance and Fixed Charges ..... (719,000)
Special Purpose:
99 Health Care Billing System ..... (62,000)
99 Transfer to State Police for Fingerprinting/Background Checks of Job Applicants ..... (4,257,000)
Additions, Improvements and Equipment ..... (944,000)

Revenues representing receipts to the General Fund from charges to residents' trust accounts for maintenance costs are appropriated for use as personal needs allowances for patients/residents who have no other source of funds for these purposes; except that the total amount herein for these allowances shall not exceed $750,000 and any increase in the maximum monthly allowance shall be approved by the Director of the Division of Budget and Accounting.

Revenues received from fees derived from the licensing of all community mental health programs as specified in N.J.A.C.10:190-1.1 et seq. are appropriated to the Division of Management and Budget to offset the costs of performing the required reviews.

GRANTS-IN-AID

99-7500 Administration and Support Services $8,809,000
Total Grants-in-Aid Appropriation, Division of Management and Budget $8,809,000

Grants-in-Aid:
99 Unit Dose Contracting Services ..... ($4,824,000)
99 Consulting Pharmacy Services ..... (3,985,000)

Department of Human Services, Total State Appropriation .. $6,584,903,000

Balances on hand at the end of the preceding fiscal year of funds held for the benefit of patients in the several institutions, and such funds as may be received, are appropriated for the use of the patients.

Funds received from the sale of articles made in occupational therapy departments of the several institutions are appropriated for the purchase of additional material and other expenses incidental to such sale or manufacture.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the Department of Human Services shall be conditioned upon the following provision: any change in program eligibility criteria and increases in the types of services or rates paid for services to or on behalf of clients for all programs under the purview of the Department of Human Services, not mandated by federal law, first shall be approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from payments collected from clients receiving services from the Department of Human Services and collected from their chargeable relatives, are appropriated to offset administrative and contract expenses related to the charging, collecting, and accounting of payments from clients receiving services from the department and from their chargeable relatives pursuant to R.S.30:1-12, subject to the approval of the Director of the Division of Budget and Accounting.

Payment to vendors for their efforts in maximizing federal revenues is appropriated and shall be paid from the federal revenues received, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

Unexpended State balances may be transferred among Department of Human Services accounts in order to comply with the State Maintenance of Effort requirements as specified in the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L. 104-193, and as legislatively required by the Work First New Jersey program established pursuant to section 4 of P.L.1997, c.38 (C.44:10-58), subject to the approval of the Director of the Division of Budget and Accounting. Notice of such transfers that would result in appropriations or expenditures exceeding the State's Maintenance of Effort requirement obligation shall be subject to the approval of the Joint Budget Oversight Committee. In addition, unobligated balances remaining from funds allocated to the Department of Labor and Workforce Development for Work First New Jersey as of June 1 of each year are to be reverted to the Work First New Jersey - Client Benefits account in order to comply with the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193, and as legislatively required by the Work First New Jersey program.

Notwithstanding the provisions of R.S.30:4-78, or any law or regulation to the contrary, with respect to the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals, commencing January 1, 2010, the State

shall pay to each county an amount equal to 35% of the total per capita costs for the reasonable cost of maintenance and clothing of county patients in State psychiatric facilities.

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Human Services is authorized to identify opportunities for increased recoveries to the General Fund and to the department. Such funds collected are appropriated, subject to the approval of the Director of the Division of Budget and Accounting, in accordance with a plan prepared by the department, and approved by the Director of the Division of Budget and Accounting.

To effectuate the orderly consolidation or closure of a developmental center or psychiatric hospital, amounts hereinabove appropriated for the State developmental centers and State psychiatric hospitals may be transferred to accounts throughout the Department of Human Services in accordance with the plan adopted pursuant to section 2 of P.L.1996, c.150 (C.30:1-7.4) to consolidate or close a developmental center or State psychiatric hospital, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 1 of P.L.1985, c.286 (C.30:4D-6a) and section 3 of P.L.1973, c.496 (C.44:7-87) or the provisions of any law or regulation to the contrary, the minimum monthly personal needs allowance provided to persons residing in nursing facilities, State or county psychiatric hospitals, and State Developmental Centers who are eligible for Medicaid or SSI benefits shall be $50. To effectuate the purposes of this provision, amounts may be transferred from General Medical Services appropriations to other accounts in the department.

The unexpended balances at the end of the preceding fiscal year due to opportunities for increased recoveries in the Department of Human Services are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. These recoveries may be transferred to the Division of Medical Assistance and Health Services to support the Managed Care Initiative, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the object accounts in the General Medical Services, Community Services and Addictions Services program classifications are subject to the following condition: notwithstanding the provisions of any law or regulation to the contrary and subject to any required federal approval, the Commissioner of Human Services shall implement a new rate methodology as part of the ongoing fee-for-service conversion, which implementation may include, but need not be limited to, modifications to reimbursement levels, as well as contract and service modifications, with respect to mental health and substance use disorder services.

Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for the Client Housing program, General Assistance Emergency Assistance Program, and the Social Services for the Homeless program, $41,500,000 shall be payable from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable

Housing Trust Fund" pursuant to section 4 of P.L.1968, c.49 (C.46:15-8) and from the receipts of the portion of the realty transfer fee directed to be credited to the "New Jersey Affordable Housing Trust Fund" pursuant to section 4 of P.L.1975, c.176 (C.46:15-10.1), subject to the approval of the Director of the Division of Budget and Accounting.

Summary of Department of Human Services Appropriations
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$587,712,000
Grants-in-Aid	5,624,009,000
State Aid	373,182,000
Appropriations by Fund:	
General Fund	$6,194,347,000
Property Tax Relief Fund	186,148,000
Casino Revenue Fund	204,408,000

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62 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
50 Economic Planning, Development, and Security
51 Economic Planning and Development
DIRECT STATE SERVICES

99-4565 Administration and Support Services	$693,000
Total Direct State Services Appropriation, Economic Planning and Development	$693,000

Direct State Services:

Personal Services:	
Salaries and Wages	($507,000)
Materials and Supplies	(11,000)
Services Other Than Personal	(150,000)
Maintenance and Fixed Charges	(25,000)

Of the amount hereinabove appropriated for the Administration and Support Services program classification, $538,000 is appropriated from the Unemployment Compensation Auxiliary Fund.

In addition to the amount hereinabove appropriated for the Administration and Support Services program, an amount not to exceed $550,000 is appropriated from the Unemployment Compensation Auxiliary Fund, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for the Administration and Support Services program, $31,000 is payable out of the State Disability Benefits Fund and, in addition to the amount hereinabove appropriated for the Administration and Support Services program, there are appropriated from the State Disability Benefits Fund such additional amounts as may be required to administer the program, subject to the approval of the Director of the Division of Budget and Accounting.

Fines and penalties collected pursuant to violations of P.L.1945, c.169 (C.10:5-1 et seq.) are hereby appropriated for program costs.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Administration and Support Services, there is appropriated $470,000 from the New Jersey Builders Utilization Initiative for Labor Diversity, pursuant to P.L.2009, c.313 (C.52:38-7), for enforcing the provisions of P.L.2009, c.335 (C.52:40-1 et seq.).

Notwithstanding the provisions of the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.), there is appropriated to the Department of Labor and Workforce Development from the Enterprise Zone Assistance Fund, subject to the approval of the Director of the Division of Budget and Accounting, such amounts as are necessary to pay for employer rebate awards as approved by the Commissioner of Community Affairs.

The amount necessary to provide administrative costs incurred by the Department of Labor and Workforce Development to meet the statutory requirements of the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) is appropriated from the Enterprise Zone Assistance Fund, subject to the approval of the Director of the Division of Budget and Accounting.

53 Economic Assistance and Security

DIRECT STATE SERVICES

03-4520 State Disability Insurance Plan	$32,638,000
04-4520 Private Disability Insurance Plan	5,021,000
05-4525 Workers' Compensation	13,673,000
06-4530 Special Compensation	1,942,000
Total Direct State Services Appropriation, Economic Assistance and Security	$53,274,000

Direct State Services:

Personal Services:	
Salaries and Wages	($32,680,000)
Materials and Supplies	(269,000)
Services Other Than Personal	(5,895,000)
Maintenance and Fixed Charges	(3,137,000)
Special Purpose:	
03 State Disability Insurance Plan	(300,000)
03 State Disability Benefits Fund - Joint Tax Functions	(5,500,000)
03 Family Leave Insurance	(5,040,000)
04 Private Disability Insurance Plan	(50,000)
05 Workers' Compensation	(363,000)
06 Special Compensation	(40,000)

An amount not to exceed $150,000 for the cost of notifying unemployment compensation recipients of the availability of New Jersey Earned Income Tax Credit

information, pursuant to section 1 of P.L.2005, c.210 (C.43:21-4.2), is appropriated from the Unemployment Compensation Auxiliary Fund, subject to the approval of the Director of the Division of Budget and Accounting.

The amount necessary to pay interest due on any advances made from the federal unemployment account under Title XII of the Social Security Act (42 U.S.C. s.1321 et seq.) is hereby appropriated from the Unemployment Compensation Interest Repayment Fund established in the Department of Labor and Workforce Development, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated, there is appropriated from the Unemployment Compensation Auxiliary Fund, an amount not to exceed $16,000,000 to support collection activities in the program as well as costs associated with certain State required notifications to Unemployment Insurance claimants and for the support of the workforce development system, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the State Disability Insurance Plan and Private Disability Insurance Plan are payable out of the State Disability Benefits Fund.

In addition to the amounts hereinabove appropriated for the State Disability Insurance Plan and Private Disability Insurance Plan, there are appropriated from the State Disability Benefits Fund such additional amounts as may be required to pay disability benefits, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for administrative costs associated with the State Disability Insurance Plan, there is appropriated from the State Disability Benefits Fund an amount not to exceed $10,000,000, such amount to include $1,000,000 for a reengineering study of the business process, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated for the State Disability Insurance Plan, there are appropriated from the Family Temporary Disability Leave Account within the State Disability Benefits Fund such amounts as may be required to pay benefits during periods of family temporary disability leave and the associated administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated for the State Disability Insurance Plan and the Private Disability Insurance Plan, there are appropriated from the State Disability Benefits Fund such additional amounts as may be required to administer the State Disability Insurance Plan and the Private Disability Insurance Plan.

In addition to the amounts hereinabove appropriated for the Workers' Compensation program, there are appropriated receipts in excess of the amount anticipated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated for the Special Compensation program, there are appropriated receipts in excess of the amount anticipated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Special Compensation program shall be payable from the Second Injury Fund and, notwithstanding the $12,500 limitation set forth in R.S.34:15-95, in addition to the amounts hereinabove appropriated for the Special Compensation program, there are appropriated from the Second Injury Fund such additional amounts as may be required for costs of administration and beneficiary payments.

There is appropriated from the balance in the Second Injury Fund an amount not to exceed $1,000,000 to be deposited to the credit of the Uninsured Employer's Fund for the payment of benefits as determined in accordance with section 11 of P.L.1966, c.126 (C.34:15-120.2). Any amount so transferred shall be included in the next Uninsured Employer's Fund surcharge imposed in accordance with section 10 of P.L.1966, c.126 (C.34:15-120.1) and any amount so transferred shall be returned to the Second Injury Fund without interest and shall be included in net assets of the Second Injury Fund pursuant to paragraph (4) of subsection c. of R.S.34:15-94.

Notwithstanding the provisions of any law or regulation to the contrary, the funds appropriated for Second Injury Fund benefits are available for the payment of obligations applicable to prior fiscal years.

Amounts to administer the Uninsured Employer's Fund are appropriated from the Uninsured Employer's Fund, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of R.S.43:21-16 or any other law or regulation to the contrary, any recoveries from fines and penalties assessed on or before October 21, 2013 in connection with fraudulently obtained unemployment insurance benefits are appropriated and shall be deposited into the Unemployment Compensation Auxiliary Fund.

From the funds made available to the State under section 903(d)(4) of the Social Security Act (42 U.S.C. s.1103 et seq.), as amended, the amount of $22,000,000 or so much thereof as may be necessary, is appropriated for the continued maintenance and improvement of services to unemployment insurance claimants through the improvement and modernization of the benefit payment system and other technology improvements and to employment service clients through the continued development and maintenance of one-stop offices throughout the State and other investments in technology, processes, and services that will enhance job opportunities for clients.

54 Manpower and Employment Services

DIRECT STATE SERVICES

07-4535 Vocational Rehabilitation Services $2,704,000

09-4545 Employment Services 10,049,000
12-4550 Workplace Standards 4,641,000
16-4555 Public Sector Labor Relations 3,680,000
17-4560 Private Sector Labor Relations 491,000
Total Direct State Services Appropriation, Manpower and Employment Services $21,565,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($16,494,000)
Materials and Supplies ..... (36,000)
Services Other Than Personal ..... (466,000)
Maintenance and Fixed Charges ..... (28,000)
Special Purpose:
09 Workforce Development Partnership Program ..... (1,909,000)
09 Workforce Development Partnership - Counselors ..... (81,000)
09 Workforce Literacy and Basic Skills Program ..... (2,000,000)
12 Worker and Community Right to Know Act ..... (30,000)
12 Public Works Contractor Registration ..... (450,000)
12 Safety Commission ..... (3,000)
Additions, Improvements and Equipment ..... (68,000)

The amount hereinabove appropriated for the Vocational Rehabilitation Services program classification is appropriated from the Unemployment Compensation Auxiliary Fund.

The amount hereinabove appropriated for Salaries and Wages for the Vocational Rehabilitation Services program classification shall be conditioned on the following: a) prior to determination of funding levels for the various services funded by any State or federal funds for vocational rehabilitation services, including but not limited to slot values and transportation, the Commissioner of Labor and Workforce Development shall consult with the sheltered workshop provider community to ensure a fair and adequate allocation of funding; and b) the Commissioner shall notify the Joint Budget Oversight Committee not less than 10 days prior to implementation of any change in rates for vocational rehabilitation services.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Vocational Rehabilitation Services program classification is available for the payment of obligations applicable to prior fiscal years.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated for the Council on Gender Parity an amount not to exceed $72,000 from the Unemployment Compensation Auxiliary Fund for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Workforce Development Partnership Program and Workforce Development Partnership - Counselors shall be appropriated from receipts from the Workforce Development Partnership Fund,

pursuant to P.L.1992, c.44 (C.34:15D-12 et seq.), together with such additional amounts as may be required to administer the Workforce Development Partnership Program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, up to 15% of the amount available from the Workforce Development Partnership Fund for the Supplemental Workforce Development Benefits Program shall be appropriated as necessary to fund additional administrative costs relating to the processing and payment of benefits, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1992, c.44 (C.34:15D-12 et seq.), or any other law or regulation to the contrary, the unexpended balance at the end of the preceding fiscal year in the Workforce Development Partnership Fund is appropriated to such fund, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Workforce Literacy and Basic Skills Program shall be appropriated from receipts received pursuant to P.L.2001, c.152 (C.34:15D-21 et seq.), together with such additional amounts as may be required to administer the Workforce Literacy Program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Supplemental Workforce Fund for Basic Skills," P.L.2001, c.152 (C.34:15D-21 et seq.), or any law or regulation to the contrary, the unexpended balance at the end of the preceding fiscal year in the Supplemental Workforce Fund for Basic Skills is appropriated to such fund, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated for the Workplace Standards program are appropriated for the same program, subject to the approval of the Director of the Division of Budget and Accounting.

Any excess receipts that are appropriated to the Workplace Standards program and that are available may be used by the Department of Labor and Workforce Development as match for any federal programs requiring a State match.

Notwithstanding the provisions of the "Worker and Community Right To Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove appropriated for the Worker and Community Right To Know Act account is payable from the Worker and Community Right To Know Fund. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

Receipts in excess of the amount anticipated for the Public Works Contractor Registration program and the unexpended balance at the end of the preceding fiscal year are appropriated for the Public Works Contractor Registration program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), the cost of fact-finding shall be borne equally by the public employer and the exclusive employee representative.

The amount hereinabove appropriated for the Private Sector Labor Relations program classification is appropriated from the Unemployment Compensation Auxiliary Fund.

From the appropriation provided hereinabove in support of office leases, and notwithstanding the provisions of P.L.1992, c.130 (C.52:18A-191.1 et seq.), the State Treasurer, in consultation with the Commissioner of Labor and Workforce Development, is hereby authorized to enter into cost-sharing agreements with any authorized non-State partner that offers programs and activities supported primarily by federal funds from the United States Departments of Labor and Education in the State's one-stop centers for the purpose of co-locating such partner in an office with the Department of Labor and Workforce Development providing rent costs shall be equitably shared in accordance with a cost allocation plan approved by the Commissioner of Labor and Workforce Development.

There are appropriated from the Wage and Hour Trust Fund and the Prevailing Wage Act Trust Fund such amounts as may be necessary for payments.

Of the amount hereinabove appropriated for Workplace Standards Salaries and Wages, an amount not less than $250,000 shall be allocated for the costs of additional staff assigned to enforce the provisions of the "New Jersey Prevailing Wage Act," P.L.1963, c.150 (C.34:11-56.25 et seq.).

GRANTS-IN-AID

07-4535 Vocational Rehabilitation Services $43,466,000
(From General Fund ..... $41,270,000)
(From Casino Revenue Fund ..... 2,196,000)
10-4545 Employment and Training Services 30,076,000
Total Grants-in-Aid Appropriation, Manpower and Employment Services $73,542,000
(From General Fund ..... $71,346,000)
(From Casino Revenue Fund ..... 2,196,000)

Grants-in-Aid:

07 Vocational Rehabilitation Services ..... ($36,838,000)
07 Vocational Rehabilitation Services (CRF) ..... (2,196,000)
07 Services to Clients (State Share) ..... (4,432,000)
10 New Jersey Youth Corps ..... (2,325,000)
10 Work First New Jersey Work Activities ..... (27,751,000)

Notwithstanding the provision of any law or regulation to the contrary, of the amount hereinabove appropriated for Vocational Rehabilitation Services, there is appropriated $14,000,000 from the Workforce Development Partnership Fund.

Of the amount hereinabove appropriated for the Vocational Rehabilitation Services program classification, an amount not to exceed $9,114,000 is appropriated from the Unemployment Compensation Auxiliary Fund.

In addition to the amount hereinabove appropriated for Vocational Rehabilitation Services, there is appropriated an additional $5,000,000 from the Workforce Development Partnership Fund for Extended Employment (Center based jobs), Ex-

tended Employment Transportation, and Long-Term Follow Along Services, which shall be allocated in the same amounts as in fiscal year 2017. Further, there is appropriated an additional $5,000,000 from the Workforce Development Partnership Fund, of which $3,600,000 shall be allocated for the Extended Employment client slots, and $1,400,000 shall be allocated for Extended Employment Transportation.

Of the amounts hereinabove appropriated for Vocational Rehabilitation Services, an amount not less than $33,780,000 shall be allocated for the Extended Employment client slots and shall be paid in twelve equal monthly payments of $2,815,000, commencing July 2017. These funds shall be contracted in July and the first payment shall be paid to providers in July 2017. All Extended Employment client slots shall be paid at the same value.

In addition to the amounts hereinabove appropriated for the Employment and Training Services program classification, an amount not to exceed $50,000 is appropriated from the Unemployment Compensation Auxiliary Fund for costs incurred by the Disadvantaged Youth Employment Opportunities Council, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for New Jersey Youth Corps, $1,850,000 is appropriated from the Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9) and an amount not to exceed 10% from all funds available to the program shall be made available for administrative costs incurred by the Department of Labor and Workforce Development.

Of the amount hereinabove appropriated for the New Jersey Youth Corps program, $475,000 is appropriated from the Unemployment Compensation Auxiliary Fund.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for New Jersey Youth Corps, there is appropriated an amount not to exceed $2,200,000 from the Supplemental Workforce Fund for Basic Skills, P.L.2001, c.152 (C.34:15D-21 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for Work First New Jersey Work Activities and Work First New Jersey-Training Related Expenses, $8,190,000 is appropriated from the Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for Work First New Jersey Work Activities, an amount not to exceed 3% shall be made available for administrative costs incurred by the Department of Labor and Workforce Development.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for the Work First New Jersey Work Activities and Work First New Jersey-Training Related Expenses accounts, an amount not to exceed $21,500,000 is appropriated from the Workforce Devel-

opment Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Vocational Rehabilitation Services program classification is available for the payment of obligations applicable to prior fiscal years.

In addition to the amount hereinabove appropriated for Vocational Rehabilitation Services, such sums as may be necessary to allow for the matching of federal funds made available pursuant to 29 U.S.C. s.730 are hereby appropriated from the Workforce Development Partnership fund, subject to the approval of the Director of the Division of Budget and Accounting.

70 Government Direction, Management, and Control
74 General Government Services
DIRECT STATE SERVICES

22-4575 General Administration, Agency Services, Test Development and Analytics $17,056,000
24-4580 Appeals and Regulatory Affairs 1,926,000
Total Direct State Services Appropriation, General Government Services $18,982,000

Direct State Services:

Personal Services:
Civil Service Commission .....($5,000)
Salaries and Wages .....(15,462,000)
Materials and Supplies.....(192,000)
Services Other Than Personal.....(2,657,000)
Maintenance and Fixed Charges.....(143,000)
Special Purpose:
22 Microfilm Service Charges .....(29,000)
22 Test Validation/Police Testing.....(434,000)
22 Americans with Disabilities Act .....(60,000)

Receipts from fees charged to applicants for open competitive or promotional examinations, and the unexpended fee balance at the end of the preceding fiscal year, collected from firefighter and law enforcement examination receipts, are appropriated for the costs of administering these exams, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from fees charged for appeals to the Civil Service Commission are appropriated for the costs of administering the appeals process, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from Training and Development (CLIP) and any unexpended balance at the end of the preceding fiscal year are appropriated for costs related to that program, subject to the approval of the Director of the Division of Budget and Accounting.

Department of Labor and Workforce Development,
Total State Appropriation $168,056,000

Summary of Department of Labor and Workforce Development Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $94,514,000
Grants-in-Aid 73,542,000
Appropriations by Fund:
General Fund $165,860,000
Casino Revenue Fund 2,196,000

66 DEPARTMENT OF LAW AND PUBLIC SAFETY
10 Public Safety and Criminal Justice
12 Law Enforcement
DIRECT STATE SERVICES

06-1200 State Police Operations $266,006,000
09-1020 Criminal Justice 31,693,000
11-1050 State Medical Examiner 438,000
30-1460 Gaming Enforcement 42,530,000
(From Casino Control Fund ..... $42,530,000)
99-1200 Administration and Support Services 31,780,000
Total Direct State Services Appropriation, Law Enforcement.. $372,447,000
(From General Fund ..... $329,917,000)
(From Casino Control Fund ..... 42,530,000)

Direct State Services:
Personal Services:
Salaries and Wages ..... ($199,892,000)
Salaries and Wages (CCF) ..... (34,400,000)
Cash in Lieu of Maintenance ..... (27,398,000)
Cash in Lieu of Maintenance (CCF) ..... (619,000)
(From General Fund ..... 227,290,000)
(From Casino Control Fund ..... 35,019,000)
Materials and Supplies ..... (14,481,000)
Materials and Supplies (CCF) ..... (450,000)
Services Other Than Personal ..... (14,447,000)
Services Other Than Personal (CCF) ..... (2,318,000)
Maintenance and Fixed Charges ..... (4,338,000)
Maintenance and Fixed Charges (CCF) ..... (2,693,000)
Special Purpose:
06 Nuclear Emergency Response Program ..... (1,091,000)
06 Drunk Driver Fund Program ..... (350,000)
06 Camden Initiative ..... (1,500,000)

06 Enhanced DNA Testing .....(450,000)
06 State Police DNA Laboratory Enhancement .....(650,000)
06 Urban Search and Rescue .....(1,000,000)
06 Rural Section Policing .....(53,398,000)
09 Division of Criminal Justice - State Match.....(750,000)
09 Expenses of State Grand Jury .....(356,000)
09 Medicaid Fraud Investigation - State Match.....(500,000)
30 Gaming Enforcement (CCF).....(1,500,000)
99 Emergency Operations Center and Hamilton TechPlex Maintenance .....(3,773,000)
99 N.C.I.C. 2000 Project.....(1,575,000)
Additions, Improvements and Equipment .....(3,968,000)
Additions, Improvements and Equipment (CCF) .....(550,000)

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the recovery of costs associated with the implementation of the "Criminal Justice Act of 1970," P.L.1970, c.74 (C.52:17B-97 et seq.), are appropriated for the purpose of offsetting the costs of the Division of Criminal Justice, and the unexpended balance at the end of the preceding fiscal year in the Criminal Justice Cost Recovery account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Victim and Witness Advocacy Fund account, together with receipts pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) is appropriated.

Such additional amounts as may be required to carry out the provisions of the "New Jersey Antitrust Act" P.L.1970, c.73 (C.56:9-1 et seq.) are appropriated from the General Fund, provided, however, that any expenditures therefrom shall be subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from license fees and/or audits conducted to insure compliance with "The Private Detective Act of 1939," P.L.1939, c.369 (C.45:19-8 et seq.), are appropriated to defray the cost of this activity.

Notwithstanding the provisions of any other law or regulation to the contrary, none of the monies appropriated to the Division of State Police shall be used to provide police protection to the inhabitants of rural sections pursuant to R.S.53:2-1 in a municipality in which such services were not provided in the previous fiscal year or to expand such services in a municipality beyond the level at which such services were provided in the previous fiscal year.

Of the amounts hereinabove appropriated in the Rural Section Policing account, amounts may be transferred to salary and other operating accounts within the Division of State Police, subject to the approval of the Director of the Division of Budget and Accounting.

All fees and receipts collected, pursuant to paragraph (7) of subsection l. of N.J.S.2C:39-6, the Retired Officer Handgun Permits program, and the unexpended balance at the end of the preceding fiscal year, are appropriated to offset the costs of administering the application process, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Drunk Driver Fund Program account, together with any receipts in excess of the amount anticipated in the Drunk Driving Fines account in the Department of Transportation, are appropriated to the Drunk Driver Fund Program account in the Department of Law and Public Safety, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Drunk Driver Fund Program, there is appropriated $612,000 from the New Jersey Motor Vehicle Commission for the Drunk Driver Fund Program.

The amount hereinabove appropriated for the Drunk Driver Fund Program is payable out of the Drunk Driving Enforcement Fund established pursuant to section 1 of P.L.1984, c.4 (C.39:4-50.8) designated for this purpose and any amount remaining therein. If receipts to the fund are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding the provisions of section 3 of P.L.1985, c.69 (C.53:1-20.7), the unexpended balance at the end of the preceding fiscal year, in the Noncriminal Record Checks account, together with any receipts in excess of the amount anticipated are appropriated for use of the Division of State Police, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for State Police Operations, such amounts as may be required for the purpose of offsetting costs of the provision of State Police services are appropriated from indirect cost recoveries received from the New Jersey Highway Authorities and other agencies, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts pursuant to the New Jersey Emergency Medical Service Helicopter Response Act, under subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2) are appropriated to the Division of State Police and the Department of Health to defray the operating costs of the New Jersey Emergency Medical Service Helicopter Response Program as authorized under P.L.1986, c.106 (C.26:2K-35 et seq.) and the general aviation program. The unexpended balance at the end of the preceding fiscal year is appropriated to the special capital maintenance reserve account for capital replacement and major maintenance of medevac and general aviation helicopter equipment and any expenditures therefrom shall be subject to the approval of the Director of the Division of Budget and Accounting. Receipts pursuant to the New Jersey Emergency Medical Service Helicopter Response Act under subsection c. of section 1 of P.L.1992, c.87 (C.39:3-8.2) are appropriated to the Division of State Police to fund the costs of new State Police recruit train-

ing classes. The unexpended balance at the end of the preceding fiscal year is appropriated for this purpose subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts and available balances collected pursuant to the New Jersey Emergency Medical Service Helicopter Response Act, subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), not to exceed $2,500,000, are appropriated for State Police salaries, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts and available balances pursuant to the New Jersey Emergency Medical Service Helicopter Response Act under subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), not to exceed $8,105,000 are appropriated for State Police vehicles, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in the "Commercial Vehicle Enforcement Fund" established pursuant to section 17 of P.L.1995, c.157 (C.39:8-75) are appropriated to offset all reasonable and necessary expenses of the Division of State Police and the New Jersey Motor Vehicle Commission in the performance of commercial truck safety and emission inspections, subject to the approval of the Director of the Division of Budget and Accounting.

All fees, penalties and receipts collected, pursuant to the "Security Officer Registration Act," P.L.2004, c.134 (C.45:19A-1 et seq.) and the unexpended balance at the end of the preceding fiscal year, are appropriated to offset the costs of administering this process, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts and available balances from the agency surcharge on vehicle rentals pursuant to section 54 of P.L.2002, c.34 (C.App.A:9-78), not to exceed $13,305,000 for State Police salaries related to Statewide security services, are appropriated for those purposes and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated to the Divisions of State Police and Criminal Justice and the Office of the State Medical Examiner, there are appropriated to the respective State departments and agencies such amounts as may be received or receivable from any instrumentality, municipality, or public authority for direct and indirect costs of all services furnished thereto, except as to such costs for which funds have been included in appropriations otherwise made to the respective State departments and agencies as the Director of the Division of Budget and Accounting shall determine; provided, however, that payments from such instrumentalities, municipalities, or authorities for employer contributions to the State Police and Public Employees' Retirement Systems shall be deposited into the General Fund.

There is appropriated, an amount up to $25,000, from the General Fund, to pay for each award or each tip for information that prevents, frustrates, or favorably resolves acts of international or domestic terrorism against New Jersey persons or

property, as well as tips related to the identification of illegal guns, drugs and gangs. Rewards may also be paid for information leading to the arrest or conviction of terrorists and/or gang members attempting, committing, conspiring to commit or aiding and abetting in the commission of such acts or to the identification or location of an individual who holds a key leadership position in a terrorist and/or gang organization, subject to the approval of the Attorney General and the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated to the Division of State Police, there shall be credited against such amounts such monies as are received by the Division of State Police pursuant to a Memorandum of Understanding between the Division of State Police and the New Jersey Schools Development Authority for services rendered by the Division of State Police in connection with the school construction program.

In addition to the amount hereinabove appropriated for Gaming Enforcement, there are appropriated from the Casino Control Fund such additional amounts as may be required for gaming enforcement, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

06-1200 State Police Operations $765,000
Total Grants-in-Aid Appropriation, Law Enforcement $765,000

Grants-in-Aid:

06 Nuclear Emergency Response Program ..... ($765,000)

The amount hereinabove appropriated for the Nuclear Emergency Response Program account is payable from receipts pursuant to the assessment of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.). The unexpended balance at the end of the preceding fiscal year in the Nuclear Emergency Response Program account is appropriated for the same purpose.

STATE AID

06-1200 State Police Operations $2,000,000
(From Property Tax Relief Fund ..... $2,000,000)
Total State Aid Appropriation, Law Enforcement $2,000,000
(From Property Tax Relief Fund ..... $2,000,000)

State Aid:

06 Essex Crime Prevention (PTRF) ..... ($2,000,000)

13 Special Law Enforcement Activities

DIRECT STATE SERVICES

03-1160 Office of Highway Traffic Safety $598,000
17-1420 Election Law Enforcement 4,510,000
20-1450 Review and Enforcement of Ethical Standards 982,000
Total Direct State Services Appropriation, Special Law Enforcement Activities $6,090,000

Direct State Services:

Personal Services:
Salaries and Wages .....($4,867,000)
Materials and Supplies.....(66,000)
Services Other Than Personal.....(549,000)
Maintenance and Fixed Charges.....(10,000)
Special Purpose:
03 Federal Highway Safety.....(598,000)

Notwithstanding the provisions of section 14 of P.L.1992, c.188 (C.33:1-4.1) or any other law or regulation to the contrary, an amount not to exceed $4,199,000 from receipts from fees and penalties collected by the Division of Alcoholic Beverage Control shall be deposited in the General Fund as State revenue.

From the receipts from uncashed pari-mutuel winning tickets and the regulation, supervision, licensing, and enforcement of all New Jersey Racing Commission activities and functions, such amounts as may be required are appropriated for the purpose of offsetting the costs of the administration and operation of the New Jersey Racing Commission, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from breakage monies and uncashed pari-mutuel winning tickets resulting from off-track and account wagering and any reimbursement assessment against permit holders or successors in interest to permit holders shall be distributed to the New Jersey Racing Commission in accordance with the provisions of the "Off Track and Account Wagering Act," P.L.2001, c.199 (C.5:5-127 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

All fees, fines, and penalties collected pursuant to P.L.1973, c.83 (C.19:44A-1 et al.) and section 11 of P.L.1991, c.244 (C.52:13C-23.1) are appropriated for the purpose of offsetting additional operational costs of the New Jersey Election Law Enforcement Commission, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, amounts received pursuant to P.L.1971, c.183 (C.52:13C-18 et seq.) are appropriated for the purpose of offsetting additional operational costs of the New Jersey Election Law Enforcement Commission, subject to the approval of the Director of the Division of Budget and Accounting.

Of the receipts from the regulation, supervision, and licensing of all State Athletic Control Board activities and functions, an amount is appropriated for the purpose of offsetting the costs of the administration and operation of the State Athletic Control Board, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

17-1420 Election Law Enforcement..... $19,680,000
(From Gubernatorial Elections Fund..... $19,680,000)

Total Grants-in-Aid Appropriation, Special Law Enforcement Activities $19,680,000
(From Gubernatorial Elections Fund ..... $19,680,000)

Grants-in-Aid:

17 Election Law Enforcement (GEF) ..... ($19,680,000)

Of the amount hereinabove appropriated for the Election Law Enforcement Gubernatorial Elections Fund, an amount not to exceed $1,080,000 may be used for administrative purposes, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the Gubernatorial Elections Fund such amounts as may be required for payments to persons qualifying for additional public funds pursuant to section 5 of P.L.1974, c.26 (C.19:44A-30); provided, however, that should the amount available in the Gubernatorial Elections Fund be insufficient to support such an appropriation, there are appropriated from the General Fund to the Gubernatorial Elections Fund such amounts as may be required.

18 Juvenile Services

DIRECT STATE SERVICES

34-1500 Juvenile Community Programs $25,604,000
35-1505 Institutional Control and Supervision 38,945,000
36-1505 Institutional Care and Treatment 17,145,000
40-1500 Juvenile Parole and Transitional Services 5,794,000
99-1500 Administration and Support Services 15,511,000
Total Direct State Services Appropriation, Juvenile Services $102,999,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($80,954,000)
Food In Lieu of Cash ..... (211,000)
Materials and Supplies ..... (6,255,000)
Services Other Than Personal ..... (9,795,000)
Maintenance and Fixed Charges ..... (3,274,000)
Special Purpose:
34 Juvenile Aftercare Programs ..... (89,000)
34 Juvenile Justice Initiatives ..... (700,000)
99 Johnstone Facility Maintenance ..... (457,000)
99 Juvenile Justice - State Matching Funds ..... (160,000)
99 Custody and Civilian Staff Equipment and Supplies ..... (224,000)
Additions, Improvements and Equipment ..... (880,000)

Receipts from the eyeglass program at the New Jersey Training School for Boys and any unexpended balance at the end of the preceding fiscal year are appropriated for the operation of the program.

Notwithstanding the provisions of any law or regulation to the contrary, amounts collected by the Juvenile Justice Commission as commissions in connection with the provision of services for residents at resident kiosks, including automated banking, video visitation, electronic mail, and related services, and any unexpended balance at the end of the preceding fiscal year in that account are appropriated to offset departmental costs associated with the provision of such services and other materials and services that directly benefit the resident population, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

34-1500 Juvenile Community Programs $16,599,000
Total Grants-in-Aid Appropriation, Juvenile Services $16,599,000

Grants-in-Aid:

34 Juvenile Detention Alternative Initiative .....($1,900,000)
34 Alternatives to Juvenile Incarceration Programs .....(1,624,000)
34 Crisis Intervention Program .....(4,292,000)
34 State/Community Partnership Grants.....(8,470,000)
34 Purchase of Services for Juvenile Offenders .....(313,000)

Of the amounts hereinabove appropriated for the Juvenile Detention Alternative Initiative, such amounts as may be required shall be transferred to various Direct State Service operating accounts, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated in the various Grants-In-Aid accounts, the Juvenile Justice Commission shall assure that Grants-In-Aid recipients demonstrate cultural competency to serve clients within their respective communities and offer training opportunities in cultural competence to staff of community-based organizations the recipients may serve.

19 Central Planning, Direction and Management

DIRECT STATE SERVICES

13-1005 Homeland Security and Preparedness $9,478,000
99-1000 Administration and Support Services 10,365,000
Total Direct State Services Appropriation, Central Planning, Direction and Management $19,843,000

Direct State Services:

Personal Services:
Salaries and Wages .....($8,068,000)
Materials and Supplies.....(74,000)
Services Other Than Personal.....(454,000)
Maintenance and Fixed Charges.....(22,000)
Special Purpose:
13 Office of Homeland Security and Preparedness.....(3,478,000)
13 Cybersecurity and Data Protection .....(6,000,000)

New Jersey State Library

99 Atlantic City Tourism District ..... (290,000)
99 Office of Law Enforcement Professional Standards ..... (1,436,000)
Additions, Improvements and Equipment ..... (21,000)

The Attorney General shall provide the Director of the Division of Budget and Accounting, the Senate Budget and Appropriations Committee and the Assembly Appropriations Committee, or the successor committees thereto, with written reports on August 1 and February 1, of the use and disposition by State law enforcement agencies, including the offices of the county prosecutors, of any interest in property or money seized, or proceeds resulting from seized or forfeited property, and any interest or income earned thereon, arising from any State law enforcement agency involvement in a surveillance, investigation, arrest or prosecution involving offenses under N.J.S.2C:35-1 et seq. and N.J.S.2C:36-1 et seq. leading to such seizure or forfeiture. The reports shall specify for the preceding period of the fiscal year the type, approximate value, and disposition of the property seized and the amount of any proceeds received or expended, whether obtained directly or as contributive share, including but not limited to the use thereof for asset maintenance, forfeiture prosecution costs, costs of extinguishing any perfected security interest in seized property and the contributive share of property and proceeds of other participating local law enforcement agencies. The reports shall provide an itemized accounting of all proceeds expended and shall specify with particularity the nature and purpose of each such expenditure.

Penalties, fines, and other fees collected pursuant to N.J.S.2C:35-20 and deposited into the State Forensic Laboratory Fund, together with the unexpended balance at the end of the preceding fiscal year, are appropriated and may be transferred to the Division of State Police to defray additional laboratory related administration and operational expenses of the "Comprehensive Drug Reform Act of 1987," N.J.S.2C:35-1 et al., subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Office of Homeland Security and Preparedness is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Office of Homeland Security and Preparedness, such additional amounts as may be required are appropriated for the purposes of providing State matching funds for federal grants related to homeland security and such amounts may be transferred to other departments and State agencies for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the agency surcharge on vehicle rentals pursuant to section 54 of P.L.2002, c.34 (C.App.A:9-78), not to exceed $8,900,000, are appropriated for the Office of Homeland Security and Preparedness and shall be deposited into a dedicated account, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

13-1005 Homeland Security and Preparedness $1,000,000
Total Grants-in-Aid Appropriation, Central
Planning, Direction and Management $1,000,000

Grants-in-Aid:

13 New Jersey Nonprofit Security
Grant Pilot Program .....($1,000,000)

The amount hereinabove appropriated for New Jersey Nonprofit Security Grant Pilot Program shall be allocated by the Office of Homeland Security and Preparedness to provide grants to eligible nonprofit organizations for the purpose of hiring permanent or temporary security personnel or acquisition of equipment in order to reduce vulnerability to threats, attacks, and other violent acts. Preference for grants shall be accorded to eligible nonprofit organizations in locations not eligible for funding pursuant to the Urban Area Security Initiative (UASI), Pub.L.107-296 (6 U.S.C. s.603).

STATE AID

The unexpended balance at the end of the preceding fiscal year in the Capital for Homeland Security Critical Infrastructure account is appropriated and such amounts may be transferred to other departments and State agencies for any State and/or local homeland security purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law, regulation or Executive Order to the contrary, any purchase by the State or by a State agency or local government unit of equipment, goods or services related to homeland security and domestic preparedness, that is paid for or reimbursed by State funds appropriated in this fiscal year, to the Department of Law and Public Safety, for Homeland Security and Preparedness under program classification, may be made through the receipt of public bids or as an alternative to public bidding and subject to the provisions of this paragraph, through direct purchase without advertising for bids or rejecting bids already received but not awarded. Purchases made without public bidding shall be from vendors that shall: (1) be holders of a current State contract for the equipment, goods or services sought, or (2) be participating in a federal procurement program established by a federal department or agency, or (3) have been approved by the State Treasurer in consultation with the Director of the Office of Homeland Security and Preparedness. The equipment, goods or services purchased by a local government unit receiving such State funds by subgrant, shall be referred to in the grant agreement issued by the Office of Homeland Security and Preparedness and shall be authorized by resolution of the governing body of the local government unit entering into the grant agreement. Such resolution may, without subsequent action of the local governing body, simultaneously accept the grant from the State administrative agency, authorize the insertion of the revenue and offsetting appropriation in the budget of the local government unit, and authorize the contracting agent of the local government unit to

procure the equipment, goods or services. A copy of such resolution shall be filed with the chief financial officer of the local government unit and the Division of Local Government Services in the Department of Community Affairs.

70 Government Direction, Management, and Control
74 General Government Services
DIRECT STATE SERVICES

12-1010 Legal Services $72,633,000
Subtotal Direct State Services Appropriation, General Government Services $72,633,000
Less:
Legal Services $56,099,000
Total Income Deductions $56,099,000
Total Direct State Services Appropriation, General Government Services $16,534,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($14,407,000)
Materials and Supplies ..... (89,000)
Services Other Than Personal ..... (462,000)
Maintenance and Fixed Charges ..... (134,000)
Special Purpose:
12 Legal Services ..... (56,099,000)
12 Child Welfare Unit ..... (1,442,000)
Less:
Total Income Deductions 56,099,000

In addition to the $56,098,675 attributable to Reimbursements from Other Sources and the corresponding additional amount associated with employee fringe benefit costs, there are appropriated such amounts as may be received or receivable from any State agency, instrumentality or public authority for direct or indirect costs of legal services furnished thereto and attributable to a change in or the addition of a client agency agreement, subject to the approval of the Director of the Division of Budget and Accounting.

The Director of the Division of Budget and Accounting is empowered to credit or transfer to the General Fund from any other department, branch, or non-State fund source, out of funds appropriated thereto, such funds as may be required to cover the costs of legal services attributable to that other department, branch, or non-State fund source as the Director of the Division of Budget and Accounting shall determine. Receipts in any non-State fund are appropriated for the purpose of such transfer.

Notwithstanding the provisions of any law or regulation to the contrary, revenues derived from penalties, cost recoveries, restitution or other recoveries to the State are appropriated to offset unbudgeted, extraordinary costs of legal, investigative,

administrative, expert witnesses and other services, incurred by the Division of Law related to litigation and acting on behalf of the State and State agencies and the costs of settlements and judgments as determined by the Division of Law. Such amounts first shall be charged to any revenues derived from recoveries collected by the State and are also appropriated from the General Fund, subject to the approval of the Director of the Division of Budget and Accounting.

80 Special Government Services
82 Protection of Citizens' Rights
DIRECT STATE SERVICES

14-1310 Consumer Affairs $7,357,000
15-1318 Operation of State Professional Boards 17,883,000
(From General Fund ..... $17,791,000)
(From Casino Revenue Fund ..... 92,000)
16-1350 Protection of Civil Rights 4,327,000
19-1440 Victims of Crime Compensation Office 3,372,000
Total Direct State Services Appropriation, Protection of Citizens' Rights $32,939,000
(From General Fund ..... $32,847,000)
(From Casino Revenue Fund ..... 92,000)

Direct State Services:

Personal Services:
Salaries and Wages ..... ($8,974,000)
Salaries and Wages (CRF) ..... (76,000)
Employee Benefits (CRF) ..... (16,000)
(From General Fund ..... 8,974,000)
(From Casino Revenue Fund ..... 92,000)
Materials and Supplies ..... (428,000)
Services Other Than Personal ..... (12,948,000)
Maintenance and Fixed Charges ..... (1,114,000)
Special Purpose:
14 Consumer Affairs Legalized Games of Chance ..... (1,200,000)
14 Securities Enforcement Fund ..... (893,000)
14 Consumer Affairs Weights and Measures Program ..... (2,612,000)
14 Consumer Affairs Charitable Registrations Program ..... (556,000)
15 Personal Care Attendants - Background Checks ..... (500,000)
15 Board of Nursing-Home Health Aide Application Backlog Reduction ..... (250,000)
19 Claims - Victims of Crime ..... (3,372,000)

In addition to the amount hereinabove appropriated for Consumer Affairs, receipts in excess of the amount anticipated, attributable to changes in fee structure or fee increases, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

All fees, penalties, and costs collected pursuant to P.L.1988, c.123 (C.56:12-29 et seq.) are appropriated for the purpose of offsetting costs associated with the handling and resolution of consumer automotive complaints.

Fees and cost recoveries collected pursuant to P.L.1989, c.331 (C.34:8-43 et al.) are appropriated in an amount not to exceed additional expenses associated with mandated duties of the Division of Consumer Affairs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from penalties and the unexpended balance at the end of the preceding fiscal year in the Consumer Fraud Education Fund program account pursuant to P.L.1999, c.129 (C.56:8-14.2 et seq.) are appropriated for the purpose of offsetting the cost of operating the program and for use by the Department of Law and Public Safety to support departmental efforts related to critical training, equipment, facility needs, background checks and investigations required by law, and unanticipated costs related to enforcement needs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from the assessment and recovery of costs, fines, and penalties as well as other receipts received pursuant to the Consumer Fraud Act, P.L.1960, c.39 (C.56:8-1 et seq.), are appropriated and may be transferred for additional operational costs of the Division of Consumer Affairs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts in excess of the amount anticipated and the unexpended balances at the end of the preceding fiscal year are appropriated to the Controlled Dangerous Substance Registration Program for the purpose of offsetting the costs of the administration and operation of the program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated pursuant to P.L.1954, c.7 (C.5:8-1 et seq.) from the operations of the Division of Consumer Affairs Legalized Games of Chance program and the unexpended balances at the end of the preceding fiscal year, are appropriated for the purpose of offsetting the operational costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Securities Enforcement Fund account is payable from receipts from fees and penalties deposited in the Securities Enforcement Fund pursuant to section 15 of P.L.1985, c.405 (C.49:3-66.1). Notwithstanding the provisions of any law or regulation to the contrary, an amount not less than that anticipated as General Fund revenue from receipts from fees and penalties collected by the Securities Enforcement Fund shall be transferred to the General Fund as State revenue by April 1. The unexpended balance at the end of the preceding fiscal year is appropriated to the Securities Enforcement Fund program account to offset the cost of operating this program and for use by the Department of Law and Public Safety to support departmental efforts related to suicide and violence prevention, fire safety, anti-gang activities, background

checks and investigations required by law, critical equipment or facility needs, and unanticipated public safety or citizen protection needs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated derived pursuant to R.S.51:1-1 et seq. from the operations of the Division of Consumer Affairs, Office of Weights and Measures program and the unexpended balances at the end of the preceding fiscal year, are appropriated for the purposes of offsetting the operational costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated pursuant to P.L.1994, c.16 (C.45:17A-18 et seq.) from the operations of the Division of Consumer Affairs Charitable Registration and Investigation program and the unexpended balances at the end of the preceding fiscal year, are appropriated for the purpose of offsetting the operational costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for each of the several State professional boards, advisory boards, and committees shall be payable from receipts of those entities, and any receipts in excess of the amounts specifically provided to each of the entities, and the unexpended balances at the end of the preceding fiscal year are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 2 of P.L.1983, c.412 (C.10:5-14.1a), or any law or regulation to the contrary, any receipts from the assessment of fines, fees, and penalties pursuant to P.L.1945, c.169 (C.10:5-1 et seq.) are appropriated to the Division on Civil Rights for operational costs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the provision of copies of transcripts and other materials related to officially docketed cases are appropriated.

The unexpended balances at the end of the preceding fiscal year in the Office of Victim Witness Assistance pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) are appropriated for the same purpose.

The amount hereinabove appropriated for Claims - Victims of Crime is available for payment of awards applicable to claims filed in prior fiscal years.

Receipts from assessments under section 2 of P.L.1979, c.396 (C.2C:43-3.1) in excess of the amount anticipated and the unexpended balance at the end of the preceding fiscal year are appropriated for payment of claims of victims of crime pursuant to P.L.1971, c.317 (C.52:4B-1 et seq.) and for additional Victims of Crime Compensation Office operational costs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from assessments pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) and the unexpended balance at the end of the preceding fiscal year in the Criminal Disposition and Revenue Collection Fund program account, are appropriated for the purpose of offsetting the costs of the design, development, implementation and operation of the Criminal Disposition and Revenue Collection Fund

program, payment of claims of victims of crime and for Victims of Crime Compensation Office operational costs, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Board of Nursing - Home Health Aide Application Backlog Reduction shall be expended by the board during the fiscal year, for the cost of staff assigned to processing home health aide applications, additional supplemental staff, and/or expenses necessary to process home health aide applications.

The amount hereinabove is appropriated from the Casino Revenue Fund for the costs associated with the operation of the New Jersey Board of Nursing.

Department of Law and Public Safety,
Total State Appropriation $590,896,000

Receipts from the provision of copies, the processing of credit cards and other materials related to compliance with section 6 of P.L.2001, c.404 (C.47:1A-5), are appropriated for the purpose of offsetting costs related to the public access of government records.

All registration fees, tuition fees, training fees, and all other fees received for reimbursement for attendance at courses conducted by any division in the Department of Law and Public Safety are appropriated for the purposes of offsetting the operating expenses of the courses, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 2 of P.L.1974, c.46 (C.45:1-3.2) or any law or regulation to the contrary, an amount not to exceed $7,000,000, subject to the approval of the Attorney General, is hereby appropriated from the unexpended balances of the several State professional boards, advisory boards, and committees located in the Department of Law and Public Safety which are not otherwise required to be expended for the purposes of such professional boards, advisory boards and committees to pay for the costs and expenses of the various divisions within the Department of Law and Public Safety as determined by the Attorney General, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts in excess of the amount anticipated through seizure, forfeiture, or abandonment pursuant to any federal or State statutory or common law and proceeds of the sale of any such confiscated property or goods, except for such funds as are dedicated pursuant to N.J.S.2C:64-6, are appropriated for law enforcement purposes designated by the Attorney General.

Summary of Department of Law and Public Safety Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $550,852,000

Grants-in-Aid 38,044,000
State Aid 2,000,000
Appropriations by Fund:
General Fund $526,594,000
Property Tax Relief Fund 2,000,000
Casino Control Fund 42,530,000
Casino Revenue Fund 92,000
Gubernatorial Elections Fund 19,680,000

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67 DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS
10 Public Safety and Criminal Justice
14 Military Services
DIRECT STATE SERVICES

40-3620 New Jersey National Guard Support Services $3,807,000
60-3600 Joint Training Center Management and Operations 164,000
99-3600 Administration and Support Services 3,901,000
Total Direct State Services Appropriation, Military Services $7,872,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($3,615,000)
Materials and Supplies ..... (532,000)
Services Other Than Personal ..... (1,126,000)
Maintenance and Fixed Charges ..... (1,077,000)
Special Purpose:
40 National Guard - State Active Duty ..... (50,000)
40 New Jersey National Guard ChalleNGe Youth Program ..... (265,000)
40 Joint Federal - State Operations and Maintenance Contracts (State Share) ..... (1,152,000)
Additions, Improvements and Equipment ..... (55,000)

Receipts from the rental and use of armories and the unexpended balance at the end of the preceding fiscal year in the receipt account are appropriated for the operation and maintenance thereof, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for New Jersey National Guard Support Services, funds received for Distance Learning Program use are appropriated for the same purposes, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the National Guard-State Active Duty account is appropriated for the same purpose.

The unexpended balance at the end of the preceding fiscal year in the Joint Federal-State Operations and Maintenance Contracts (State Share) account is appropriated for the same purpose.

Receipts from the sale of solar energy credits and the receipt of energy rebates and the unexpended balance at the end of the preceding fiscal year in the receipt account are appropriated for the operation and maintenance of other energy program projects.

80 Special Government Services
83 Services to Veterans
3610 Veterans' Program Support
DIRECT STATE SERVICES

50-3610 Veterans' Outreach and Assistance	$3,728,000
51-3610 Veterans' Haven	1,733,000
70-3610 Burial Services	1,697,000
Total Direct State Services Appropriation, Veterans' Program Support	$7,158,000

Direct State Services:

Personal Services:	
Salaries and Wages	($5,123,000)
Materials and Supplies	(615,000)
Services Other Than Personal	(351,000)
Maintenance and Fixed Charges	(150,000)
Special Purpose:	
50 Payment of Military Leave Benefits	(75,000)
50 Veterans' State Benefits Bureau	(110,000)
50 Maintenance for Memorials	(386,000)
70 Honor Guard Support Services	(348,000)

Funds received for Veterans' Transitional Housing from the U.S. Department of Veterans Affairs and the individual residents, and the unexpended balance at the end of the preceding fiscal year, in the receipt account are appropriated for the same purpose.

Notwithstanding the provisions of section 4 of P.L.2001, c.351 (C.52:13H-2.1) or any other law or regulation to the contrary, the amount hereinabove appropriated for Payment of Military Leave Benefits is subject to the following conditions: it shall be the responsibility of the Department of Military and Veterans' Affairs to accept, review, and approve applications by a county, municipal governing body, or board of education for reimbursement of eligible costs incurred as a result of the provisions of P.L.2001, c.351, and to reimburse such costs from the Payment of Military Leave Benefits account.

Funds collected by and on behalf of the Korean Veterans' Memorial Fund are hereby appropriated for the purposes of the fund.

Funds received for plot interment allowances from the U.S. Department of Veterans Affairs, burial fees collected, and the unexpended program balances at the end of the preceding fiscal year are appropriated for perpetual care and maintenance of burial plots and grounds at the Brigadier General William C. Doyle Veterans' Memorial Cemetery in North Hanover Township, Burlington County, New Jersey.

Notwithstanding the provisions of any law or regulation to the contrary, no State funds are appropriated to the Department of Military and Veterans' Affairs for the purpose of reforestation or "in lieu of" payments under the P.L.1993, c.106 (C.13:1L-14.1 et seq.) in conjunction with the current or future operation, maintenance and construction of the Brigadier General William C. Doyle Veterans' Memorial Cemetery in North Hanover Township, Burlington County, New Jersey.

GRANTS-IN-AID

50-3610 Veterans' Outreach and Assistance $2,249,000
Total Grants-in-Aid Appropriation, Veterans' Program Support $2,249,000

Grants-in-Aid:

50 Support Services for Returning Veterans.....($450,000)
50 Veterans' Tuition Grants.....(4,000)
50 Veterans' Transportation .....(335,000)
50 Blind Veterans' Allowances .....(25,000)
50 Paraplegic and Hemiplegic Veterans' Allowance .....(135,000)
50 Post Traumatic Stress Disorder.....(1,300,000)

From the amount hereinabove appropriated for the Support Services for Returning Veterans, such amounts as may be required may be transferred to Veterans Outreach and Assistance-Direct State Services, Veterans' Haven North and South - Direct State Services and Veterans' Transportation Grants-In-Aid, subject to the approval of the Director of the Division of Budget and Accounting.

3630 Menlo Park Veterans' Memorial Home

DIRECT STATE SERVICES

20-3630 Domiciliary and Treatment Services $20,424,000
99-3630 Administration and Support Services 5,568,000
Total Direct State Services Appropriation, Menlo Park Veterans' Memorial Home $25,992,000

Direct State Services:

Personal Services:
Salaries and Wages .....($21,875,000)
Materials and Supplies.....(2,207,000)
Services Other Than Personal.....(1,536,000)
Maintenance and Fixed Charges.....(260,000)
Additions, Improvements and Equipment .....(114,000)

GRANTS-IN-AID

20-3630 Domiciliary and Treatment Services $55,000
Total Grants-in-Aid Appropriation, Menlo Park Veterans' Memorial Home $55,000

Grants-in-Aid:
20 Prescription Drug Program ..... ($55,000)

3640 Paramus Veterans' Memorial Home
DIRECT STATE SERVICES
20-3640 Domiciliary and Treatment Services $20,076,000
99-3640 Administration and Support Services 4,573,000
Total Direct State Services Appropriation, Paramus Veterans' Memorial Home $24,649,000
Direct State Services:
Personal Services:
Salaries and Wages ..... ($21,569,000)
Materials and Supplies ..... (1,520,000)
Services Other Than Personal ..... (1,335,000)
Maintenance and Fixed Charges ..... (184,000)
Additions, Improvements and Equipment ..... (41,000)

GRANTS-IN-AID
20-3640 Domiciliary and Treatment Services $55,000
Total Grants-in-Aid Appropriation, Paramus Veterans' Memorial Home $55,000
Grants-in-Aid:
20 Prescription Drug Program ..... ($55,000)

3650 Vineland Veterans' Memorial Home
DIRECT STATE SERVICES
20-3650 Domiciliary and Treatment Services $22,078,000
99-3650 Administration and Support Services 5,515,000
Total Direct State Services Appropriation, Vineland Veterans' Memorial Home $27,593,000
Direct State Services:
Personal Services:
Salaries and Wages ..... ($23,019,000)
Materials and Supplies ..... (1,669,000)
Services Other Than Personal ..... (2,467,000)
Maintenance and Fixed Charges ..... (314,000)
Additions, Improvements and Equipment ..... (124,000)

Balances on hand at the end of the preceding fiscal year for the benefit of residents in the several veterans' homes and such funds as may be received, are appropriated for the use of such residents.

Revenues representing receipts to the General Fund from charges to residents' trust accounts for maintenance costs are appropriated for use as personal needs allowances for patients/residents who have no other source of funds for such purposes; provided, however, that the allowance shall not exceed $50 per month for any el-

igible resident of an institution and provided further, that the total amount herein for such allowances shall not exceed $100,000, and that any increase in the maximum monthly allowance shall be approved by the Director of the Division of Budget and Accounting.

Funds received from the sale of articles made in occupational therapy departments of the several veterans' homes are appropriated for the purchase of additional material and other expenses incidental to such sale or manufacture.

Forty percent of the receipts in excess of the amount anticipated derived from resident contributions and the U.S. Department of Veterans Affairs at the end of the preceding fiscal year are appropriated for veterans' program initiatives, subject to the approval of the Director of the Division of Budget and Accounting of an itemized plan for the expenditure of these amounts, as shall be submitted by the Adjutant General.

Fees charged to residents for personal laundry services provided by the veterans' homes are appropriated to supplement the operational and maintenance costs of these laundry services.

GRANTS-IN-AID

20-3650 Domiciliary and Treatment Services $55,000

Total Grants-in-Aid Appropriation, Vineland Veterans' Memorial Home $55,000

Grants-in-Aid:

20 Prescription Drug Program .....($55,000)

Department of Military and Veterans' Affairs, Total State Appropriation $95,678,000

Notwithstanding the provisions of any law or regulation to the contrary, lease or licensing payments received by the Department of Military and Veterans Affairs in connection with the property known as the "Colgate Clock" located on Block 2, Lot C on the Official Tax Map of Jersey City, New Jersey, shall be deposited in the General Fund.

In addition to the amount hereinabove appropriated for the Department of Military and Veterans Affairs, there is appropriated $1,000,000 for transportation to and from ancillary health care services when a resident admitted to a veterans' home elects to use those services. Ancillary health care services are services such as physician, laboratory, hospitalization, dental, surgical, chiropractic, vision care, pharmacy, and other related health care services. No resident shall at any time be charged or be required to incur an expense for such transportation.

Summary of Department of Military and Veterans' Affairs Appropriations

(For Display Purposes Only)

Appropriations by Category:

Direct State Services $93,264,000

Grants-in-Aid 2,414,000
Appropriations by Fund:
General Fund $95,678,000

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74 DEPARTMENT OF STATE
30 Educational, Cultural, and Intellectual Development
36 Higher Educational Services
DIRECT STATE SERVICES

80-2400 Statewide Planning and Coordination for Higher Education..... $1,309,000
81-2400 Educational Opportunity Fund Programs 345,000
Total Direct State Services Appropriation, Higher Educational Services $1,654,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($1,466,000)
Materials and Supplies..... (9,000)
Services Other Than Personal..... (117,000)
Maintenance and Fixed Charges..... (12,000)
Additions, Improvements and Equipment ..... (50,000)

In addition to the amounts hereinabove appropriated for Statewide Planning and Coordination for Higher Education there is appropriated an amount not to exceed $1,500,000, subject to the approval of the Director of the Division of Budget and Accounting, for the purpose of supporting the creation and maintenance by the Economic Development Authority, in collaboration with the Secretary of Higher Education, of a searchable database of research being conducted across the State by higher education institutions, for use as an economic tool in attracting and retaining businesses in New Jersey.

In addition to the amounts hereinabove appropriated for the Statewide Planning and Coordination for Higher Education, there is appropriated an amount not to exceed $500,000, subject to the approval of the Director of the Division of Budget and Accounting, for the purpose of supporting the maintenance of the Statewide Longitudinal Data System.

GRANTS-IN-AID

80-2400 Statewide Planning and Coordination for Higher Education..... $2,800,000
81-2400 Educational Opportunity Fund Programs 43,822,000
Total Grants-in-Aid Appropriation, Higher Educational Services $46,622,000

Grants-in-Aid:
80 College Bound ..... ($1,700,000)
80 College Readiness Now ..... (1,000,000)
80 Governor's School ..... (100,000)
81 Opportunity Program Grants..... (29,054,000)

81 Supplementary Education Program Grants.....(14,768,000)

An amount not to exceed 5% of the total hereinabove appropriated for College Bound is available for transfer to Direct State Services for the administrative expenses of this program, subject to the approval of the Director of the Division of Budget and Accounting.

Refunds from prior years to the College Bound Program are appropriated to that account.

Refunds from prior years to the Educational Opportunity Fund Programs accounts are appropriated to those accounts.

2405 Higher Education Student Assistance Authority

DIRECT STATE SERVICES

At any time prior to the issuance and sale of bonds or other obligations by the Higher Education Student Assistance Authority, the State Treasurer is authorized to transfer from any available monies in any fund of the Treasury of the State to the credit of any fund of the authority such amounts as the State Treasurer deems necessary. Any amounts so transferred shall be returned to the same fund of the Treasury of the State by the State Treasurer from the proceeds of the sale of the first issue of authority bonds or other authority obligations.

In furtherance of the "Higher Education Student Assistance Authority Law," N.J.S.18A:71A-1 et seq., in the event of a draw upon a debt service reserve surety bond or any other debt service reserve cash equivalent instrument or any insufficiency of such instruments to pay debt service on the bonds issued by the Higher Education Student Assistance Authority, there are appropriated to the Higher Education Student Assistance Authority such amounts as are necessary to repay the issuer of such surety bond or such other cash equivalent instrument for such draw or to satisfy such insufficiency, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

45-2405 Student Assistance Programs $444,708,000

Total Grants-in-Aid Appropriation, Higher Education Assistance Authority $444,708,000

Grants-in-Aid:

45 Tuition Aid Grants.....($425,859,000)

45 Part-Time Tuition Aid Grants for County Colleges.....(8,737,000)

45 Part-Time Tuition Aid Grants - EOF Students.....(558,000)

45 Governor's Urban Scholarship Program.....(945,000)

45 New Jersey World Trade Center Scholarship Program .....(202,000)

45 New Jersey Student Tuition Assistance Reward Scholarship (NJSTARS I & II) .....(6,907,000)

45 Primary Care Practitioner Loan
Redemption Program..... (1,500,000)

The unexpended balances at the end of the preceding fiscal year in Student Assistance Programs are appropriated to such programs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts provided hereinabove in Student Assistance Programs shall be available for payment of liabilities applicable to prior fiscal years.

In order to permit and ensure the timely award of student financial aid grants, amounts may be transferred among accounts in Student Assistance Programs including Survivor Tuition Benefits, subject to the approval of the Director of the Division of Budget and Accounting. Notice of the Director of the Division of Budget and Accounting's approval shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts provided hereinabove for Tuition Aid Grants shall provide awards to all qualified applicants at levels not to exceed 2% above those levels provided by the Higher Education Student Assistance Authority in the prior fiscal year. The unexpended balances reappropriated to the Tuition Aid Grant account shall be available to fund increases in the number of applicants qualifying for full-time Tuition Aid Grant awards, to fund increases in award amounts, and to fund shifts in the distribution of awards that result in an increase in program costs.

In addition to the amount hereinabove appropriated for Tuition Aid Grants, there are appropriated such amounts as are required to cover the costs of increases in the number of applicants qualifying for full-time Tuition Aid Grant awards or to fund shifts in the distribution of awards that result in an increase in total program costs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, participation in the Tuition Aid Grant program hereinabove appropriated shall be limited to those institutions that had previously participated in the Tuition Aid Grant program, or had applied in writing to the Higher Education Student Assistance Authority to participate in the Tuition Aid Grant program prior to September 1, 2009 and met all eligibility requirements prior to September 1, 2009.

The amount hereinabove appropriated for Part-Time Tuition Aid Grants for County Colleges shall be used to provide funds for tuition aid grants for eligible, qualified part-time students enrolled at the county colleges established pursuant to N.J.S.18A:64A-1 et seq. The tuition aid grants shall be used to pay the tuition at a county college established pursuant to N.J.S.18A:64A-1 et seq. Within the limits of available appropriations as determined by the Higher Education Student Assistance Authority, part-time grant awards shall be pro-rated against the full-time grant award for the applicable institutional sector established pursuant to N.J.S.18A:71B-21 as follows: an eligible student enrolled with six to eight cred-

its shall receive one-half of the value of a full-time award and an eligible student enrolled with nine to eleven credits shall receive three-quarters of a full-time award. Students shall apply first for all other forms of federal student assistance grants and scholarships; student eligibility for the Tuition Aid Grant program for part-time enrollment at a county college shall in other respects be determined by the authority in accordance with the criteria established pursuant to N.J.S.18A:71B-20, other than the criterion for full-time enrollment.

The unexpended balances reappropriated to the Part-Time Tuition Aid Grants for County Colleges account shall be available to fund increases in the number of applicants qualifying for Part-Time Tuition Aid Grants for County Colleges awards, to fund increases in award amounts, and to fund shifts in the distribution of awards that result in an increase in program costs.

Receipts from voluntary contributions by taxpayers on New Jersey gross income tax returns for the New Jersey World Trade Center Scholarship Fund are appropriated for the purpose of providing scholarships for eligible recipients as defined in P.L.2001, c.442 (C.18A:71B-23.1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the New Jersey Student Tuition Assistance Reward Scholarship program is subject to the following condition: all NJ STARS II awards must be used at institutions of higher education that offer degrees through the baccalaureate level and which participate in the Tuition Aid Grant program pursuant to N.J.A.C.9A:9-2.1.

Notwithstanding the provisions of any law or regulation to the contrary, the maximum tuition to be used in determining the amount of a NJ STARS award to a student at a county college shall be limited to the in-county tuition charged for students pursuing a full-time course of study at that county college.

Notwithstanding the provisions of subsection b. of section 5 of P.L.2004, c.59 (C.18A:71B-85), none of the funds hereinabove appropriated for the New Jersey Student Tuition Assistance Reward Scholarship program shall be used to fund summer semester NJ STARS scholarship awards.

Notwithstanding the provisions of P.L.2012, c.8 (C.18A:71B-85.6 et al.) or any other law or regulation to the contrary, the amounts hereinabove appropriated for the New Jersey Student Tuition Assistance Reward Scholarship program are subject to the following condition: the maximum New Jersey Student Tuition Assistance Reward Scholarship awards for students first enrolling in the program for academic year 2015-2016 and thereafter who attend a county college that has eliminated general education fees and increased its tuition correspondingly will be reduced by an amount to be calculated and approved by the Director of the Division of Budget and Accounting. The amount of the reduction shall be the three-year average percentage that fees comprised of total tuition and fees as reported to the Higher Education Student Assistance Authority (HESAA) on the institutional budget survey in the three immediate years prior to the elimination of the general education fees.

2410 Rutgers, The State University - New Brunswick
GRANTS-IN-AID

82-2410 Institutional Support $2,609,666,000
Subtotal General Operations $2,609,666,000
Less:
General Services Income $1,120,023,000
Auxiliary Funds Income 321,190,000
Special Funds Income 570,619,000
Employee Fringe Benefits 271,912,000
Total Income Deductions $2,283,744,000
Total Grants-in-Aid Appropriation, Rutgers, The State University - New Brunswick $325,922,000

Grants-in-Aid:
Special Purpose:
82 General Institutional Operations ..... ($2,463,183,000)
82 Cancer Institute of New Jersey ..... (5,000,000)
82 Child Health Institute ..... (1,700,000)
82 School of Biomedical and Health Sciences ..... (139,783,000)
Less:
Income Deductions 2,283,744,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Rutgers - New Brunswick shall be 8,013.

For the purpose of implementing the appropriations act for the current fiscal year, the fringe benefits for not more than 1,383 positions, funded by medical services contracts between Rutgers and various State departments, are funded by the State.

2415 Agricultural Experiment Station
GRANTS-IN-AID

82-2415 Institutional Support $110,178,000
Subtotal General Operations $110,178,000
Less:
General Services Income $23,552,000
Auxiliary Funds Income 2,929,000
Special Funds Income 37,763,000
Federal Research and Extension Funds Income 6,500,000
Employee Fringe Benefits 18,503,000
Total Income Deductions $89,247,000
Total Grants-in-Aid Appropriation, Agricultural Experiment Station $20,931,000

Grants-in-Aid:
Special Purpose:

82 General Institutional Operations .....($110,178,000)
Less:
Income Deductions..... 89,247,000
For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at the Agricultural Experiment Station shall be 404.
For the purpose of implementing the appropriations act for the current fiscal year, the fringe benefits for 120 positions, funded by the federal Hatch and Smith/Lever programs, are funded by the State.
Rutgers, The State University of New Jersey is authorized to reallocate appropriations from the General University to the Agricultural Experiment Station, as needed, to assure that there are sufficient funds in the Agricultural Experiment Station to meet federal requirements for the Hatch and Smith/Lever programs.

2416 Rutgers, The State University - Camden
GRANTS-IN-AID

82-2416 Institutional Support $196,652,000
Subtotal General Operations $196,652,000
Less:
General Services Income $98,192,000
Auxiliary Funds Income 11,403,000
Special Funds Income 34,090,000
Employee Fringe Benefits..... 31,466,000
Total Income Deductions..... $175,151,000
Total Grants-in-Aid Appropriation, Rutgers, The State University - Camden $21,501,000
Grants-in-Aid:
82 General Institutional Operations .....($191,452,000)
82 Clinical Legal Programs for the Poor - Rutgers Law School .....(200,000)
82 Rowan University - Rutgers-Camden Board of Governors, Rutgers-Camden School of Business Facilities Development.....(5,000,000)
Less:
Income Deductions..... 175,151,000
For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Rutgers - Camden shall be 559.

2417 Rutgers, The State University - Newark
GRANTS-IN-AID

82-2417 Institutional Support $403,111,000
Subtotal General Operations $403,111,000
Less:

General Services Income $221,369,000
Auxiliary Funds Income 30,937,000
Special Funds Income 56,945,000
Employee Fringe Benefits 63,230,000
Total Income Deductions $372,481,000
Total Grants-in-Aid Appropriation, Rutgers, The State University - Newark $30,630,000

Grants-in-Aid:
82 General Institutional Operations ..... ($402,911,000)
82 Clinical Legal Programs for the Poor - Rutgers Law School ..... (200,000)

Less:
Income Deductions 372,481,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Rutgers - Newark shall be 1,086.

2430 New Jersey Institute of Technology
GRANTS-IN-AID

82-2430 Institutional Support $461,064,000
Subtotal General Operations $461,064,000

Less:
General Services Income $197,045,000
Auxiliary Funds Income 20,538,000
Special Funds Income 156,659,000
Employee Fringe Benefits 41,382,000
Total Income Deductions $415,624,000
Total Grants-in-Aid Appropriation, New Jersey Institute of Technology $45,440,000

Grants-in-Aid:
82 General Institutional Operations ..... ($451,064,000)
82 Operating Support for the NJIT Engineering Makerspace ..... (10,000,000)

Less:
Income Deductions 415,624,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at the New Jersey Institute of Technology shall be 1,187.

2440 Thomas Edison State University
GRANTS-IN-AID

82-2440 Institutional Support $78,920,000
Subtotal General Operations $78,920,000

Less:

Self Sustaining Income **$24,022,000**
General Services Income **37,578,000**
Special Funds Income **2,779,000**
Employee Fringe Benefits **8,579,000**
State-Supported Facilities Cost **1,670,000**
Total Income Deductions **$74,628,000**
Total Grants-in-Aid Appropriation, Thomas Edison State University $4,292,000

Grants-in-Aid:
82 General Institutional Operations ..... ($77,920,000)
82 National Guard Tuition Waiver Reimbursement ..... (1,000,000)

Less:
Income Deductions **74,628,000**

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Thomas Edison State University shall be 228.

2445 Rowan University
GRANTS-IN-AID

82-2445 Institutional Support $575,018,000
Subtotal General Operations $575,018,000

Less:
General Services Income **$245,321,000**
Auxiliary Funds Income **51,652,000**
Special Funds Income **128,467,000**
Employee Fringe Benefits **61,695,000**
Total Income Deductions **$487,135,000**
Total Grants-in-Aid Appropriation, Rowan University $87,883,000

Grants-in-Aid:
82 General Institutional Operations ..... ($514,442,000)
82 Cooper Medical School of Rowan University ..... (11,550,000)
82 Cooper Medical School - Cooper University Hospital Support ..... (16,297,000)
82 School of Osteopathic Medicine ..... (30,229,000)
82 Center for Research and Education In Advanced Transportation Engineering Systems ..... (2,000,000)
82 Population Health Research Institute, Rowan University - Rutgers-Camden Board of Governors ..... (500,000)

Less:
Income Deductions **487,135,000**

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Rowan University shall be 1,749.

For the purpose of implementing the appropriations act for the current fiscal year, the fringe benefits for 105 positions at Cooper Medical School of Rowan University are funded by the State.

2450 New Jersey City University
GRANTS-IN-AID

82-2450 Institutional Support $158,967,000
Subtotal General Operations $158,967,000
Less:
General Services Income $53,591,000
A.H. Moore Program Receipts 8,219,000
Auxiliary Funds Income 7,319,000
Special Funds Income 35,565,000
Employee Fringe Benefits 30,119,000
Total Income Deductions $134,813,000
Total Grants-in-Aid Appropriation, New Jersey City University $24,154,000

Grants-in-Aid:
82 General Institutional Operations ..... ($158,967,000)
Less:
Income Deductions 134,813,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at New Jersey City University shall be 1,129.

2455 Kean University
GRANTS-IN-AID

82-2455 Institutional Support $233,285,000
Subtotal General Operations $233,285,000
Less:
General Services Income $141,768,000
Auxiliary Funds Income 21,496,000
Special Funds Income 7,336,000
Employee Fringe Benefits 32,216,000
Total Income Deductions $202,816,000
Total Grants-in-Aid Appropriation, Kean University $30,469,000

Grants-in-Aid:
82 General Institutional Operations ..... ($233,285,000)
Less:
Income Deductions 202,816,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Kean University shall be 1,074.

2460 William Paterson University of New Jersey
GRANTS-IN-AID

82-2460 Institutional Support $219,853,000
Subtotal General Operations $219,853,000
Less:
General Services Income $87,451,000
Auxiliary Funds Income 25,027,000
Special Funds Income 38,400,000
Employee Fringe Benefits 38,618,000
Total Income Deductions $189,496,000
Total Grants-in-Aid Appropriation, William Paterson University of New Jersey $30,357,000

Grants-in-Aid:
82 General Institutional Operations .....($219,853,000)
Less:
Income Deductions 189,496,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at William Paterson University of New Jersey shall be 1,111.

2465 Montclair State University
GRANTS-IN-AID

82-2465 Institutional Support $434,826,000
Subtotal General Operations $434,826,000
Less:
General Services Income $163,633,000
Conservation School Receipts 520,000
Auxiliary Funds Income 85,372,000
Special Funds Income 101,167,000
Employee Fringe Benefits 48,275,000
Total Income Deductions $398,967,000
Total Grants-in-Aid Appropriation, Montclair State University $35,859,000

Grants-in-Aid:
82 General Institutional Operations .....($434,826,000)
Less:
Income Deductions 398,967,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Montclair State University shall be 1,316.

2470 The College of New Jersey
GRANTS-IN-AID

82-2470 Institutional Support $244,421,000

Subtotal General Operations $244,421,000
Less:
General Services Income $104,393,000
Auxiliary Funds Income 53,185,000
Special Funds Income 26,929,000
Employee Fringe Benefits 32,737,000
Total Income Deductions $217,244,000
Total Grants-in-Aid Appropriation, The College of New Jersey $27,177,000
Grants-in-Aid:
82 General Institutional Operations ..... ($244,421,000)
Less:
Income Deductions 217,244,000
For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at The College of New Jersey shall be 859.

2475 Ramapo College of New Jersey
GRANTS-IN-AID

82-2475 Institutional Support $148,104,000
Subtotal General Operations $148,104,000
Less:
General Services Income $61,617,000
Auxiliary Funds Income 36,463,000
Special Funds Income 14,160,000
Employee Fringe Benefits 20,911,000
Total Income Deductions $133,151,000
Total Grants-in-Aid Appropriation, Ramapo College of New Jersey $14,953,000
Grants-in-Aid:
82 General Institutional Operations ..... ($148,104,000)
Less:
Income Deductions 133,151,000
For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Ramapo College of New Jersey shall be 573.

2480 Stockton University
GRANTS-IN-AID

82-2480 Institutional Support $211,592,000
Subtotal General Operations $211,592,000
Less:
General Services Income $117,764,000
Auxiliary Funds Income 25,377,000

Special Funds Income 21,000,000
Employee Fringe Benefits 29,060,000
Total Income Deductions $193,201,000
Total Grants-in-Aid Appropriation, Stockton University $18,391,000
Grants-in-Aid:
82 General Institutional Operations .....($211,592,000)
Less:
Income Deductions 193,201,000

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Stockton University shall be 932.

2485 University Hospital
GRANTS-IN-AID

82-2485 Institutional Support $43,841,000
Total Grants-in-Aid Appropriation, University Hospital $43,841,000
Grants-in-Aid:
82 University Hospital .....($43,841,000)

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at University Hospital shall be 2,923.

Higher Educational Services

Notwithstanding the provisions of any law or regulation to the contrary, from the amounts hereinabove appropriated for Higher Educational Services-Institutional Support in each of the senior public institutions of higher education, there are allocated such amounts as are required to provide the reimbursement to cover tuition costs of the National Guard members pursuant to subsection b. of section 21 of P.L.1999, c.46 (C.18A:62-24).

Notwithstanding the provisions of any law or regulation to the contrary, from the amounts hereinabove appropriated for Higher Educational Services-Institutional Support in each of the senior public institutions of higher education, there are allocated such amounts as may be required to fund lease or rental costs which may be charged by such senior public institutions for any State department, agency, authority or commission facilities located on the campus of any senior public institution of higher education.

Public colleges and universities are authorized to provide a voluntary employee furlough program.

Notwithstanding the provisions of any law or regulation to the contrary, any funds appropriated as Grants-In-Aid and payable to any senior public college or university which requests approval from the Educational Facilities Authority and the Director of the Division of Budget and Accounting may be pledged as a guarantee for payment of principal and interest on any bonds issued by the Educational Facilities Authority or by the college or university. Such funds, if so pledged, shall be made available by the State Treasurer upon receipt of written notification by the Educational Facilities Authority or the Director of the Divi-

sion of Budget and Accounting that the college or university does not have sufficient funds available for prompt payment of principal and interest on such bonds, and shall be paid by the State Treasurer directly to the holders of such bonds at such time and in such amounts as specified by the bond indenture, notwithstanding that payment of such funds does not coincide with any date for payment otherwise fixed by law.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the senior public institutions of higher education shall be paid to each institution in twelve equal installments on the last business day of each month.

Notwithstanding the provisions of any law or regulation to the contrary, no amount hereinabove appropriated for any senior public institution of higher education shall be paid until the institution remits its quarterly fringe benefit reimbursement for positions in excess of the number of State-funded positions provided in this act, by the deadline and in the manner required by the Director of the Division of Budget and Accounting.

Notwithstanding the provision of any law or regulation to the contrary, the amounts hereinabove appropriated for Institutional Support of the various State institutions of higher education are conditioned upon the following: no sum shall be expended for payment as a settlement, buyout, separation payment, severance pay or any other form of monetary payment of any kind whatsoever in connection with the termination of, or separation from, the employment prior to the end of the term of an existing contract of any officer or employee of such institution who receives annual compensation in excess of $250,000.

Of the amounts hereinabove appropriated for University Hospital and Cooper Medical School - Cooper University Hospital Support, the Director of the Division of Budget and Accounting may transfer such amounts as are determined to be necessary to the Division of Medical Assistance and Health Services to maximize federal Medicaid funds.

Funds appropriated to Rutgers University for purposes of medical education are authorized to be used as necessary by the Director of Budget and Accounting and the Division of Medical Assistance and Health Services, consistent with CMS guidelines, solely to maximize federal Medicaid payments to faculty physicians and non-physician professionals who are affiliated with the aforementioned respective medical schools.

Funds appropriated to Rowan University for purposes of medical education at Cooper Medical School of Rowan University and the Rowan School of Osteopathic Medicine are authorized to be used as necessary by the Director of Budget and Accounting and the Division of Medical Assistance and Health Services, consistent with CMS guidelines, solely to maximize federal Medicaid payments to faculty physicians and non-physician professionals who are affiliated with the aforementioned respective medical schools.

37 Cultural and Intellectual Development Services
2541 Division of State Library
DIRECT STATE SERVICES

51-2541 Library Services $5,286,000
Total Direct State Services Appropriation, Division of State Library $5,286,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($4,148,000)
Materials and Supplies ..... (418,000)
Services Other Than Personal ..... (193,000)
Maintenance and Fixed Charges ..... (27,000)
Special Purpose:
Supplies and Extended Services ..... (500,000)

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Direct State Services for the New Jersey State Library, excluding amounts appropriated to Special Purpose accounts, shall be paid in twelve equal installments, on the last business day of each month.

STATE AID

Library Services $7,975,000
(From General Fund ..... $4,299,000)
(From Property Tax Relief Fund ..... 3,676,000)
Total State Aid Appropriation, Division of State Library $7,975,000
(From General Fund ..... $4,299,000)
(From Property Tax Relief Fund ..... 3,676,000)

State Aid:

Per Capita Library Aid (PTRF) ..... ($3,676,000)
Library Network ..... (4,299,000)

37 Cultural and Intellectual Development Services
DIRECT STATE SERVICES

05-2530 Support of the Arts $405,000
06-2335 Museum Services 2,242,000
07-2540 Development of Historical Resources 289,000
Total Direct State Services Appropriation, Cultural and Intellectual Development Services $2,936,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($2,450,000)
Materials and Supplies ..... (92,000)
Services Other Than Personal ..... (300,000)
Maintenance and Fixed Charges ..... (94,000)

GRANTS-IN-AID

05-2530 Support of the Arts $16,000,000
07-2540 Development of Historical Resources 4,540,000
Total Grants-in-Aid Appropriation, Cultural and Intellectual Development Services $20,540,000

Grants-in-Aid:

05 Cultural Projects ..... ($16,000,000)
07 Battleship New Jersey Museum ..... (1,740,000)
07 Historic New Bridge Landing Park Commission ..... (100,000)
07 New Jersey Historical Commission - Agency Grants ..... (2,700,000)

Of the amount hereinabove appropriated for Cultural Projects, an amount not to exceed $100,000 may be used for administrative purposes, and an amount not to exceed $150,000 may be used for the assessment and oversight of cultural projects, including administrative costs attendant to this function, in compliance with all pertinent State and federal laws and regulations including the "Single Audit Act of 1984," Pub.L.98-502 (31 U.S.C. s.7501 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for Cultural Projects, the value of project grants awarded within each county shall total not less than $50,000.

Of the amount hereinabove appropriated for Cultural Projects, funds may be used for the purpose of matching federal grants.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Cultural Projects, 25% shall be awarded to cultural groups or artists based in the eight southernmost counties (Cape May, Salem, Cumberland, Gloucester, Camden, Ocean, Atlantic, and Burlington); provided, however, that the calculation of such 25% allocation shall not include the first $1,000,000 of any grants that may be awarded to the New Jersey Performing Arts Center or the Rutgers-Camden Center for the Arts.

Notwithstanding the provisions of section 4 of P.L.1999, c.131 (C.18A:73-22.4), of the amount hereinabove appropriated for New Jersey Historical Commission - Agency Grants, an amount not to exceed $200,000 is appropriated for administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

70 Government Direction, Management, and Control
74 General Government Services
DIRECT STATE SERVICES

01-2505 Office of the Secretary of State $3,381,000
02-2510 Business Action Center 13,367,000
08-2545 State Archives 967,000
25-2525 Election Management and Coordination 3,782,000

Total Direct State Services Appropriation, General Government Services $21,497,000

Direct State Services:

Personal Services:
Salaries and Wages.....($6,478,000)
Materials and Supplies.....(130,000)
Services Other Than Personal.....(623,000)
Maintenance and Fixed Charges.....(22,000)
Special Purpose:
01 Office of Volunteerism .....(79,000)
01 Office of Programs.....(420,000)
02 Office of Economic Growth.....(1,104,000)
02 New Jersey Motion Picture Commission.....(450,000)
02 Travel and Tourism Advertising and Promotion.....(9,000,000)
25 Help America Vote Act .....(3,191,000)

Of the amount hereinabove appropriated to the Business Action Center, an amount up to $500,000 is appropriated for New Jersey Small Business Development Centers, pursuant to a spending plan approved by the Secretary of State.

The Secretary of State shall report semi-annually on the expenditure during the preceding six months of State funds hereinabove appropriated for Travel and Tourism Advertising and Promotion and private contributions to this program. The first semi-annual report shall be completed not later than 30 days following the end of the second quarter of the fiscal year, the second semi-annual report shall be completed not later than 30 days following the end of the fiscal year, and both reports shall be submitted to the State Treasurer, the Director of the Division of Budget and Accounting, and the Joint Budget Oversight Committee.

Receipts from the examination of voting machines by Election Management and Coordination and the unexpended balance at the end of the preceding fiscal year of those receipts are appropriated for the costs of making such examinations.

The unexpended balance at the end of the preceding fiscal year in the Help America Vote Act - State Match account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

01-2505 Office of the Secretary of State $3,025,000
Total Grants-in-Aid Appropriation, General Government Services $3,025,000

Grants-in-Aid:

01 Office of Programs.....($1,350,000)
01 Center for Hispanic Policy, Research and Development .....(1,175,000)
01 Cultural Trust.....(500,000)

Of the amount hereinabove appropriated for the Office of Programs, an amount not to exceed $50,000 may be used for administrative purposes, including the over-

sight of cultural projects, to ensure their compliance with all applicable State and federal laws and regulations including the "Single Audit Act of 1984," Pub.L.98-502 (31 U.S.C. s.7501 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

STATE AID

25-2525 Election Management and Coordination $7,030,000
Total State Aid Appropriation, General Government Services..... $7,030,000

State Aid:

25 Extended Polling Place Hours..... ($7,030,000)

In addition to the amount hereinabove appropriated for Extended Polling Place Hours, there are appropriated such amounts as are required to provide required reimbursements to county Boards of Election, subject to the approval of the Director of the Division of Budget and Accounting.

Department of State, Total State Appropriation..... $1,323,073,000

Pursuant to the provisions of P.L.2003, c.114 (C.54:32D-1 et al.), the amounts hereinabove appropriated for the purpose of promoting cultural and tourism activities in this State first shall be charged to revenues derived from the hotel and motel occupancy fee.

Summary of Department of State Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services..... $31,373,000
Grants-in-Aid..... 1,276,695,000
State Aid..... 15,005,000
Appropriations by Fund:
General Fund..... $1,319,397,000
Property Tax Relief Fund..... $3,676,000

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78 DEPARTMENT OF TRANSPORTATION
10 Public Safety and Criminal Justice
11 Vehicular Safety
DIRECT STATE SERVICES

Notwithstanding the provisions of any law or regulation to the contrary, monies received in the "Commercial Vehicle Enforcement Fund" established pursuant to section 17 of P.L.1995, c.157 (C.39:8-75) are appropriated to offset all reasonable and necessary expenses of the Division of State Police, the New Jersey Motor Vehicle Commission, the Department of Transportation, and the Department of Environmental Protection in the performance of commercial vehicle safety

and emission inspections and other clean air purposes, subject to the approval of the Director of the Division of Budget and Accounting.

The amount appropriated to the New Jersey Motor Vehicle Commission is based on proportional revenue collections for that fiscal year pursuant to the statutes listed in subsection a. of section 105 of P.L.2003, c.13 (C.39:2A-36). Of that amount, $2,500,000 is appropriated for transfer to the Interdepartmental Property Rentals and Household and Security accounts, $5,150,000 is appropriated for transfer to the Department of Transportation, $5,800,000 is appropriated for transfer to the Division of Revenue and Enterprise Services within the Department of the Treasury, $612,000 is appropriated for transfer to the Division of State Police, $800,000 is appropriated for transfer to the Department of Environmental Protection and $519,000 is appropriated for transfer to the Department of the Treasury for Property Management and Construction - Property Management Services. In addition, the New Jersey Motor Vehicle Commission shall pay the non-State hourly rate charged by the Office of Administrative Law for hearing services, or an amount no less than $500,000, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law to the contrary, $10,940,000 is appropriated from the revenues appropriated to the New Jersey Motor Vehicle Commission for transfer to the Interdepartmental Property Rentals account to reflect savings from implementation of management and procurement efficiencies, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts derived pursuant to the New Jersey emergency medical service helicopter response act under subsection a. of section 1 of P.L.1992, c.87 (C.39:3-8.2), are appropriated to the Division of State Police and the Department of Health to defray the operating costs of the program as authorized under P.L.1986, c.106 (C.26:2K-35 et seq.). The unexpended balance at the end of the preceding fiscal year is appropriated to the special capital maintenance reserve account for capital replacement and major maintenance of helicopter equipment and any expenditures therefrom shall be subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Motor Vehicle Inspection Fund" established pursuant to subsection j. of R.S.39:8-2, balances in the fund are available for other clean air purposes, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law to the contrary, pursuant to P.L.2006, c.39 (C.39:3-8.3 et seq.), receipts that are derived from the surcharge on luxury and fuel-inefficient vehicles shall be deposited into the General Fund as State revenue.

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law to the contrary, an amount not to exceed $10,000,000 from receipts from the increase in motor vehicle fees imposed in 2009 shall be deposited into the General Fund as State revenue.

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law to the contrary, $88,908,000 is appropriated from the revenues appropriated to the New Jersey Motor Vehicle Commission for deposit in the General Fund to reflect continuing savings initiatives, subject to the approval of the Director of the Division of Budget and Accounting.

60 Transportation Programs
61 State and Local Highway Facilities
DIRECT STATE SERVICES

06-6100 Maintenance and Operations $36,583,000
08-6120 Physical Plant and Support Services 5,559,000
Total Direct State Services Appropriation, State and Local Highway Facilities $42,142,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($21,302,000)
Materials and Supplies ..... (11,855,000)
Services Other Than Personal ..... (1,891,000)
Maintenance and Fixed Charges ..... (7,094,000)

The unexpended balances at the end of the preceding fiscal year in the accounts hereinabove are appropriated for Maintenance and Operations, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Maintenance and Operations, such additional amounts as may be required are appropriated for winter operations, including snow removal costs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for the Department of Transportation from the General Fund, $12,500,000 thereof shall be paid from funds received from the various transportation-oriented authorities pursuant to contracts between the authorities and the State as are determined to be eligible for such funding pursuant to such contracts, as shall be determined by the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from the Logo Sign Program fees and the Tourist Oriented Directional Signs Program fees are appropriated for the purpose of administering the programs, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from highway application and permit fees pursuant to subsection (h) of section 5 of P.L.1966, c.301 (C.27:1A-5) are appropriated for the purpose of administering the Access Permit Review program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from Casualty Losses are appropriated for transportation purposes, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year is appropriated for the same purpose.

Of the amount hereinabove appropriated for Maintenance and Operations, $9,800,000 for winter operations, including snow removal costs, is appropriated from the receipts of the New Tire Surcharge pursuant to P.L.2004, c.46 (C.54:32F-1 et seq.).

In addition to the amount hereinabove appropriated for Maintenance and Operations, there is appropriated $5,150,000 from the New Jersey Motor Vehicle Commission for Maintenance and Fixed Charges, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 12 of P.L.1962, c.73 (C.12:7-34.47) or any law or regulation to the contrary, of the amount hereinabove appropriated for Maintenance and Operations, $2,000,000 is payable from the revenue from the fee increase pursuant to the amendatory provisions of section 12 of P.L.2002, c.34 (C.12:7-34.47) deposited into the "Maritime Industry Fund."

Revenue from fees or other payments made for the placement of sponsorship acknowledgment and advertising on signs, equipment, materials, and vehicles used for a safety service patrol or emergency service patrol program pursuant to section 5 of P.L.1966, c.301 (C.27:1A-5), are appropriated to the Department of Transportation for transportation purposes, including contract incentives for heavy duty towing contracts that support the clearance of traffic incidents. Use of the funds is subject to any federal requirements. The unexpended balance at the end of the preceding fiscal year is appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, amounts collected from fees for sponsorship programs pursuant to P.L.2013, c.130 (C.27:7-44.18 et seq.) are appropriated to the Department of Transportation for highway purposes, subject to the approval of the Director of the Division of Budget and Accounting; provided, however, that sponsorship acknowledgement and the use of such funds shall be subject to applicable requirements promulgated by the Federal Highway Administration. The unexpended balance at the end of the preceding fiscal year is appropriated for the same purpose.

Notwithstanding the provisions of section 3 of P.L.2013, c.86 (C.39:4-88.2) or any other law or regulation to the contrary, amounts collected from the surcharge imposed on each person found guilty of a violation of R.S.39:4-82 or R.S.39:4-88 in excess of the amount determined by the Commissioner of Transportation to be necessary to acquire, install, and maintain highway signs that notify motorists entering New Jersey to comply with the provisions of R.S.39:4-82 and R.S.39:4-88 are appropriated for graffiti removal activities, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year is appropriated for the same purpose.

CAPITAL CONSTRUCTION

60-6200 Transportation Trust Fund Authority..... $1,311,533,000
Total Capital Construction Appropriation, State and Local Highway Facilities..... $1,311,533,000

Capital Projects:

60 Transportation Trust Fund - Subaccount for Debt Service for Prior Bonds.....($1,087,254,000)

60 Transportation Trust Fund - Subaccount for Debt Service for Transportation Program Bonds..... (224,279,000)

The amount hereinabove appropriated for the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds and the Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds shall be provided from the following revenues: (i) $552,529,000 from motor fuels taxes, which are hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (ii) $547,004,000 from the petroleum products gross receipts tax, which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; and (iii) $200,000,000 from the sales and use tax which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution.

In addition, the amount hereinabove appropriated for the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds may also be provided from (i) $12,000,000 of funds from the various transportation-oriented authorities pursuant to contracts between such transportation-oriented authorities and the State; and (ii) such additional amounts pursuant to P.L.1984, c.73 (C.27:1B-1 et al.) as may be necessary and are hereby appropriated to satisfy all current fiscal year debt service, bond reserve requirements, and other fiscal obligations of the New Jersey Transportation Trust Fund Authority relating to the Prior Bonds.

Notwithstanding the provisions of any law or regulation to the contrary, in the event that some of the amounts hereinabove appropriated are not required to pay amounts due under the State contract between the State Treasurer and the New Jersey Transportation Trust Fund Authority for the Prior Bonds as the result of the receipt of federal subsidies for debt service on the Prior Bonds, or other obligations issued by the New Jersey Transportation Trust Fund Authority in connection with the Prior Bonds the amount hereinabove appropriated shall be reduced by such corresponding amount.

Notwithstanding the provisions of any law or regulation to the contrary, in the event that some of the amounts hereinabove appropriated are not required to pay amounts due under the State contract between the State Treasurer and the New Jersey Transportation Trust Fund Authority for the Prior Bonds or the State contract between the State Treasurer and the New Jersey Transportation Trust Fund

Authority for the Transportation Program Bonds as the result of refundings, restructurings, lowered interest rates, or any other action which reduces the amounts required to make the payments under such State contracts, the amount hereinabove appropriated for the Transportation Program Bonds or the Prior Bonds shall be reduced by such corresponding amounts.

Revenues dedicated for transportation purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution in excess of the amounts of such dedicated revenue appropriated to the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds, Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds, for bond reserve requirements or for other fiscal obligations of the New Jersey Transportation Trust Fund Authority are hereby appropriated to the Transportation Trust Fund Subaccount for Capital Reserves.

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Transportation and the New Jersey Transit Corporation, upon approval of the Director of the Division of Budget and Accounting, may use Special Transportation Fund monies to support contracted Transportation Trust Fund projects until such time as revenues and other funds of the New Jersey Transportation Trust Fund Authority become available for those projects. Subject to the receipt of those revenues and other funds of the authority, the Special Transportation Fund shall be reimbursed for all the monies that were used to advance Transportation Trust Fund projects.

Notwithstanding the provisions of any law or regulation to the contrary, monies deposited into the Transportation Trust Fund Subaccount for Capital Reserves may be transferred to the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds and Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds to satisfy current year debt service, bond reserve requirements, and other fiscal obligations of the New Jersey Transportation Trust Fund Authority, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, from amounts hereinabove appropriated the Department of Transportation may expend necessary amounts for improvements to streets and roads providing access to State facilities within the capital city without local participation.

Receipts representing the State share from the rental or lease of property, and the unexpended balances at the end of the preceding fiscal year of such receipts are appropriated for maintenance or improvement of transportation property, equipment, and facilities.

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Transportation may transfer Transportation Trust Fund monies to contracted federal projects until such time as federal funds become available for those projects, subject to the approval of the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer. Subject to the receipt of federal funds, the Transportation Trust Fund may be reimbursed for all the monies that were transferred to advance federally funded projects.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the Department of Transportation (DOT) for its capital projects from the revenues and other funds of the New Jersey Transportation Trust Fund Authority are hereby subject to the following condition: if the Department of Environmental Protection (DEP) determines that the issuance of any permit to the DOT regarding any capital project is conditioned upon the providing of new or enhanced public access with respect to coastal zone management (public access project), the DOT may fund the cost of such public access project from the monies hereinabove appropriated. In the alternative, if the DEP and DOT determine that it is in the best interest of the public access project for it to be undertaken by the DEP or another governmental entity, the DOT may provide funding for such public access project from the monies hereinabove appropriated to the DEP or such other governmental entity pursuant to an agreement between the DOT and the DEP or other governmental entity, as applicable.

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et al.), there is appropriated the sum of $1,324,000,000 from the revenues and other funds of the New Jersey Transportation Trust Fund Authority, and from the amounts on deposit in the Transportation Trust Fund Subaccount for Capital Reserves, for capital purposes as follows:

Description	**County**	**Amount**
Acquisition of Right of Way	Various	($500,000)
ADA Curb Ramp Implementation	Various	(2,000,000)
Airport Improvement Program	Various	(4,000,000)
Asbestos Surveys and Abatements	Various	(500,000)
Betterments, Roadway Preservation	Various	(15,000,000)
Betterments, Safety	Various	(10,000,000)
Bicycle & Pedestrian Facilities/ Accommodations	Various	(1,000,000)
Bridge, Emergency Repair	Various	(50,000,000)
Bridge Maintenance and Repair, Movable Bridges	Various	(21,600,000)
Bridge Preventive Maintenance	Various	(25,000,000)
Bridge Replacement, Future Projects	Various	(1,599,500)
Camp Meeting Avenue Bridge over Trenton Line, CR 602	Somerset	(550,000)
Capital Contract Payment Audits	Various	(1,000,000)
Congestion Relief, Intelligent Transportation System Improvements (Smart Move Program)	Various	(2,000,000)
Congestion Relief, Operational Improvements (Fast Move Program)	Various	(1,000,000)

Construction Inspection	Various	(9,000,000)
Construction Program IT System (TRNS.PORT)	Various	(750,000)
CR 514 (Amwell Road), Bridge over D&R Canal	Somerset	(750,000)
Culvert Replacement Program	Various	(2,000,000)
Design, Emerging Projects	Various	(11,000,000)
Drainage Rehabilitation and Maintenance, State	Various	(17,000,000)
Duck Island Landfill, Site Remediation	Mercer	(100,000)
DVRPC, Future Projects	Various	(15,000,000)
Electrical Facilities	Various	(7,000,000)
Electrical Load Center Replacement, Statewide	Various	(4,000,000)
Emergency Management and Transportation Security Support	Various	(1,500,000)
Environmental Investigations	Various	(5,000,000)
Environmental Project Support	Various	(500,000)
Equipment (Vehicles, Construction, Safety)	Various	(22,000,000)
Equipment, Snow and Ice Removal	Various	(8,000,000)
Grove Avenue, Bridge over Port Reading RR	Middlesex	(750,000)
Hamilton Road, Bridge over Conrail RR	Somerset	(360,000)
Intersection Improvement Program (Project Implementation)	Various	(250,000)
Interstate Service Facilities	Various	(1,000,000)
Legal Costs for Right of Way Condemnation	Various	(1,600,000)
Local Aid Grant Management System	Various	(160,000)
Local Aid, Infrastructure Fund	Various	(30,100,000)
Local Bridges, Future Needs	Various	(47,300,000)
Local County Aid, DVRPC	Various	(30,040,000)
Local County Aid, NJTPA	Various	(105,470,000)
Local County Aid, SJTPO	Various	(23,240,000)
Local Freight Impact Fund	Various	(30,100,000)
Local Municipal Aid, DVRPC	Various	(26,690,000)
Local Municipal Aid, NJTPA	Various	(108,500,000)
Local Municipal Aid, SJTPO	Various	(13,560,000)
Local Municipal Aid, Urban Aid	Various	(10,000,000)
Maintenance & Fleet Management System	Various	(2,000,000)
Maritime Transportation System	Various	(9,000,000)
Minor Bridge Inspection Program	Statewide	(6,800,000)
Minority and Women Workforce Training Set Aside	Various	(1,000,000)

Mobility and Systems Engineering Program	Various	(1,500,000)
New Jersey Rail Freight Assistance Program	Various	(25,000,000)
NJTPA, Future Projects	Various	(70,000,000)
Orphan Bridge Reconstruction	Various	(4,000,000)
PANY&NJ-NJDOT Project Program	Hudson, Essex	(100,000,000)
Park and Ride/Transportation Demand Management Program	Various	(1,000,000)
Paterson Plank Road (CR 681), Bridge over Route 3 at MP 10.04	Hudson	(1,400,000)
Physical Plant	Various	(15,000,000)
Planning and Research, State	Various	(1,000,000)
Portway, Fish House Road/Pennsylvania Avenue, CR 659	Hudson	(3,000,000)
Program Implementation Costs, NJDOT	Various	(102,000,000)
Project Development: Concept Development and Preliminary Engineering	Various	(5,000,000)
Project Management & Reporting System (PMRS)	Various	(800,000)
Project Management Improvement Initiative Support	Various	(413,000)
Rail-Highway Grade Crossing Program, State	Various	(5,200,000)
Regional Action Program	Various	(2,000,000)
Resurfacing Program	Various	(100,000,000)
Right of Way Database/Document Management System	Various	(200,000)
Right of Way Full-Service Consultant Term Agreements	Various	(50,000)
Rowan University US Route 322 Bypass Study	Camden	(1,000,000)
Rowan University US Route 322 Campus Downtown Intersection	Camden	(1,000,000)
Safe Streets to Transit Program	Various	(1,000,000)
Salt Storage Facilities - Statewide	Various	(3,500,000)
Sign Structure Inspection Program	Various	(2,500,000)
Signs Program, Statewide	Various	(2,000,000)
Solid and Hazardous Waste Cleanup, Reduction and Disposal	Various	(1,330,000)
South Inlet Transportation Improvement Project	Atlantic	(1,504,000)
State Police Enforcement and Safety Services	Various	(5,000,000)
Taft Avenue, Pedestrian Bridge over Route 80	Passaic	(800,000)
Title VI and Nondiscrimination Supporting Activities	Various	(175,000)
Traffic Monitoring Systems	Various	(1,000,000)
Traffic Signal Replacement	Various	(9,000,000)

Transit Village Program	Various	(1,000,000)
Transportation Research Technology	Various	(775,000)
Unanticipated Design, Right of Way and Construction Expenses, State	Various	(25,243,500)
Utility Reconnaissance and Relocation	Various	(5,000,000)
Washington Turnpike, Bridge over West Branch of Wading River	Burlington	(850,000)
Center Square Rd (CR 620), Rt 295 Overpass	Gloucester	(500,000)
Route 1, Penns Neck Improvements (CR 571)	Mercer, Middlesex	(1,500,000)
Route 1, Route 3 to 46th Street	Hudson	(2,690,000)
Route 3, Bridge over Northern Secondary & Ramp A	Hudson	(500,000)
Route 4, Bridge over Palisade Avenue, Windsor Road and CSX Railroad	Bergen	(4,000,000)
Route 9, Indian Head Road to Central Ave/ Hurley Ave, Pavement	Ocean	(2,000,000)
Route 9/35, Main Street Interchange	Middlesex	(500,000)
Route 9W, Palisades Boulevard to New York State Line	Bergen	(1,000,000)
Route 10, EB widening from Route 202 to Route 53	Morris	(750,000)
Route 10, Hillside Ave (CR 619) to Mt. Pleasant Tpk (CR 665)	Morris	(1,500,000)
Route 10, Jefferson Road	Morris	(900,000)
Route 10/202, NJ 53 to Johnson Road, Operational Improvements	Morris	(1,000,000)
Route 15 SB, Bridge over Rockaway River	Morris	(860,000)
Route 17, Sprout Brook, Culvert Replacement	Bergen	(300,000)
Route 18 NB, Bridge over Conrail	Middlesex	(600,000)
Route 18, East Brunswick, Drainage and Pavement Rehabilitation	Middlesex	(500,000)
Route 20, Paterson Safety, Drainage and Resurfacing	Passaic	(3,000,000)
Route 21, Dayton Street to Route 46 West	Passaic	(4,865,000)
Route 21, Newark Needs Analysis, Murray Street to Edison Place	Essex	(1,300,000)
Route 22, Bridge over Echo Lake	Union	(450,000)
Route 22/Route 82/Garden State Parkway Interchange	Union	(2,500,000)
Route 23, Bloomfield Avenue to Bridge over NJ Transit, ADA Contract	Essex, Passaic	(500,000)
Route 23, High Crest Drive to Macopin River	Passaic	(800,000)
Route 23, NB Bridge over Pequannock River	Passaic	(800,000)

Route 27 NB, Bridge over Former CNJRR (Abandoned)	Union	(910,000)
Route 29, Alexauken Creek Road to Washington Street	Hunterdon	(1,000,000)
Route 29, Bridge over Copper Creek	Hunterdon	(500,000)
Route 29, Cass Street to Calhoun Street, Drainage	Mercer	(250,000)
Route 30, Bridge over Newfound Thorofare	Atlantic	(400,000)
Route 30, Gibbsboro Road (CR 686)	Camden	(800,000)
Route 31 SB, CR 523 (Walter Foran Boulevard) to Wescott Drive (CR 600)	Hunterdon	(1,100,000)
Route 31, Bridge over Furnace Brook	Warren	(1,300,000)
Route 33 Business, Bridge over Conrail Freehold Secondary Branch	Monmouth	(800,000)
Route 33, Bridge over Millstone River	Monmouth	(500,000)
Route 33, Schoolhouse Road to Fortunato Place	Monmouth	(4,662,000)
Route 33B, Kondrup Way to Fairfield Rd	Monmouth	(5,200,000)
Route 34, CR 537 to Washington Ave. Pavement	Monmouth	(2,000,000)
Route 35, Heards Brook and Woodbridge Creek, Culvert Replacement	Middlesex	(600,000)
Route 35, Old Bridge Road to Route 34 & Route 70	Monmouth	(1,300,000)
Route 35, Route 9 to Colonia Boulevard	Middlesex, Union	(430,000)
Route 38 and Lenola Road (CR 608)	Burlington	(600,000)
Route 38, South Church Street (CR 607) to Fellowship Road (CR 673), Operational and Safety Improvements	Burlington	(2,500,000)
Route 40, Atlantic County, Drainage	Atlantic	(1,900,000)
Route 40, NJ Turnpike to E Quillytown Rd	Salem	(3,540,000)
Route 41 and Deptford Center Road	Gloucester	(650,000)
Route 42, Ardmore Ave to Camden County Line, Pavement	Gloucester	(3,100,000)
Route 42, Bridges over Blackwood Railroad Trail	Camden	(1,000,000)
Route 45, Bridge over Woodbury Creek	Gloucester	(400,000)
Route 46, Canfield Avenue	Morris	(500,000)
Route 46, Main Street/Woodstone Road (CR 644) to Route 80	Morris	(1,000,000)
Route 46, Route 80 to Walnut Road	Warren	(600,000)
Route 46, Stiger St to Sand Shore Rd/ Naughright Road	Morris, Warren	(4,600,000)
Route 47, Bridge over Dennis Creek	Cape May	(500,000)

Route 47, Bridge over Menantico Creek	Cumberland	(800,000)
Route 47, Bridge over Route 295	Gloucester	(100,000)
Route 47, Grove St. to Route 130, Pavement	Gloucester	(2,500,000)
Route 57, Bridge over Shabbacong Creek	Warren	(600,000)
Route 57, CR 519 Intersection Improvement	Warren	(900,000)
Route 57, Lopatcong Creek, Culvert Replacement	Warren	(400,000)
Route 57/182/46, Hackettstown Mobility Improvements	Warren, Morris	(1,050,000)
Route 66, Jumping Brook Road to Bowne Road/ Wayside Road	Monmouth	(1,500,000)
Route 70, Camden Feeder Road Study	Camden	(350,000)
Route 71, Wyckoff Road, CR 547	Monmouth	(400,000)
Route 73, Church Road (CR 616) and Fellowship Road (CR 673) Intersections	Burlington	(4,000,000)
Route 73, CR 544 (Evesham Rd/Marlton Parkway)	Burlington	(1,000,000)
Route 76, Bridges over Route 130	Camden	(2,500,000)
Route 80, Bridges over Howard Boulevard (CR 615)	Morris	(1,500,000)
Route 130, Hollywood Avenue (CR 618)	Salem	(4,608,000)
Route 130, Plant Street to High Hill Road (CR 662)	Salem, Gloucester	(1,200,000)
Route 15 and Berkshire Valley Road (CR 699)	Morris	(950,000)
Route 166, Bridges over Branch of Toms River	Ocean	(1,500,000)
Route 168, Merchant Street to Ferry Avenue, Pavement	Camden	(1,000,000)
Route 171, Route 130 to Lincoln Avenue	Middlesex	(2,543,000)
Route 173, Bridge over Pohatcong Creek	Warren	(3,700,000)
Route 181, Espanong Road to Prospect Point Road	Morris	(1,600,000)
Route 202, Bridge over North Branch of Raritan River	Somerset	(300,000)
Route 202, First Avenue Intersection Improvements	Somerset	(1,058,000)
Route 206 Bypass, Mountain View Road to Old Somerville Road (Sections 14A & 15A) Contract B	Somerset	(5,000,000)
Route 206, Southbound Merge Improvements with I-287 Ramp	Somerset	(2,240,000)
Route 280, WB Ramp over 1st & Orange Streets, Newark Subway & NJ Transit	Essex	(2,600,000)
Route 295 NB, Exit Ramp to Route 195 EB	Mercer	(500,000)
Route 295/38, Missing Moves, Mount Laurel	Burlington	(2,000,000)

Route 30, Camden Feeder Road Study	Camden	(500,000)
Route 322 Business, Bridge over Raccoon Creek	Gloucester	(1,834,000)
Route 322, Corridor Congestion Relief Project	Gloucester	(1,000,000)
Route 322, CR 551 (Kings Highway)	Gloucester	(1,000,000)
Route 322, Fries Mill Road (CR 655)	Gloucester	(500,000)
Route 322, Rt 295 to Tomlin Station Rd (CR 607)	Gloucester	(1,300,000)
Route 45, Harrison Avenue/ Mt Royal Road (CR 678), and Route 45, Berkley Road (CR 632)	Gloucester	(1,000,000)
Route 70 Gateway/Airport Circle	Camden	(5,000,000)

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et al.), there is appropriated the sum of $676,000,000 from the revenues and other funds of the New Jersey Transportation Trust Fund Authority, and from the amounts on deposit in the Transportation Trust Fund Subaccount for Capital Reserves, for the specific projects identified as follows:

New Jersey Transit Corporation

Description	**County**	**Amount**
ADA-Platforms/Stations	Various	($910,000)
Bridge and Tunnel Rehabilitation	Various	(20,412,000)
Bus Acquisition Program	Various	(101,426,924)
Bus Maintenance Facilities	Various	(11,715,000)
Bus Passenger Facilities/Park and Ride	Various	(800,000)
Bus Support Facilities and Equipment	Various	(2,630,000)
Bus Vehicle and Facility Maintenance/ Capital Maintenance	Various	(59,550,000)
Capital Program Implementation	Various	(21,470,000)
Claims Support	Various	(750,000)
Environmental Compliance	Various	(3,500,000)
High Speed Track Program	Various	(1,000,000)
Hoboken Ferry Service Improvements	Various	(12,000,000)
Hudson-Bergen and Newark LRT System	Hudson	(7,005,000)
Hudson-Bergen LRT Northern Extension	Various	(28,500,000)
Immediate Action Program	Various	(17,182,612)
Light Rail Infrastructure Improvements	Various	(6,225,000)
Locomotive Overhaul	Various	(5,060,000)
Miscellaneous	Various	(7,786,548)
NEC Improvements	Various	(59,150,000)
NJ TRANSIT Grid Project	Various	(22,172,000)
NJ TRANSIT Raritan River Drawbridge Replacement Project	Various	(5,000,000)

Other Rail Station/Terminal Improvements	Various	(7,799,000)
Perth Amboy Intermodal ADA Improvements	Middlesex	(1,888,000)
Physical Plant	Various	(1,818,749)
Portal Bridge North	Various	(20,934,885)
Preventative Maintenance-Bus	Various	(9,040,516)
Preventative Maintenance-Rail	Various	(22,985,649)
Private Carrier Equipment Program	Various	(3,000,000)
Rail Capital Maintenance	Various	(13,000,000)
Rail Fleet Overhaul	Various	(8,371,999)
Rail Rolling Stock Procurement	Various	(25,637,171)
Rail Support Facilities and Equipment	Various	(8,130,000)
Safety Improvement Program	Various	(6,000,000)
Section 5310 Program	Various	(3,750,000)
Section 5311 Program	Various	(100,000)
Security Improvements	Various	(2,610,000)
Signals and Communications/Electric Traction Systems	Various	(64,270,273)
Small/Special Services Program	Various	(8,373,000)
Study and Development	Various	(5,409,999)
Technology Improvements	Various	(9,350,000)
Track Program	Various	(18,000,000)
Train Controls-Wayside Signals, Power & Communication Resiliency	Various	(22,536,000)
Transit Rail Initiatives	Various	(6,749,675)
Walter Rand Transportation Center	Camden	(2,000,000)
Wood-Ridge Maintenance-of-Way Facility Relocation Project	Various	(10,000,000)

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated from the revenues and other monies of the New Jersey Transportation Trust Fund Authority for the Department of Transportation and the New Jersey Transit Corporation, respectively, for salary and overhead costs of employees of the Department of Transportation and the New Jersey Transit Corporation, respectively, associated with the construction of capital projects by the Department of Transportation and the New Jersey Transit Corporation, respectively, shall not be subject to any percentage limitation.

The unexpended balances at the end of the preceding fiscal year of appropriations from the New Jersey Transportation Trust Fund Authority are appropriated.

Notwithstanding the provisions of subsection d. of section 21 of P.L.1984, c.73 (C.27:1B-21) or any law or regulation to the contrary, approval by the Joint Budget Oversight Committee of transfers among appropriations by project shall not be required. Notice of a transfer approved by the Director of the Division of Budget and Accounting pursuant to that section shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Federal funds received in conjunction with the Route 52 Causeway Replacement Contract A Construction Fund are hereby appropriated to the New Jersey Transportation Trust Fund Authority to pay debt service and other costs related to the Grant Anticipation Revenue Vehicles (GARVEE).

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated to the Department of Transportation, such amounts as shall be approved by the Director of the Division of Budget and Accounting, from the revenues and other funds of the New Jersey Transportation Trust Fund Authority received in connection with the issuance of the Authority's Grant Anticipation Revenue Vehicles (GARVEE) Bonds for the capital projects listed. Federal funds received in conjunction with the capital projects funded through the issuance of these GARVEE Bonds are appropriated to the Authority to pay debt service and other costs related to the GARVEE Bonds.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the sale or conveyance of any lands held by the Department of Transportation are appropriated for the acquisition of land for highway projects or to refund the Federal Highway Administration where required by federal law. Receipts from the sale of all fill material held by the Department of Transportation are appropriated for demolition, acquisition of land, rehabilitation or improvement of existing facilities, and construction of new facilities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the Port Authority of New York and New Jersey pursuant to a contract with the State for transportation system improvements are appropriated to the Department of Transportation for such improvements.

Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Transportation, upon approval of the Director of the Division of Budget and Accounting, may transfer New Jersey Transportation Trust Fund Authority monies to the Pulaski Skyway, Route 7/Wittpenn Bridge, and New Road projects which are to be funded by the Port Authority of New York and New Jersey pursuant to an agreement between the Port Authority of New York and New Jersey and the Commissioner of Transportation dated July 29, 2011, until such time as funding from the Port Authority of New York and New Jersey is paid to the State pursuant to such agreement. Subject to the receipt of those funds, the New Jersey Transportation Trust Fund Authority shall be reimbursed for all monies transferred to advance these projects. In the event that all of such transfers are not reimbursed by the Port Authority of New York and New Jersey pursuant to the agreement, an amount equivalent to such unreimbursed monies are hereby appropriated from the New Jersey Transportation Trust Fund Authority to such projects and such amounts shall constitute line item appropriations approved by the Legislature.

Notwithstanding the provisions of section 6 of P.L.2006, c.3 (C.27:1B-22.2) or any law or regulation to the contrary, in recognition of the extensive destruction and

damage to the State's roads, highways, bridges, and other critical transportation infrastructure during recent years inflicted by a series of federally declared disaster events, including but not limited to Hurricane Irene and Super Storm Sandy, of the amount hereinabove appropriated from the New Jersey Transportation Trust Fund Authority, an amount not to exceed $135,000,000 may be used for permitted maintenance, subject to the approval of the Director of the Division of Budget and Accounting.

The amount appropriated from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for the New Jersey Freight Rail Assistance Program in FY 2018 shall fund eligible project applications where the sponsor received funding for a related phase or portion of rail construction in any prior fiscal year before funding new projects that have not received prior funding under the program.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated to the Department of Transportation for transportation capital projects such amounts as shall be approved by the Director of the Division of Budget and Accounting from the revenues and other funds of the New Jersey Transportation Trust Fund Authority received in connection with the issuance of the Authority's Indirect Grant Anticipation Revenue Vehicles (Indirect GARVEE) Bonds. Federal funds received in conjunction with transportation capital projects are appropriated to the Authority to pay debt service and other costs related to the Indirect GARVEE Bonds.

62 Public Transportation

GRANTS-IN-AID

04-6050 Railroad and Bus Operations	$2,217,856,000
Subtotal Grants-in-Aid Appropriation, Public Transportation	$2,217,856,000
Less:	
Farebox Revenue	**$1,013,980,000**
Other Commercial Revenue	**115,200,000**
Other Reimbursements	**947,820,000**
Total Income Deductions	**$2,077,000,000**
Total Grants-in-Aid Appropriation, Public Transportation	$140,856,000

Grants-in-Aid:

Personal Services:	
Salaries and Wages	($1,346,400,000)
Materials and Supplies	(317,850,000)
Services Other Than Personal	(142,900,000)
Special Purpose:	
04 Purchased Transportation	($243,600,000)
04 Insurance and Claims	(33,200,000)

04 Tolls, Taxes, and Other Operating
Expenses ..... (133,906,000)

Less:

Income Deductions $2,077,000,000

Notwithstanding the provision of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for New Jersey Transit Corporation, there are appropriated such amounts as are received from the New Jersey Turnpike Authority, pursuant to a contract between the New Jersey Turnpike Authority and the State for such transportation purposes.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for New Jersey Transit Corporation, there is appropriated $82,089,000 from the Clean Energy Fund for utility costs associated with New Jersey Transit Corporation operations.

STATE AID

04-6050 Railroad and Bus Operations $17,801,000
(From Casino Revenue Fund ..... $17,801,000)
Total State Aid Appropriation, Public Transportation $17,801,000
(From Casino Revenue Fund ..... $17,801,000)

State Aid:

04 Transportation Assistance for Senior
Citizens and Disabled Residents (CRF) ..... ($17,801,000)

Counties which provide paratransit services for sheltered workshop clients may seek reimbursement for such services pursuant to P.L.1987, c.455 (C.34:16-51 et seq.).

CAPITAL CONSTRUCTION

Notwithstanding the provisions of any law or regulation to the contrary, the Commissioner of Transportation, upon approval of the Director of the Division of Budget and Accounting, may transfer funds made available from the New Jersey Transportation Trust Fund Authority for public transportation projects under the program headings "New Jersey Transit Corporation" to the line-item under that same program heading entitled "Federal Transit Administration Projects" for any federally funded public transportation project shown in this act or any previous appropriation acts until such time as federal funds become available for the projects. Subject to the receipt of federal funds, the New Jersey Transportation Trust Fund Authority shall be reimbursed for all the monies that were transferred to advance Federal Transit Administration projects. Any transfer of funds which returns funds from the line-item "Federal Transit Administration Projects" to the account of origin shall be deemed approved.

From the amounts appropriated from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for the current fiscal year transportation capital program, the Commissioner of Transportation may allocate $4,000,000 of the amount listed for the Private Carrier Equipment Program to New Jersey Transit Corporation's Private Carrier Capital Improvement Program (PCCIP).

The amount provided herein shall be allocated to the private motorbus carriers consistent with the formula used to administer the PCCIP and shall be restricted to those carriers that currently qualify for participation in the PCCIP. These funds may be used for the procurement of any goods or services currently approved under New Jersey Transit Corporation's PCCIP, as well as: facility improvements, vehicle procurement, and capital maintenance that comports with section 3 of P.L.1984, c.73 (C.27:1B-3). Such maintenance and equipment procurements shall apply to vehicles owned by the private motorbus carriers and used in public transportation service, as well as to New Jersey Transit Corporation owned vehicles. Private motorbus carriers receiving an allocation of such funds shall be required to submit to the New Jersey Transit Corporation a full accounting for all expenditures, demonstrating that the funds were used to increase or maintain the current level of public transportation service provided by the carrier or to improve revenue vehicle maintenance. Under no circumstances shall these funds be used to provide compensation of any officer or owner of a private motorbus carrier.

64 Regulation and General Management

DIRECT STATE SERVICES

05-6070 Multimodal Services $902,000
99-6000 Administration and Support Services 744,000
Total Direct State Services Appropriation, Regulation and General Management $1,646,000

Direct State Services:

Materials and Supplies.....($147,000)
Services Other Than Personal.....(676,000)
Maintenance and Fixed Charges.....(10,000)
Special Purpose:
05 Office of Maritime Resources.....(248,000)
05 Airport Safety Administration .....(565,000)

Receipts in excess of the amount anticipated from outdoor advertising application and permit fees, are appropriated for the purpose of administering the Outdoor Advertising Permit and Regulation Program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from fees on placarded rail freight cars transporting hazardous materials in this State are appropriated to defray the expenses of the Placarded Rail Freight Car Transporting Hazardous Materials Program, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Airport Safety Fund account together with any receipts in excess of the amount anticipated are appropriated for the same purpose.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Airport Safety Administration is payable out of the Airport Safety Fund established pursuant to section 4 of P.L.1983, c.264 (C.6:1-

92). If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

GRANTS IN AID

The unexpended balance at the end of the preceding fiscal year in the Airport Safety Fund account together with any receipts in excess of the amount anticipated are appropriated for the same purpose.

Department of Transportation, Total State Appropriation $1,513,978,000

Summary of Department of Transportation Appropriations
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$43,788,000
Grants-in-Aid	140,856,000
State Aid	17,801,000
Capital Construction	1,311,533,000
Appropriations by Fund:	
General Fund	$1,496,177,000
Casino Revenue Fund	17,801,000

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82 DEPARTMENT OF THE TREASURY
30 Educational, Cultural. and Intellectual Development
36 Higher Educational Services
GRANTS-IN-AID

47-2155	Support to Independent Institutions	$17,444,000
49-2155	Miscellaneous Higher Education Programs	106,790,000
	Total Grants-in-Aid Appropriation, Higher Educational Services	$124,234,000

Grants-in-Aid:

47	Aid to Independent Colleges and Universities	($1,000,000)
47	Clinical Legal Programs for the Poor - Seton Hall University	(200,000)
47	Research Under Contract with the Institute of Medical Research, Camden	(1,037,000)
47	Seton Hall University School of Health and Medical Sciences Support	(15,000,000)
47	Seton Hall Law Clinic Re-entry Services	(207,000)
49	Higher Education Capital Improvement Program - Debt Service	(66,652,000)
49	Equipment Leasing Fund - Debt Service	(16,343,000)
49	Higher Education Facilities Trust Fund - Debt Service	(19,697,000)

49 Higher Education Technology Bond - Debt Service .....(3,733,000)
49 Dormitory Safety Trust Fund - Debt Service .....(365,000)

The amount hereinabove appropriated for Aid to Independent Colleges and Universities shall be allocated to eligible institutions in accordance with the "Independent College and University Assistance Act," P.L.1979, c.132 (C.18A:72B-15 et seq.), provided that the number of full-time equivalent students at the seven State Colleges shall be 61,804 for fiscal year 2017.

The amounts hereinabove appropriated for Research Under Contract with the Institute of Medical Research, Camden (Coriell Institute) shall be expended on support for research activities, and the Institute shall submit an annual audited financial statement to the Department of the Treasury which shall include a schedule showing the use of these funds.

STATE AID

48-2155 Aid to County Colleges $223,608,000
(From General Fund ..... $23,800,000)
(From Property Tax Relief Fund ..... 199,808,000)
Subtotal State Aid Appropriation, Higher Educational Services $223,608,000
(From General Fund ..... $23,800,000)
(From Property Tax Relief Fund ..... 199,808,000)

Less:
Supplemental Workforce Fund - Basic Skills $23,800,000
Total Income Deductions $23,800,000
Total State Appropriation, Higher Educational Services $199,808,000
(From Property Tax Relief Fund ..... $199,808,000)

State Aid:
48 Operational Costs .....($23,800,000)
48 Operational Costs (PTRF) .....(110,323,000)
48 Debt Service for Chapter 12, P.L.1971, c.12 (N.J.S.18A:64A-22.1) (PTRF) .....(35,630,000)
48 Alternate Benefit Program - Employer Contributions (PTRF) .....(20,259,000)
48 Alternate Benefit Program - Non-contributory Insurance (PTRF) .....(2,433,000)
48 Teachers' Pension and Annuity Fund - Non-contributory Insurance (PTRF) .....(4,000)
48 Employer Contributions - Teachers' Pension and Annuity Fund (PTRF) .....(67,000)
48 Teachers' Pension and Annuity Fund - Post Retirement Medical (PTRF) .....(1,451,000)

48 Post Retirement Medical Other Than TPAF (PTRF) ..... (29,313,000)
48 Affordable Care Act Fees (PTRF) ..... (15,000)
48 Employer Contributions - FICA for County College Members of TPAF (PTRF) ..... (92,000)
48 Debt Service on Pension Obligation Bonds (PTRF) ..... (221,000)

Less:

Income Deductions 23,800,000

In addition to the amount hereinabove appropriated for Operational Costs, there is appropriated $23,800,000 from the Supplemental Workforce Fund for Basic Skills for remedial courses provided at county colleges and all other monies in the Supplemental Workforce Fund for Basic Skills are appropriated in the proportions set forth in section 1 of P.L.2001, c.152 (C.34:15D-21).

Notwithstanding the provisions of any law or regulation to the contrary, from the amounts hereinabove appropriated for county college Operational Costs, there are allocated such amounts as are required to provide the reimbursement to cover tuition costs of the National Guard members pursuant to subsection b. of section 21 of P.L.1999, c.46 (C.18A:62-24).

Such amounts as may be necessary for the payment of interest or principal or both, due from the issuance of any bonds authorized under the provisions of section 1 of P.L.1971, c.12 (C.18A:64A-22.1) are appropriated.

Such additional amounts as may be required for Alternate Benefit Program - Employer Contributions, Alternate Benefit Program - Non-contributory Insurance, Teachers' Pension and Annuity Fund - Non-contributory Insurance, Teachers' Pension and Annuity Fund - Post Retirement Medical, Post Retirement Medical Other Than TPAF, Affordable Care Act Fees, and Employer Contributions - FICA for County College Members of TPAF are appropriated, as the Director of the Division of Budget and Accounting shall determine.

In addition to the amount hereinabove appropriated for Debt Service on Pension Obligation Bonds to make payments under the State Treasurer's contracts authorized pursuant to section 6 of P.L.1997, c.114 (C.34:1B-7.50), there are appropriated such other amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

50 Economic Planning, Development, and Security
51 Economic Planning and Development
GRANTS-IN-AID

38-2043 Economic Development $25,080,000
Total Grants-in-Aid Appropriation, Economic Planning and Development $25,080,000

Grants-in-Aid:

38 Economic Redevelopment and Growth Grants, EDA .....($10,010,000)

38 Small Business Bonding Readiness Assistance Fund, EDA .....(250,000)

38 Brownfield Site Reimbursement Fund.....(14,820,000)

In addition to the amount hereinabove appropriated for the Economic Redevelopment and Growth Grants, EDA, there are appropriated such amounts as may be necessary to fund the Economic Redevelopment and Growth Grant program, pursuant to the "New Jersey Economic Stimulus Act of 2009," P.L.2009, c.90 (C.52:27D-489a et seq.), subject to the approval of the Director of the Division of Budget and Accounting. Due to the uncertain timing of grant requests, the unexpended balance at the end of the preceding fiscal year in the Economic Redevelopment and Growth Grants, EDA account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Funds made available for the remediation of the discharges of hazardous substances pursuant to the amendments effective July 1, 2015, to Article VIII, Section II, paragraph 6 of the State Constitution, shall be appropriated to the Brownfield Site Reimbursement Fund, established pursuant to section 38 of P.L.1997, c.278 (C.58:10B-30), in an amount to be determined by the Director of the Division of Taxation, and subject to the approval of the Director of the Division of Budget and Accounting. If such amounts for the remediation of discharges of hazardous substances are insufficient, there are appropriated such amounts as necessary to the Brownfield Site Reimbursement Fund, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year in the Brownfield Site Reimbursement Fund account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

52 Economic Regulation

DIRECT STATE SERVICES

54-2008 Utility Regulation $5,739,000
55-2004 Regulation of Cable Television 1,899,000
88-2058 Energy Assistance Programs 1,865,000
97-2016 Regulatory Support Services 3,887,000
99-2003 Administration and Support Services 13,277,000
Total Direct State Services Appropriation, Economic Regulation $26,667,000

Direct State Services:

Personal Services:
Salaries and Wages .....($22,919,000)
Materials and Supplies.....(372,000)
Services Other Than Personal.....(2,623,000)

Maintenance and Fixed Charges ..... (677,000)
Additions, Improvements and Equipment ..... (76,000)

Receipts from fees are appropriated for the administrative costs of the Board of Public Utilities.

The unexpended balances at the end of the preceding fiscal year in the programs administered by the Board of Public Utilities are appropriated for use by those respective programs, subject to the approval of the Director of the Division of Budget and Accounting.

All revenue received in the CATV Universal Access Fund is appropriated for transfer to the General Fund as State revenue.

Notwithstanding the provisions of paragraph (3) of subsection a. of section 12 of the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-60) and any other laws to the contrary, receipts from the Clean Energy Fund are appropriated for the actual administrative salary and operating costs for the Office of Clean Energy as requested by the President of the Board of Public Utilities and approved by the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the investment earnings derived from the funds deposited into the Clean Energy Fund and Universal Service Fund shall accrue to the funds and are available to pay the costs of the various programs of the Board of Public Utilities Clean Energy Program and Universal Service Fund.

There are appropriated from interest earned by the Petroleum Overcharge Reimbursement Fund such amounts as may be required for costs attributable to the administration of the fund, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the balances from the Petroleum Overcharge Reimbursement Fund and the Secondary Stage Refunds and the monies required to be deposited into that fund from projects which have been completed or are no longer viable are reappropriated for new projects consistent with the court rulings which served as the basis for the original awards, subject to the approval of the Director of the Division of Budget and Accounting and the Director of the Office of Energy Savings.

The amounts hereinabove appropriated for the Energy Assistance Programs classification may be transferred to the Lifeline Programs accounts in the Department of Human Services to fund the costs associated with administering the Lifeline Credits Program and Tenants' Assistance Rebate Program and shall be applied in accordance with a Memorandum of Understanding between the President of the Board of Public Utilities and the Commissioner of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

88-2058 Energy Assistance Programs $65,785,000
Total Grants-in-Aid Appropriation, Economic Regulation $65,785,000

Grants-in-Aid:

88 Payments for Lifeline Credits .....($26,901,000)
88 Tenants' Assistance Rebate Program.....(38,884,000)

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Payments for Lifeline Credits and the Tenants' Assistance Rebate Program are available for the payment of obligations applicable to prior fiscal years.

Notwithstanding the provisions of P.L.1979, c.197 (C.48:2-29.15 et seq.), P.L.1981, c.210 (C.48:2-29.30 et seq.), or any law or regulation to the contrary, the benefits of the Lifeline Credits Program and the Tenants' Assistance Rebate Program may be distributed throughout the entire year from July through June, and are not limited to an October to March heating season; therefore, applications for Lifeline benefits and benefits from the Pharmaceutical Assistance to the Aged and Disabled program may be combined.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of Lifeline claims, amounts may be transferred from the various items of appropriation within the Energy Assistance Programs classification, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amounts hereinabove appropriated for Payments for Lifeline Credits and the Tenants' Assistance Rebate Program, such amounts as may be required for the payment of claims, credits, and rebates are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Any supplemental appropriation for the Payments for Lifeline Credits and the Tenants' Assistance Rebate Program may be recovered from the Universal Service Fund through transfer to the General Fund as State revenue, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for Payments for Lifeline Credits and the Tenants' Assistance Rebate Program are available to the Department of Human Services to fund the payments associated with the Lifeline Credits and Tenants' Assistance programs and shall be applied in accordance with a Memorandum of Understanding between the President of the Board of Public Utilities and the Commissioner of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

70 Government Direction, Management, and Control
72 Governmental Review and Oversight
DIRECT STATE SERVICES

03-2015 Employee Relations and Collective Negotiations $903,000
07-2040 Office of Management and Budget 14,056,000
Total Direct State Services Appropriation, Governmental Review and Oversight $14,959,000

Direct State Services:

Personal Services:
Salaries and Wages .....($12,118,000)

Materials and Supplies ..... (125,000)
Services Other Than Personal ..... (1,559,000)
Maintenance and Fixed Charges ..... (7,000)
Special Purpose:
Independent Audits ..... (1,150,000)

There are appropriated, from receipts from the investment of State funds, such amounts as may be necessary for interest costs, bank service charges, custodial costs, mortgage servicing fees, and advertising bank balances under section 1 of P.L.1956, c.174 (C.52:18-16.1).

Such amounts as may be necessary for administrative expenses incurred in processing federal benefit payments are appropriated from such amounts as may be received or are receivable for this purpose.

In addition to the amounts hereinabove appropriated for the Office of Management and Budget, there are appropriated such additional amounts as may be necessary for an independent audit of the State's general fixed asset account group, management, performance, and operational audits, and the single audit.

2066 Office of the State Comptroller
DIRECT STATE SERVICES

08-2066 Office of the State Comptroller $8,832,000
Total Direct State Services Appropriation, Office of the State Comptroller $8,832,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($7,882,000)
Materials and Supplies ..... (55,000)
Services Other Than Personal ..... (750,000)
Maintenance and Fixed Charges ..... (45,000)
Additions, Improvements and Equipment ..... (100,000)

Notwithstanding the provisions of any law or regulation to the contrary, all financial recoveries obtained through the efforts of any entity authorized to undertake the prevention and detection of Medicaid fraud, waste and abuse, are appropriated to General Medical Services in the Division of Medical Assistance and Health Services in the Department of Human Services.

73 Financial Administration
DIRECT STATE SERVICES

15-2080 Taxation Services and Administration $106,473,000
17-2105 Administration of State Revenues and Enterprise Services 32,120,000
19-2120 Management of State Investments 1,287,000
25-2095 Administration of Casino Gambling 7,513,000
(From Casino Control Fund ..... $7,513,000)
Total Direct State Services Appropriation, Financial Administration $147,393,000

(From General Fund ..... $139,880,000)
(From Casino Control Fund ..... 7,513,000)

Direct State Services:

Personal Services:
Chairman and Commissioners (CCF) ..... ($391,000)
Salaries and Wages ..... (117,392,000)
Salaries and Wages (CCF) ..... (3,023,000)
Employee Benefits (CCF) ..... (1,842,000)
(From General Fund ..... 117,392,000)
(From Casino Control Fund ..... 5,256,000)
Materials and Supplies ..... (2,687,000)
Materials and Supplies (CCF) ..... (84,000)
Services Other Than Personal ..... (16,488,000)
Services Other Than Personal (CCF) ..... (600,000)
Maintenance and Fixed Charges ..... (805,000)
Maintenance and Fixed Charges (CCF) ..... (1,333,000)
Special Purpose:
17 Wage Reporting/Temporary Disability Insurance ..... (800,000)
25 Administration of Casino Gambling (CCF) ..... (20,000)
Additions, Improvements and Equipment ..... (1,708,000)
Additions, Improvements and Equipment (CCF) ..... (220,000)

In addition to the amounts hereinabove appropriated for Taxation Services and Administration, such additional amounts as may be necessary are appropriated to fund costs of the collecting and processing of debts, taxes, and other fees and charges owed to the State, including but not limited to the services of auditors and attorneys and enhanced compliance programs, subject to the approval of the Director of the Division of Budget and Accounting. The Director of the Division of Budget and Accounting shall provide the Joint Budget Oversight Committee with written reports on the detailed appropriation and expenditure of amounts appropriated pursuant to this provision.

Upon certification of the Director of the Division of Taxation, the State Treasurer shall pay, upon warrants of the Director of the Division of Budget and Accounting, such claims for refund as may be necessary under the provisions of Title 54 of the Revised Statutes, as amended and supplemented.

Receipts from the sale of confiscated equipment, materials, and supplies under the "Cigarette Tax Act," P.L.1948, c.65 (C.54:40A-1 et seq.) are appropriated as may be necessary for confiscation, storage, disposal, and other related expenses thereof.

Notwithstanding the provisions of any law or regulation to the contrary, there are available out of fees from the cost of collection imposed pursuant to section 8 of P.L.1987, c.76 (C.54:49-12.1) such amounts as may be required for compliance and enforcement activities associated with the collection process as promulgated by the Taxpayers' Bill of Rights under P.L.1992, c.175.

Such amounts as are required for the acquisition of equipment essential to the modernization of processing tax returns, are appropriated from tax collections, subject to the approval of the Joint Budget Oversight Committee and the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 4 of the "Lead Hazard Control Assistance Act," P.L.2003, c.311 (C.52:27D-437.4), such amounts as are necessary are appropriated from the Lead Hazard Control Assistance Fund for the Department of the Treasury's administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the Dedicated Cigarette Tax Revenue Fund established pursuant to P.L.2004, c.68 (C.34:1B-21.16 et seq.) such amounts as are required under the contract between the Treasurer and the New Jersey Economic Development Authority entered into pursuant to section 6 of P.L.2004, c.68 (C.34:1B-21.21).

The amount necessary to provide administrative costs incurred by the Division of Taxation and the Division of Revenue and Enterprise Services to meet the statutory requirements of the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) is appropriated from the Enterprise Zone Assistance Fund, subject to the approval of the Director of the Division of Budget and Accounting.

Pursuant to the provisions of section 12 of P.L.1992, c.165 (C.40:54D-12) there are appropriated such amounts as may be required to compensate the Department of the Treasury for costs incurred in administering the "Tourism Improvement and Development District Act," P.L.1992, c.165 (C.40:54D-1 et seq.).

Notwithstanding the provisions of any law or regulation to the contrary, receipts from agreements entered into by the Director of the Division of Taxation pursuant to P.L.1992, c.172 (C.54:49-12.2 et seq.) are appropriated as may be necessary for contingency fees stipulated in such agreements and any other related expenses thereof.

Pursuant to the provisions of section 54 of P.L.2002, c.34 (C.App.A:9-78) deposits made to the New Jersey Domestic Security Account are appropriated for transfer to the Department of Health to support medical emergency disaster preparedness for bioterrorism, to the Department of Law and Public Safety for State Police salaries related to Statewide security services and counter-terrorism programs, and to the Department of Agriculture for the Agro-Terrorism program, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated, from revenues from escheated property under the various escheat acts, such amounts as may be necessary to administer such acts and such amounts as may be required for refunds.

There are appropriated out of the State Lottery Fund such amounts as may be necessary for costs required to implement the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.) and for payment for commissions, prizes, and expenses of developing and implementing games pursuant to section 7 of P.L.1970, c.13

(C.5:9-7) incurred prior to the enactment and implementation of the "Lottery Enterprise Contribution Act," P.L. 2017, c.98 (C.5:9-22.5 et al.).

There are appropriated such amounts as are necessary to fund the hospitals' share of monies collected pursuant to the hospital care payment act, P.L.2003, c.112 (C.17B:30-41 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Division of Revenue and Enterprise Services, there is appropriated to the Division of Revenue and Enterprise Services $5,800,000 from the New Jersey Motor Vehicle Commission for document processing charges.

Receipts in excess of those anticipated from the over-the-counter surcharges are appropriated to meet the costs of the Division of Revenue and Enterprise Services' commercial recording function, subject to the approval of the Director of the Division of Budget and Accounting.

The Director of the Division of Budget and Accounting is hereby authorized to transfer or credit such amounts as are necessary between the Department of Labor and Workforce Development and the Department of the Treasury for the administration of revenue collection and processing functions related to Unemployment Insurance, Temporary Disability Insurance, Workers' Compensation, Special Compensation Programs, the Health Care Subsidy Fund, and the Workforce Development Partnership program.

The amount hereinabove appropriated for the Wage Reporting/Temporary Disability Insurance program are payable out of the State Disability Benefits Fund, and in addition to the amounts hereinabove, there are appropriated from the State Disability Benefits Fund such additional amounts as may be required to administer revenue collection associated with the Temporary Disability Insurance program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, any receipts from Nextel Corporation in accordance with a Plan Funding Agreement approved by Nextel and the 800 MHz Transition Administrator for costs of rebanding incurred by State agencies, and any local units of government that have entered into a Memorandum of Understanding with the Attorney General authorizing the State to receive Nextel funds on behalf of such local unit, pursuant to Federal Communications Commission-ordered reconfiguration of the 800 MHz band, are appropriated to the Department of the Treasury for costs related to that program. Such amounts shall be expended or transferred to the various departments and agencies to reimburse administrative and procurement costs in accordance with the Plan Funding Agreement and in consultation with the Attorney General, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, no monies from the receipts deposited into the New Jersey Public Records Preservation account in the Department of the Treasury are appropriated for grants to counties and municipalities.

Funds necessary to defray the cost of collection to implement the provisions of P.L.1994, c.64 (C.17:29A-35 et seq.), as well as the cost of billing and collection of surcharges levied on drivers in accordance with the New Jersey Automobile Insurance Reform Act of 1982 - Merit Rating System Surcharge Program, P.L.1983, c.65 (C.17:29A-33 et seq.) as amended, are appropriated from fees in lieu of actual cost of collection receipts and from surcharges derived, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from New Jersey Public Records Preservation fees, not to exceed $2,000,000, are appropriated for the operations of the microfilm or other storage media unit in the Division of Revenue and Enterprise Services within the Department of Treasury, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated, from receipts from service fees billed to authorities for the handling of investment transactions, such amounts as may be necessary to administer the Management of State Investments program.

Notwithstanding the provisions of any law or regulation to the contrary, the expenses of administration for the various retirement systems and employee benefit programs administered by the Division of Pensions and Benefits and the Division of Investments shall be charged to the pension and health benefits funds established by law to receive employer contributions or payments or to make benefit payments under the programs, as the case may be. In addition to the amounts hereinabove, there are appropriated such amounts as may be necessary for administrative costs, which shall include bank service charges, investment services, and other such costs as are related to the management of the pension and health benefit programs, as the Director of the Division of Budget and Accounting shall determine.

74 General Government Services

DIRECT STATE SERVICES

02-2069 Garden State Preservation Trust	$278,000
09-2050 Purchasing and Inventory Management	9,257,000
10-2062 Public Broadcasting Services	2,175,000
26-2067 Property Management and Construction - Property Management Services	19,079,000
37-2051 Risk Management	3,438,000
Total Direct State Services Appropriation, General Government Services	$34,227,000

Direct State Services:

Personal Services:	
Salaries and Wages	($21,496,000)
Materials and Supplies	(1,095,000)
Services Other Than Personal	(4,195,000)
Maintenance and Fixed Charges	(6,433,000)
Special Purpose:	
02 Garden State Preservation Trust	(278,000)

09 Gubernatorial Transition - Governor .....(250,000)
09 Gubernatorial Transition - Governor - Elect.....(250,000)
09 Gubernatorial Inaugural Commission.....(100,000)
Additions, Improvements and Equipment .....(130,000)

Fees collected pursuant to P.L.1975, c.127 (C.10:5-31 et seq.), are appropriated to the Division of Purchase and Property for program costs, subject to allotment by the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated to the Division of Purchase and Property, there is appropriated to the Division of Purchase and Property, an amount equal to 50% of the amount of the total rebates on procurement card purchases for costs of the Division, subject to the approval of the Director of the Division of Budget and Accounting. In addition, an amount equal to the remaining 50% of total rebates on procurement card purchases is appropriated for transfer to the various using departments and agencies for their costs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated, from the receipts from third party subrogation and service fees billed to authorities for the handling of insurance procurement and risk management services, such amounts as may be necessary for the administrative expenses of the Risk Management program.

The Director of the Division of Budget and Accounting is empowered to transfer or credit to the Print Shop Revolving Fund any appropriation made to any department for printing costs appropriated or allocated to such departments for their share of costs to the Print Shop and the Office of Printing Control.

The Director of the Division of Budget and Accounting is empowered to transfer or credit to the Property Management and Construction program classification, from appropriations for construction and improvements an amount sufficient to pay for the cost of architectural work, superintendence and other expert services in connection with such work.

In addition to the amount hereinabove appropriated for Property Management and Construction, there are appropriated such additional amounts as may be required for the costs incurred in order to preserve and maintain the value and condition of State real property that has been declared surplus and for costs incurred in the selling of the real property, including appraisal, survey, advertising, maintenance, security and other costs related to the preservation and disposal, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from receipts from the pre-qualification service fees billed to contractors, architects, engineers, and professionals sufficient amounts for expenses related to the administration of pre-qualification activities undertaken by the Division of Property Management and Construction.

In addition to the amount hereinabove appropriated for Property Management and Construction - Property Management Services, there is appropriated to the Property Management and Construction - Property Management Services account,

$519,000 from the New Jersey Motor Vehicle Commission for preventative maintenance costs.

Receipts from the leasing of State surplus real property are appropriated for the maintenance of leased property subject to the approval of the Director of the Division of Budget and Accounting, provided that an amount not to exceed $100,000 shall be available for the administrative expenses of the program.

Receipts from the leasing of Department of Environmental Protection real properties are appropriated for the costs incurred for maintenance, repairs and utilities on the properties.

There are appropriated such additional amounts as may be necessary for the purchase of expert witness services related to the State's defense against inverse condemnation claims related to the Department of Environmental Protection's Land Use Regulation program.

Receipts from employee maintenance charges in excess of $300,000 are appropriated for maintenance of employee housing and associated relocation costs; provided, however, that an amount not to exceed $25,000 shall be available for management of the program, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from receipts from lease proceeds billed to the occupants of the James J. Howard Marine Sciences Laboratory, such amounts as may be required to operate and maintain the facility and for the payment of interest or principal due from the issuance of bonds for this facility.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Garden State Preservation Trust account is transferred from the Garden State Farmland Preservation Trust Fund, the Garden State Green Acres Preservation Trust Fund and the Preserve New Jersey Funds established pursuant to P.L.2016, c.12 (C.13:8C-43 et seq.), to the General Fund and is appropriated to the Department of the Treasury for the Garden State Preservation Trust's administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, administrative expenses for the various retirement systems and employee benefit programs administered by the Division of Pensions and Benefits are appropriated from the pension and health benefits funds established by law to receive employer contributions or payments or to make benefit payments under the programs, as the case may be, subject to the approval of the Director of the Division of Budget and Accounting. Administrative costs shall include bank service charges, investment services, and any other such costs as are related to the management of the pension and health benefit programs, as the Director of the Division of Budget and Accounting shall determine.

2026 Office of Administrative Law

DIRECT STATE SERVICES

45-2026 Adjudication of Administrative Appeals $8,414,000

(From General Fund ..... *$4,272,000)*
(From All Others Funds ..... *4,142,000)*
Total Direct State Services Appropriation, Office of Administrative Law $8,414,000
(From General Fund ..... *$4,272,000)*
(From All Other Funds ..... *4,142,000)*
Less:
All Other Funds **$4,142,000**
Total Deductions **$4,142,000**
Total State Appropriation, Office of Administrative Law $4,272,000

Direct State Services:
Personal Services:
Salaries and Wages ..... ($7,624,000)
Materials and Supplies ..... (81,000)
Services Other Than Personal ..... (614,000)
Maintenance and Fixed Charges ..... (43,000)
Additions, Improvements and Equipment ..... (52,000)
Less:
All Other Funds **4,142,000**

The Director of the Division of Budget and Accounting is empowered to transfer or credit to the Office of Administrative Law any appropriation made to any department for administrative hearing costs which had been appropriated or allocated to such department for its share of such costs.

In addition to the amount hereinabove appropriated for the Office of Administrative Law, such amounts as may be received or receivable from any department or non-State fund source for administrative hearing costs or rule-making costs by the Office of Administrative Law and the unexpended balance at the end of the preceding fiscal year of such amounts are appropriated for the Office's administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts appropriated to the New Jersey Motor Vehicle Commission, such appropriation is conditioned upon paying the non-State hourly rate charged by the Office of Administrative Law for hearing services, or an amount not less than $500,000.

Receipts from annual license fees, payable to the Office of Administrative Law, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated for the Office's administrative costs.

Receipts from royalties, payable to the Office of Administrative Law, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated for the Office's administrative costs.

2034 Office of Information Technology
DIRECT STATE SERVICES

40-2034 Office of Information Technology $136,366,000

New Jersey State Library

65-2034 Emergency Telecommunication Services..... 27,722,000
Subtotal Direct State Services Appropriation,
Office of Information Technology $164,088,000
Less:
OIT - Other Resources.....$60,500,000
Total Income Deductions $60,500,000
Total Direct State Services Appropriation,
Office of Information Technology $103,588,000
Direct State Services:
Personal Services:
Salaries and Wages ..... ($26,823,000)
Materials and Supplies..... (207,000)
Services Other Than Personal..... (22,128,000)
Maintenance and Fixed Charges..... (31,000)
Special Purpose:
40 Office of Information Technology ..... (60,500,000)
65 Statewide 9-1-1 Emergency
Telecommunication System ..... (26,822,000)
65 Office of Emergency Telecommunication Services.... (900,000)
Additions, Improvements and Equipment ..... (26,677,000)
Less:
Income Deductions.....60,500,000

In addition to the amount hereinabove attributable to OIT - Other Resources, there are appropriated such amounts as may be received or receivable from any State agency, instrumentality or public authority for increases or changes in Office of Information Technology services, subject to the approval of the Director of the Division of Budget and Accounting.

As a condition to the appropriations made in this act, specifically with regard to the allocation of employees performing information technology infrastructure functions and the establishment of deputy chief technology officers and related staff as authorized in P.L.2007, c.56 (C.52:18A-219 et al.), the Office of Information Technology shall identify the specific Direct State Services appropriations and positions that should be transferred between various departments and the Office of Information Technology, subject to the approval of the Director of the Division of Budget and Accounting.

From amounts appropriated to various departments, such amounts as are necessary may be transferred to the Office of Information Technology for enterprise initiatives, subject to the establishment of a formal agreement between the Office of Information Technology and those departments to support enterprise projects, subject to the approval of the Director of the Division of Budget and Accounting. The unexpended balance at the end of the preceding fiscal year in the Enterprise Initiatives account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Statewide 9-1-1 Emergency Telecommunication System, there are appropriated such additional amounts as may be necessary for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated such amounts for Geographic Information System (GIS) Integration as may be received from federal, county, municipal governments or agencies and nonprofit organizations for orthoimagery and parcel data mapping.

75 State Subsidies and Financial Aid

GRANTS-IN-AID

33-2077 Homestead Exemptions $347,600,000
(From Property Tax Relief Fund ..... $347,600,000)

Total Grants-in-Aid Appropriation, State Subsidies and Financial Aid $347,600,000
(From Property Tax Relief Fund ..... $347,600,000)

Grants-in-Aid:

33 Homestead Benefit Program (PTRF) .....($147,300,000)
33 Senior and Disabled Citizens' Property Tax Freeze (PTRF) .....(200,300,000)

The amount hereinabove appropriated for the Homestead Benefit Program shall be available to provide homestead benefits only to eligible homeowners pursuant to the provisions of section 3 of P.L.1990, c.61 (C.54:4-8.59) as amended by P.L.2004, c.40 and by P.L.2007, c.62, as may be amended from time to time except that, notwithstanding the provisions of such laws to the contrary: (i) residents who are 65 years of age or older at the close of the tax year, or residents who are allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1, with (a) gross income in excess of $150,000 for tax year 2015 are excluded from the program; (b) gross income in excess of $100,000 but not in excess of $150,000 for tax year 2015 are eligible for a benefit in the amount of 5% of the first $10,000 of property taxes paid: and (c) gross income not in excess of $100,000 for tax year 2015 are eligible for a benefit in the amount of 10% of the first $10,000 of property taxes paid; (ii) residents who are not 65 years of age or older at the close of the tax year, or residents who are not allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1, with (a) gross income in excess of $75,000 for tax year 2015 are excluded from the program; (b) gross income in excess of $50,000 but not in excess of $75,000 for tax year 2015 are eligible for a benefit in the amount of 6.67% of the first $10,000 of property taxes paid; and (c) gross income not in excess of $50,000 for tax year 2015 are eligible for a benefit in the amount of 10% of the first $10,000 of property taxes paid. These benefits listed pursuant to this paragraph will be calculated based on the 2006 property tax amounts assessed or as would have been assessed on the October 1, 2015 principal residence of eligible applicants. The total homestead benefit provided to an eligible applicant in a given State fiscal year shall not exceed

the homestead rebate amount paid to such eligible applicant for tax year 2006, absent a change in an applicant's filing characteristics. The homestead benefit shall be paid in May, subject to the approval of the Director of the Division of Budget and Accounting, provided further, however, that a homestead credit that is paid through electronic funds transfer made by the director to the local property tax account maintained by the local tax collector for the homestead of the claimant shall be paid to the local tax collector in one-half of the amount of the homestead benefit before the end of the fiscal year and one-half of the amount may be paid to the local tax collector on or before July 31 after the end of the fiscal year. If the amount hereinabove appropriated for the Homestead Benefit Program is not sufficient, there is appropriated from the Property Tax Relief Fund such additional amounts as may be required to provide such homestead benefits, subject to the approval of the Director of the Division of Budget and Accounting. From the amount hereinabove appropriated the State Treasurer shall reimburse any municipality for the costs of cash flow borrowing resulting from payment to the local tax collector of one-half of homestead credits after the end of the fiscal year.

From the amount hereinabove appropriated for the Homestead Benefit Program, there are appropriated such amounts as may be necessary for the administration of the program, subject to the approval of the Director of the Division of Budget and Accounting.

From the amount hereinabove appropriated for the Homestead Benefit Program, there are appropriated such amounts as may be required for payments of homestead benefits that have been approved but not paid pursuant to the annual appropriations act for the fiscal year the claimant applied for such homestead benefit, subject to the approval of the Director of the Division of Budget and Accounting.

From the amount hereinabove appropriated for the Homestead Benefit Program, there are appropriated from the Property Tax Relief Fund such amounts as may be required for payments of property tax credits to homeowners and tenants pursuant to the "Property Tax Deduction Act," P.L.1996, c.60 (C.54A:3A-15 et seq.).

Notwithstanding the provisions of P.L.1997, c.348 (C.54:4-8.67 et seq.), the amount hereinabove appropriated for Senior and Disabled Citizens' Property Tax Freeze, and any additional amounts which may be required for this purpose, is appropriated from the Property Tax Relief Fund.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Senior and Disabled Citizens' Property Tax Freeze is subject to the following condition: eligibility for the property tax reimbursement program shall be determined pursuant to section 1 of P.L.1997, c.348 (C.54:4-8.67), except that any citizen with an annual income of more than $70,000 shall not be eligible to receive a property tax reimbursement benefit payment in the current fiscal year.

STATE AID

28-2085 Other Distributed Taxes $7,886,000
(From Property Tax Relief Fund..... $7,866,000)
28-2078 County Boards of Taxation 1,903,000
29-2078 Locally Provided Assistance 33,885,000
(From General Fund..... $25,784,000)
(From Property Tax Relief Fund..... 8,101,000)
34-2077 Senior and Disabled Citizens' and Veterans' Property Tax Deductions 58,400,000
(From Property Tax Relief Fund..... $58,400,000)
35-2078 Police and Firemen's Retirement System..... 184,565,000
(From General Fund..... 325,000)
(From Property Tax Relief Fund..... 184,240,000)
Total State Aid Appropriation, State Subsidies and Financial Aid..... $286,639,000
(From General Fund..... $28,012,000)
(From Property Tax Relief Fund ..... 258,627,000)

State Aid:

27 Aid to Counties in Lieu of Insurance Premiums Tax Payments (PTRF).....($7,886,000)
28 County Boards of Taxation.....(1,903,000)
29 South Jersey Port Corporation Debt Service Reserve Fund.....(17,654,000)
29 South Jersey Port Corporation Property Tax Reserve Fund (PTRF) .....(5,101,000)
29 Highlands Protection Fund - Planning Grants .....(2,182,000)
29 Highlands Protection Fund - Watershed Moratorium Offset Aid.....(2,218,000)
29 Public Library Project Fund.....(3,730,000)
29 Meadowlands Tax-Sharing Payments - Calendar Year 2016 Arrears (PTRF).....(3,000,000)
34 Senior and Disabled Citizens' Property Tax Deductions (PTRF) .....(9,900,000)
34 Veterans' Property Tax Deductions (PTRF).....(48,500,000)
35 State Contribution to Consolidated Police and Firemen's Pension Fund .....(325,000)
35 Debt Service on Pension Obligation Bonds (PTRF)(22,312,000)
35 Police and Firemen's Retirement System - Post Retirement Medical (PTRF).....(53,071,000)
35 Police and Firemen's Retirement System (PTRF) ..(64,709,000)
35 Police and Firemen's Retirement System (P.L.1979, c.109) (PTRF).....(44,148,000)

There are appropriated such additional amounts as may be certified to the Governor by the South Jersey Port Corporation as necessary to meet the requirements

of the South Jersey Port Corporation Debt Service Reserve Fund under section 14 of P.L.1968, c.60 (C.12:11A-14) and the South Jersey Port Corporation Property Tax Reserve Fund under section 20 of P.L.1968, c.60 (C.12:11A-20), subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Highlands Protection Fund are payable from the receipts of the portion of the realty transfer fee directed to be credited to the Highlands Protection Fund and the unexpended balances at the end of the preceding fiscal year in the Highlands Protection Fund accounts are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. Further, the Department of the Treasury may transfer funds as necessary between the Highlands Protection Fund - Incentive Planning Aid account and the Highlands Protection Fund - Planning Grants account, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Solid Waste Management - County Environmental Investment Aid is appropriated to subsidize county and county authority debt service payments for environmental investments incurred and other repayment obligations owed pursuant to the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.) and the "Solid Waste Utility Control Act," P.L.1970, c.40 (C.48:13A-1 et seq.) as determined by the State Treasurer based upon the need for such financial assistance after taking into account all financial resources available or attainable to pay such debt service and such other repayment obligations. Such additional amounts as may be necessary shall be appropriated subject to the approval of the Director of the Division of Budget and Accounting and shall be provided upon such terms and conditions as the State Treasurer may determine. The unexpended balance at the end of the preceding fiscal year is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Pursuant to section 85 of P.L.2015, c.19 (C.5:10A-85), receipts derived from the 3% Meadowlands regional hotel use assessment are appropriated for deposit into the intermunicipal account established pursuant to section 53 of P.L.2015, c.19 (C.5:10A-53), and shall be used to pay Meadowlands adjustment payments to municipalities in the Meadowlands district pursuant to the "Hackensack Meadowlands Agency Consolidation Act," P.L.2015, c.19 (C.5:10A-1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), the amount apportioned to the several counties of the State shall not be distributed and shall be anticipated as revenue for general State purposes.

Notwithstanding the provisions of the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), the amounts collected from banking corporations pursuant to the "Corporation Business Tax Act (1945)" shall not be distributed to the counties and municipalities and shall be anticipated as revenue for general State purposes.

There is appropriated from the Energy Tax Receipts Property Tax Relief Fund the amount of $788,492,000 and an amount not to exceed $347,534,000 from Consolidated Municipal Property Tax Relief Aid is appropriated and shall be allocated to municipalities in accordance with the provisions of subsection b. of section 2 of P.L.1997, c.167 (C.52:27D-439), provided further, however, that from the amounts hereinabove appropriated, each municipality shall also receive such additional amounts from the Energy Tax Receipts Property Tax Relief Fund as provided in the previous fiscal year. Each municipality that receives an allocation from the amount so transferred from the Consolidated Municipal Property Tax Relief Aid program shall have its allocation from the Consolidated Municipal Property Tax Relief Aid program reduced by the same amount.

Notwithstanding the provisions of paragraph (1) of subsection c. of section 2 of P.L.1997, c.167 (C.52:27D-439) or any other law or regulation to the contrary, the amount hereinabove appropriated for Energy Tax Receipts Property Tax Relief Fund payments shall be distributed on the following schedule: on or before August 1, 45% of the total amount due; September 1, 30% of the total amount due; October 1, 15% of the total amount due; November 1, 5% of the total amount due; December 1 for municipalities operating under a calendar fiscal year, 5% of the total amount due; and June 1 for municipalities operating under the State fiscal year, 5% of the total amount due; provided, however, that notwithstanding the provisions of any law or regulation to the contrary, the Director of Local Government Services, in consultation with the Commissioner of Community Affairs and the State Treasurer, may direct the Director of the Division of Budget and Accounting to provide such payments on an accelerated schedule if necessary to ensure fiscal stability for a municipality.

Notwithstanding the provisions of any law or regulation to the contrary, the release of the total annual amount due for the current fiscal year from the Energy Tax Receipts Property Tax Relief Fund to municipalities is subject to the following condition: the municipality shall submit to the Director of the Division of Local Government Services a report describing the municipality's compliance with the "Best Practices Inventory" established by the Director of the Division of Local Government Services and shall receive at least a minimum score on such inventory as determined by the Director of the Division of Local Government Services; provided, however, that the director may take into account the particular circumstances of a municipality. In preparing the Best Practices Inventory, the director shall identify best municipal practices in the areas of general administration, fiscal management, and operational activities, as well as the particular circumstances of a municipality, in determining the minimum score acceptable for the release of the total annual amount due for the current fiscal year.

Notwithstanding the provisions of P.L.1945, c.132 (C.54:18A-1 et seq.) or any law or regulation to the contrary, the amount payable to the several counties of the State shall not be distributed and shall be anticipated as revenue in the General Fund for general State purposes.

The unexpended balance at the end of the preceding fiscal year from the taxes collected pursuant to P.L.1940, c.5 (C.54:30A-49 et seq.) shall lapse.

The Director of the Division of Budget and Accounting shall reduce amounts provided to any municipality from the amount hereinabove appropriated by the difference, if any, between pension contribution savings, and the amount of Consolidated Municipal Property Tax Relief Aid payable to such municipality.

In addition to the amount hereinabove appropriated for Senior and Disabled Citizens' Property Tax Deductions and Veterans' Property Tax Deductions, there are appropriated from the Property Tax Relief Fund such additional amounts as may be required for State reimbursement to municipalities for senior and disabled citizens' and veterans' property tax deductions, subject to the approval of the Director of the Division of Budget and Accounting. Further, the Department of the Treasury, after notification to the Joint Budget Oversight Committee, may transfer funds as necessary between the Senior and Disabled Citizens' Property Tax Deductions account and the Veterans' Property Tax Deductions account, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Debt Service on Pension Obligation Bonds to make payments under the State Treasurer's contracts authorized pursuant to section 6 of P.L.1997, c.114 (C.34:1B-7.50), there are appropriated such additional amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

Such additional amounts as may be required for Police and Firemen's Retirement System - Post Retirement Medical are appropriated, as the Director of the Division of Budget and Accounting shall determine.

The amount hereinabove appropriated for Aid to Counties in Lieu of Insurance Premiums Tax Payments shall be paid to the same counties in the same amounts as would be provided in fiscal year 2018 pursuant to the provisions of P.L.1945, c.132 (C.54:18A-1 et seq.).

76 Management and Administration

DIRECT STATE SERVICES

99-2000 Administration and Support Services	$10,456,000
Total Direct State Services Appropriation, Management and Administration	$10,456,000

Direct State Services:

Personal Services:	
Salaries and Wages	($9,298,000)
Materials and Supplies	(80,000)
Services Other Than Personal	(951,000)
Maintenance and Fixed Charges	(21,000)
Special Purpose:	
99 Federal Liaison Office, Washington, D.C	(16,000)

Additions, Improvements and Equipment .....(90,000)

There are appropriated such additional amounts as may be required to pay for the operating expenses of the Casino Revenue Fund Advisory Commission, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated such additional amounts as may be required to pay for the reimbursement of funeral expenses pursuant to P.L.2013, c.177 (C.52:18A-218.1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the investment earnings of general obligation bond proceeds such amounts as may be necessary for the payment of debt service administrative costs.

There is appropriated from revenue estimated to be received as a fee in connection with the issuance of debt an amount not to exceed $700,000 to provide funds for public finance activities.

There are appropriated from revenue to be received from investment earnings of State funds, from fees in connection with the cost of debt issuance and from service fees billed to State authorities, such amounts as may be required for public finance activities. The unexpended balance at the end of the preceding fiscal year from such investment earnings and service fees is appropriated to the Office of Public Finance.

Notwithstanding the provisions of P.L.1999, c.12 (C.54A:9-25.12 et seq.) or any other law or regulation to the contrary, monies received in the "Drug Abuse Education Fund" and the unexpended balance at the end of the preceding fiscal year of such deposits are appropriated for collection or administration costs of the Department of the Treasury, for transfer to various departments and agencies that provide substance use disorder treatment and prevention programs to offset the costs of such programs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 22 of P.L.2010, c.104 (C.48:23-29) or any other law or regulation to the contrary, the amount received by the New Jersey Public Broadcasting Authority from T-Mobile USA, Inc. pursuant to the Concurrent Operations and Interference Avoidance Agreement and deposited into the Trust Fund for the Support of Public Broadcasting is appropriated from the trust fund for deposit into the General Fund as State revenue.

An amount equivalent to the amount due to be paid in this fiscal year to the State by the Port Authority of New York and New Jersey pursuant to the regional economic development agreement dated January 1, 1990 among the States of New York and New Jersey and the Port Authority of New York and New Jersey is appropriated to the Economic Recovery Fund established pursuant to section 3 of P.L.1992, c.16 (C.34:1B-7.12) for the purposes of P.L.1992, c.16 (C.34:1B-7.10 et seq.).

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the "Drug Enforcement and Demand Reduction Fund" such amounts as may be required to provide for the administrative expenses of the Governor's Council on Alcoholism and Drug Abuse and for programs and grants

to other agencies, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 22 of P.L.2010, c.104 (C.48:23-29) or any other law or regulation to the contrary, the monies received by the New Jersey Public Broadcasting Authority from the sale of assets by the New Jersey Public Broadcasting Authority in the Federal Communications Commission spectrum incentive auction shall be deposited into the Trust Fund for the Support of Public Broadcasting; provided however that the amount in excess of $10,000,000 is appropriated from the trust fund for deposit into the General Fund as State revenue, subject to the approval of the Director of the Division of Budget and Accounting.

80 Special Government Services
82 Protection of Citizens' Rights
DIRECT STATE SERVICES

06-2024 Appellate Services to Indigents	$10,354,000
57-2021 Trial Services to Indigents	70,811,000
58-2022 Mental Health Advocacy	5,036,000
61-2023 Dispute Settlement	406,000
66-2021 Office of Law Guardian	21,107,000
67-2021 Office of Parental Representation	16,979,000
99-2025 Administration and Support Services	2,290,000
Total Direct State Services Appropriation, Protection of Citizens' Rights	$126,983,000

Direct State Services:

Personal Services:	
Salaries and Wages	($97,161,000)
Materials and Supplies	(1,231,000)
Services Other Than Personal	(25,779,000)
Maintenance and Fixed Charges	(1,095,000)
Additions, Improvements and Equipment	(1,717,000)

Amounts provided for legal and investigative services are available for payment of obligations applicable to prior fiscal years.

In addition to the amount hereinabove appropriated for the operation of the Office of the Public Defender there are appropriated additional amounts as may be required for Trial and Appellate services to indigents, the expenditure of which shall be subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, no State funds are appropriated to fund the expenses associated with the legal representation of persons before the State Parole Board or the Parole Bureau.

Lawsuit settlements and legal costs awarded by any court to the Office of the Public Defender are appropriated for the expenses associated with the representation of indigent clients.

The amount hereinabove appropriated to the Office of the Public Defender is available for expenses associated with pool attorneys hired by the Office of the Public Defender for the representation of indigent clients.

Receipts in excess of the amount anticipated for the Dispute Settlement Office of the Office of the Public Defender are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

2048 State Legal Services Office

GRANTS-IN-AID

89-2048 Civil Legal Services for the Poor $16,018,000

Total Grants-in-Aid Appropriation, State Legal Services Office..... $16,018,000

Grants-in-Aid:

89 Legal Services of New Jersey - Legal Assistance in Civil Matters.....($16,018,000)

2096 Corrections Ombudsperson

DIRECT STATE SERVICES

51-2096 Corrections Ombudsperson $768,000

Total Direct State Services Appropriation, Corrections Ombudsperson..... $768,000

Direct State Services:

Personal Services:

Salaries and Wages .....($693,000)

Materials and Supplies.....(5,000)

Services Other Than Personal.....(62,000)

Maintenance and Fixed Charges.....(8,000)

2097 Division of Elder Advocacy

DIRECT STATE SERVICES

81-2097 Elder Advocacy $1,752,000

Total Direct State Services Appropriation, Division of Elder Advocacy $1,752,000

Direct State Services:

Personal Services:

Salaries and Wages .....($1,503,000)

Materials and Supplies.....(23,000)

Services Other Than Personal.....(173,000)

Maintenance and Fixed Charges.....(53,000)

Notwithstanding the provisions of any law or regulation to the contrary, receipts collected from fines and penalties pursuant to subsection f. of section 2 of P.L.1983, c.43 (C.52:27G-7.1) and subsection b. of section 14 of P.L.1977, c.239 (C.52:27G-14) are appropriated to the Division of Elder Advocacy, subject to the approval of the Director of the Division of Budget and Accounting.

2098 Division of Rate Counsel
DIRECT STATE SERVICES

53-2098 Rate Counsel $6,968,000
Total Direct State Services Appropriation, Division of Rate Counsel $6,968,000

Direct State Services:

Personal Services:
Salaries and Wages ..... ($2,991,000)
Materials and Supplies ..... (48,000)
Services Other Than Personal ..... (3,425,000)
Maintenance and Fixed Charges ..... (500,000)
Additions, Improvements and Equipment ..... (4,000)

Receipts of the Division of Rate Counsel in excess of those anticipated are appropriated for the Division of Rate Counsel to defray the costs of the Division of Rate Counsel function.

The unexpended balances at the end of the preceding fiscal year in the Division of Rate Counsel accounts are appropriated for the same purpose.

Department of the Treasury, Total State Appropriation $1,552,029,000

Summary of Department of the Treasury Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $486,865,000
Grants-in-Aid 578,717,000
State Aid 486,447,000
Appropriations by Fund:
General Fund $738,481,000
Property Tax Relief Fund 806,035,000
Casino Control Fund 7,513,000

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90 MISCELLANEOUS COMMISSIONS
40 Community Development and Environmental Management
43 Science and Technical Programs
9130 Interstate Environmental Commission
DIRECT STATE SERVICES

03-9130 Interstate Environmental Commission $15,000
Total Direct State Services Appropriation, Interstate Environmental Commission $15,000

Direct State Services:

Special Purpose:
03 Expenses of the Commission ..... ($15,000)

9140 Delaware River Basin Commission
DIRECT STATE SERVICES

02-9140 Delaware River Basin Commission $693,000
Total Direct State Services Appropriation, Delaware River Basin Commission $693,000

Direct State Services:
Special Purpose:
02 Expenses of the Commission ..... ($693,000)

70 Government Direction, Management, and Control
72 Government Review and Oversight
9148 Council On Local Mandates
DIRECT STATE SERVICES

92-9148 Council On Local Mandates $68,000
Total Direct State Services Appropriation, Council On Local Mandates $68,000

Direct State Services:
Special Purpose:
92 Council On Local Mandates ..... ($68,000)
The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

Miscellaneous Commissions, Total State Appropriation $776,000

Summary of Department of Miscellaneous Commissions Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $776,000
Appropriations by Fund:
General Fund $776,000

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94 INTERDEPARTMENTAL ACCOUNTS
70 Government Direction, Management, and Control
74 General Government Services
DIRECT STATE SERVICES

01-9400 Property Rentals $235,435,000
02-9400 Insurance and Other Services 134,778,000
06-9400 Utilities and Other Services 14,093,000
Subtotal Direct State Services Appropriation, General Government Services $384,306,000

Less:
Direct Rent Charges and Charges for Operational Efficiencies $89,224,000

Total Deductions **$89,224,000**
Total Direct State Services Appropriation, General Government Services $295,082,000

Direct State Services:

Property Rentals:
01 Existing and Anticipated Leases ..... ($190,681,000)
01 Economic Development Authority ..... (6,238,000)
01 Other Debt Service Leases and Tax Payments ..... (38,516,000)

Less:
Total Deductions **89,224,000**

Insurance and Other Services:
02 Tort Claims Liability Fund (C.59:12-1) ..... (22,400,000)
02 Workers' Compensation Self-Insurance Fund ..... (93,500,000)
02 Property Insurance Premium Payments ..... (2,833,000)
02 Casualty Insurance Premium Payments ..... (419,000)
02 Special Insurance Policy Premium Payment ..... (501,000)
02 Medical Malpractice Self-Insurance Fund for Rutgers, Rowan, and University Hospital ..... (10,000,000)
02 Vehicle Claims Liability Fund ..... (3,500,000)
02 Self-Insurance Deductible Fund ..... (1,500,000)
02 Self-Insurance Fund - Foster Parents ..... (125,000)

Utilities and Other Services:
06 Public Health, Environmental and Agricultural Laboratory ..... (5,608,000)
06 Household and Security ..... (8,485,000)

The Director of the Division of Budget and Accounting is empowered to allocate to any State agency occupying space in any State-owned building equitable charges for the rental of such space to include, but not be limited to, the costs of operation and maintenance thereof, and the amounts so charged shall be credited to the General Fund; and, to the extent that such charges exceed the amounts appropriated for such purposes to any agency financed from any fund other than the General Fund, the required additional appropriation shall be made out of such other fund.

Receipts from direct charges and charges to non-State fund sources are appropriated for the rental of property, including the costs of operation and maintenance of such properties.

Notwithstanding the provisions of any law or regulation to the contrary, and except for leases negotiated by the Division of Property Management and Construction and subject to the approval or disapproval by the State Leasing and Space Utilization Committee pursuant to P.L.1992, c.130 (C.52:18A-191.1 et al.), and except as hereinafter provided, no lease for the rental of any office or building, ex-

cept for legislative district offices, shall be executed without the prior written consent of the State Treasurer and the Director of the Division of Budget and Accounting. Legislative district office leases may be executed by personnel in the Office of Legislative Services so directed by the Executive Director, provided the lease complies with the Joint Rules Governing Legislative District Offices adopted by the presiding officers. Leases which do not comply with the Joint Rules Governing Legislative District Offices may be executed by personnel in the Office of Legislative Services, District Office Services so directed by the Executive Director with the prior written consent of the President of the Senate and the Speaker of the General Assembly.

To the extent that amounts appropriated for property rental payments are insufficient, there are appropriated such additional amounts, not to exceed $3,000,000 as may be required to pay property rental obligations, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed $2,500,000 shall be appropriated for the costs of security, maintenance, utilities and other operating expenses related to the closure of State-owned buildings, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the Division of Property Management and Construction is empowered to renegotiate lease terms, provided that such renegotiations result in cost savings to the State for the current fiscal year and for the term of the lease. Any lease amendments made as a result of these renegotiations are subject to the review and approval of the State Leasing and Space Utilization Committee. Receipts from such renegotiations are appropriated to the Property Rentals account to offset the cost of leases, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated such additional amounts as may be required to pay for office renovations associated with the consolidation of office space, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated such additional amounts as may be required to pay debt service costs for the Greystone Park Psychiatric Hospital Project, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law or regulation to the contrary, $10,940,000 is appropriated from the revenues appropriated to the New Jersey Motor Vehicle Commission for transfer to the Interdepartmental property rentals account to reflect savings from implementation of management and procurement efficiencies, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated are available for payment of obligations applicable to prior fiscal years.

The unexpended balance at the end of the preceding fiscal year in the Master Lease Program Fund is appropriated for the same purpose.

In order to permit flexibility, amounts may be transferred between various items of appropriation within the Insurance and Other Services program classification, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

There are appropriated such additional amounts as may be required to pay tort claims under N.J.S.59:12-1, as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine.

The amount appropriated to the Tort Claims Liability Fund is available for the payment of claims of a tortious nature, for the indemnification of pool attorneys engaged by the Public Defender for the defense of indigents, for the indemnification of designated pathologists engaged by the State Medical Examiner, and for direct costs of legal, administrative and medical services related to the investigation, mitigation and litigation of tort claims under N.J.S.59:12-1, as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine.

Notwithstanding the provisions of any law or regulation to the contrary, claims paid from the Tort Claims Liability Fund on behalf of entities funded, in whole or in part, from non-State funds, may be reimbursed from such non-State fund sources as determined by the Director of the Division of Budget and Accounting.

There are appropriated such additional amounts as may be required to pay claims not payable from the Tort Claims Liability Fund or payable under the "New Jersey Contractual Liability Act", N.J.S.59:13-1 et seq., as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine. The amounts appropriated are available for the payment of direct costs of legal, administrative and medical services related to the investigation, mitigation and litigation of claims not payable from the Tort Claims Liability Fund or payable under the "New Jersey Contractual Liability Act", as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine. Notwithstanding the provisions of any law or regulation to the contrary, claims or costs paid from the monies appropriated under this paragraph on behalf of entities funded, in whole or in part from non-State funds, may be reimbursed from such non-State funds sources as determined by the Director of the Division of Budget and Accounting. Appropriations under this paragraph shall not be available to pay punitive damages and shall not be deemed a waiver of any immunity by the State.

To the extent that amounts appropriated to pay Workers' Compensation claims under R.S.34:15-1 et seq., are insufficient, there are appropriated such additional amounts as may be required to pay Workers' Compensation claims, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Workers' Compensation Self-Insurance Fund under R.S.34:15-1 et seq. is available for the payment of direct costs of legal, investigative, administrative and medical services related to the

investigation, mitigation, litigation and administration of claims against the fund, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, benefits provided to community work experience participants shall be borne by the Work First New Jersey program funded through the Department of Human Services and any costs related to administration, mitigation, litigation and investigation of claims will be reimbursed to the Division of Risk Management within the Department of the Treasury by the Work First New Jersey program funded through the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

Provided that expenditures during the current fiscal year on Workers' Compensation claims attributable to the Departments of Human Services, Transportation, Corrections, and Law and Public Safety are less than the respective amounts expended by those departments for claims attributable to the preceding fiscal year, all or a portion of that savings is appropriated to those departments or the Division of Risk Management within the Department of the Treasury for the purpose of improving worker safety and reducing workers' compensation costs, subject to the approval of the Director of the Division of Budget and Accounting.

To the extent that amounts appropriated to pay auto insurance claims are insufficient, there are appropriated such additional amounts as may be required to pay auto insurance claims, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Vehicle Claims Liability Fund is available for the payment of direct costs of legal, investigative and medical services related to the investigation, mitigation and litigation of claims against the fund.

The unexpended balance at the end of the preceding fiscal year in the Self-Insurance Deductible Fund is appropriated for the same purposes.

The amount hereinabove appropriated for the Self-Insurance Fund - Foster Parents is available for the payment of direct costs of legal, investigative and medical services related to the investigation, mitigation and litigation of claims against the fund.

There are appropriated from revenues received from utility companies such amounts as may be required for implementation and administration of the Energy Conservation Initiatives Program, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove appropriated for fuel and utility costs, amounts may be transferred to or from State departments to meet fuel and utility needs, subject to the approval of the Director of the Division of Budget and Accounting; and, in addition to the amounts hereinabove appropriated for fuel and utility costs and for the Public Health, Environmental and Agricultural Laboratory fuel and utility costs, there are appropriated such additional amounts as may be required to pay fuel and utility costs, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Fuel and Utilities, there is appropriated $52,500,000 from the Clean Energy Fund for utility costs in State facilities.

Receipts from fees charged for public parking at the Bangs Avenue Parking Garage in Asbury Park, and the unexpended balance from the preceding fiscal year, are appropriated for the costs incurred for maintenance and operation of the garage, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for the Household and Security account, there is appropriated to the Household and Security account $2,500,000 from the New Jersey Motor Vehicle Commission for utility, security, and building maintenance costs.

In accordance with the "Recycling Enhancement Act," P.L.2007, c.311 (C.13:1E-96.2 et al.), an amount not to exceed $358,000 is appropriated from the State Recycling Fund - Recycling Administration account to the Department of the Treasury for administrative costs attributable to the State recycling program, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Utilities and Other Services, of the unexpended balances in the Petroleum Overcharge Reimbursement Fund, there is appropriated such amounts as are required to fund the energy tracking and invoice payment system, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

09-9460 Aid to Independent Authorities $111,817,000

Total Grants-in-Aid Appropriation, General Government Services $111,817,000

Grants-in-Aid:

09 New Jersey Sports and Exposition Authority - Debt Service ..... ($64,193,000)

09 Liberty Science Center ..... (13,300,000)

09 Municipal Rehabilitation and Economic Recovery, EDA ..... (14,141,000)

09 Biomedical Research Bonds, EDA ..... (3,483,000)

09 New Jersey Performing Arts Center-Capital Improvements ..... (1,700,000)

09 New Jersey Sports and Exposition Authority - Operations ..... (15,000,000)

In addition to the amounts hereinabove appropriated for the New Jersey Sports and Exposition Authority, there are appropriated such additional amounts as are necessary to satisfy debt service obligations and to maintain the core operating functions of the Authority, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the New Jersey Performing Arts Center, EDA account shall be used to pay the State's obligations pursuant to a lease with the New Jersey Economic Development Authority, for the lease of real property and infrastructure improvements and the New Jersey Performing Arts Center structure constructed thereon purchased by the Authority for the State in the City of Newark, for the purpose of constructing buildings to comprise a Performing Arts Center. Notwithstanding the provisions of any law or regulation to the contrary, the State Treasurer may enter into a lease with the New Jersey Economic Development Authority to lease the real property and improvements thereon purchased or caused to be constructed by the Authority for the State in the City of Newark for the New Jersey Performing Arts Center, subject to the prior written consent of the Director of the Division of Budget and Accounting, the President of the Senate and the Speaker of the General Assembly. Upon the final payment of the State's obligations pursuant to the lease for the real property and infrastructure improvements purchased by the Authority, the title to the real property and improvements shall revert to the State. The State may sublease the land and facilities for the purpose of operating, maintaining, or financing a Performing Arts Center in Newark. Any sublease for use of land and improvements acquired for the State by the New Jersey Economic Development Authority for the New Jersey Performing Arts Center shall be subject to the prior written approval of the Director of the Division of Budget and Accounting and the Joint Budget Oversight Committee, or its successor. There are appropriated such additional amounts as may be necessary to pay debt service for the New Jersey Performing Arts Center.

The amounts hereinabove appropriated for debt service payments attributable to the New Jersey Performing Arts Center, EDA program and to the Municipal Rehabilitation and Economic Recovery, EDA program may be paid by the New Jersey Economic Development Authority from resources available from unexpended balances, and in such instances the amounts appropriated for the New Jersey Performing Arts Center, EDA program and for the Municipal Rehabilitation and Economic Recovery, EDA program shall be reduced by the same amount. There are appropriated such additional amounts as may be necessary to pay debt service and other costs for the Municipal Rehabilitation and Economic Recovery, EDA program, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Liberty Science Center is allocated for debt service obligations and for the operations of the Liberty Science Center, the amount of such operational support to be determined by the State Treasurer on such terms and conditions as the State Treasurer requires pursuant to an agreement between the State Treasurer and the Liberty Science Center, subject to the approval of the Director of the Division of Budget and Accounting. In addition, there are appropriated such additional amounts as may be necessary to satisfy debt service obligations subject to the approval of the Director of the Division of Budget and Accounting. Furthermore, there are also appropriated such addi-

tional amounts for support of the operations of the center, as determined by the State Treasurer on such terms and conditions as the State Treasurer requires pursuant to an agreement between the State Treasurer and the Liberty Science Center, subject to the approval of the Director of the Division of Budget and Accounting.

CAPITAL CONSTRUCTION

08-9450 Capital Projects - Statewide..... $204,599,000

Total Capital Construction Appropriation, General Government Services..... $204,599,000

Capital Projects:

Statewide Capital Projects:

08 Life Safety, Emergency and IT Projects - Statewide ..... ($20,760,000)

08 New Jersey Building Authority..... (86,156,000)

08 Garden State Preservation Trust Fund Account..... (97,683,000)

In addition to the amounts appropriated under P.L.2004, c.71, donations for the 9/11 Memorial Design Costs from public and private sources, including those collected from the Port Authority of New York and New Jersey, for the purposes of planning, designing, maintaining and constructing a memorial to the victims of the terrorist attacks of September 11, 2001, on the World Trade Center in New York City, the Pentagon in Washington, D.C., and United Airlines Flight 93 in Somerset County, Pennsylvania, shall be deposited by the State Treasurer into a dedicated account established for this purpose and are appropriated for the purposes set forth under P.L.2004, c.71 and there are appropriated or transferred such amounts as are necessary for the 9/11 Memorial project, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in order to provide flexibility in administering the amounts provided for Statewide Fire, Life Safety and Renovations Projects; Life Safety, Emergency and IT Projects-Statewide; Roof Repairs-Statewide; Americans with Disabilities Act Compliance Projects-Statewide; Fuel Distribution Systems/Underground Storage Tank Replacements-Statewide; Hazardous Materials Removal Projects-Statewide; Statewide Security Projects; and Energy Efficiency Projects; such amounts as may be necessary may be transferred to individual project line items within various departments, subject to the approval of the Director of the Division of Budget and Accounting. Notwithstanding the provisions of any law or regulation to the contrary, an amount not to exceed $5,000,000, from monies received from the sale of real property that are deposited into the State-owned Real Property Fund pursuant to section 1 of P.L.2007, c.108 (C.52:31-1.3b) are appropriated for Statewide Roofing Repairs and Replacements.

Notwithstanding the provisions of any law or regulation to the contrary, any monies received from the sale of real property that are deposited into the State-owned

Real Property Fund pursuant to section 1 of P.L.2007, c.108 (C.52:31-1.3b) are appropriated for Capital Projects that increase energy efficiency, improve work place safety or for information technology systems or other capital investments that will generate an operating budget savings, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated such additional amounts as may be required to pay future debt service costs for projects undertaken by the New Jersey Building Authority, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for Hazardous Materials Removal Projects - Statewide and Statewide Security Projects, funds may be transferred to the Fuel Distribution Systems/Underground Storage Tank Replacements - Statewide account for the removal of underground storage tanks at State facilities, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for the Garden State Preservation Trust Fund Account is subject to the provisions of the "Garden State Preservation Trust Act," P.L.1999, c.152 (C.13:8C-1 et seq.) and the constitutional amendment on open space (Article VIII, Section II, paragraph 7).

In addition to the amount hereinabove appropriated for the Garden State Preservation Trust Fund Account, interest earned and accumulated commencing with the start of this fiscal year is appropriated.

Revenue generated from the sale of Solar Renewable Energy Certificates and Emission Reduction Credits is appropriated to fund energy-related savings initiatives as determined by the State Treasurer, subject to the approval of the Director of the Division of Budget and Accounting.

9410 Employee Benefits

DIRECT STATE SERVICES

03-9410 Employee Benefits	$2,695,937,000
Subtotal Direct State Services Appropriation, Employee Benefits	$2,695,937,000
Less:	
Management Efficiencies	**$32,500,000**
Total Deductions	**$32,500,000**
Total Direct State Services Appropriation, Employee Benefits	$2,663,437,000

Direct State Services:

Special Purpose:

03 Public Employees' Retirement System	($451,752,000)
03 Public Employees' Retirement System - Post Retirement Medical	(377,238,000)
03 Public Employees' Retirement System - Non-contributory Insurance	(30,487,000)
03 Police and Firemen's Retirement System	(125,840,000)

03 Police and Firemen's Retirement System - Non-contributory Insurance ..... (8,500,000)
03 Police and Firemen's Retirement System (P.L.1979, c.109) ..... (2,874,000)
03 Alternate Benefit Program - Employer Contributions ..... (1,209,000)
03 Alternate Benefit Program - Non-contributory Insurance ..... (193,000)
03 Defined Contribution Retirement Program ..... (1,416,000)
03 Defined Contribution Retirement Program - Non-contributory Insurance ..... (612,000)
03 State Police Retirement System ..... (72,104,000)
03 State Police Retirement System - Non-contributory Insurance ..... (1,719,000)
03 Judicial Retirement System ..... (23,266,000)
03 Judicial Retirement System - Non-contributory Insurance ..... (676,000)
03 Teachers' Pension and Annuity Fund ..... (1,484,000)
03 Teachers' Pension and Annuity Fund - Post Retirement Medical - State ..... (3,002,000)
03 Teachers' Pension and Annuity Fund - Non-contributory Insurance ..... (47,000)
03 Pension Adjustment Program ..... (527,000)
03 Veterans Act Pensions ..... (63,000)
03 Debt Service on Pension Obligation Bonds ..... (168,221,000)
03 Volunteer Emergency Survivor Benefit ..... (173,000)
03 State Employees' Health Benefits ..... (686,942,000)
03 Other Pension Systems - Post Retirement Medical ..... (165,852,000)
03 State Employees' Prescription Drug Program ..... (180,659,000)
03 State Employees' Dental Program - Shared Cost ..... (22,423,000)
03 State Employees' Vision Care Program ..... (500,000)
03 Affordable Care Act Fees ..... (1,316,000)
03 Social Security Tax - State ..... (353,733,000)
03 Temporary Disability Insurance Liability ..... (10,449,000)
03 Unemployment Insurance Liability ..... (2,660,000)

Less:

Management Efficiencies 32,500,000

Such additional amounts as may be required for Public Employees' Retirement System - Post Retirement Medical, Public Employees' Retirement System - Non-contributory Insurance, Police and Firemen's Retirement System - Non-

contributory Insurance, Alternate Benefit Program - Employer Contributions, Alternate Benefit Program - Non-contributory Insurance, Defined Contribution Retirement Program, Defined Contribution Retirement Program - Non-contributory Insurance, Teachers' Pension and Annuity Fund - Post Retirement Medical - State, Teachers' Pension and Annuity Fund - Non-contributory Insurance, State Police Retirement System - Non-contributory Insurance, Judicial Retirement System - Non-contributory Insurance, Volunteer Emergency Survivor Benefit, State Employees' Health Benefits, Other Pension Systems - Post Retirement Medical, State Employees' Prescription Drug Program, State Employees' Dental Program - Shared Cost, State Employees' Vision Care Program, Affordable Care Act Fees, Social Security Tax - State, Temporary Disability Insurance Liability, and Unemployment Insurance Liability are appropriated, as the Director of the Division of Budget and Accounting shall determine.

No amounts hereinabove appropriated shall be used to provide additional health insurance coverage to a State or local elected official when that official receives health insurance coverage as a result of holding other public office or employment.

Notwithstanding the provisions of the "Pension Adjustment Act," P.L.1958, c.143 (C.43:3B-1 et seq.), pension adjustment benefits for State members and beneficiaries of the Consolidated Police and Firemen's Pension Fund, Prison Officers' Pension Fund, and Central Pension Fund shall be paid by the respective pension funds. The amounts hereinabove appropriated for the Pension Adjustment Program for these benefits as required under the act shall be paid to the Pension Adjustment Fund.

In addition to the amount hereinabove appropriated for Debt Service on Pension Obligation Bonds to make payments under the State Treasurer's contracts authorized pursuant to section 6 of P.L.1997, c.114 (C.34:1B-7.50), there are appropriated such additional amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

The unexpended balance at the end of the preceding fiscal year in the Debt Service on Pension Obligation Bonds account is appropriated for the same purpose.

Such additional amounts as may be required for State Employees' Health Benefits may be transferred from the various departmental operating appropriations to this account, as the Director of the Division of Budget and Accounting shall determine.

Such additional amounts as may be required for Social Security Tax - State may be transferred from the various departmental operating appropriations to this account, as the Director of the Division of Budget and Accounting shall determine.

In addition to the amounts hereinabove appropriated for Social Security Tax - State there are appropriated such amounts as may be necessary for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, fees due to the third party administrator for the Section 125 Tax Savings Program established in 1996 pursuant to section 7 of P.L.1996, c.8 (C.52:14-15.1a) and the

Section 132(f) Commuter Transportation Benefit Program established in 2003 pursuant to section 1 of P.L.2001, c.162 (C.52:14-15.1b) shall be paid from amounts hereinabove appropriated for the Social Security Tax - State account, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, fees due to the third party administrator for the Unemployment Compensation Management and Cost Control Program, which was established pursuant to N.J.A.C.17:1-9.6, shall be paid from amounts hereinabove appropriated for the Unemployment Insurance Liability account, subject to the approval of the Director of the Division of Budget and Accounting.

GRANTS-IN-AID

03-9410 Employee Benefits $955,932,000
Total Grants-in-Aid Appropriation, Employee Benefits $955,932,000

Grants-in-Aid:

03 Public Employees' Retirement System - Post Retirement Medical ..... ($55,111,000)
03 Public Employees' Retirement System - Non-contributory Insurance ..... (5,334,000)
03 Police and Firemen's Retirement System ..... (1,875,000)
03 Police and Firemen's Retirement System Non-contributory Insurance ..... (339,000)
03 Alternate Benefit Program - Employer Contributions ..... (150,598,000)
03 Alternate Benefit Program - Non- contributory Insurance ..... (22,077,000)
03 Teachers' Pension and Annuity Fund ..... (283,000)
03 Teachers' Pension and Annuity Fund - Post Retirement Medical-State ..... (4,477,000)
03 Teachers' Pension and Annuity Fund - Non-contributory Insurance ..... (4,000)
03 Debt Service on Pension Obligation Bonds ..... (9,705,000)
03 State Employees' Health Benefits ..... (357,219,000)
03 Other Pension Systems-Post Retirement Medical ..... (49,760,000)
03 State Employees' Prescription Drug Program ..... (104,643,000)
03 State Employees' Dental Program - Shared Cost ... (11,421,000)
03 Affordable Care Act Fees ..... (571,000)
03 Social Security Tax - State ..... (173,579,000)
03 Temporary Disability Insurance Liability ..... (7,213,000)
03 Unemployment Insurance Liability ..... (1,723,000)

Such additional amounts as may be required for Public Employees' Retirement System - Post Retirement Medical, Public Employees' Retirement System - Non-

contributory Insurance, Police and Firemen's Retirement System - Non-contributory Insurance, Alternate Benefit Program - Employer Contributions, Alternate Benefit Program - Non-contributory Insurance, Teachers' Pension and Annuity Fund - Post Retirement Medical - State, Teachers' Pension and Annuity Fund - Non-contributory Insurance, State Employees' Health Benefits, Other Pension Systems - Post Retirement Medical, State Employees' Prescription Drug Program, State Employees' Dental Program - Shared Cost, Affordable Care Act Fees, Social Security Tax - State, Temporary Disability Insurance Liability, and Unemployment Insurance Liability are appropriated, as the Director of the Division of Budget and Accounting shall determine.

No amounts hereinabove appropriated shall be used to provide additional health insurance coverage to a State or local elected official when that official receives health insurance coverage as a result of holding other public office or employment.

The unexpended balance at the end of the preceding fiscal year in the Debt Service on Pension Obligation Bonds account is appropriated for the same purpose.

In addition to the amount hereinabove appropriated for Debt Service on Pension Obligation Bonds to make payments under the State Treasurer's contracts authorized pursuant to section 6 of P.L.1997, c.114 (C.34:1B-7.50), there are appropriated such additional amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts.

Notwithstanding the provisions of any law or regulation to the contrary, fees due to the third party administrator for the Section 125 Tax Savings Program established in 1996 pursuant to section 7 of P.L.1996, c.8 (C.52:14-15.1a) and the Section 132(f) Commuter Transportation Benefit Program established in 2003 pursuant to section 1 of P.L.2001, c.162 (C.52:14-15.1b) shall be paid from amounts hereinabove appropriated for the Social Security Tax - State account, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, fees due to the third party administrator for the Unemployment Compensation Management and Cost Control Program, which was established pursuant to N.J.A.C.17:1-9.6, shall be paid from amounts hereinabove appropriated for the Unemployment Insurance Liability account, subject to the approval of the Director of the Division of Budget and Accounting.

9420 Other Interdepartmental Accounts

DIRECT STATE SERVICES

04-9420 Other Interdepartmental Accounts	$12,525,000
Total Direct State Services Appropriation, Other Interdepartmental Accounts	$12,525,000

Direct State Services:

Special Purpose:

04 To the Governor, for allotment to the various departments or agencies, to meet any condition of emergency or necessity; provided however, that a sum not in excess of $5,000 shall be available for expenses, including lunches for non-salaried board members and others for whom official reception shall be beneficial to the State ..... ($375,000)
04 Contingency Funds ..... (625,000)
04 Interest On Short Term Notes ..... (6,000,000)
04 Banking Services ..... (4,100,000)
04 Debt Issuance - Special Purpose ..... (1,100,000)
04 Catastrophic Illness in Children Relief Fund - Employer Contributions ..... (225,000)
04 Interest on Interfund Borrowing ..... (100,000)

Unless otherwise indicated, funds hereinabove appropriated may be allotted by the Director of the Division of Budget and Accounting to the various departments and agencies.

Notwithstanding the provisions of N.J.S.2A:153-1 et seq., there is allocated at the discretion of the Governor, an amount up to $50,000, from the Special Purpose amount hereinabove appropriated to meet any condition of emergency or necessity, as a reward for the capture and return of Joanne Chesimard.

The unexpended balance at the end of the preceding fiscal year in the Governor's Contingency Fund is appropriated for the same purpose.

There are appropriated to the Emergency Services Fund such amounts as are required to meet the costs of any emergency occasioned by aggression, civil disturbance, sabotage, or disaster as recommended by the Governor's Advisory Council for Emergency Services and approved by the Governor, and subject to the approval of the Director of the Division of Budget and Accounting. In the event that the Governor's Advisory Council for Emergency Services is unable to convene due to any such emergency described above, there shall be appropriated to the Emergency Service Fund such amounts as are required to meet the costs of any such emergency described above, and payments from the Fund shall be made by the State Treasurer upon approval of the Governor and the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Disasters and Emergencies account is appropriated for the same purpose.

Such amounts as may be necessary for payment of expenses incurred by issuing officials appointed under the several bond acts of the State are appropriated for the purposes and from the sources defined in those acts.

GRANTS-IN-AID

04-9420 Other Interdepartmental Accounts $20,000,000
Total Grants-in-Aid Appropriation, Other Interdepartmental Accounts $20,000,000

Grants-in-Aid:

04 Direct Support Professionals Wage Increase .....(20,000,000)

The amount hereinabove appropriated for Direct Support Professionals Wage Increase shall be used to provide a wage increase to each direct support professional who provides children's behavioral health services and assists children and adults with intellectual and developmental disabilities under provider contracts with the Department of Children and Families, the Division of Developmental Disabilities in the Department of Human Services, and the Division of Vocational Rehabilitation Services in the Department of Labor and Workforce Development. Contract adjustments to all eligible providers shall ensure that each direct support professional receives the same percentage wage increase. No later than October 1, 2017, the Joint Budget Oversight Committee will direct the dollar amount of the upward contract adjustment to be received in FY2018; and will ensure that the contract adjustment will be used to provide increased payments to direct support professionals.

9430 Salary Increases and Other Benefits

DIRECT STATE SERVICES

05-9430 Salary Increases and Other Benefits..... $164,468,000
Subtotal Direct State Services Appropriation, Salary Increases and Other Benefits..... $164,468,000

Less:

Statewide Savings Initiatives..... $50,000,000
Total Deductions..... $50,000,000
Total Direct State Services Appropriation, Salary Increases and Other Benefits..... $114,468,000

Direct State Services:

Special Purpose:

05 Executive Branch.....($137,874,000)
05 Judicial Branch .....(15,594,000)
05 Unused Accumulated Sick Leave Payments.....(11,000,000)

Less:

Statewide Savings Initiatives..... 50,000,000

The amounts hereinabove appropriated to the various State departments, agencies or commissions for the cost of salaries, wages, or other benefits shall be allotted as the Director of the Division of Budget and Accounting shall determine.

Notwithstanding the provisions of R.S.34:15-49 and section 1 of P.L.1981, c.353 (C.34:15-49.1) or any law or regulation to the contrary, the State Treasurer, the Chairperson of the Civil Service Commission, and the Director of the Division of Budget and Accounting shall establish directives governing salary ranges and

rates of pay, including salary increases. The implementation of such directives shall be made effective at the first full pay period of the fiscal year as determined by such directives, with timely notification of such directives to the Joint Budget Oversight Committee or its successor. Such directives shall not be considered an "administrative rule" or "rule" within the meaning of section 2 of P.L.1968, c.410 (C.52:14B-2), but shall be considered exempt under paragraphs (1) and (2) of the definition of "administrative rule" or "rule" of section 2 of P.L.1968, c.410 (C.52:14B-2), and shall not be subject to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Nothing herein shall be construed as applicable to the Presidents of the State Colleges, Rutgers, The State University and the New Jersey Institute of Technology.

No salary range or rate of pay shall be increased or paid in any State department, agency, or commission without the approval of the Director of the Division of Budget and Accounting. Nothing herein shall be construed as applicable to unclassified personnel of the Legislative Branch or unclassified personnel of the Judicial Branch.

Any amounts appropriated for Salary Increases and Other Benefits shall be made available for any person holding State office, position or employment whose compensation is paid directly or indirectly, in whole or in part, from State funds, including any person holding office, position or employment under the Palisades Interstate Park Commission.

The unexpended balances at the end of the preceding fiscal year in the Salary Increases and Other Benefits accounts are appropriated for the same purposes.

In addition to the amounts hereinabove appropriated for Executive Branch there are appropriated such amounts as may be necessary for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove appropriated for Unused Accumulated Sick Leave Payments, there are appropriated such amounts as may be necessary for payments of unused accumulated sick leave.

Interdepartmental Accounts, Total State Appropriation $4,377,860,000

Summary of Interdepartmental Accounts Appropriations
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$3,085,512,000
Grants-in-Aid	1,087,749,000
Capital Construction	204,599,000
Appropriations by Fund:	
General Fund	$4,377,860,000

98 THE JUDICIARY
10 Public Safety and Criminal Justice
15 Judicial Services
DIRECT STATE SERVICES

01-9710 Supreme Court	$6,891,000
02-9715 Superior Court-Appellate Division	21,351,000
03-9720 Civil Courts	106,982,000
04-9725 Criminal Courts	159,155,000
05-9730 Family Courts	118,123,000
06-9735 Municipal Courts	1,598,000
07-9740 Probation Services	137,763,000
08-9745 Court Reporting	8,898,000
09-9750 Public Affairs and Education	2,953,000
10-9755 Information Services	18,169,000
11-9760 Trial Court Services	164,533,000
12-9765 Management and Administration	11,339,000
Total Direct State Services Appropriation, Judicial Services	$757,755,000

Direct State Services:

Personal Services:	
Chief Justice	($193,000)
Associate Justices	(1,113,000)
Judges	(78,897,000)
Salaries and Wages	(494,240,000)
Materials and Supplies	(7,755,000)
Services Other Than Personal	(32,923,000)
Maintenance and Fixed Charges	(1,852,000)
Special Purpose:	
01 Rules Development	(200,000)
04 Drug Court Treatment/Aftercare	(38,858,000)
04 Drug Court Operations	(22,563,000)
04 Drug Court Judgeships	(2,569,000)
05 Family Crisis Intervention	(1,076,000)
05 Child Placement Review Advisory Council	(82,000)
05 Kinship Legal Guardianship	(3,711,000)
05 Child Support and Paternity Program Title IV-D (Family Court)	(15,112,000)
07 Intensive Supervision Program	(15,757,000)
07 Juvenile Intensive Supervision Program	(2,269,000)
07 Child Support and Paternity Program Title IV-D (Probation)	(29,393,000)
11 Child Support and Paternity Program Title IV-D (Trial)	(2,561,000)

12 Affirmative Action and Equal Employment
Opportunity ..... (770,000)
Additions, Improvements and Equipment..... (5,861,000)

The unexpended balances at the end of the preceding fiscal year in the Civil Arbitration Program and Drug Court program accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, receipts from fees under the Special Civil Part service of process via certified mailers are appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated in the Drug Court Treatment/Aftercare account shall be transferred to the Department of Human Services to fund treatment, aftercare and administrative services associated with the Drug Court program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from the increase in fees collected by the Judiciary pursuant to P.L.2002, c.34 and related increases provided by operation of N.J.S.22A:2-5 and section 2 of P.L.1993, c.74 (C.22A:5-1) are appropriated from the Court Technology Improvement Fund for the purpose of offsetting the costs of development, establishment, operation and maintenance of the Judiciary computerized court information systems, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts derived from the increase in fees collected by the Judiciary pursuant to P.L.2014, c.31 and related increases provided by operation of N.J.S.22A:2-5 and section 2 of P.L.1993, c.74 (C.22A:5-1) are appropriated from the 21st Century Justice Improvement Fund for the purpose of (1) the development, maintenance and administration of a Statewide Pretrial Services Program; (2) the development, maintenance and administration of a Statewide digital e-court information system; and (3) the provision to the poor of legal assistance in civil matters by Legal Services of New Jersey and its affiliates.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated, revenues in excess of $42,100,000 in the 21st Century Justice Improvement Fund are appropriated to the Judiciary for the Statewide Pretrial Services Program or for court information technology, subject to the approval of the Director of the Division of Budget and Accounting.

The Judiciary, Total State Appropriation.....$757,755,000

Receipts from charges to certain Special Purpose accounts listed hereinabove are appropriated for services provided from these funds.

Receipts from charges to the Superior Court Trust Fund, New Jersey Lawyers' Fund for Client Protection, Disciplinary Oversight Committee, Board on Attorney Certification, Bar Admissions Financial Committee, Parents' Education

Fund, Automated Traffic System Fund, Municipal Court Administrator Certification Program, Comprehensive Enforcement Program, Court Computer Information System Fund, Statewide County Corrections Information System (CCIS), and Mandatory Continuing Legal Education Program are appropriated for services provided from these funds.

The unexpended balances at the end of the preceding fiscal year not to exceed $10,000,000 in these respective accounts are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Summary of Judiciary Appropriations
(For Display Purposes Only)

Appropriations by Category:
Direct State Services $757,755,000
Appropriations by Fund:
General Fund $757,755,000

DEBT SERVICE
42 DEPARTMENT OF ENVIRONMENTAL PROTECTION
40 Community Development and Environmental Management
46 Environmental Planning and Administration

99-4800 Interest on Bonds $14,801,000
99-4800 Bond Redemption 24,245,000
Total Debt Service Appropriation, Department of Environmental Protection $39,046,000

Debt Service:
Interest:
Clean Waters Bonds (P.L.1976, c.92) ..... ($2,000)
Water Supply Bonds (P.L.1981, c.261) ..... (142,000)
Pinelands Infrastructure Trust Bonds (P.L.1985, c.302) ..... (9,000)
Hazardous Discharge Bonds (P.L.1986, c.113) ..... (367,000)
New Jersey Open Space Preservation Bonds (P.L.1989, c.183) ..... (67,000)
Stormwater Management and Combined Sewer Overflow Abatement Bonds (P.L.1989, c.181) ..... (150,000)
Green Acres, Clean Water, Farmland and Historic Preservation Bonds (P.L.1992, c.88) ..... (77,000)
Green Acres, Farmland and Historic Preservation and Blue Acres Bonds (P.L.1995, c.204) ..... (110,000)
Port of New Jersey Revitalization, Dredging Bonds (P.L.1996, c.70) ..... (1,724,000)
Dam, Lake, Stream, Water Resources, and Wastewater Treatment Project Bonds (P.L.2003, c.162) ..... (287,000)

Green Acres, Farmland, Blue Acres, and Historic Preservation Bonds (P.L.2007, c.119) ..... (2,272,000)
Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bonds (P.L.2009, c.117) ..... (9,594,000)
Redemption:
Clean Waters Bonds (P.L.1976, c.92) ..... (10,000)
Water Supply Bonds (P.L.1981, c.261)q ..... (900,000)
Pinelands Infrastructure Trust Bonds (P.L.1985, c.302) ..... (55,000)
Hazardous Discharge Bonds (P.L.1986, c.113) ..... (380,000)
New Jersey Open Space Preservation Bonds (P.L.1989, c.183)q ..... (295,000)
Stormwater Management and Combined Sewer Overflow Abatement Bonds (P.L.1989, c.181) ..... (270,000)
Green Acres, Clean Water, Farmland and Historic Preservation Bonds (P.L.1992, c.88) ..... (485,000)
Green Acres, Farmland and Historic Preservation and Blue Acres Bonds (P.L. 1995, c. 204) ..... (115,000)
Port of New Jersey Revitalization, Dredging Bonds (P.L.1996, c.70) ..... (1,705,000)
Dam, Lake, Stream, Water Resources, and Wastewater Treatment Project Bonds (P.L.2003, c.162) ..... (1,135,000)
Green Acres, Farmland, Blue Acres, and Historic Preservation Bonds (P.L.2007, c.119) ..... (7,900,000)
Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bonds (P.L.2009, c.117) ..... (10,995,000)

Total Debt Service Appropriation, Department of Environmental Protection $39,046,000

82 DEPARTMENT OF THE TREASURY
70 Government Direction, Management, and Control
76 Management and Administration

99-2000 Interest on Bonds $66,844,000
99-2000 Bond Redemption 220,480,000
Total Debt Service Appropriation, Department of the Treasury $287,324,000

Debt Service:
Interest:
Refunding Bonds (P.L.1985, c.74, as amended by P.L.1992, c.182) ..... ($41,695,000)
Building our Future Bonds (P.L.2012, c.41) ..... (25,149,000)

Redemption:
Refunding Bonds (P.L.1985, c.74,
as amended by P.L.1992, c.182).....(195,345,000)
Building our Future Bonds (P.L.2012, c.41).....(25,135,000)

Total Debt Service Appropriation, Department of the Treasury..... $287,324,000

Total Appropriation, Debt Service..... $326,370,000

Notwithstanding the provisions of any law or regulation to the contrary, such amounts as may be needed for the payment of interest and principal due from the issuance of any bonds authorized under the several bond acts of the State, or bonds issued to refund such bonds, are appropriated and first shall be charged to the earnings from the investments of such bond proceeds, or repayments of loans, or any other monies in the applicable bond funds, or all of these, established under such bond acts, and monies are appropriated from such bond funds for the purpose of paying interest and principal on the bonds issued pursuant to such bond acts. Where required by law, such amounts shall be used to fund a reserve for the payment of interest and principal on the bonds authorized under the bond act. Furthermore, where required by law, the amounts hereinabove appropriated are allocated to the projects heretofore approved by the Legislature pursuant to those bond acts. The Director of the Division of Budget and Accounting is authorized to reallocate amounts hereinabove appropriated among the various debt service accounts to permit the proper debt service payments.

There are appropriated such amounts as may be needed for the payment of debt service administrative costs.

Subsequent to the refunding of bonds in the current fiscal year, the Director of the Division of Budget and Accounting is authorized to allocate amounts hereinabove appropriated among the various debt service accounts to reflect the debt service savings of the refunding and to permit the proper debt service payments.

FEDERAL FUNDS
10 DEPARTMENT OF AGRICULTURE
40 Community Development and Environmental Management
49 Agricultural Resources, Planning, and Regulation

01-3310 Animal Disease Control $846,000
02-3320 Plant Pest and Disease Control..... 1,017,000
05-3350 Food and Nutrition Services..... 560,270,000
06-3360 Marketing and Development Services..... 3,594,000
08-3380 Farmland Preservation..... 4,520,000
Total Appropriation, Agricultural Resources, Planning,
and Regulation..... $570,247,000
Personal Services:
Salaries and Wages .....($9,328,000)

Employee Benefits ..... (3,790,000)
Materials and Supplies ..... (551,000)
Services Other Than Personal ..... (3,521,000)
Maintenance and Fixed Charges ..... (1,053,000)
Special Purpose:
Child Nutrition Administration ..... (200,000)
State Aid and Grants ..... (551,107,000)
Additions, Improvements and Equipment ..... (697,000)

Total Appropriation, Department of Agriculture $570,247,000

16 DEPARTMENT OF CHILDREN AND FAMILIES
50 Economic Planning, Development, and Security
55 Social Services Programs

01-1610 Child Protection and Permanency $322,299,000
02-1620 Children's System of Care 226,631,000
03-1630 Family and Community Partnerships 43,050,000
04-1600 Education Services 2,312,000
05-1600 Child Welfare Training Academy Services and Operations 2,068,000
06-1600 Safety and Security Services 3,680,000
99-1600 Administration and Support Services 1,396,000
99-1610 Administration and Support Services 13,517,000
99-1620 Administration and Support Services 856,000
Total Appropriation, Social Services Programs $615,809,000
Personal Services:
Salaries and Wages ..... ($258,325,000)
Materials and Supplies ..... (2,618,000)
Services Other Than Personal ..... (11,379,000)
Maintenance and Fixed Charges ..... (16,835,000)
Special Purpose:
Safety and Security Services - Title IV-E
Foster Care ..... (3,680,000)
Safety and Permanency in the Courts ..... (500,000)
State Aid and Grants ..... (316,396,000)
Additions, Improvements and Equipment ..... (6,076,000)

Total Appropriation, Department of Children and Families $615,809,000

22 DEPARTMENT OF COMMUNITY AFFAIRS
40 Community Development and Environmental Management
41 Community Development Management

02-8020 Housing Services $287,137,000
06-8015 Uniform Construction Code 30,000

Total Appropriation, Community Development Management $287,167,000
Personal Services:
Salaries and Wages .....($11,666,000)
Employee Benefits .....(6,123,000)
Materials and Supplies.....(217,000)
Services Other Than Personal.....(1,950,000)
Maintenance and Fixed Charges.....(2,159,000)
Special Purpose:
Family Self Sufficiency Program Coordinator.....(350,000)
National Housing Trust Fund.....(6,000,000)
Mainstream 5 .....(3,000)
Continuum of Care Program .....(26,000)
Moderate Rehabilitation Housing Assistance .....(87,000)
Section 8 Housing Voucher Program.....(1,556,000)
Housing Opportunities for Persons With AIDS .....(7,000)
Housing Opportunities for Persons With AIDS Post-Incarcerated.....(1,000)
Small Cities Block Grant Program.....(25,000)
Emergency Solutions Grants Program .....(11,000)
National Affordable Housing - HOME Investment Partnerships .....(32,000)
Lead Abatement Certification .....(3,000)
State Aid and Grants.....(256,951,000)

50 Economic Planning, Development, and Security
55 Social Services Programs

05-8050 Community Resources $165,750,000
Total Appropriation, Social Services Programs..... $165,750,000
Personal Services:
Salaries and Wages .....($2,263,000)
Employee Benefits .....(1,187,000)
Materials and Supplies.....(135,000)
Services Other Than Personal.....(2,005,000)
Maintenance and Fixed Charges.....(22,000)
Special Purpose:
Weatherization Assistance Program.....(50,000)
Low Income Home Energy Assistance Program .....(212,000)
Community Services Block Grant .....(78,000)
State Aid and Grants.....(159,798,000)

Total Appropriation, Department of Community Affairs $452,917,000

26 DEPARTMENT OF CORRECTIONS

10 Public Safety and Criminal Justice

16 Detention and Rehabilitation

08-7110 Institutional Care and Treatment	$148,000
08-7130 Institutional Care and Treatment	135,000
13-7025 Institutional Program Support	5,975,000
Total Appropriation, Detention and Rehabilitation	$6,258,000
Personal Services:	
Salaries and Wages	($171,000)
Employee Benefits	(97,000)
Special Purpose:	
Individuals With Disabilities Act - Part B	(15,000)
Prison Rape Elimination Grant	(250,000)
SSA Incentive Payments	(50,000)
National Institute of Justice Operations Research	(150,000)
State Criminal Alien Assistance Program	(3,300,000)
Special Investigations Division - Intelligence Technology	(250,000)
Inmate Vocational Certifications	(350,000)
Technology Enhancements	(500,000)
Videoconferencing Equipment Upgrade	(175,000)
Special Operations Tactical Equipment	(200,000)
Diversity Training	(100,000)
Medicaid Eligibility Workers	(150,000)
Offender Reentry	(500,000)

17 Parole

03-7010 Parole	$500,000
Total Appropriation, Parole	$500,000
State Aid and Grants	($500,000)

19 Central Planning, Direction and Management

99-7000 Administration and Support Services	$1,497,000
Total Appropriation, Central Planning, Direction and Management	$1,497,000
Personal Services:	
Salaries and Wages	($847,000)
Employee Benefits	(479,000)
Special Purpose:	
Title 1 Negligent and Delinquent - Indirect Costs	(10,000)
Perkins - Vocational Education	(161,000)

Total Appropriation, Department of Corrections	$8,255,000

34 DEPARTMENT OF EDUCATION

30 Educational, Cultural, and Intellectual Development

31 Direct Educational Services and Assistance

07-5065 Special Education $382,304,000

Total Appropriation, Direct Educational Services and Assistance $382,304,000

Personal Services:

Salaries and Wages ..... ($10,594,000)

Employee Benefits ..... (5,314,000)

Services Other Than Personal ..... (12,608,000)

Special Purpose:

State Personnel Development Grant ..... (577,000)

Individuals with Disabilities Education Act Basic State Grant ..... (868,000)

Individuals with Disabilities Education Act Preschool Grants ..... (237,000)

IDEA Part B - Discretionary Administration ..... (662,000)

State Aid and Grants ..... (351,444,000)

32 Operation and Support of Educational Institutions

12-5011 Marie H. Katzenbach School for the Deaf $230,000

Total Appropriation, Operation and Support of Educational Institutions $230,000

Personal Services:

Salaries and Wages ..... ($129,000)

Employee Benefits ..... (67,000)

Special Purpose:

Vocational Education Program ..... (26,000)

Preschool Entitlement - Katzenbach School ..... (8,000)

33 Supplemental Education and Training Programs

20-5062 General Vocational Education $22,322,000

Total Appropriation, Supplemental Education and Training Programs $22,322,000

Personal Services:

Salaries and Wages ..... ($1,560,000)

Employee Benefits ..... (811,000)

Materials and Supplies ..... (56,000)

Services Other Than Personal ..... (301,000)

Special Purpose:

Vocational Education - Basic Grants - Administration ..... (200,000)

Vocational Education - Title II B Leadership Activities ..... (200,000)

State Aid and Grants ..... (19,194,000)

34 Educational Support Services

05-5064 Bilingual Education	$21,115,000
06-5064 Programs for Disadvantaged Youth	352,162,000
30-5063 Standards, Assessments and Curriculum	75,044,000
34-5068 Innovation	645,000
35-5069 Early Childhood Education	17,775,000
40-5064 Learning Supports and Specialized Services	22,155,000
Total Appropriation, Educational Support Services	$488,896,000
Personal Services:	
Salaries and Wages	($9,075,000)
Employee Benefits	(4,719,000)
Materials and Supplies	(38,000)
Services Other Than Personal	(6,608,000)
Special Purpose:	
Language Acquisition Discretionary Administration	(40,000)
Migrant Education - Administration/Discretionary	(82,000)
Migrant Coordination Program	(77,000)
Bilingual and Compensatory Education - Homeless Children and Youth	(10,000)
Title I - Administration Program Improvement	(567,000)
Student Support & Academic Enrichment State Grants	(453,000)
State Assessments	(80,000)
Supporting Effective Instruction State Grants	(1,358,000)
National Assessment of Educational Progress State Coordinator	(10,000)
Head Start Collaboration	(103,000)
Race to the Top - Preschool Development Grant	(574,000)
21st Century Schools	(375,000)
AIDS Prevention Education	(80,000)
State Aid and Grants	(464,647,000)

35 Education Administration and Management

99-5093 Administration and Support Services	$15,000
99-5095 Administration and Support Services	4,883,000
Total Appropriation, Education Administration and Management	$4,898,000
Personal Services:	
Salaries and Wages	($2,509,000)
Employee Benefits	(1,332,000)
Special Purpose:	
NCES Performance Based Data Management Initiative	(15,000)
Improving America's Schools Act - Consolidated Administration	(1,042,000)

Total Appropriation, Department of Education $898,650,000

42 DEPARTMENT OF ENVIRONMENTAL PROTECTION
40 Community Development and Environmental Management
42 Natural Resource Management

11-4870 Forest Resource Management $1,550,000
12-4875 Parks Management 21,265,000
13-4880 Hunters' and Anglers' License Fund 19,625,000
14-4885 Shellfish and Marine Fisheries Management 4,550,000
20-4880 Wildlife Management 1,000,000
21-4895 Natural Resources Engineering 1,470,000
Total Appropriation, Natural Resource Management $49,460,000

Personal Services:
Salaries and Wages .....($4,481,000)
Employee Benefits .....(2,330,000)
Special Purpose:
Rural Community Fire Protection Program .....(185,000)
Forest Resource Management -
Cooperative Forest Fire Control.....(691,000)
Consolidated Forest Management.....(461,000)
Land and Water Conservation Fund.....(4,000,000)
Historic Preservation Survey and Planning.....(585,000)
Endangered Plant Species Supplemental Funding .....(25,000)
Forest Legacy.....(4,185,000)
Forest Legacy Administration.....(14,000)
Highlands Conservation.....(2,420,000)
National Recreational Trails .....(1,830,000)
National Coastal Wetlands Conservation.....(3,475,000)
Capital Repair to Leonardo Marina.....(1,700,000)
Recovery Land Acquisition.....(2,500,000)
Hunters' and Anglers' License Fund .....(925,000)
Hunter Safety Training.....(777,000)
Endangered Species .....(350,000)
Council for the Advancement of Hunting
and Shooting Sports .....(150,000)
Species of Greater Conservation Need
(SGCN) Research .....(178,000)
White Nose Syndrome Grants to States .....(27,000)
Assessment of the Vulnerability of NJ's
Habitat and Wildlife to Climate Change .....(600,000)
Hunters' & Anglers' License Fund/N.J.
Statewide Fisheries Development .....(1,731,000)
Northeast Wildlife Teamwork Strategy .....(60,000)
Boat Access (Fish and Wildlife) .....(1,000,000)

Wildlife Management Area Conservation Program ..... (2,000,000)
New Jersey Shooting Range Development and Improvement ..... (2,750,000)
NJ Landowner Incentive Program - Tier 2 (5 Yr. Projects) ..... (250,000)
Wildlife and Sport Fish Restoration Outreach ..... (447,000)
Fish & Wildlife Input to Activities - Projects of Others ..... (117,000)
Avian Influenza ..... (2,000)
Fish and Wildlife Action Plan ..... (53,000)
New Jersey's Landscape Project ..... (486,000)
Statewide Habitat Restoration and Enhancement ..... (700,000)
White Nose Syndrome ..... (55,000)
NJ Fish, Wildlife and Anadromous Fishery Coordination ..... (158,000)
Research In Freshwater Fisheries Management ..... (284,000)
Fish Culture and Stocking Project ..... (1,000,000)
Aquatic Recreational Resource Awareness & Education Project ..... (222,000)
Wildlife Research and Management ..... (893,000)
Fish and Wildlife Health ..... (215,000)
Species of Greater Conservation Need - Mammal Research and Management ..... (258,000)
Marine Fisheries Investigation and Management ..... (624,000)
Atlantic Coastal Fisheries ..... (122,000)
Inventory of New Jersey Surf Clam Resources ..... (179,000)
Clean Vessels ..... (910,000)
Marine Fisheries Law Enforcement ..... (743,000)
New Jersey Atlantic and Shortnose Sturgeon ..... (365,000)
Atlantic Coastal Cooperative Program ..... (150,000)
Endangered and Nongame Species Program State Wildlife Grants ..... (851,000)
Community Assistance Program ..... (154,000)
Cooperative Technical Partnership ..... (710,000)
National Dam Safety Program (FEMA) ..... (82,000)

43 Science and Technical Programs

05-4840 Water Supply $21,200,000
07-4850 Water Monitoring and Resource Management 4,400,000
15-4801 Land Use Regulation 3,000,000
15-4890 Land Use Regulation 1,000,000
18-4810 Division of Science, Research and Environmental Health 7,450,000
22-4861 New Jersey Geological Survey 400,000

90-4801 Environmental Policy and Planning 5,805,000
Total Appropriation, Science and Technical Programs..... $43,255,000
Personal Services:
Salaries and Wages .....($4,494,000)
Employee Benefits .....(1,840,000)
Special Purpose:
Drinking Water State Revolving Fund.....(711,000)
Drinking Water State Revolving Fund.....(19,000,000)
Water Pollution Control Program .....(1,341,000)
Water Pollution S106 Enhancements.....(400,000)
Framework for Increased Risk Reduction.....(1,200,000)
Coastal Zone Management Implementation .....(1,015,000)
Coastal Zone Management Grant - Section 309 .....(364,000)
Coastal Zone Management Grant - Section 310 .....(200,000)
Coastal Wetlands Planning .....(1,500,000)
Maurice River Habitat Restoration .....(5,200,000)
Multimedia.....(491,000)
New Jersey Statewide Water Use Data.....(30,000)
National Geologic Mapping Program .....(177,000)
Geological and Geophysical Data Preservation USGS.....(18,000)
Water Pollution Control.....(49,000)
Water Monitoring Planning.....(725,000)
Nonpoint Source Implementation (319H).....(3,830,000)
Beach Monitoring and Notification.....(670,000)

44 Site Remediation and Waste Management

19-4815 Publicly-Funded Site Remediation and Response..... $5,020,000
23-4815 Solid and Hazardous Waste Management..... 400,000
23-4910 Solid and Hazardous Waste Management..... 1,100,000
27-4815 Remediation Management..... 12,650,000
Total Appropriation, Site Remediation and Waste Management..... $19,170,000
Personal Services:
Salaries and Wages .....($2,018,000)
Employee Benefits .....(1,048,000)
Special Purpose:
Superfund Core Grant-CPCA .....(20,000)
Superfund Grants .....(5,000,000)
Hazardous Waste - Resource Conservation Recovery Act.....(857,000)
Preliminary Assessments/Site Inspections .....(1,364,000)
Brownfields.....(492,000)
Port Security Sector NY.....(6,250,000)
Remedial Planning Support Agency Assistance .....(669,000)

Underground Storage Tanks ..... (1,452,000)

45 Environmental Regulation

01-4820 Radiation Protection $500,000
02-4892 Air Pollution Control 10,115,000
09-4860 Public Wastewater Facilities 59,635,000
16-4891 Water Monitoring and Planning 125,000
Total Appropriation, Environmental Regulation $70,375,000
Personal Services:
Salaries and Wages ..... ($3,070,000)
Employee Benefits ..... (1,294,000)
Special Purpose:
Radon Program ..... (268,000)
Air Pollution Maintenance Program ..... (4,600,000)
BioWatch Monitoring ..... (326,000)
Particulate Monitoring Grant ..... (710,000)
Clean Diesel Retrofit ..... (403,000)
Clean Water State Revolving Fund ..... (59,635,000)
Underground Injection Control ..... (69,000)

46 Environmental Planning and Administration

Administration and Support Services $600,000
Total Appropriation, Environmental Planning and Administration $600,000
Special Purpose:
National Information Exchange Network ..... ($600,000)

47 Compliance and Enforcement

02-4855 Air Pollution Control $2,500,000
04-4835 Pesticide Control 500,000
08-4855 Water Pollution Control 1,250,000
15-4855 Land Use Regulation 600,000
23-4855 Solid and Hazardous Waste Management 3,250,000
Total Appropriation, Compliance and Enforcement $8,100,000
Personal Services:
Salaries and Wages ..... ($3,138,000)
Employee Benefits ..... (1,630,000)
Special Purpose:
Air Pollution Maintenance Program ..... (1,222,000)
Pesticide Control Consolidated ..... (204,000)
Underground Storage Tank Program Standard Compliance Inspections ..... (846,000)
Coastal Zone Management Implementation ..... (147,000)

Hazardous Waste - Resource Conservation Recovery Act ..... (913,000)
Total Appropriation, Department of Environmental Protection $190,960,000

46 DEPARTMENT OF HEALTH
20 Physical and Mental Health
21 Health Services

01-4215 Vital Statistics $1,498,000
02-4220 Family Health Services 274,687,000
03-4230 Public Health Protection Services 97,180,000
08-4280 Laboratory Services 7,404,000
12-4245 AIDS Services 83,183,000
Total Appropriation, Health Services $463,952,000
Personal Services:
Salaries and Wages ..... ($29,718,000)
Employee Benefits ..... (14,437,000)
Materials and Supplies ..... (3,405,000)
Services Other Than Personal ..... (26,989,000)
Maintenance and Fixed Charges ..... (1,050,000)
Special Purpose:
Vital Statistics Component ..... (116,000)
Preventative Health and Health Services Block Grant ..... (100,000)
Maternal and Child Health Block Grant ..... (575,000)
Coordinated School Health Program ..... (152,000)
Heart Disease and Stroke Prevention ..... (450,000)
Maternal, Infant and Early Childhood Home Visiting Program ..... (10,000)
Supplemental Food Program - Women, Infants, and Children (WIC) ..... (417,000)
Supplemental Food Program - WIC ..... (737,000)
New Jersey Childhood Lead ..... (316,000)
State Office of Rural Health ..... (16,000)
Primary Care Service & Management Planning ..... (7,000)
Pediatric AIDS Health Care Demonstration Project ..... (12,000)
Early Intervention for Infants and Toddlers with Disabilities ..... (190,000)
N.J. Project: Providing a MED Home in a Neighborhood of Services ..... (137,000)
SSDI ..... (65,000)
Women, Infants, and Children (WIC) Farmers' Market Nutrition Program ..... (2,200,000)
WIC Farmer's Market Food Program ..... (242,000)

Abstinence Education - Family Health Services (FHS) ..... (8,000)
Early Hearing Detection and Intervention (EHDI)
Tracking, Research ..... (12,000)
Coordinated Integrated Initiative..... (1,879,000)
Prevention & Public Health Fund - Coordinated
Integrated Initiative..... (1,029,000)
Senior Farmers' Market Nutrition Program ..... (400,000)
Universal Newborn Hearing Screening..... (7,000)
USDA Incentive Program ..... (144,000)
National Cancer Prevention and Control..... (55,000)
Commodity Supplemental Food Program ..... (1,000)
Rape Prevention and Education Program..... (980,000)
Maternal and Child Health (MCH) Early
Childhood Comprehensive System..... (140,000)
Surveillance, Epidemiology and End Results (SEER) ..... (895,000)
Preventative Health & Health Services Block Grant..... (1,067,000)
Venereal Disease Project..... (178,000)
Child Nutrition Program - Inspection Services ..... (68,000)
Food Inspection..... (200,000)
Keep Infection out of Immunization ..... (300,000)
Tuberculosis Control Program ..... (69,000)
BioSense 2.0..... (4,000)
Building and Strengthening..... (42,000)
Epidemiology and Laboratory Capacity - Affordable
Care Act..... (47,000)
Toxic Substances Control Act..... (31,000)
Census of Fatal Occupational Injuries BLS ..... (90,000)
Environmental Health Education ..... (279,000)
Health Program for Indochinese Refugees..... (100,000)
Demonstration Program to Conduct Health Assessments.. (150,000)
Conformance with the Manufactured Food Regulatory
Program Standard ..... (47,000)
Adult Blood Lead Surveillance ..... (12,000)
Developing Health Language 7 Standard Messaging
Interface in NJ ..... (228,000)
Immunization Project..... (383,000)
Adult Viral Hepatitis Prevention..... (27,000)
New Jersey Plan for Private Well Programs ..... (170,000)
National Program of Cancer Registries..... (135,000)
Public Employees Occupational Safety
and Health - State Plan ..... (110,000)
Surveillance of Hazardous Substance
Emergency Events ..... (123,000)

Bioterrorism Hospital Emergency Preparedness.....(123,000)
National Cancer Prevention and Control - Public Health.....(1,775,000)
Emergency Preparedness for Bioterrorism.....(514,000)
Pandemic Influenza Healthcare Preparedness.....(1,935,000)
National Violent Death Reporting System.....(16,000)
Lead Training and Certification Enforcement Program.....(86,000)
Chronic Disease Prevention and Health Promotion Programs - Public.....(20,000)
Fundamental & Expanded Occupational Health.....(546,000)
Ebola Hospital Preparedness and Response.....(43,000)
West Nile Virus - Laboratory.....(200,000)
Tuberculosis Control Program.....(14,000)
Epidemiology and Laboratory Capacity - Affordable Care Act.....(400,000)
Lab Biomonitoring Program - Impact of Biohazards on New Jersey.....(798,000)
Clinical Laboratory Improvement Amendments Program....(99,000)
Immunization Project.....(23,000)
Public Health Laboratory Biomonitoring Planning.....(1,010,000)
Emergency Preparedness for Bioterrorism - Laboratories.....(1,587,000)
Food Emergency Response Network - E. Coli in Ground Beef.....(165,000)
HIV/AIDS Surveillance Grant.....(477,000)
Expanded and Integrated HIV Testing.....(90,000)
HIV/AIDS Prevention and Education Grant.....(261,000)
Housing Opportunities for Persons with AIDS.....(27,000)
Comprehensive AIDS Resources Grant.....(275,000)
Morbidity and Risk Behavior Surveillance.....(54,000)
HIV/AIDS Events without Care in New Jersey.....(137,000)
Enhanced HIV/AIDS Surveillance -Perinatal.....(149,000)
National HIV/AIDS Behavioral Surveillance.....(9,000)
Minority AIDS Initiatives.....(406,000)
State Aid and Grants.....(359,135,000)
Additions, Improvements and Equipment.....(2,827,000)

22 Health Planning and Evaluation

06-4260 Health Care Facility Regulation and Oversight..... $17,053,000
07-4270 Health Care Systems Analysis..... 89,000,000
Total Appropriation, Health Planning and Evaluation..... $106,053,000
Personal Services:
Salaries and Wages.....($9,969,000)
Materials and Supplies.....(50,000)

Services Other Than Personal ..... (925,000)
Maintenance and Fixed Charges ..... (685,000)
Special Purpose:
Long Term Care - Medicaid ..... (1,130,000)
Implement Patient Safety Act ..... (200,000)
Nurse Aide Certification Program ..... (1,000,000)
Medicare/Medicaid Inspections of Nursing Facilities ..... (3,226,000)
HCSA Medicaid ..... (1,000,000)
State Aid and Grants ..... (87,300,000)
Additions, Improvements and Equipment ..... (568,000)

25 Health Administration

99-4210 Administration and Support Services $4,676,000
Total Appropriation, Health Administration $4,676,000
Personal Services:
Salaries and Wages ..... ($329,000)
Employee Benefits ..... (171,000)
Materials and Supplies ..... (24,000)
Services Other Than Personal ..... (803,000)
Special Purpose:
Developing Health Language 7 Standard Messaging Interface in NJ ..... (159,000)
Immunization Program ..... (1,714,000)
Emergency Preparedness for Bioterrorism ..... (25,000)
New Jersey's Reducing Health Disparities Initiative ..... (160,000)
State Aid and Grants ..... (1,291,000)

Total Appropriation, Department of Health $574,681,000

54 DEPARTMENT OF HUMAN SERVICES

20 Physical and Mental Health

23 Mental Health and Addiction Services

08-7700 Community Services $163,933,000
09-7700 Addiction Services 67,512,000
10-7710 Patient Care and Health Services 13,904,000
10-7720 Patient Care and Health Services 10,127,000
10-7740 Patient Care and Health Services 14,276,000
99-7710 Administration and Support Services 5,656,000
99-7720 Administration and Support Services 3,123,000
99-7740 Administration and Support Services 5,914,000
Total Appropriation, Mental Health and Addiction Services $284,445,000
Personal Services:

Salaries and Wages .....($52,082,000)
Materials and Supplies.....(3,309,000)
Services Other Than Personal.....(22,598,000)
Maintenance and Fixed Charges.....(1,036,000)
Special Purpose:
Mental Health Preparedness Activities Bioterrorism .....(10,000)
Projects for Assistance in Transition from Homelessness (PATH) .....(3,000)
NJ SPF PFS Authority of Section 516 of PHS Act.....(4,000)
State Aid and Grants.....(205,127,000)
Additions, Improvements and Equipment .....(276,000)

24 Special Health Services

21-7540 Health Services Administration and Management $202,487,000
22-7540 General Medical Services..... 7,564,892,000
Total Appropriation, Special Health Services..... $7,767,379,000
Personal Services:
Salaries and Wages .....($25,965,000)
Materials and Supplies.....(98,000)
Services Other Than Personal.....(9,971,000)
Maintenance and Fixed Charges.....(1,931,000)
Special Purpose:
Payment to Fiscal Agents.....(94,984,000)
Professional Standards Review Organization - Utilization Review.....(862,000)
Drug Utilization Review Board - Administrative Costs.....(23,000)
Electronic Health Records Provider Incentive Payments .....(50,000,000)
Health Information Technology (HIT).....(5,661,000)
NJ KidCare - Administration .....(5,623,000)
NJ KidCare B-C-D - Administration .....(7,150,000)
Home Health Background Checks - Title XIX Federal Matching Funds.....(250,000)
State Aid and Grants.....(7,564,642,000)
Additions, Improvements and Equipment .....(219,000)

26 Division of Aging Services

20-7530 Medical Services for the Aged $31,641,000
55-7530 Programs for the Aged 50,968,000
57-7530 Office of the Public Guardian 3,210,000
Total Appropriation, Division of Aging Services $85,819,000
Personal Services:
Salaries and Wages .....($11,256,000)
Employee Benefits .....(3,292,000)

Materials and Supplies ..... (221,000)
Services Other Than Personal ..... (3,685,000)
Maintenance and Fixed Charges ..... (771,000)
Special Purpose:
Administration of US Department of
Health and Human Services ..... (6,391,000)
ADM DHS Federal Program - SBUM ..... (2,922,000)
Managed Long Term Services and Supports ..... (217,000)
NJ Evidence - Based Falls Prevention Program ..... (387,000)
Preventative Health and Health Services Grant ..... (46,000)
Counseling on Health Insurance for Medicare Enrollees ..... (38,000)
Older Americans Act - Title III C1 ..... (143,000)
Elder Abuse - Older Americans Act Title III ..... (173,000)
Ombudsman - Older Americans Act Title III ..... (50,000)
National Family Caregiver Program ..... (190,000)
State Aid and Grants ..... (55,678,000)
Additions, Improvements and Equipment ..... (359,000)

27 Disability Services

27-7545 Disability Services $2,009,000
Total Appropriation, Disability Services $2,009,000
Personal Services:
Salaries and Wages ..... ($1,095,000)
Materials and Supplies ..... (4,000)
Services Other Than Personal ..... (31,000)
State Aid and Grants ..... (879,000)

30 Educational, Cultural, and Intellectual Development
32 Operation and Support of Educational Institutions

01-7601 Purchased Residential Care $397,039,000
02-7601 Social Supervision and Consultation 80,280,000
03-7601 Adult Activities 139,159,000
05-7610 Residential Care and Habilitation Services 12,671,000
05-7620 Residential Care and Habilitation Services 27,363,000
05-7640 Residential Care and Habilitation Services 36,331,000
05-7650 Residential Care and Habilitation Services 40,020,000
05-7670 Residential Care and Habilitation Services 45,694,000
08-7601 Community Services 19,204,000
99-7601 Administration and Support Services 12,751,000
99-7610 Administration and Support Services 2,775,000
99-7620 Administration and Support Services 5,992,000
99-7640 Administration and Support Services 7,956,000
99-7650 Administration and Support Services 8,764,000

99-7670 Administration and Support Services 10,005,000
Total Appropriation, Operation and Support of
Educational Institutions $846,004,000
Personal Services:
Salaries and Wages .....($227,914,000)
Materials and Supplies.....(34,000)
Services Other Than Personal.....(1,176,000)
Maintenance and Fixed Charges.....(2,000)
State Aid and Grants.....(616,478,000)
Additions, Improvements and Equipment .....(400,000)

33 Supplemental Education and Training Programs

11-7560 Services for the Blind and Visually Impaired $11,767,000
99-7560 Administration and Support Services 1,892,000
Total Appropriation, Supplemental Education and
Training Programs $13,659,000
Personal Services:
Salaries and Wages .....($7,328,000)
Materials and Supplies.....(60,000)
Services Other Than Personal.....(405,000)
Maintenance and Fixed Charges.....(163,000)
State Aid and Grants.....(5,528,000)
Additions, Improvements and Equipment .....(175,000)

50 Economic Planning, Development, and Security
53 Economic Assistance and Security

15-7550 Income Maintenance Management..... $902,745,000
Total Appropriation, Economic Assistance and Security $902,745,000
Personal Services:
Salaries and Wages .....($16,033,000)
Services Other Than Personal.....(24,692,000)
Special Purpose:
Work First New Jersey Technology Investment -
Food Stamps.....(9,000,000)
EBT - Operational Food Stamp Match For CWA's.....(3,098,000)
Work First New Jersey - Benefits Transfer - Operational...(200,000)
Work First New Jersey - Technology Investments .....(4,900,000)
Work First New Jersey - Technology Investment -
TANF/CCDF.....(1,800,000)
EBT Operational - Child Care Discretionary.....(102,000)
EBT Operational - Child Care M&M .....(600,000)
EBT Operational - Child Care TANF .....(310,000)
Work First New Jersey - Technology
Investments - Title XIX.....(46,000,000)

Work First New Jersey - Technology
Investment - Title IV-D ..... (23,500,000)
State Aid and Grants ..... (772,510,000)

70 Government Direction, Management, and Control
76 Management and Administration

99-7500 Administration and Support Services $25,219,000
Total Appropriation, Management and Administration $25,219,000
Personal Services:
Salaries and Wages ..... ($7,073,000)
Services Other Than Personal ..... (769,000)
Special Purpose:
Child Support Enforcement Program ..... (3,000,000)
Title XIX Medical Assistance ..... (9,760,000)
Vocational Rehabilitation Act - Section 120 ..... (581,000)
Supplemental Nutrition Assistance Program ..... (2,100,000)
Temporary Assistance to Needy Families Block Grant .. (1,731,000)
State Aid and Grants ..... (205,000)

Total Appropriation, Department of Human Services $9,927,279,000

62 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
50 Economic Planning, Development, and Security
51 Economic Planning and Development

18-4570 Research and Information $7,907,000
Total Appropriation, Economic Planning and Development $7,907,000
Personal Services:
Salaries and Wages ..... ($4,180,000)
Employee Benefits ..... (2,171,000)
Materials and Supplies ..... (125,000)
Services Other Than Personal ..... (416,000)
Maintenance and Fixed Charges ..... (235,000)
Special Purpose:
Reports and Analysis - Unemployment Insurance ..... (250,000)
ES 202 Covered Employment & Wages ..... (50,000)
Current Employment Statistics ..... (32,000)
Local Area Unemployment Statistics ..... (12,000)
Occupational Employment Statistics ..... (40,000)
ES - Labor Market Information ..... (72,000)
ES Cost Reimbursable Grants - Alien Labor Certification .... (7,000)
Redesigned Occupational Safety and Health (ROSH) ..... (5,000)
One Stop Labor Market Information ..... (130,000)

JTPA Title III LMI-PROS .....(100,000)
JTPA Title III CIDS .....(30,000)
Additions, Improvements and Equipment .....(52,000)

53 Economic Assistance and Security

01-4510 Unemployment Insurance..... $156,340,000
02-4515 Disability Determination 74,553,000
Total Appropriation, Economic Assistance and Security $230,893,000
Personal Services:
Salaries and Wages .....($90,486,000)
Employee Benefits .....(47,007,000)
Materials and Supplies.....(3,700,000)
Services Other Than Personal.....(38,500,000)
Maintenance and Fixed Charges.....(10,300,000)
Special Purpose:
Unemployment Insurance .....(15,000,000)
Reed Act Improvements.....(2,000,000)
Reemployment Eligibility Assessments -
State Administration.....(2,500,000)
Employment Security Revenue.....(1,700,000)
Disability Determination Services .....(2,000,000)
Old Age and Survivor Insurance
Disability Determination Services.....(1,000,000)
State Aid and Grants.....(14,800,000)
Additions, Improvements and Equipment .....(1,900,000)

54 Manpower and Employment Services

07-4535 Vocational Rehabilitation Services $57,362,000
09-4545 Employment Services..... 36,638,000
10-4545 Employment and Training Services 158,243,000
12-4550 Workplace Standards..... 5,648,000
Total Appropriation, Manpower and Employment Services..... $257,891,000
Personal Services:
Salaries and Wages .....($56,219,000)
Employee Benefits .....(29,002,000)
Materials and Supplies.....(865,000)
Services Other Than Personal.....(7,613,000)
Maintenance and Fixed Charges.....(5,398,000)
Special Purpose:
Vocational Rehabilitation Act of 1973.....(500,000)
Employment Services .....(250,000)
Disabled Veterans' Outreach Program.....(596,000)
Local Veterans' Employment Representatives .....(33,000)
Trade Adjustment Assistance Project .....(20,000)

Employment Services Grants - Alien
Labor Certification ..... (55,000)
Work Opportunity Tax Credit ..... (100,000)
Employment Services Cost Reimbursable Grants -
Migrant Housing ..... (5,000)
Agricultural Wage Surveys ..... (23,000)
Workforce Investment Act ..... (146,000)
Employment Services Rapid Response Team ..... (75,000)
Project Reemployment Opportunity System (PROS) ..... (50,000)
National Council on Aging - Senior Community
Services Employment ..... (10,000)
Workforce Investment Act - Adult and Continuing
Education ..... (82,000)
Adult Basic Ed Leadership ..... (1,079,000)
Adult Basic Ed Civics Administration ..... (40,000)
Adult Basic Education Civics Leadership ..... (331,000)
Occupational Safety Health Act - On-Site Consultation .... (461,000)
Mine Safety Educational Program ..... (62,000)
Public Employees Occupational Safety And Health Act ... (100,000)
State Aid and Grants ..... (154,439,000)
Additions, Improvements and Equipment ..... (337,000)

Total Appropriation, Department of Labor and Workforce
Development $496,691,000

66 DEPARTMENT OF LAW AND PUBLIC SAFETY

10 Public Safety and Criminal Justice

12 Law Enforcement

06-1200 State Police Operations $62,480,000
09-1020 Criminal Justice 83,292,000
Total Appropriation, Law Enforcement $145,772,000
Personal Services:
Salaries and Wages ..... ($2,250,000)
Employee Benefits ..... (1,273,000)
Special Purpose:
Fatality Analysis Reporting System (FARS) ..... (280,000)
MCSAP Basic and Incentive Grant ..... (4,000,000)
Paul Coverdell National Forensic Science
Improvement ..... (400,000)
Domestic Marijuana Eradication Suppression Program ... (75,000)
Flood Mitigation Assistance ..... (9,000,000)
Recreational Boating Safety ..... (3,800,000)
Motor Carrier Safety Assistance Program -
New Entrant ..... (1,500,000)

Internet Crimes Against Children .....(425,000)
Hazardous Materials Transportation .....(550,000)
Pre-Disaster Mitigation - Competitive .....(5,000,000)
NIEHS Worker Health Safety Training .....(150,000)
Emergency Management Performance Grant -
Non Terrorism .....(9,000,000)
High Priority Hazmat Inspection Program .....(500,000)
Solving Cold Cases .....(250,000)
Port Security - New York/New Jersey (North) .....(1,500,000)
Port Security - Delaware Bay (South) .....(1,500,000)
Victim Centered Law Enforcement Training .....(750,000)
Forensic Casework DNA Backlog Reduction .....(1,800,000)
Smart Policing Initiative .....(700,000)
Intellectual Property .....(450,000)
Community Oriented Policing (COPS)
Anti-Heroin Task Force Program .....(1,500,000)
COPS Anti-Gang Initiative Grant .....(1,000,000)
Urban Search and Rescue .....(7,500,000)
USAR/FEMA Administration .....(1,500,000)
Body Cameras .....(1,000,000)
Anti-Methamphetamine .....(500,000)
Internet Crimes Against Children -
Wounded Vet Hire .....(150,000)
Comprehensive Anti-Gang Strategies And Programs .....(300,000)
Sex Offender Registration and Notification Act
(SORNA) .....(400,000)
Community Oriented Policing (COPS)
Hiring Program .....(7,000,000)
Bulletproof Vest Partnership .....(14,000)
Medicaid Fraud Unit .....(21,000)
Victim Assistance Grants .....(63,000,000)
Project Safe Neighborhoods .....(500,000)
Enhancement of Data Analysis Center .....(50,000)
Justice Assistance Grant (JAG) .....(4,641,000)
Sex Offender Registration & Notification Act
(SORNA) Reallocation .....(300,000)
Victims of Crime Act - Vision 21 .....(250,000)
Victims of Crime Act - Training Discretionary .....(670,000)
Residential Treatment for Substance Abuse .....(173,000)
Byrne Criminal Justice Innovation Program .....(1,000,000)
Victims of Human Trafficking .....(750,000)
Special Services for Victims of Human Trafficking .....(600,000)
Coverdell Competitive .....(250,000)
Medical Examiner Coroner System .....(550,000)

Opioid Crisis System ..... (2,600,000)
Justice Info Sharing Solution Implementation Project ..... (500,000)
State Aid and Grants ..... (3,900,000)

13 Special Law Enforcement Activities

03-1160 Office of Highway Traffic Safety $35,530,000
Total Appropriation, Special Law Enforcement Activities $35,530,000
Special Purpose:
Federal Highway Safety ..... ($600,000)
Highway Safety - Traffic Records ..... (450,000)
Emergency Services ..... (15,000)
Non-Motorized Safety ..... (1,340,000)
FHWA Program Management ..... (25,000)
Motorcycle Training Program ..... (75,000)
Training Grant - Section 402 ..... (50,000)
Pedestrian Safety Grant ..... (1,500,000)
Selective Enforcement Management ..... (3,000,000)
Community Traffic Safety ..... (3,500,000)
Occupant Protection ..... (4,000,000)
State Traffic Safety Information System Improvement .. (6,500,000)
Impaired Driving Countermeasure ..... (9,000,000)
Distracted Driving Incentive ..... (2,700,000)
Motorcycle Safety Grant ..... (600,000)
Graduated Driver Licensing Incentive ..... (500,000)
Highway Safety - Alcohol Education
and Public Awareness Coordinator ..... (675,000)
Highway Safety - Safety Restraints
Program Management ..... (500,000)
Paid Advertising ..... (500,000)

18 Juvenile Services

34-1500 Juvenile Community Programs $990,000
99-1500 Administration and Support Services 1,013,000
Total Appropriation, Juvenile Services $2,003,000
Special Purpose:
IDEA - Handicapped ..... ($367,000)
Juvenile Mentoring Programs - Juvenile
Justice Initiative ..... (42,000)
Title I - Part D, Neglected & Delinquent ..... (581,000)
Juvenile Justice Delinquency Prevention ..... (1,013,000)

19 Central Planning, Direction and Management

13-1005 Homeland Security Preparedness $33,149,000

99-1000 Administration and Support Services 1,500,000
Total Appropriation, Central Planning, Direction and Management $34,649,000
Special Purpose:
Homeland Security Grant Program .....($8,354,000)
Urban Area Security Initiative (UASI) .....(20,534,000)
UASI Nonprofit Security Grant Program (NSGP).....(4,261,000)
Encouraging Innovation.....(500,000)
Community Policing Development.....(500,000)
National Criminal History Program - Office of the Attorney General .....(500,000)

80 Special Government Services
82 Protection of Citizens' Rights

14-1310 Consumer Affairs $500,000
16-1350 Protection of Civil Rights..... 502,000
19-1440 Victims of Crime Compensation Office..... 3,400,000
Total Appropriation, Protection of Citizens' Rights $4,402,000
Special Purpose:
Prescription Drug Monitoring Program .....($500,000)
Equal Employment Opportunity Commission .....(262,000)
Housing and Urban Development.....(240,000)
State Aid and Grants.....(3,400,000)

Total Appropriation, Department of Law and Public Safety $222,356,000

67 DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS
10 Public Safety and Criminal Justice
14 Military Services

40-3620 New Jersey National Guard Support Services..... $43,672,000
99-3600 Administration and Support Services..... 11,000,000
Total Appropriation, Military Services..... $54,672,000
Personal Services:
Salaries and Wages .....($8,065,000)
Employee Benefits.....(1,664,000)
Materials and Supplies.....(22,512,000)
Services Other Than Personal.....(4,818,000)
Maintenance and Fixed Charges.....(230,000)
Special Purpose:
Dining Facility Operations.....(150,000)
Natural and Cultural Resources Management.....(20,000)
Federal Distance Learning Program.....(300,000)
Training and Equipment - Pool Sites .....(44,000)
McGuire Air Force Base Operations and Maintenance .....(1,000)

Army Facilities Service Contracts ..... (510,000)
Atlantic City Air Base - Service Contracts ..... (65,000)
McGuire Air Force Base - Service Contract ..... (221,000)
Air National Guard Security Agreement - McGuire ..... (4,000)
Fire Fighter/Crash Rescue Service Cooperative Funding Agreement ..... (250,000)
Army National Guard Electronic Security System ..... (300,000)
Training Site Facilities Maintenance Agreements ..... (23,000)
McGuire Air Force Base Environmental ..... (17,000)
Atlantic City Air Base Environmental ..... (13,000)
Warren Grove Sustainment Restoration & Modernization .... (5,000)
Antiterrorism Program Manager ..... (4,000)
Atlantic City Air Base Sustainment, Restoration and Modernization ..... (206,000)
Armory Renovations and Improvements ..... (3,739,000)
New Jersey National Guard ChalleNGe Youth Program ... (511,000)
NJNG Photovoltaic Sea Girt Program ..... (1,000,000)
Sea Girt Regional Training Institute - Construction ..... (10,000,000)

80 Special Government Services
83 Services to Veterans

20-3630 Domiciliary and Treatment Services $4,000,000
20-3640 Domiciliary and Treatment Services 4,470,000
20-3650 Domiciliary and Treatment Services 2,500,000
50-3610 Veterans' Outreach and Assistance 552,000
70-3610 Burial Services 5,000,000
Total Appropriation, Services to Veterans $16,522,000
Personal Services:
Salaries and Wages ..... ($4,007,000)
Employee Benefits ..... (183,000)
Materials and Supplies ..... (5,000,000)
Special Purpose:
Medicare Part A Receipts for Resident Care and Operational Costs ..... (7,332,000)

Total Appropriation, Department of Military and Veterans' Affairs $71,194,000

74 DEPARTMENT OF STATE

30 Educational, Cultural, and Intellectual Development
36 Higher Educational Services

45-2405 Student Assistance Programs $14,207,000
80-2400 Statewide Planning and Coordination for Higher Education 3,500,000
Total Appropriation, Higher Educational Services $17,707,000

Personal Services:
Salaries and Wages ..... ($5,490,000)
Employee Benefits ..... (3,046,000)
Materials and Supplies ..... (368,000)
Services Other Than Personal ..... (4,505,000)
Maintenance and Fixed Charges ..... (576,000)
Special Purpose:
Student Loan Administrative Cost Deduction and Allowance ..... (200,000)
National Health Service Corps - Student Loan Repayment Program ..... (150,000)
State Aid and Grants ..... (3,292,000)
Additions, Improvements and Equipment ..... (80,000)

37 Cultural and Intellectual Development Services

05-2530 Support of the Arts $900,000
06-2535 Museum Services 106,000
Total Appropriation, Cultural and Intellectual Development Services $1,006,000
Personal Services:
Salaries and Wages ..... ($512,000)
Employee Benefits ..... (248,000)
Services Other Than Personal ..... (38,000)
Special Purpose:
National Endowment for the Arts Partnership ..... (208,000)

70 Government Direction, Management, and Control
74 General Government Services

01-2505 Office of the Secretary of State $6,492,000
01-2510 Business Action Center 850,000
Total Appropriation, General Government Services $7,342,000
Special Purpose:
Americorps Competitive Grants ..... ($1,200,000)
Foster Grandparent Program ..... (850,000)
Americorps Grants ..... (3,600,000)
State Commission ..... (430,000)
Professional Development ..... (115,000)
Training and Technical Assistance ..... (47,000)
Americorps Law Enforcement & Community Engagement ..... (250,000)
State Trade and Export Promotion Pilot Grant Program ..... (850,000)

Total Appropriation, Department of State $26,055,000

78 DEPARTMENT OF TRANSPORTATION
10 Public Safety and Criminal Justice
11 Vehicular Safety

01-6400 Motor Vehicle Services $2,156,000
Total Appropriation, Vehicular Safety $2,156,000
Special Purpose:
Commercial Bus Inspection Unit ..... ($856,000)
Commercial Drivers' License Program ..... (1,300,000)

60 Transportation Programs
61 State and Local Highway Facilities

00-6300 Federal Highway Administration $972,368,845
Total Appropriation, State and Local Highway Facilities $972,368,845

Federal Highway Administration

Description	County	Amount
ADA Curb Ramp Implementation	Various	($1,000,000)
Betterments, Dams	Various	(400,000)
Bicycle & Pedestrian Facilities/Accommodations	Various	(5,000,000)
Bridge Deck/Superstructure Replacement Program	Various	(41,100,000)
Bridge Inspection	Various	(24,750,000)
Bridge Maintenance Fender Replacement	Various	(9,000,000)
Bridge Maintenance Scour Countermeasures	Various	(9,000,000)
Bridge Management System	Various	(950,000)
Bridge Preventative Maintenance	Various	(25,000,000)
Bridge Replacement, Future Projects	Various	(6,150,285)
Bridge Scour Countermeasures	Various	(500,000)
Burlington County Bus Purchase	Burlington	(616,000)
Camden County Bus Purchase	Camden	(934,000)
Chelsea and Albany Avenues	Atlantic	(100,000)
Conrail Passaic & Harsimus Line, Hack to Kearny Double Track (Liberty Corridor)	Hudson	(1,800,000)
Cooper Street Pedestrian Access Project (TIGER)	Camden	(2,143,000)
Cooper's Poynt Roads Reconstruction Project (TIGER)	Camden	(14,056,000)
CR 551 (Hook Road), E. Pittsfield Street to Route 295	Salem	(2,000,000)
Crash Reduction Program	Various	(5,000,000)
Culvert Replacement Program	Various	(1,000,000)
Cumberland County Federal Road Program	Cumberland	(2,200,000)
DBE Supportive Services Program	Various	(330,000)

Delilah Road (CR 646), English Creek Road to Sharkey Place	Atlantic	(1,500,000)
Design, Emerging Projects	Various	(1,000,000)
Disadvantaged Business Enterprise	Various	(100,000)
Drainage Rehabilitation & Improvements	Various	(5,000,000)
DVRPC, Future Projects	Various	(2,775,715)
Ferry Program	Various	(4,000,000)
Gloucester County Bus Purchase	Gloucester	(238,000)
Halls Mill Road	Monmouth	(18,000,000)
Highway Safety Improvement Program Planning	Various	(4,000,000)
Intelligent Traffic Signal Systems	Various	(20,000,000)
Intelligent Transportation System Resource Center	Various	(3,200,000)
Intersection Improvement Program (Project Implementation)	Various	(3,000,000)
Job Order Contracting Infrastructure Repairs, Statewide	Various	(10,000,000)
Kapkowski Road - North Avenue East Improvement Project	Union	(510,000)
Landis Avenue, Mill Road to Rt 55	Cumberland	(50,000)
Landis Avenue, Phase V, Mill Road to Orchard Road (CR 628)	Cumberland	(1,710,000)
Local CMAQ Initiatives	Various	(10,465,000)
Local Concept Development Support	Various	(3,900,000)
Local Preliminary Engineering	Various	(1,400,000)
Local Safety/High Risk Rural Roads Program	Various	(22,000,000)
Main Street and Scotland Road, Intersection Improvements	Essex	(500,000)
Mercer County Bus Purchase	Mercer	(707,000)
Metropolitan Planning	Various	(24,697,000)
Mobility and Systems Engineering Program	Various	(14,500,000)
Monmouth County Bridges W7, W8, W9 over Glimmer Glass and Debbie's Creek	Monmouth	(3,000,000)
Motor Vehicle Crash Record Processing	Various	(2,000,000)
New Jersey Rail Freight Assistance Program	Various	(1,771,000)
New Jersey Regional Signal Retiming Initiative	Burlington, Camden, Gloucester, Mercer	(350,000)
New Jersey Scenic Byways Program	Various	(500,000)
NJTPA, Future Projects	Various	(500,000)
Ozone Action Program in New Jersey	Various	(40,000)
Pavement Preservation	Various	(15,000,000)
Pedestrian Bridge over Route 440	Hudson	(350,000)
Pedestrian Safety Improvement Program	Various	(3,000,000)

Planning and Research, Federal-Aid	Various	(32,781,000)
Pre-Apprenticeship Training Program for Minorities and Women	Various	(500,000)
Rail-Highway Grade Crossing Program, Federal	Various	(11,300,000)
Recreational Trails Program	Various	(900,000)
Regional Sidewalk Inventory and Online Walkability Engagement Platform	Mercer, Burlington, Camden, Gloucester	(100,000)
Replacement of Bridge 3.08 on Conrail Passaic & Harsimus Line	Essex	(1,250,000)
Restriping Program & Line Reflectivity Management System	Various	(15,000,000)
Resurfacing, Federal	Various	(10,000,000)
RideECO Mass Marketing Efforts-New Jersey	Various	(50,000)
Right of Way Full-Service Consultant Term Agreements	Various	(100,000)
RIMIS - Phase II Implementation	Various	(234,000)
Riverbank Park Bike Trail	Hudson	(1,677,000)
Rockfall Mitigation	Various	(3,000,000)
Safe Routes to School Program	Various	(5,587,000)
Schooleys Mountain Bridge Rehabilitation	Morris	(1,000,000)
Segment Improvement Program	Various	(2,000,000)
Sign Structure Inspection Program	Various	(1,000,000)
Sign Structure Rehabilitation/Replacement Program	Various	(5,000,000)
Signs Program, Statewide	Various	(3,000,000)
SJTPO, Future Projects	Various	(1,651,845)
Statewide Traffic Operations and Support Program	Various	(18,000,000)
Storm Water Asset Management	Various	(3,100,000)
Traffic Monitoring Systems	Various	(16,800,000)
Training and Employee Development	Various	(1,800,000)
Transportation Alternatives Program	Various	(14,410,000)
Transportation and Community Development Initiative (TCDI) DVRPC	Various	(680,000)
Transportation Demand Management Program Support	Various	(250,000)
Transportation Management Associations	Various	(6,105,000)
Utility Pole Mitigation	Various	(175,000)
Youth Employment and TRAC Programs	Various	(350,000)
Route 1, Southbound, Nassau Park Boulevard to Quaker Bridge Mall Overpass	Mercer	(16,950,000)
Route 3, Bridge over Northern Secondary & Ramp A	Hudson	(22,000,000)

Route 18, South of Texas Road to Rues Lane, Pavement	Monmouth, Middlesex	(22,900,000)
Route 19, Colfax Ave (CR 609) to Marshall Street	Passaic	(5,300,000)
Route 22, Bloy Street to Liberty Avenue	Union	(8,650,000)
Route 22, EB, Route 78 to Rt 28 (CR 614, Easton Turnpike)	Hunterdon, Somerset	(10,694,000)
Route 22, Hilldale Place/North Broad Street	Union	(11,310,000)
Route 23, Alexander Road to Maple Lake Road	Morris	(11,683,000)
Route 30, Elmwood Rd/Weymouth Rd (CR 623) to Haddon Ave.	Atlantic	(11,600,000)
Route 31, Bull Run Road to Branch of Stony Brook	Mercer, Hunterdon	(8,900,000)
Route 33, Bentley Road to Manalapan Brook	Middlesex, Monmouth	(9,243,000)
Route 34, Bridge over Former Freehold and Jamesburg Railroad	Monmouth	(9,243,000)
Route 40, Woodstown Intersection Improvements	Salem	(2,822,000)
Route 46, Passaic Avenue to Willowbrook Mall	Essex, Passaic	(37,200,000)
Route 47 (Rio-Grande Avenue), Park Boulevard to George Redding Bridge	Cape May	(2,000,000)
Route 47/347 and Route 49/50 Corridor Enhancement	Cape May, Cumberland	(7,900,000)
Route 49, Sarah Run Drive to Garrison Lane, Pavement	Cumberland	(9,000,000)
Route 57, CR 519 Intersection Improvement	Warren	(1,500,000)
Route 70, East of North Branch Road to CR 539	Burlington, Ocean	(16,700,000)
Route 72, East Road	Ocean	(10,034,000)
Route 72, Manahawkin Bay Bridges, Contract 4	Ocean	(26,506,000)
Route 73, CR 721 to NJ Transit Bridge	Camden	(17,000,000)
Route 80, EB, Fairfield Road (CR 679) to Route 19	Passaic	(7,400,000)
Route 80, WB, McBride Avenue (CR 639) to Polify Road (CR 55)	Passaic, Bergen	(12,800,000)
Route 95M, Route 175 to Railroad Bridge	Mercer	(9,800,000)
Route 130, Charleston Road/Cooper Street (CR 630) to Crafts Creek	Burlington	(16,960,000)
Route 206 Bypass, Mountain View Road to Old Somerville Road (Sections 14A & 15A) Contract B	Somerset	(20,000,000)
Route 206, Pines Road to CR 521 (Montague River Road)	Sussex	(9,800,000)
Route 206, Valley Road to Brown Avenue	Somerset	(5,000,000)

Route 287 NB, Route 202/206 to South Street (CR 601)	Somerset, Morris	(17,050,000)
Route 287/78, I-287/202/206 Interchange Improvements	Somerset	(12,200,000)
Route 295, Route 195/29 to Route 1	Mercer	(20,000,000)
Route 295/42/I-76, Direct Connection, Contract 3	Camden	(63,000,000)
Route 322, Kings Highway (CR 551)	Gloucester	(8,630,000)

62 Public Transportation

Federal Highway Administration $142,000,000
Federal Transit Administration 508,176,923
Total Appropriation, Public Transportation $650,176,923

Description	**County**	**Amount**
Federal Highway Administration		
Hudson-Bergen and Newark LRT System	Hudson	($4,000,000)
Perth Amboy Intermodal ADA Improvements	Middlesex	(1,000,000)
Preventive Maintenance-Bus	Various	(37,000,000)
Preventive Maintenance-Rail	Various	(50,000,000)
Rail Rolling Stock Procurement	Various	(50,000,000)
Federal Transit Administration		
Cumberland County Bus Program	Cumberland	(1,020,000)
Lackawanna Cutoff MOS Project	Morris, Sussex	(3,045,000)
Locomotive Overhaul	Various	(16,952,594)
Lyndhurst Intermodal ADA Improvements	Bergen	(5,883,000)
NEC Elizabeth Intermodal Station Improvements	Union	(9,088,000)
NEC Improvements	Various	(10,930,000)
Perth Amboy Intermodal ADA Improvements	Middlesex	(15,589,000)
Preventive Maintenance-Bus	Various	(98,508,609)
Preventive Maintenance-Rail	Various	(236,273,999)
Rail Rolling Stock Procurement	Various	(78,371,999)
Section 5310 Program	Various	(7,200,000)
Section 5311 Program	Various	(4,200,000)
Small/Special Services Program	Various	(100,000)
Transit Enhancements/ Transportation Alternative Program (TAP)/ Alternative Transit Improvements (ATI)	Various	(21,014,722)

Notwithstanding the provisions of subsection d. of section 21 of P.L.1984, c.73 (C.27:1B-21), approval by the Joint Budget Oversight Committee of transfers among federal appropriations by project shall not be required. Notice of a transfer approved by the Director of the Division of Budget and Accounting pursuant

to that section shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

64 Regulation and General Management

05-6070 Multimodal Services $11,500,000
Total Appropriation, Regulation and General Management $11,500,000
Special Purpose:
Airport Fund ..... ($2,000,000)
Boating Infrastructure Program (New Jersey Maritime Program) ..... (1,600,000)
Development and Implementation Grant - Federal Transit Administration ..... (1,000,000)
MCSAP Safety Data Improvement Program ..... (400,000)
Motor Carrier Safety Assistance Program ..... (1,500,000)
New Jersey Maritime Program - Ferry Boat ..... (5,000,000)

Total Appropriation, Department of Transportation $1,636,201,768

82 DEPARTMENT OF THE TREASURY

50 Economic Planning, Development, and Security

52 Economic Regulation

54-2007 Utility Regulation $25,000
54-2019 Utility Regulation 1,147,000
56-2014 Energy Resource Management 1,097,000
Total Appropriation, Economic Regulation $2,269,000
Services Other Than Personal ..... ($1,122,000)
Special Purpose:
Pipeline Safety ..... (1,002,000)
Damage Prevention Grant Program ..... (100,000)
One Call Grant Program ..... (45,000)

70 Government Direction, Management, and Control

72 Governmental Review and Oversight

08-2066 Office of the State Comptroller $4,903,000
Total Appropriation, Governmental Review and Oversight $4,903,000
Personal Services:
Salaries and Wages ..... ($4,317,000)
Special Purpose:
Medicaid ..... (586,000)

74 General Government Services

45-2026 Adjudication of Administrative Appeals $790,000
Total Appropriation, General Government Services $790,000
Personal Services:

Salaries and Wages ..... ($472,000)
Employee Benefits ..... (245,000)
Services Other Than Personal ..... (73,000)

80 Special Government Services
82 Protection of Citizens' Rights

58-2022 Mental Health Advocacy $223,000
81-2097 Elder Advocacy 1,141,000
Total Appropriation, Protection of Citizens' Rights $1,364,000
Personal Services:
Salaries and Wages ..... ($646,000)
Employee Benefits ..... (269,000)
Special Purpose:
Medicaid Reimbursement ..... (223,000)
Ombudsperson - Older Americans Act Title III ..... (43,000)
Money Follows the Person Program - Elder Advocacy ..... (183,000)

Total Appropriation, Department of the Treasury $9,326,000

98 THE JUDICIARY
10 Public Safety and Criminal Justice
15 Judicial Services

05-9730 Family Courts $39,641,000
07-9740 Probation Services 79,191,000
11-9760 Trial Court Services 4,393,000
Total Appropriation, Judicial Services $123,225,000
Personal Services:
Salaries and Wages ..... ($4,393,000)
Services Other Than Personal ..... (300,000)
Special Purpose:
NJ Court Improvement Training ..... (300,000)
Child Support and Paternity Program
Title IV-D (Family Court) ..... (38,316,000)
NJ State Court Improvement Grant ..... (400,000)
State Access and Visitation Program ..... (325,000)
Child Support and Paternity Program
Title IV-D (Probation) ..... (79,191,000)

Total Appropriation, The Judiciary $123,225,000

Total Appropriation, Federal Funds $15,823,846,768

Notwithstanding the provisions of any State law or regulation to the contrary, no State agency shall accept or expend federal funds except as appropriated by the Legislature or otherwise provided in this act.

In addition to the federal funds appropriated in this act, there are appropriated the following federal funds, subject to the approval of the Director of the Division of Budget and Accounting: emergency disaster aid funds including grants for preventive measures; pass-through grants to political subdivisions of the State over which the State is not permitted to exercise discretion in the use or distribution of the funds and for which no State matching funds are required; the first 25% of unanticipated grant awards, and up to 25% of increases in previously anticipated grant awards for which no State matching funds are required except, for the purpose of this section, federal funds received by one executive agency that are ultimately expended by another executive agency shall not be considered pass-through grants; federal financial aid funds for students attending post-secondary educational institutions in excess of the amount specifically appropriated, and any such grants intended to prevent threats to homeland security up to 100% of previously anticipated or unanticipated grant award amounts for which no State matching funds are required, provided, however, that the Director of the Division of Budget and Accounting shall notify the Legislative Budget and Finance Officer of such grants; and all other grants of $500,000 or less.

For the purposes of federal funds appropriations, "political subdivisions of the State" means counties, municipalities, school districts, or agencies thereof, regional, county or municipal authorities, or districts other than interstate authorities or districts; "discretion" refers to any action in which an agency may determine either the amount of funds to be allocated or the recipient of the allocation; and "grants" refers to one-time, or time limited awards, which are received pursuant to submission of a grant application in competition with other grant applications.

The unexpended balances at the end of the preceding fiscal year of federal funds are appropriated for the same purposes. The Director of the Division of Budget and Accounting shall inform the Legislative Budget and Finance Officer by November 1 of the current fiscal year of any unexpended balances which are continued.

Out of the appropriations herein, the Director of the Division of Budget and Accounting is empowered to approve payments to liquidate any unrecorded liabilities for materials delivered or services rendered in prior fiscal years, upon the written recommendations of any department head or the department head's designated representative. The Director of the Division of Budget and Accounting shall reject any recommendations for payment which the Director deems improper.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred to and from the various items of appropriation within the General Medical Services program classification, and within the federal matching funding, in the Division of Medical Assistance and Health Services and Division of Disability Services in the Department of Human Services, and within the Medical Services for the Aged program classification, and within the federal matching funding, in the Division of Aging Services in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting. Notice

thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law, regulation or Executive Order to the contrary, any purchase by the State or by a State agency or local government unit of equipment, goods or services related to homeland security and domestic preparedness, that is paid for or reimbursed by federal funds awarded by the U.S. Department of Homeland Security or other federal agency, appropriated in the current fiscal year, may be made through the receipt of public bids or as an alternative to public bidding and subject to the provisions of this paragraph, through direct purchase without advertising for bids or rejecting bids already received but not awarded. The equipment, goods or services purchased by a local government unit shall be referred to in the grant agreement issued by the State administrative agency administering such funds and shall be authorized by resolution of the governing body of the local government unit entering into the grant agreement. Such resolution may, without subsequent action of the local governing body, simultaneously accept the grant from the State administrative agency, authorize the insertion of the revenue and offsetting appropriation in the budget of the local government unit, and authorize the contracting agent of the local government unit to procure the equipment, goods or services. A copy of such resolution shall be filed with the chief financial officer of the local government unit, the State administrative agency and the Division of Local Government Services in the Department of Community Affairs. Purchases made without public bidding shall be from vendors that shall either (1) be holders of a current State contract for the equipment, goods or services sought, or (2) be participating in a federal procurement program established by a federal department or agency, or (3) have been approved by the State Treasurer in consultation with the New Jersey Domestic Security Preparedness Task Force. All homeland security purchases herein shall continue to be subject to all grant requirements and conditions approved by the State administrative agency. The Director of the Division of Purchase and Property may enter into or participate in purchasing agreements with one or more other states, or political subdivisions or compact agencies thereof, for the purchase of such equipment, goods or services, using monies appropriated under this act, to meet the domestic preparedness and homeland security needs of this State. Such purchasing agreement may provide for the sharing of costs and the methods of payments relating to such purchases. Furthermore, a county government awarding a contract for Homeland Security equipment, goods or services, may, with the approval of the vendor, extend the terms and conditions of the contract to any other county government that wants to purchase under that contract, subject to notice and documentation requirements issued by the Director of the Division of Local Government Services.

Of the amounts appropriated for Income Maintenance Management, amounts may be transferred to the various departments in accordance with the Division of Family Development's agreements, subject to the approval of the Director of the

Division of Budget and Accounting. Any unobligated balances remaining from funds transferred to the departments shall be transferred back to the Division of Family Development subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the federal funds hereinabove appropriated, there are appropriated to the appropriate executive agencies, subject to the approval of the Director of the Division of Budget and Accounting, such additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program or any other similar federal program for the purposes, projects, and programs set forth in such law; provided, however, that if the federal law does not delineate the specific purposes, projects, and programs to be funded by the federal funds, the purposes, projects, and programs to be funded by the federal funds shall be subject to the approval of the Joint Budget Oversight Committee, and further provided, however, that the State Treasurer shall report to the President of the Senate, the Speaker of the General Assembly, the Chair of the Senate Budget and Appropriations Committee, and the Chair of the Assembly Budget Committee at least quarterly on the receipt and utilization of all additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program.

Officials from the appropriate executive agencies are hereby authorized to take such steps, if any, as may be necessary to qualify for, apply for, receive and expend such federal funds and to make such commitments, representations and other agreements as may be required by the federal government to receive federal funds under federal law authorizing the federal economic stimulus program or any other similar federal law. Furthermore, and notwithstanding the provisions of any other law or regulation to the contrary, officials from the appropriate executive agencies may encumber any of these federal funds appropriated pursuant to this provision prior to entering into any contract, grant or other agreement obligating the federal funds, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, federal funds provided under the State Energy Program (SEP) and the Energy Efficiency and Conservation Block Grant Program (Block Grant Program), pursuant to the American Recovery and Reinvestment Act, Pub.L. 111-5 and any other similar type of federal stimulus law which may be hereinafter enacted (collectively referred to as ARRA), are appropriated. Subject to the approval of the Director of the Division of Budget and Accounting as set forth below, such appropriations are to include the administrative costs of the respective agencies in administering the specified programs provided such use is consistent with ARRA and federal approvals. In the event that the administrative costs are not permitted to be paid from the ARRA monies received by the State, there is hereby appropriated from the Clean Energy Fund, subject to the approval of the Director of the Division of Budget and Accounting such amounts as shall be necessary to pay for the adminis-

trative costs of the agencies administering the specified programs listed below. Notwithstanding the specific appropriations made below, in the event that the federal funds received under ARRA are not in their entirety or in part allocated to the specific purposes listed below, to permit flexibility in the handling of appropriations, amounts may be transferred to and from the various items of the appropriations listed below or may be used for such other purposes permitted under ARRA subject to the approval of the Director of the Division of Budget and Accounting and upon the recommendation of the State Treasurer. The federal funds provided pursuant to ARRA with respect to the SEP shall be used only for purposes allowed under part D of Title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.), and the federal funds provided pursuant toARRAwith respect to the Block Grant Program shall be used only for implementation of programs authorized under subtitle E of Title V of the Energy Independence and Security Act of 2007 (42 U.S.C. 17151 et seq.). With respect to all federal funds which are appropriated pursuant to this provision, New Jersey Economic Development Authority (NJEDA), New Jersey Housing Mortgage Finance Agency (HMFA), the Office of Energy Savings and the Board of Public Utilities (BPU) shall prepare and timely submit to the United States Department of Energy (USDOE) the reports required under subsection (c) of section 1512 of Pub.L. 111-5, including without limitation the detailed information required with respect to all projects or activities for which such federal funds were expended or obligated.

a. SEP. SEP monies received by the State under ARRA are hereby appropriated to the Clean Energy Fund and shall be allocated by the BPU as follows. The BPU shall enter into memoranda of understanding with the applicable agencies listed below which memoranda of understanding shall provide for the transfer of such monies to the applicable agencies for the purposes listed below.

(1) $14,216,606 to the NJEDA for a grant and loan program to be developed and administered by the NJEDA to fund public and private renewable energy, energy efficiency and alternative energy projects, with applications prioritized based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy, and provide for innovative technology;

(2) $20,187,801 for a program to be developed and administered by the BPU for grants to State departments, agencies, authorities and public colleges and universities for renewable and energy efficiency projects at such entities, including but not limited to, wind, solar, or hydro energy, biofuels, geothermal, and energy storage applications, with applications prioritized by an interagency evaluation team consisting of one representative each from each of the following, BPU, NJEDA, Office of Economic Growth, New Jersey Commission on Science and Technology, and the Office of Energy Savings, based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy, and provide for innovative technology;

(3) $9,110,306.50 to the HMFA for a program to be developed and administered by the HMFA to provide financing for the construction of solar energy projects on qualified multi-family housing financed through the HMFA, such funds to be lev-

eraged with existing State energy rebate programs and the federal investment tax credit, with grants prioritized based on the ability to create jobs, generate energy, provide benefits to property residents and to meet HMFA timeframes, and with HMFA retaining ownership of all related solar renewable energy certificates for the purpose of establishing a revolving fund to support additional solar energy projects at HMFA-supported residential properties;

(4) $1,331,402 to the HMFA for a low-interest loan program to be developed and administered by the HMFA for energy efficiency upgrades at single-family and multi-family facilities that are at or below 250% of the area median income (the higher of statewide or county median income) based on a family of four, and affordable multi-family housing owners which meet HMFA's affordability requirements, and which are not eligible for equivalent financing programs offered by the utilities or the Clean Energy Program;

(5) $15,500,870.50 to the Clean Energy Program for energy efficiency programs administered by the BPU, to be issued to public and private entities on a first-come, first-served basis and specifically targeting customers who are either not currently eligible for Clean Energy Fund incentives or whose energy consumption patterns do not make them likely applicants;

(6) $6,328,000 to the Office of Energy Savings in the Department of the Treasury for the purposes of energy efficiency and renewable energy programs and projects in State facilities, including State offices, State health facilities and State prisons;

(7) $4,871,651 to the State Energy Office for implementing energy conservation measures in State-owned and operated facilities; and

(8) $2,093,363 for grants administered by the BPU to State departments, agencies, authorities and public colleges and universities for energy efficient equipment purposes which will reduce energy demand and greenhouse gas emissions by replacing aging, energy intense equipment with new, more efficient models.

In the event that any of the SEP monies appropriated pursuant to the preceding paragraph are not expended by the date required by the USDOE, the appropriations of such funds pursuant to the preceding paragraph are hereby cancelled, and such unexpended funds are hereby appropriated, subject to the approval of the USDOE and the Director of the Division of Budget and Accounting to the New Jersey Department of the Treasury to establish a revolving energy efficiency project fund (Energy Efficiency Project Fund) for the purposes of funding energy efficiency and renewable energy programs and projects in State facilities, including but not limited to State offices, State health facilities and State prisons. The monies appropriated from the Energy Efficiency Project Fund shall be repaid to the Energy Efficiency Project Fund by the department receiving such monies as follows: of the amounts hereinabove appropriated in this act to each department receiving monies from the Energy Efficiency Project Fund, there is hereby appropriated for deposit in the Energy Efficiency Project Fund an amount equivalent to the annual repayment due to the Energy Efficiency Project Fund or the actual savings achieved, whichever is greater.

b. Block Grant Program. Block Grant monies received by the State under ARRA are hereby appropriated as follows:

(1) $4,160,700 to the Office of Energy Savings in the Department of the Treasury for the purposes of energy efficiency and renewable energy programs and projects in State facilities, including State offices, State health facilities and State prisons; and

(2) $10,240,000 to the BPU for grants to cities, counties and other local units of government which are not eligible to receive directly from the federal government funds under the Block Grant Program.

Notwithstanding the provisions of any law or regulation to the contrary, the Department of Labor and Workforce Development shall consider consistent with applicable federal law a formal association of community based organizations to be a "local consortium" for the purposes of receiving funding for the delivery of English as a Second Language or Civics education/training.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred among accounts in the Children's System of Care Services program classification. Amounts may also be transferred to and from various items of appropriation within the General Medical Services program classification of the Division of Medical Assistance and Health Services in the Department of Human Services and the Children's System of Care Services program classification in the Department of Children and Families. All such transfers are subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

The federal grant funds hereinabove appropriated are subject to the following condition: in the event that the agency receiving the funds from the federal government enters into an agreement with another agency as the subgrantee of such federal funds, the funds may be transferred to such subgrantee agency, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, in order to permit flexibility in the management of federal grant funds, amounts appropriated or transferred from such federal funds to State departments as subgrantees of other State departments may be transferred back to an item of appropriation in the original grant recipient department upon completion of the funded activity, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

Notwithstanding the provisions of any law or regulation to the contrary, the federal funds hereinabove appropriated to the Department of Transportation are subject to the following condition: in order to ensure the continued flow of necessary

federal funds for important State and local transportation projects, in the event the Federal Highway Administration (FHWA) objects to the form of the department's request for submission of competitive bids or to the form or contents of related grant agreements funded with federal funds, the department shall make any changes to such requests or contracts as may be determined by the FHWA to be necessary to comply with federal law; and any other department, agency or authority affected by such action is required to take any further actions required in order for it to be in accordance with the changes required by FHWA.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of mental health and substance use disorder services, amounts may be transferred to and from the various items of appropriation and within the federal matching funding, within the General Medical Services program classification in the Division of Medical Assistance and Health Services and the Community Services and Addiction Services program classifications in the Division of Mental Health and Addiction Services, subject to the approval of the Director of the Division of Budget and Accounting.

Summary of Appropriations - All Departments
(For Display Purposes Only)

Appropriations by Category:	
Direct State Services	$7,437,727,000
Grants-in-Aid	10,442,356,000
State Aid	14,889,423,000
Capital Construction	1,574,437,000
Debt Service	326,370,000
Appropriation by Fund:	
General Fund	$19,509,813,000
Property Tax Relief Fund	14,865,751,000
Casino Revenue Fund	225,026,000
Casino Control Fund	50,043,000
Gubernatorial Elections Fund	19,680,000

Total Appropriation, All State Funds $34,670,313,000

2. All dedicated funds are hereby appropriated for their dedicated purposes. There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting and with the approval of the Legislative Budget and Finance Officer, private contributions, revolving funds and dedicated funds received, receivable or estimated to be received for the use of the State or its agencies in excess of those anticipated, unless otherwise provided herein. The unexpended balances at the end of the preceding fiscal year of such funds, or any portion thereof, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. In the event a person or entity wishes to make a monetary dona-

tion to the State for a particular purpose, the head of the State agency or department to which such monetary donation is made is hereby authorized to accept such monetary donation.

3. There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, the following: amounts required to refund amounts credited to the State Treasury which do not represent State revenue; amounts received representing insurance to cover losses by fire and other casualties and the unexpended balance at the end of the preceding fiscal year of such amounts; amounts received by any State department or agency from the sale of equipment, when such amounts are received in lieu of trade-in value in the replacement of such equipment; and amounts received in the State Treasury representing refunds of payments made from appropriations provided in this act.

4. There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, amounts required to satisfy receivables previously established from which non-reimbursable costs and ineligible expenditures have been incurred.

5. There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, from federal or other non-State sources amounts not to exceed the cost of services necessary to document and support retroactive claims.

6. There are appropriated such amounts as may be required to pay interest liabilities to the federal government as required by the Treasury/State agreement pursuant to the provisions of the "Cash Management Improvement Act of 1990," Pub.L. 101-453 (31 U.S.C. s.6501 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

7. There are appropriated, subject to the approval of the Director of the Division of Budget and Accounting, from interest earnings of the various bond funds such amounts as may be necessary for the State to comply with the federal "Tax Reform Act of 1986," Pub.L. 99-514 (26 U.S.C. s.1 et seq. as amended), which requires issuers of tax-exempt debt obligations to rebate any arbitrage earnings to the federal government.

8. There are appropriated from the General Fund, subject to the approval of the Director of the Division of Budget and Accounting, such amounts as are necessary to pay interest, at the average rate of earnings during the fiscal year from the State's general investments, to those bond funds that have borrowed money from the General Fund or other bond funds and that have insufficient resources to accrue and pay the interest expense on such borrowing.

9. In addition to the amounts hereinabove appropriated, such additional amounts as may be necessary are appropriated to fund the costs of the collection of debts, taxes and other fees and charges owed to the State, including but not limited to the

services of auditors and attorneys and enhanced compliance programs, subject to the approval of the Director of the Division of Budget and Accounting.

10. There are appropriated from the Legal Services Fund established pursuant to section 6 of P.L.1996, c. 52 (C.22A:2-51), for transfer to the General Fund as State revenue such amounts as are necessary to support the appropriations for the following programs contained in this act: Legal Services of New Jersey grant, ten judgeships in the Judiciary, and for Clinical Legal Programs for the Poor at Rutgers Law School and Seton Hall Law School.

11. The unexpended balances at the end of the preceding fiscal year in the accounts of the several departments and agencies heretofore appropriated or established in the category of Additions, Improvements and Equipment are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

12. The unexpended balances at the end of the preceding fiscal year in the Capital Construction accounts for all departments and agencies are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

13. Unless otherwise provided, unexpended balances at the end of the preceding fiscal year in accounts of appropriations enacted subsequent to April 1 of the preceding fiscal year, are appropriated.

14. The unexpended balances at the end of the preceding fiscal year in accounts that are funded by Interfund Transfers are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

15. Notwithstanding any provisions in this act or the provisions of any law or regulation to the contrary, no unexpended balances at the end of the preceding fiscal year are appropriated without the approval of the Director of the Division of Budget and Accounting, except that the Legislative Branch of State government shall be exempt from this provision. The Director of the Division of Budget and Accounting shall notify the Legislative Budget and Finance Officer of those instances in which unexpended balances are not appropriated pursuant to this section.

16. The administrative costs of the Special Education Medicaid Initiative (SEMI) and the Medicaid Administrative Claiming (MAC) program, including the participation of a consultant, are appropriated and shall be paid from the revenue received, subject to the approval of the Director of the Division of Budget and Accounting.

17. The following transfer of appropriations rules are in effect for the current fiscal year:

a. To permit flexibility in the handling of appropriations, any department or agency that receives an appropriation by law, may, subject to the provisions of this section, or unless otherwise provided in this act, apply to the Director of the Divi-

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sion of Budget and Accounting for permission to transfer funds from one item of appropriation to a different item of appropriation. For the purposes of this section, "item of appropriation" means the spending authority identified by an organization code, appropriation source, and program code, unique to the item. If the director consents to the transfer, the amount transferred shall be credited by the director to the designated item of appropriation and notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer. However, the director, after consenting thereto, shall submit the following transfer requests to the Legislative Budget and Finance Officer for legislative approval or disapproval unless otherwise provided in this act:

(1) Requests for the transfer of State and other nonfederal funds, in amounts greater than $300,000, to or from any item of appropriation;

(2) Requests for the transfer of State and other nonfederal funds, in amounts greater than $50,000, to or from any Special Purpose account, as defined by major object 5, or Grant account, as defined by major object 6, within an item of appropriation, from or to a different item of appropriation;

(3) Requests for the transfer of State and other nonfederal funds, in amounts greater than $50,000, to or from any Special Purpose or Grant account in which the identifying organization code, appropriation source, and program code, remain the same, provided that the transfer would effect a change in the legislative intent of the appropriations;

(4) Requests for the transfer of State funds, in amounts greater than $50,000, between items of appropriation in different departments or between items of appropriation in different appropriation classifications herein entitled as Direct State Services, Grants-In-Aid, State Aid, Capital Construction and Debt Service;

(5) Requests for the transfer of federal funds, in amounts greater than $300,000, from one item of appropriation to another item of appropriation, if the amount of the transfer to an item in combination with the amount of the appropriation to that item would result in an amount in excess of the appropriation authority for that item, as defined by the program class;

(6) Requests for such other transfers as are appropriate in order to ensure compliance with the legislative intent of this act.

b. The Joint Budget Oversight Committee or its successor may review all transfer requests submitted for legislative approval and may direct the Legislative Budget and Finance Officer to approve or disapprove any such transfer request. Transfers submitted for legislative approval pursuant to paragraph (4) of subsection a. of this section shall be made only if approved by the Legislative Budget and Finance Officer at the direction of the committee.

c. The Legislative Budget and Finance Officer shall approve or disapprove requests for the transfer of funds submitted for legislative approval within 10 working days of the physical receipt thereof and shall return them to the director. If any provision of this act or any supplement thereto requires the Legislative Budget and Finance Officer to approve or disapprove requests for the transfer of funds, the

request shall be deemed to be approved by the Legislative Budget and Finance Officer if, within 20 working days of the physical receipt of the request, the officer has not disapproved the request and so notified the requesting officer. However, this time period shall not pertain to any transfer request under review by the Joint Budget Oversight Committee or its successor, provided notice of such review has been given to the director.

d. No amount appropriated for any capital improvement shall be used for any temporary purpose except extraordinary snow removal or extraordinary transportation maintenance, subject to the approval of the Director of the Division of Budget and Accounting. However, an amount from any appropriation for an item of capital improvement may be transferred to any other item of capital improvement subject to the approval of the director, and, if in an amount greater than $300,000, subject to the approval of the Legislative Budget and Finance Officer.

e. The provisions of subsections a. through d. of this section shall not apply to appropriations made to the Legislative or Judicial branches of State government. To permit flexibility in the handling of these appropriations, amounts may be transferred to and from the various items of appropriation by the appropriate officer or designee with notification given to the director on the effective date thereof.

f. Notwithstanding any provisions of this section to the contrary, transfers to and from the Special Purpose appropriation to the Governor for emergency or necessity under the Other Interdepartmental Accounts program classification and transfers from the appropriations to the various accounts in the category of Salary Increases and Other Benefits, both in the Interdepartmental Accounts, shall not be subject to legislative approval or disapproval.

18. The Director of the Division of Budget and Accounting shall make such correction of the title, text or account number of an appropriation necessary to make such appropriation available in accordance with legislative intent. Such correction shall be by written ruling, reciting in appropriate detail the facts thereof, and reasons therefore, attested by the signature of the Director of the Division of Budget and Accounting and filed in the Division of Budget and Accounting of the Department of the Treasury as an official record thereof, and any action thereunder, including disbursement and the audit thereof, shall be legally binding and of full force and virtue. An official copy of each such written ruling shall be transmitted to the Legislative Budget and Finance Officer, upon the effective date of the ruling.

19. The Legislative Budget and Finance Officer with the cooperation and assistance of the Director of the Division of Budget and Accounting is authorized to adjust this appropriations bill to reflect any reorganizations which have been implemented since the presentation of the Governor's Budget Message and Recommendations that were proposed for this fiscal year.

20. None of the funds appropriated to the Executive Branch of State government for Information Processing, Development, Telecommunications, and Related Ser-

vices and Equipment shall be available to pay for any of these services or equipment without the review of the Office of Information Technology, and compliance with Statewide policies and standards and an approved department Information Technology Strategic Plan.

21. If the amount provided in this act for a State Aid payment pursuant to formula is insufficient to meet the full requirements of the formula, all recipients of State Aid shall have their allocation proportionately reduced, subject to the approval of the Director of the Division of Budget and Accounting.

22. When the duties or responsibilities of any department or branch, except for the Legislature and any of its agencies, are transferred to any other department or branch, it shall be the duty of the Director of the Division of Budget and Accounting and the director is hereby empowered to transfer funds appropriated for the maintenance and operation of any such department or branch to such department or branch as shall be charged with the responsibility of administering the functions so transferred. The Director of the Division of Budget and Accounting shall have the authority to create such new accounts as may be necessary to carry out the intent of the transfer. Information copies of such transfers shall be transmitted to the Legislative Budget and Finance Officer upon the effective date thereof. If such transfers may be required among appropriations made to the Legislature and its agencies, the Legislative Budget and Finance Officer, subject to the approval of the President of the Senate and the Speaker of the General Assembly, is hereby empowered and it shall be that officer's duty to effect such transactions hereinabove described and to notify the Director of the Division of Budget and Accounting upon the effective date thereof.

23. The Director of the Division of Budget and Accounting is empowered and it shall be the director's duty in the disbursement of funds for payment of expenses classified as salary increases and other benefits, employee benefits, debt service, rent, telephone, data processing, motor pool, insurance, travel, postage, lease payments on equipment purchases, additions, improvements and equipment, and compensation awards, to credit or transfer to the Department of the Treasury, to an Interdepartmental account, or to the General Fund, as applicable, from any other department, branch or non-State fund source out of funds appropriated or credited thereto, such amounts as may be required to cover the costs of such payment attributable to such other department, branch or non-State fund source, or to reimburse the Department of the Treasury, an Interdepartmental account, or the General Fund for reductions made representing Statewide savings in the above expense classifications, as the director shall determine. With respect to payment of expenses classified as utilities and maintenance contracts, the Director is empowered and it shall be the Director's duty in the disbursement of funds to credit or transfer to the Department of the Treasury, to an Interdepartmental account, or to the General Fund, as applicable, from any other department or non-State fund source, but not from the Legislature or the Judiciary, out of funds appropriated or credited thereto, such amounts as may be required to

cover the costs of such payment attributable to such other department or non-State fund source, or to reimburse the Department of the Treasury, an Interdepartmental account, or the General Fund for reductions made representing Statewide savings in these expense classifications, as the director shall determine. Receipts in any non-State funds are appropriated for the purpose of such transfer.

24. The Governor is empowered to direct the State Treasurer to transfer from any State department to any other State department such amounts as may be necessary for the cost of any emergency occasioned by aggression, civil disturbance, sabotage, or disaster. In addition, there are appropriated such additional amounts as may be necessary for emergency repairs and reconstruction of State facilities or property, subject to the approval of the Director of the Division of Budget and Accounting and the Joint Budget Oversight Committee. Appropriations referred to the Joint Budget Oversight Committee shall be deemed approved, unless a resolution of disapproval is adopted within 10 working days of receipt of notification of the proposed appropriation.

25. Upon request of any department receiving non-State funds, the Director of the Division of Budget and Accounting is empowered to transfer such funds from that department to other departments as may be charged with the responsibility for the expenditure thereof.

26. The Director of the Division of Budget and Accounting is empowered to transfer or credit appropriations to any State agency for services provided, or to be provided, by that agency to any other agency or department; provided further, however, that funds have been appropriated or allocated to such agency or department for the purpose of purchasing these services.

27. Notwithstanding the provisions of any law or regulation to the contrary, should appropriations in the Property Tax Relief Fund exceed available revenues, the Director of the Division of Budget and Accounting is authorized to transfer General Fund unreserved, undesignated fund balances into the Property Tax Relief Fund, providing unreserved, undesignated fund balances are available from the General Fund, as determined by the Director of the Division of Budget and Accounting.

28. Notwithstanding the provisions of any law or regulation to the contrary, should appropriations in the Casino Revenue Fund exceed available revenues, the Director of the Division of Budget and Accounting is authorized to transfer General Fund unreserved, undesignated fund balances into the Casino Revenue Fund, providing unreserved, undesignated fund balances are available from the General Fund, as determined by the Director of the Division of Budget and Accounting.

29. Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), amounts appropriated for services for the various State departments and agencies

may be expended for the purchase of contract services from the New Jersey Sea Grant Consortium or the New Jersey Community College Consortium for Workforce and Economic Development as if each were a State government agency pursuant to subsection (a) of section 5 of P.L.1954, c.48 (C.52:34-10).

30. Out of the amounts hereinabove appropriated, the Director of the Division of Budget and Accounting is empowered to approve payment of obligations applicable to prior fiscal years, upon the written recommendation of any department head, or the department head's designated representative. The Director of the Division of Budget and Accounting shall reject any recommendations for payment which the Director deems improper.

31. Whenever any county, municipality, school district, college, university, or a political subdivision thereof withholds funds from a State agency, or causes a State agency to make payment on behalf of a county, municipality, school district, college, university or a political subdivision thereof, then the Director of the Division of Budget and Accounting may withhold State aid or grant payments and transfer the same as payment for such funds, as the Director of the Division of Budget and Accounting shall determine.

32. The Director of the Division of Budget and Accounting is empowered to establish revolving and dedicated funds as required. Notice of the establishment of such funds shall be transmitted to the Legislative Budget and Finance Officer upon the effective date thereof.

33. The Director of the Division of Budget and Accounting may, upon application therefore, allot from appropriations made to any official, department, commission or board, an amount to establish a petty cash fund for the payment of expenses under rules and regulations established by the director. Allotments thus made by the Director of the Division of Budget and Accounting shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board making a request therefore, and the money thus allotted shall be disbursed by such custodian who shall require a receipt therefore from all persons obtaining money from the fund. The director shall make regulations governing disbursement from petty cash funds.

34. From appropriations to the various departments of State government, the Director of the Division of Budget and Accounting is empowered to transfer amounts sufficient to pay any obligation due and owing in any other department or agency.

35. Notwithstanding the provisions of any law or regulation to the contrary, the State Treasurer may transfer from any fund in the State Treasurer's custody, deposited with the State Treasurer pursuant to law, sufficient amounts to enable payments from any appropriation made herein for any obligations due and owing. Any such

transfer shall be restored out of the taxes or other revenue received in the Treasury in support of this act. Except for transfers from the several funds established pursuant to statutes that provide for interest earnings to accrue to those funds, all such transfers shall be without interest. If the statute provides for interest earnings, it shall be calculated at the average rate of earnings during the fiscal year from the State's general investments and such amounts as are necessary shall be appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

36. Any qualifying State Aid appropriation, or part thereof, made from the General Fund may be transferred and recorded as an appropriation from the Property Tax Relief Fund, as deemed necessary by the State Treasurer, in order that the Director of the Division of Budget and Accounting may warrant the necessary payments; provided, however, that the available unreserved, undesignated fund balance in the Property Tax Relief Fund, as determined by the State Treasurer, is sufficient to support the expenditure.

37. Notwithstanding any other provisions of this act, the State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay any claim not exceeding $4,000 out of any appropriations made to the several departments, provided such claim is recommended for payment by the head of such department. The Legislative Budget and Finance Officer shall be notified of the amount and description of any such claim at the time such payment is made. Any claimant who has presented a claim not exceeding $4,000, which has been denied or not recommended by the head of such department, shall be precluded from presenting said claim to the Legislature for consideration.

38. Unless otherwise provided, federal grant and project receipts representing reimbursement for agency and central support services, indirect and administrative costs, as determined by the Director of the Division of Budget and Accounting, shall be transmitted to the Department of the Treasury for credit to the General Fund; provided, however, that a portion of the indirect and administrative cost recoveries received which are in excess of the amount anticipated may be reclassified into a dedicated account and returned to State departments and agencies, as determined by the Director of the Division of Budget and Accounting, who shall notify the Legislative Budget and Finance Officer of the amount of such funds returned, the departments or agencies receiving such funds and the purpose for which such funds will be used, within 10 working days of any such transaction. Such receipts shall be forwarded to the Director of the Division of Budget and Accounting upon completion of the project or at the end of the fiscal year, whichever occurs earlier.

39. Notwithstanding the provisions of any law or regulation to the contrary, each local school district that participates in the Special Education Medicaid Initiative (SEMI) shall receive a percentage of the federal revenue realized for current year claims. The percentage share shall be 17.5% of claims approved by the State by June 30. The impact of federal claim adjustments may be charged against current

year revenue disbursements, subject to the approval of the Director of the Division of Budget and Accounting.

40. Notwithstanding the provisions of any law or regulation to the contrary, each local school district that participates in the Medicaid Administrative Claiming (MAC) initiative shall receive a percentage of the federal revenue realized for current year claims. The percentage share shall be 17.5% of claims approved by the State by June 30.

41. Notwithstanding the provisions of P.L.1943, c.188 (C.52:14-17.1 et seq.), the rate of reimbursement for mileage allowed for employees traveling by personal automobile on official business shall be $.31 per mile.

42. State agencies shall prepare and submit a copy of their agency or departmental budget requests for the next ensuing fiscal year to the Director of the Division of Budget and Accounting by the deadline and in the manner required by the Director. In addition, State agencies shall prepare and submit a copy of their spending plans involving all State, federal and other non-State funds to the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer by November 1, and updated spending plans on February 1 and May 1 of this fiscal year. The spending plans shall account for any changes in departmental spending which differ from this appropriations act and all supplements to this act. The spending plans shall be submitted on forms specified by the Director of the Division of Budget and Accounting.

43. The Director of the Division of Budget and Accounting shall provide the Legislative Budget and Finance Officer with copies of all BB-4s, Application for non-State Funds, and accompanying project proposals or grant applications, which require a State match and that may commit or require State support after the grant's expiration.

44. In order to provide effective cash flow management for revenues and expenditures of the General Fund and the Property Tax Relief Fund in the implementation of this annual appropriations act, there are appropriated from the General Fund such amounts as may be required to pay the principal of and interest on tax and revenue anticipation notes including notes in the form of commercial paper (hereinafter collectively referred to as short-term notes), together with any costs or obligations relating to the issuance thereof or contracts related thereto, according to the terms set forth hereinabove. Provided further that, to the extent that short-term notes are issued for cash flow management purposes in connection with the Property Tax Relief Fund, there are appropriated from the Property Tax Relief Fund such amounts as may be required to pay the principal of those short-term notes.

45. The State Treasurer is authorized to issue short-term notes, which notes shall not constitute a general obligation of the State or a debt or a liability within the

meaning of the State Constitution, and the State Treasurer is authorized to pay any costs or obligations relating to the issuance of such short-term notes or contracts relating thereto. Such short-term notes shall be issued in such amounts and at such times as the State Treasurer shall deem necessary for the above stated purposes and for the payment of related costs, and on such terms and conditions, sold in such manner and at such prices, bearing interest at such fixed or variable rate or rates, renewable at such time or times, and entitled to such security, and using such paying agents as shall be determined by the State Treasurer. The State Treasurer is authorized to enter into such contracts and to take such other actions, all as determined by the State Treasurer to be appropriate to carry out the above cash flow management purposes. The State Treasurer shall give consideration to New Jersey-based vendors in entering into such contracts. Whenever the State Treasurer issues such short-term notes, the State Treasurer shall report on each such issuance to the Chairman of the Senate Budget and Appropriations Committee and the Chairman of the Assembly Appropriations Committee.

46. Notwithstanding the provisions of section 29 of P.L.1983, c.303 (C.52:27H-88), or any law or regulation to the contrary, interest earned in the current fiscal year on balances in the Enterprise Zone Assistance Fund, shall be credited to the General Fund.

47. There is appropriated $175,000 from the Casino Simulcasting Fund for transfer to the Casino Revenue Fund.

48. In all cases in which language authorizes the appropriation of additional receipts not to exceed a specific amount, and the specific amount is insufficient to cover the amount due for fringe benefits and indirect costs, there are appropriated from receipts such additional amounts as are required to fully cover the amount due for fringe benefits and indirect costs, subject to the approval of the Director of the Division of Budget and Accounting.

49. There are appropriated, from receipts from any structured financing transaction, such amounts as may be necessary to satisfy any obligation incurred in connection with any structured financing agreement, subject to the approval of the Director of the Division of Budget and Accounting. In addition, there are appropriated such amounts as may be necessary to pay costs incurred in connection with any proposed structured financing transaction, subject to the approval of the Director of the Division of Budget and Accounting.

50. Notwithstanding the provisions of any departmental language or statute, receipts in excess of those anticipated or appropriated as provided in the Departmental Revenue Statements (BB-103s) in the budget submission for this fiscal year are not available for expenditure until a comprehensive expenditure plan is submitted to and approved by the Director of the Division of Budget and Accounting.

51. Such amounts as may be necessary are appropriated or transferred from existing appropriations for programs to preserve or promote public health and safety, subject to the approval of the Director of the Division of Budget and Accounting.

52. There are appropriated such additional amounts as may be required to pay the amount of any civil penalty imposed on a State officer, employee or custodian pursuant to section 12 of P.L.2001, c.404 (C.47:1A-11), as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine.

53. Receipts from the provision of copies and other materials related to compliance with section 12 of P.L.2001, c.404 (C.47:1A-11), are appropriated for the purpose of offsetting agency and departmental expenses of complying with the public access law, subject to the approval of the Director of the Division of Budget and Accounting.

54. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the Universal Service Fund $67,650,000 for transfer to the General Fund as State revenue.

55. Any qualifying State Aid or Grants-In-Aid appropriation, or part thereof, made from the General Fund may be transferred and recorded as an appropriation from the Casino Revenue Fund, as deemed necessary by the State Treasurer, in order that the Director of the Division of Budget and Accounting may warrant the necessary payments; provided, however, that the available unreserved, undesignated fund balance in the Casino Revenue Fund, as determined by the State Treasurer, is sufficient to support the expenditure.

56. In addition to the amounts herein appropriated for University Hospital, there are appropriated such additional amounts as are necessary to maintain the core operating functions of the hospital, subject to the approval of the Director of the Division of Budget and Accounting.

57. The amounts hereinabove appropriated for the University Behavioral Healthcare Centers (UBHC) - Rutgers, the State University - Newark and Piscataway are first charged to the federal disproportionate share hospital reimbursements anticipated as Medicaid uncompensated care, and, as a condition for such appropriation, Rutgers, the State University - New Brunswick shall be required to provide fiscal reports to the Division of Mental Health and Addiction Services and the Office of the State Comptroller, including all applicable expenses incurred for programs supported in whole or in part with the above appropriations, as well as all applicable revenues generated from the provision of such program services, as well as any other revenues used to support such services, in such a format and frequency as required by the Division of Mental Health and Addiction Services. In addition, the annual audit report and Consolidated Financial Statements for Rutgers, the

State University - New Brunswick must include supplemental schedules of Statements of Net Assets and Statements of Revenue, Expenses and Changes in Net Assets for the two UBHC Centers separately and UBHC as a whole.

58. With the exception of disproportionate share hospital revenues that may be received, federal and other funds received for the operation of the University Behavioral Healthcare Centers at Newark and Piscataway are appropriated to Rutgers, the State University - New Brunswick for the operation of the centers.

59. Provided that each of the contributions made during the current fiscal year by University Hospital, Rutgers, the State University and Rowan University and each of their affiliates to the University Hospital Self-Insurance Reserve Fund, the Rutgers University Self-Insurance Reserve Fund or the Rowan University Self-Insurance Reserve Fund, respectively, are equal to the respective amounts established in memoranda of agreements between the Department of the Treasury and each of University Hospital, Rutgers, the State University and Rowan University and, if after such amounts having been contributed, the receipts deposited within the applicable University Hospital Self-Insurance Reserve Fund, the Rutgers University Self-Insurance Reserve Fund, and the Rowan University Self-Insurance Reserve Fund, respectively, are insufficient to pay claims expenditures, there are appropriated from the General Fund to the applicable University Hospital Self-Insurance Reserve Fund, the Rutgers University Self-Insurance Reserve Fund or the Rowan University Self-Insurance Reserve Fund such amounts as may be necessary to pay the remaining claims for the respective institutions, subject to the approval of the Director of the Division of Budget and Accounting.

60. In addition to any amounts hereinabove appropriated to pay debt service on bonds, notes and other obligations by the various independent authorities, payment of which is to be made by the State subject to appropriation pursuant to a contract with the State Treasurer or pursuant to a lease with a State department, there are hereby appropriated such additional amounts as the Director of the Division of Budget and Accounting shall determine are required to pay all amounts due from the State pursuant to such contracts or leases, as applicable.

61. Such amounts as may be required to initiate the implementation of information systems development or modification during the current fiscal year to support fees, fines or other revenue enhancements, or to initiate cost savings or budget efficiencies that are to be implemented during the subsequent fiscal year, and that are proposed in the Governor's Budget Message and Recommendations for the subsequent fiscal year, shall be transferred between appropriate accounts, subject to the approval of the Director of the Division of Budget and Accounting.

62. Notwithstanding the provisions of any law or regulation to the contrary, no funding shall be provided by any program supported in part or in whole by State

funding for erectile dysfunction medications for individuals who are registered on New Jersey's Sex Offender Registry.

63. For the purposes of the "State Appropriations Limitation Act," P.L.1990, c.94 (C.52:9H-24 et seq.), the amounts appropriated to the developmental centers in the Department of Human Services due to opportunities for increased recoveries, amounts carried forward in the State Employees' Health Benefits accounts, and amounts representing balances deemed available in the State Health Benefits Fund shall be deemed a "Base Year Appropriation" and, notwithstanding the provisions of P.L.1990, c.94 or any other law or regulation to the contrary, in recognition of the historically unprecedented pension payments being made and required to be made by the State, and consistent with the budget cap methodology applicable to New Jersey municipalities, for purposes of calculating the maximum annual appropriation for direct state services, the term "appropriations" shall not include amounts appropriated for State contributions to the pension systems. If funding included in this act for Salary Increases and Other Benefits - Executive Branch is less than $137,874,000 there is appropriated sufficient funding to total $137,874,000. For the purposes of the "State Appropriations Limitation Act," P.L.1990, c.94 (C.52:9H-24 et seq.), any funding provided less than $137,874,000 shall be deemed a "Base Year Appropriation."

64. The amounts hereinabove appropriated for employee fringe benefits in Interdepartmental Direct State Services and Grants-In-Aid; Department of Education State Aid; and Department of the Treasury State Aid may be transferred between accounts for the same purposes, as the Director of the Division of Budget and Accounting shall determine.

65. Notwithstanding the provisions of P.L.2004, c.68 (C.34:1B-21.16 et seq.) or any law or regulation to the contrary, funds remaining in the Dedicated Cigarette Tax Revenue Fund at the end of the current fiscal year are appropriated from such fund for transfer to the General Fund as State revenue.

66. Unless otherwise provided in this act, all unexpended balances at the end of the preceding fiscal year that are appropriated by this act are appropriated for the same purpose.

67. Notwithstanding the provisions of section 14 of Article 3 of P.L.1944, c.112 (C.52:27B-23) or any law or regulation to the contrary, copies of the budget message shall be made available to the State Library, public libraries, newspapers and citizens of the State only through the State of New Jersey website.

68. There are appropriated such amounts as are necessary, not to exceed $750,000, to fund costs incurred by the State, including attorneys' costs, in connection with arbitration/litigation relating to claims by participating tobacco manufacturers that they are entitled to reductions in payments they make under the Tobacco

Master Settlement Agreement, subject to the approval of the Director of the Division of Budget and Accounting.

69. The Director of the Division of Budget and Accounting is empowered and it shall be the director's duty in the disbursement of funds for payment of expenses classified as debt service, to credit or transfer among the various departments, as applicable, out of funds appropriated or credited thereto for debt service payments, such amounts as may be required to cover the costs of such payment attributable to debt service or to reimburse the various departments for reductions made representing Statewide savings resulting from bond retirements or defeasances in debt service accounts, as the director shall determine. If the director consents to the transfer, the amount transferred shall be credited by the director to the designated item of appropriation and notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

70. The unexpended balances at the end of the preceding fiscal year in accounts that provide matching State funds in the various departments and agencies are appropriated in order to provide State authority to match federal grants that have project periods extending beyond the current State fiscal year.

71. Notwithstanding the provisions of any law or regulation to the contrary, it is not possible in the current fiscal year to appropriate monies to fund all programs authorized or required by statute. As a result, the Governor's Budget Message and Recommendations for the current fiscal year recommended, and the Legislature agrees, that either no State funding or less than the statutorily required amount be appropriated for certain of these statutory programs. To the extent that these or other statutory programs have not received all or some appropriations for the current fiscal year in this act which would be required to carry out these statutory programs, such lack of appropriations represents the intent of the Legislature to suspend in full or in part the operation of the statutory programs, including any statutorily imposed restrictions or limitations on the collection of State revenue that is related to the funding of those programs.

72. Notwithstanding the provisions of section 21 of P.L.1983, c.303 (C.52:27H-80), or any other law or regulation to the contrary, crediting of revenues to each account for each enterprise zone in the Enterprise Zone Assistance Fund shall be reduced by the amount of revenues credited from the General Fund into a special account in the Property Tax Relief Fund pursuant to subparagraph b. of paragraph 7 of Section I of Article VIII of the New Jersey Constitution derived from sales tax collected in such enterprise zone.

73. Notwithstanding the provisions of any other law or regulation to the contrary, there is appropriated as revenue to the General Fund the revenue credited in the current fiscal year to each account for each enterprise zone in the Enterprise Zone

Assistance Fund attributable to local projects and the local costs for administering the Urban Enterprise Zone program, as defined by section 29 of P.L.1983, c.303 (C.52:27H-88). Further, there is appropriated as revenue to the General Fund the unexpended balances in the portion of the Enterprise Zone Assistance Fund designated for the State costs for administering the Urban Enterprise Zone program, as defined by section 29 of P.L.1983, c.303 (C.52:27H-88), subject to the approval of the Director of the Division of Budget and Accounting.

74. Notwithstanding the provisions of section 16 of Article 3 of P.L.1944, c.112 (C.52:27B-25), or any other law or regulation to the contrary, the Director of the Division of Budget and Accounting shall not be required to allot appropriations on a quarterly basis.

75. The funding by a State department in the Executive Branch for a contract for drug screening tests or other laboratory screening tests shall be conditioned upon the following provision: the State department as part of the contract procurement and award process shall notify the Department of Health (DOH) of the proposed contract and provide an opportunity for DOH to submit a proposal, provided, however, the State Department shall not be required to make the award to DOH if DOH is the lowest bidder as factors other than cost may be considered in the evaluation of the proposals, subject to the approval of the Director of the Division of Budget and Accounting.

76. Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the New Jersey Real Estate Commission, Civil Service Commission, New Jersey Maritime Pilot and Docking Pilot Commission, State Athletic Control Board, Public Employment Relations Commission and Appeal Board, New Jersey State Board of Mediation, New Jersey Racing Commission, Council on Local Mandates, Garden State Preservation Trust, the various State professional boards, the Certified Psychoanalysts Advisory Committee and the Audiology and Speech-Language Pathology Advisory Committee in the Department of Law and Public Safety, shall be subject to the following conditions: 1) the base salary, per diem salary, or any other form of compensation, including that for expenses, for the board members or commissioners paid for out of State funds shall not exceed $100 per month; and 2) no State funds shall be used to pay for participation in the State Health Benefits Program by board members or commissioners. No other compensation shall be paid; provided, however, that this paragraph shall not apply to the Commissioner/Chief Executive Officer of the State Athletic Control Board, the Chairperson/Chief Executive Officer of the Civil Service Commission, the Chairman of the Public Employment Relations Commission, and any commissioner or board member of any other State board, commission or independent authority who, in addition to being a member of the board or commission also hold a full time staff position for such entity.

77. Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated no grant funds shall be paid to a grantee for the costs of any efforts by the grantee or on behalf of the grantee for lobbying activities.

78. Notwithstanding the provisions of subsection c. of section 145 of P.L.1977, c.110 (C.5:12-145) and section 22 of P.L.1970, c.13 (C.5:9-22) or any law or regulation to the contrary, such amounts as are required are appropriated to the State Treasurer to publish via the internet reports accounting for the total revenues received in the Casino Revenue Fund and the State Lottery Fund and the specific amounts of money appropriated therefrom for specific expenditures during the preceding fiscal year ending June 30.

79. Notwithstanding the provisions of any law or regulation to the contrary, and in furtherance of the purposes of P.L.2010, c.104 (C.48:23-18 et al.), there are hereby appropriated, subject to the approval of the Director of the Division of Budget and Accounting, such amounts as are necessary for the operation of the New Jersey Public Broadcasting Authority (NJPBA) as required by the Federal Communications Commission (FCC) to maintain the FCC licenses owned by the NJPBA, to oversee any agreements with private operators, and to carry out any other duties and responsibilities that the NJPBA has under P.L.2010, c.104 and as the FCC licensee of broadcast stations, including the costs of employees, office space, equipment, consultants, professional advisors including lawyers, and any other costs determined to be necessary to carry out the NJPBA mission under P.L.2010, c.104 consistent with FCC requirements.

80. Notwithstanding the provisions of sections 5 and 6 of P.L.1990, c.44 (C.52:9H-18 and 52:9H-19) or any other law or regulation to the contrary, there may be transferred from the Surplus Revenue Fund to the General Fund an amount up to the credit made to the Surplus Revenue Fund during the immediately preceding fiscal year, subject to the approval of the Director of the Division of Budget and Accounting.

81. Notwithstanding the provisions of any law or regulation to the contrary, in order to implement the provisions of the Comprehensive Medicaid Waiver as approved on October 2, 2012 by the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS), as well as any amendments or supplements to the Comprehensive Medicaid Waiver (collectively referred to as Waiver): The Commissioner of Human Services shall implement immediately those provisions contained in the Comprehensive Medicaid Waiver approved by the United States Department of Health and Human Services for the Centers for Medicare and Medicaid Services (CMS) and any amendments to such waiver as CMS requires to be implemented pursuant to such waiver and amounts may be transferred to and from various items of appropriation within the General Medical Services program classification of the Division of Medical Assistance and Health Services, the Community and Addictions Services program classifications in the

Division of Mental Health and Addiction Services, the Disability Services program classification in the Division of Disability Services, the Purchased Residential Care, Social Supervision and Consultation, and Adult Activities program classifications in the Division of Developmental Disabilities in the Department of Human Services, the Medical Services for the Aged program classification in the Division of Aging Services in the Department of Human Services, the Children's System of Care Services program classification in the Division of Children's System of Care in the Department of Children and Families. A portion of receipts generated or savings realized in Medical Assistance Grants-In-Aid accounts from Waiver initiatives may be transferred to the Health Services Administration and Management accounts in the Department of Human Services, as determined by the Commissioner of Human Services to be required to fund costs incurred in realizing these additional receipts or savings. All such transfers are subject to the approval of the Director of the Division of Budget and Accounting. Notice of the Director of the Division of Budget and Accounting's approval shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

82. Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the Department of Human Services, the Department of Children and Families, and the Department of Health are conditioned upon the following provision: In order to ensure federal participation, the State's NJ FamilyCare program shall be administered in accordance with the provisions of the State plan(s) or the Comprehensive Medicaid Waiver, as approved by the federal Centers for Medicare and Medicaid Services, that are or were inserted by the Department into the State plan(s) or the Comprehensive Medicaid Waiver in order to comply with Pub.L. 111-148, Pub.L. 111-152 or with any federal regulations adopted pursuant thereto.

83. Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated, to the extent not inconsistent with federal law or regulation, are subject to the following conditions: in recognition of the limited continuing availability of federal American Recovery and Reinvestment Act (ARRA), Pub.L. 111-5, funding during fiscal year 2016 and the pending federal deadlines for spending such funds or else forfeiting them back to the federal government, to the maximum extent possible, all available federal ARRA dollars uncommitted as of the effective date of this act shall be spent first, wherever available, in support of qualifying activities before any appropriated State dollars are expended for the same purpose or purposes; and (2) in the event that ARRA dollars are available for use in fiscal year 2016, the director of the Division of Budget and Accounting may reserve an amount of excess appropriated State funds.

84. Notwithstanding the provisions of section 8 of P.L.1992, c.160 (C.26:2H-18.58) or any other law or regulation to the contrary, $488,000,000 is appropriated from the Health Care Subsidy Fund to the Division of Medical Assistance and

Health Services to fund Medical Coverage - Title XIX Parents and Children in the General Medical Services program classification.

85. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated to the General Fund as State revenue an amount not to exceed $5,957,000 transferred by the New Jersey Economic Development Authority to the State from the proceeds of monies that have not been committed by the authority pursuant to P.L.2007, c.340 (C.26:2C-45 et seq.). Amounts appropriated pursuant to this act shall be credited against the Brownfield Site Reimbursement Fund as determined by the Director of the Division of Budget and Accounting.

86. There is appropriated to the General Fund as State revenue the amount required to be paid by the New Jersey Economic Development Authority to the State from the sale of the land for the former Riverfront State Prison as required by subsection b. of section 2 of P.L.2013, c.22.

87. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated $3,900,000 from the State Recycling Fund to the General Fund as State revenue.

88. Notwithstanding the provisions of any law or regulation to the contrary, proceeds received from the sale of surplus State-owned real property deposited into the State-owned Real Property Fund pursuant to section 1 of P.L.2007, c.108 (C.52:31-1.3b) are appropriated for deposit into the General Fund as State revenue, subject to the approval of the Director of the Division of Budget and Accounting.

89. Payments to the various State defined pension systems from amounts appropriated herein shall be made on a quarterly basis on the following schedule: at least 25 percent by September 30, at least 50 percent by December 31, at least 75 percent by March 31, and at least 100 percent by June 30, and shall be reduced by any increase in the interest on tax and revenue anticipation notes attributable to the need to borrow more for the purpose of making such quarterly installments for transfer to the Interest on Short Term Notes account in the Interdepartmental Accounts.

90. Notwithstanding the provisions of section 17 of this act to the contrary, the Director of the Division of Budget and Accounting may establish accounts and transfer amounts appropriated to the Preserve New Jersey Green Acres Fund, Preserve New Jersey Blue Acres Fund, Preserve New Jersey Farmland Preservation Fund and the Preserve New Jersey Historic Preservation Fund pursuant to the "Preserve New Jersey Act," P.L.2016, c.12 (C.13:18C-43 et seq.) in a manner that is consistent with the provisions of the act and acts appropriating monies to these funds. The transfer of amounts shall be subject to the approval or disapproval of the Joint Budget Oversight Committee (JBOC). If JBOC does not disapprove a transfer within ten days of notification, the transfer shall be deemed approved. The

unexpended balances at the end of the preceding fiscal year in these accounts are appropriated for the same purpose.

91. Notwithstanding the provisions of any law or regulation to the contrary, in order to achieve cost savings, improve timeliness, and minimize fraud, State agencies may obtain employment and income information from a third-party commercial consumer reporting agency, in accordance with the federal "Fair Credit Reporting Act," 15 U.S.C. s.1681 et seq., for the purpose of obtaining real-time employment and income information to help determine program eligibility.

92. The State Health Benefits Program Plan Design Committee and the School Employees' Health Benefits Program Plan Design Committee may review potential cost-savings for fiscal year 2018 State health benefits of $125,000,000.

93. Notwithstanding the provisions of any State bidding or procurement laws to the contrary, except for the provisions of P.L.2005, c.51 (C.19:44A-20.13 et seq.) and P.L.1975, c.127 (C.10:5-31 et seq.), and to take advantage of cost-savings and efficiencies, any funds appropriated to any State department that may otherwise be expended on advertising shall be available for the purchase of public education programming, public service announcements, public awareness and education messaging, and advertising from the providers to the same or their non-profit trade associations.

94. Notwithstanding the provisions of any law or regulation to the contrary, such amounts as may be necessary for costs required to implement the "State Lottery Law," P.L.1970, c.13 (C.5:9-1 et seq.) and for payment of commissions, prizes, and expenses of developing and implementing games pursuant to section 7 of P.L.1970, c.13 (C.5:9-7) shall be charged to the operations account as established pursuant to subsection c. of section 6 of P.L. 2017, c.98 (C.5:9-22.10) within Common Pension Fund L as established pursuant to subsection a. of section 6 of P.L. 2017, c.98 (C.5:9-22.10) for the term of the lottery contribution authorized pursuant to section 4 of P.L. 2017, c.98 (C.5:9-22.8).

95. Notwithstanding the provisions of any law or regulation to the contrary, and in furtherance of the purposes of the "Lottery Enterprise Contribution Act," P.L.2017, c.98 (C.5:9-22.5 et al.), there are hereby appropriated, subject to the approval of the Director of the Division of Budget and Accounting, such amounts as are necessary to implement the "Lottery Enterprise Contribution Act," including the costs of consultants, professional advisors including lawyers, and any other costs determined to be necessary to implement the "Lottery Enterprise Contribution Act," P.L. 2017, c.98 (C.5:9-22.5 et al.).

96. Notwithstanding the provisions of any law or regulation to the contrary, the Director of the Division of Budget and Accounting, with the approval of the State Treasurer, shall provide that appropriations from the State General Fund be trans-

ferred and recorded as appropriations from the Property Tax Relief Fund to reflect the amounts as deemed necessary by the State Treasurer to offset the loss of the proceeds derived from the lottery contribution reallocated pursuant to P.L.2017, c.98 (C.5:9-22.5 et al.) from the State General Fund to Common Pension Fund L. Provided however, that any transfer shall take effect 20 days after written notice thereof is provided to the Joint Budget Oversight Committee, if the committee takes no action disapproving a transfer. Any appropriation shifted from the State General Fund to the Property Tax Relief Fund pursuant to this provision shall be appropriated in a manner consistent with the provisions of Article VIII, Section I, paragraph 7 of the New Jersey Constitution and the director may warrant the necessary payments from the Property Tax Relief Fund, provided further however, that all available unreserved, undesignated fund balance in the Property Tax Relief Fund as determined by the State Treasurer shall be used to support the appropriations.

97. This act shall take effect July 1, 2017.