

STATE OF NEW JERSEY  
FY2021 REVISED BUDGET PROPOSAL

DEPARTMENTAL AND GENERAL  
LANGUAGE PROVISIONS

## *Recommended Budget Language*

### *Legislature*

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#### *Senate*

##### *Direct State Services - General Fund*

*L-DSS-01-71-0001.TXT*

0001-100-010000

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

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#### *General Assembly*

##### *Direct State Services - General Fund*

*L-DSS-01-71-0002.TXT*

0002-100-020000

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

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#### *Office of Legislative Services*

##### *Direct State Services - General Fund*

*L-DSS-01-71-0003.TXT*

0003-100-030000

0003-100-030050-5

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.

0003-100-030000-7

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.

0003-100-030000

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.

0003-100-030000

0003-100-030020-5

0003-100-030040-5

0003-100-030050-5

0003-100-030070-5

0003-100-030080-5

0003-100-030120-5

0003-100-030440-5

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

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## *Recommended Budget Language*

### *Legislature*

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#### *Other Legislative Activities*

##### *Direct State Services - General Fund*

*L-DSS-01-77.TXT*

0010-100-090010-5  
0010-100-090020-5  
0010-100-090080-5  
0010-100-090090-5  
0010-100-090110-5  
0010-100-090250-5  
0014-100-090010-5  
0018-100-090010-5  
0040-100-090010-5  
0053-100-090000-1  
0053-100-090010-5  
0056-100-090010-5  
0058-100-090010-5

The unexpended balances at the end of the preceding fiscal year in these accounts are appropriated.

0040-100-090010-5  
0056-100-090010-5

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.

0058-100-090010-5

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.

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## ***Recommended Budget Language***

*Chief Executive*

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### *Management and Administration*

#### *Direct State Services - General Fund*

*L-DSS-06-76.TXT*

0300-100-010000

0300-100-010100-5

0300-100-010120-5

0300-100-010130-5

0300-100-010800-5

0300-100-015000-5

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

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## *Recommended Budget Language*

*Department Of Agriculture*

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### *Agricultural Resources, Planning, and Regulation*

#### *Direct State Services - General Fund*

*L-DSS-10-49.TXT*

3310-100-010000

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.

3320-100-020000

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.

3320-100-020110

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.

3320-100-024070

Receipts from the New Jersey Hemp Farming Fund established pursuant to section 8 of P.L.2019, c.238 (C.4:28-13) are appropriated to offset the cost of administering the program. The unexpended balance at the end of the preceding fiscal year in the New Jersey Hemp Farming Fund is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

3320-100-025080-5

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.

3330-100-030390-5

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.

3350-100-052230

3350-454-055060

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.

3360-100-060490

3360-100-064000

Receipts in excess of the amount anticipated from feed, fertilizer, and liming material registrations and inspections are appropriated for the cost of that program.

3360-100-064000-12

Receipts from dairy licenses and inspections are appropriated for the cost of that program.

3360-448-066090

Receipts from agriculture chemistry fees not to exceed \$75,000 are appropriated to support the organic certification program.

3360-448-066090

Receipts from organic certification program fees are appropriated for the cost of that program.

## *Recommended Budget Language*

### *Department Of Agriculture*

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#### *Agricultural Resources, Planning, and Regulation*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-10-49.TXT*

3360-451-064030

3360-452-064040

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.

3380-101-085910-5

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.

3360-457-065020

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.

3370-405-990400-12

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.

##### *Grants-In-Aid - General Fund*

*L-GIA-10-49.TXT*

3330-140-031370-61

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.

3330-140-031370-61

The unexpended balance at the end of the preceding fiscal year in the Conservation Assistance Program is appropriated for the same purpose.

3330-140-031380-61

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for nonpoint source pollution control efforts, 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.

3330-140-031380-61

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 - Property Tax Relief Fund*

*L-PTRF-10-49.TXT*

3350-495-052300-60

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.

## *Recommended Budget Language*

*Department Of Agriculture*

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### *Agricultural Resources, Planning, and Regulation*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-10-49.TXT*

3350-495-052300-60

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 is appropriated from the School Lunch Aid - State Aid Grants 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, the amount necessary to reimburse State and local government entities for participating in the School Lunch Program and School Breakfast Program is appropriated from the School Breakfast and Lunch State Aid (P.L.2019, c.445) account, 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 School Breakfast and Lunch State Aid (P.L.2019, c.445) account is appropriated for the same purpose.

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## *Recommended Budget Language*

### *Department Of Banking And Insurance*

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#### *Economic Regulation*

##### *Direct State Services - General Fund*

*L-DSS-14-52.TXT*

3120-100-023000-5

In addition to the amount hereinabove appropriated for the Division of Actuarial Services, there are appropriated such additional amounts as may be required for deposit into the New Jersey Health Insurance Premium Security Fund for the purpose of reimbursing insurance providers in accordance with the provisions of P.L.2018, c.24, subject to the approval of the Director of the Division of Budget and Accounting.

3110-101-010100-5

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.

3130-440-030000

Receipts from the investigation of out-of-State land sales are appropriated for the conduct of those investigations.

3130-716-720000

There are appropriated from the Real Estate Guaranty Fund such sums as may be necessary to pay claims.

3150-442-010030

3150-443-010020

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.

3170-100-070000-0

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.

3180-100-080010-5

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.

##### *Direct State Services - All Other Funds*

*L-ALLO-14-52.TXT*

3120-442-023000-5

In addition to the amount hereinabove appropriated for the Division of Actuarial Services, the amount necessary to pay for the audit of reinsurance claims or any other administrative costs incurred by the Department of Banking and Insurance to meet the statutory requirements of P.L.2018, c.24 is appropriated from the New Jersey Health Insurance Premium Security Fund, subject to the approval of the Director of the Division of Budget and Accounting.

***Recommended Budget Language***

*Department Of Banking And Insurance*

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*Economic Regulation*

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## *Recommended Budget Language*

### *Department Of Children And Families*

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#### *Social Services Programs*

##### *Direct State Services - General Fund*

*L-DSS-16-55.TXT*

1600-100-050000-12

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.

1600-100-995270-5

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 - General Fund*

*L-GIA-16-55.TXT*

1610-140-010160-6

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.

1610-140-010290-61

1610-140-010400-61 1610-140-010410-61 1610-140-010430-61

1610-140-010450-61

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.

1610-140-010290-61

1610-140-010430-61

1610-140-010450-61

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.

1610-140-010400-61

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.

1610-140-010290-61

1610-140-010400-61

1610-140-010410-61

1610-140-010420-61

1610-140-010430-61

1610-140-010450-61

In order to permit flexibility in the handling of appropriations and ensure the timely processing of payments, amounts may be transferred among the following accounts within the Division of Child Protection and Permanency, Independent Living and Shelter Care, Out of Home Placements, Family Support Services, Foster Care, and Subsidized Adoption. All such transfers are subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Children And Families*

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#### *Social Services Programs*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-16-55.TXT*

1610-140-017020-61

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.

1610-140-017020-61

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 Division of Family Development in the Department of Human Services shall be transferred to the Division of Family Development in the Department of Human Services to fund the Post Adoption Child Care Program, subject to the approval of the Director of the Division of Budget and Accounting.

1610-440-011850

1610-440-011860

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.

1620-140-020010-61

1620-140-020020-61

1620-140-020040-61

1620-140-020050-61

1620-140-020060-61

1620-140-020080-61

1620-140-020090-61

1620-140-020110-61

1620-140-020150-61

1620-140-020160-61

1620-140-020180-61

1620-140-020190-61

1620-140-020260-61

1620-140-020370-61

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.

## *Recommended Budget Language*

### *Department Of Children And Families*

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#### *Social Services Programs*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-16-55.TXT*

1620-140-020010-61 1620-140-020020-61  
1620-140-020040-61  
1620-140-020050-61 1620-140-020060-61  
1620-140-020080-61

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, Intensive In-Home Behavioral Assistance, 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.

1630-140-030010-61

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 Division of Family Development in the Department of Human Services shall be transferred to the Division of Family Development in the Department of Human Services to fund the Strengthening Families Initiative Training Program, subject to the approval of the Director of the Division of Budget and Accounting.

1630-140-030060-61

Notwithstanding the provisions of any law or regulation to the contrary, receipts from the increases in divorce filing fees enacted by section 41 of P.L.2003, c.117 (N.J.S.22A:2-12), 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.

1630-140-030060-61

Of the amount hereinabove appropriated for Women's Services, \$862,000 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.

1630-140-030060-61

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 shall be no less than the amounts allocated for FY 2015 to those agencies 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 2019, plus an additional \$2,000,000 to those agencies.

1630-140-030060-61

Receipts in the Marriage and Civil Union License Fee Fund in excess of the amount anticipated are appropriated for domestic violence prevention services.

1630-461-030590-61

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Women's Services, an amount not to exceed \$1,912,000 is appropriated to the Displaced Homemaker program 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 and subject to any required federal approval, in addition to the amount hereinabove appropriated for the Division of Children's System of Care, such additional amounts, as approved by the State Treasurer, equal to the proportional cost associated with the early implementation prior to January 1, 2021 for the stabilization and rebalancing of the State's provider rates, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

## ***Recommended Budget Language***

### *Department Of Children And Families*

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#### *Social Services Programs*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-16-55.TXT*

From the amounts hereinabove appropriated to the Department of Children and Families, the Commissioner of Children and Families in consultation with the Commissioner of Education and the Commissioner of Human Services shall establish a school-based children behavioral health pilot program in one or more school districts that provides integrated behavioral health services to Medicaid eligible students. One public school serving students in grades K-8 shall be selected in each district for the pilot. The program shall provide intensive in-community rehabilitation services, as defined by New Jersey's existing Medicaid program, in selected schools, and shall allow children receiving services to be eligible to receive services for 12 months, subject to periodic review by the Department of Children and Families.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Women's Services, an amount not to exceed \$6,000,000 is appropriated to provide a grant to the NJ Coalition Against Sexual Assault to offset potential losses in federal funding and to strengthen and expand sexual violence prevention and response services, subject to the approval of the Director of the Division of Budget and Accounting.

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## *Recommended Budget Language*

*Department Of Community Affairs*

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### *Community Development Management*

#### *Direct State Services - General Fund*

*L-DSS-22-41.TXT*

8010-101-010000

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.

8010-478-010010

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.

8015-101-060000

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.

8015-101-065030

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.

8015-311-060000

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.

8015-441-064010

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.

8017-101-180000

8017-101-189140

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.

## *Recommended Budget Language*

### *Department Of Community Affairs*

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#### *Community Development Management*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-22-41.TXT*

8017-101-180000

8017-101-189140

8017-141-181000

8017-141-189120

Notwithstanding the provisions of any law or regulation to the contrary, the Division of Fire Safety may transfer within its own division among Direct State Services appropriations accounts and Grants-In-Aid appropriations accounts, 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.

8010-101-010000

8015-101-060000

8015-311-060000

8015-435-067000

8017-101-180000

8017-101-189140

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.

8017-477-182000

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.

8020-101-025140-5

8020-101-025160-5

8020-151-025140-6

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.

8025-101-120000

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.

8025-754-990000

8025-754-990050

8025-754-990060

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.

## *Recommended Budget Language*

*Department Of Community Affairs*

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### *Community Development Management*

#### *Grants-In-Aid - General Fund*

*L-GIA-22-41.TXT*

8010-101-010000

8020-300-020000

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.

8010-141-015010-61

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.

8017-141-181000-61

8017-141-189120-61

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.

8020-140-021490-61

8020-140-021500-61

8020-140-022810-61

The amounts hereinabove appropriated for Shelter Assistance, Prevention of Homelessness, and State Rental Assistance 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), 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.

8020-140-021500-61

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.

8020-140-021490-61

Upon determination by the Commissioner of Community Affairs that all eligible shelter assistance projects have received funding, 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.

8020-140-021530-61

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.).

8020-140-022810-61

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.

8020-300-020000

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.

## *Recommended Budget Language*

*Department Of Community Affairs*

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### *Community Development Management*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-22-41.TXT*

8020-435-022810

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated to the General Fund as State revenue such amounts as may be received from the New Jersey Housing and Mortgage Finance Agency. The amount hereinabove appropriated for the State Rental Assistance Program to provide rental assistance shall be payable first from the amount received from the New Jersey Housing and Mortgage Finance Agency.

8020-140-023060-61

8020-300-020000

4220-140-020080

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.

8020-447-022810

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).

8020-447-020000

8020-101-025140-5

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.

8020-447-020000

8020-101-025140-5

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.

8020-447-020000

8020-101-025140-5

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.

8020-447-020000

8020-101-025140-5

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.

## *Recommended Budget Language*

### *Department Of Community Affairs*

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#### *Community Development Management*

##### *State Aid - General Fund*

*L-SA-22-41.TXT*

8020-150-021520-60  
8025-754-990000  
8025-754-990050  
8025-754-990060

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."

8020-150-021520-60

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.

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#### *Social Services Programs*

##### *Direct State Services - General Fund*

*L-DSS-22-55.TXT*

8050-215-052320-6

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 - General Fund*

*L-GIA-22-55.TXT*

8050-140-052035-6199

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Volunteer Income Tax Preparation Assistance shall be used to provide matching grants to one or more non-profit entities that have received federal grants to support the provision of volunteer tax preparation services for low-income residents, pursuant to a competitive process and in accordance with grant agreements to be entered into by the selected non-profit entities with the Commissioner of Community Affairs, subject to the approval of the Director of the Division of Budget and Accounting.

8050-140-053000

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.

8050-140-053600-61

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 in the counties of Bergen, Union, Middlesex, Somerset, and Monmouth, which shall include medication-assisted treatment for relapse prevention.

8050-140-053610-61

The amount hereinabove appropriated for Volunteers of America - Re-entry Services shall be utilized to provide expanded re-entry services in Trenton, and the counties of Atlantic, Burlington, Camden, Cape May, Gloucester, Cumberland, and Salem, which shall include medication-assisted treatment for relapse prevention.

8050-140-059970-61

Notwithstanding the provisions of P.L.2003, c.311 (C.52:27D-437.1 et al.), 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.

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## *Recommended Budget Language*

### *Department Of Community Affairs*

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#### *Social Services Programs*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-22-55.TXT*

8050-478-059970

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.

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#### *State Subsidies and Financial Aid*

##### *Direct State Services - General Fund*

*L-DSS-22-75.TXT*

8030-100-040000

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.

8030-100-040000-3

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Local Government Services, an amount not to exceed \$750,000, subject to the approval of the Director of the Division of Budget and Accounting, is appropriated from the General Fund to the Division of Local Government Services to assist in the implementation of the provisions of P.L. 2019, c.159 concerning municipal land banking.

##### *Grants-In-Aid - General Fund*

*L-GIA-22-75.TXT*

8030-140-040180-60

Notwithstanding the provisions of P.L.2017, c.258 (C.52:27D-516 et seq.) or any law or regulation to the contrary, the amount hereinabove appropriated for New Jersey Housing Assistance for Veterans is subject to the following conditions: funds shall be administered by the Director of the Division of Housing and Community Resources under the direction of the Commissioner of Community Affairs; such amounts as are determined to be necessary for program administrative expenses shall be available, subject to the approval of the Director of the Division of Budget and Accounting; and the unexpended balance at the end of the preceding fiscal year in the New Jersey Housing Assistance for Veterans account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-22-75.TXT*

8030-495-041190-6199

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Local Recreational Improvement Grants shall be used to provide grants to local units for repairs and improvements to public recreational facilities pursuant to a competitive process administered by the Division of Local Government Services, subject to the approval of the Director of the Division of Budget and Accounting.

8030-495-041870-60

The amount hereinabove appropriated for Consolidated Municipal Property Tax Relief Aid shall be distributed on the following schedule: on or before October 1, 81.8% of the total amount due; November 1, 9.1% of the total amount due; December 1 for municipalities operating under a calendar fiscal year, 9.1% of the total amount due; and June 1 for municipalities operating under the State fiscal year, 9.1% 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.

## *Recommended Budget Language*

*Department Of Community Affairs*

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### *State Subsidies and Financial Aid*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-22-75.TXT*

8030-495-041870-60

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 Aid 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/Aid account since fiscal year 2008.

8030-495-041870-60

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 Aid account such amounts as were determined for fiscal year 2020 and prior fiscal years 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; the amount of Consolidated Municipal Property Tax Relief Aid received by any other 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.

8030-495-041870-60

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 Aid 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.

8030-495-041870-60

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 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.

8030-495-041870-60

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 its Consolidated Municipal Property Tax Relief Aid or Energy Tax Receipts Property Tax Relief Aid, or both Consolidated Municipal Property Tax Relief Aid and Energy Tax Receipts 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.).

## *Recommended Budget Language*

*Department Of Community Affairs*

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### *State Subsidies and Financial Aid*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-22-75.TXT*

8030-495-046560-60

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; provided further that there are appropriated such additional amounts, not to exceed \$15,000,000, as the Director of the Division of Budget and Accounting, in consultation with the Commissioner of Community Affairs and the Director of the Division of Local Government Services, shall determine to be necessary to design and implement one or more voluntary county-based demonstration projects to achieve efficiencies and future cost savings in the provision of services at the local level.

8030-495-046570-60

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, orders, 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.

8030-495-046570-60

Of the amount hereinabove appropriated for Transitional Aid to Localities, amounts may be allocated by the Director of the Division of Local Government Services to reimburse any State agency or department for services provided to a participating municipal government unit pursuant to a memorandum of understanding between that State agency or department, the participating municipal government unit, and the Division of Local Government Services, subject to the approval of the Director of the Division of Budget and Accounting.

8030-495-046570-60

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.

## *Recommended Budget Language*

*Department Of Community Affairs*

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### *State Subsidies and Financial Aid*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-22-75.TXT*

8030-495-046570-60

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.

8030-495-046590-60

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.

8030-495-046590-60

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, 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 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.

## *Recommended Budget Language*

### *Department Of Community Affairs*

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#### *State Subsidies and Financial Aid*

##### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-22-75.TXT*

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.

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Trenton Capital City Aid is subject to the following condition: The City of Trenton shall enter into an agreement with the Department of Community Affairs setting forth the terms and conditions for receipt of such aid, which shall include financial and operational oversight by the Director of the Division of Local Government Services in the Department of Community Affairs.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-22.TXT*

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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.

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## *Recommended Budget Language*

### *Department Of Corrections*

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#### *Detention and Rehabilitation*

##### *Direct State Services - General Fund*

*L-DSS-26-16.TXT*

7090-100-070360-5

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.

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.

7040-100-080000-3

7045-100-080000-3

7050-100-080000-3

7055-100-080000-3

7060-100-080000-3

7065-100-080000-3

7070-100-080000-3

7080-100-080000-3

7085-100-080000-3

7090-100-080000-3

7110-100-080000-3

7120-100-080000-3

7130-100-080000-3

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.

7025-449-130710

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.

In addition to the amounts hereinabove appropriated for Institutional Control and Supervision, Institutional Care and Treatment and Administration and Support Services, there is appropriated an amount not to exceed the difference between projected annualized savings from the consolidation of Albert C. Wagner Youth Correctional Facility, continued savings from contract efficiencies and further restructuring and the actual savings achieved, subject to the approval of the Director of the Division of Budget and Accounting.

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#### *System-Wide Program Support*

##### *Direct State Services - General Fund*

*L-DSS-26-16-7025.TXT*

In addition to the amounts hereinabove appropriated for Institutional Program Support, an amount not to exceed \$10,000,000 is appropriated for the testing and treatment of Hepatitis C in the State inmate population, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Corrections*

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#### *System-Wide Program Support*

##### *Direct State Services - All Other Funds*

*L-ALLO-26-16-7025.TXT*

7025-407-131370

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for Institutional Program Support, an amount not to exceed \$398,000 is appropriated from the Workforce Development Partnership Fund for the Pre-Release Employment Navigation and Re-Entry Services Program for the purpose of funding employment-related services and assistance to individuals in State custody, upon the recommendation of the Commissioner of Corrections and subject to the approval of the Director of the Division of Budget and Accounting.

##### *Grants-In-Aid - General Fund*

*L-GIA-26-16-7025.TXT*

7025-140-130060-61

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.

7025-140-130060-61

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.

7025-140-130210-61

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 (RCRP), 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.

7025-140-130210-61

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.

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#### *Parole*

##### *Grants-In-Aid - General Fund*

*L-GIA-26-17.TXT*

Any change by the Division of Parole in the per diem rates affecting Special Caseload accounts first shall be approved by the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Corrections*

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#### *Parole*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-26-17.TXT*

7010-140-030200-61  
7010-140-030290-61  
7010-140-030320-61  
7010-140-030390-61

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 (RESAP), 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.

7010-140-030200-61  
7010-140-030290-61  
7010-140-030320-61  
7010-140-030390-61

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 (RESAP), 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.

7010-140-030290-61

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.

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#### *Central Planning, Direction and Management*

##### *Direct State Services - General Fund*

*L-DSS-26-19.TXT*

7000-310-085090

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.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-26.TXT*

<CENTER\_TTL2>DEPARTMENT OF CORRECTIONS<HR> <STRADDLE>

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.).

## ***Recommended Budget Language***

*Department Of Corrections*

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### *Departmental Language*

*Direct State Services - General Fund (cont.)*

*L-DSS-26.TXT*

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for the Department of Corrections' Institutional Care and Treatment account, such amounts as are determined necessary by the Director of the Division of Budget and Accounting in consultation with the Commissioner of the Department of Corrections may be transferred to the Parole account, the Supervision, Surveillance, and Gang Suppression Program account, and the Stages to Enhance Parolee Success account in the State Parole Board for the purpose of providing necessary assistance to geriatric and medically released parolees and individuals paroled based upon credits earned during a public health emergency.

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## *Recommended Budget Language*

### *Department Of Education*

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#### *Direct Educational Services and Assistance*

##### *State Aid - General Fund*

*L-SA-34-31.TXT*

5120-150-010010-60

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.

5120-150-020010-60

5120-150-020030-60

5120-150-020050-60

5120-150-020060-60

5120-150-020080-60

5120-150-020090-60

5120-150-020100-60

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.

5120-150-020030-60

5120-150-020050-60

5120-150-020060-60

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.

5120-150-020030-60

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 2020-2021 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.

5120-150-020050-60

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 2020-2021 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.

5120-150-020080-60

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 15, 2019 and the rate per pupil shall be \$97.

5120-150-020090-60

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 \$175 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.

5120-150-020100-60

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.

## *Recommended Budget Language*

### *Department Of Education*

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#### *Direct Educational Services and Assistance*

##### *State Aid - General Fund (cont.)*

*L-SA-34-31.TXT*

5120-435-035690-60

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.

5120-435-035690-60

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 substantial 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.

5120-150-035810-60

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.

5120-150-389690-60

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.

5120-150-389690-60

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.

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-34-31.TXT*

5120-495-010010-60

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.

5120-495-011220-08

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 2020-2021 formula aid payments and the assessment cannot exceed the total of those payments.

## *Recommended Budget Language*

*Department Of Education*

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### *Direct Educational Services and Assistance*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-34-31.TXT*

5120-495-012175-60

Notwithstanding the provisions of any law or regulation to the contrary, amounts hereinabove appropriated for Preschool Education Aid shall be allocated as follows: 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 2019-2020 per pupil allocation of Preschool Education Aid inflated by the CPI and multiplied by the district's projected preschool enrollment, except in the case of a school district that participated in the federal Preschool Expansion Grant in 2018-2019, districts that received an allocation of Preschool Education Expansion Aid in 2017-2018 or 2018-2019, and districts that received an allocation of Preschool Education Aid in 2019-2020 through the competitive process administered by the Commissioner of Education; 3) in the case of any other district with an allocation of Preschool Education Aid in the 2019-2020 school year calculated using the provisions of section 12 of P.L.2007, c.260 (C.18A:7F-54), districts that participated in the federal Preschool Expansion Grant in 2018-2019, districts that received an allocation of Preschool Education Expansion Aid in 2017-2018 or 2018-2019, or districts that received an allocation of Preschool Education Aid in 2019-2020 through the competitive process administered by the Commissioner of Education, an amount calculated in accordance with those provisions based upon 2020-2021 projected FTE enrollments, and multiplied by the per pupil allocations as set forth in the revised July 2020 State Aid notice issued by the Commissioner of Education. Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for Preschool Education Aid, an amount not to exceed \$10,000,000 shall be allocated by the Commissioner to districts in total additional preschool funding for the purpose of expanding free access to full-day preschool for resident three- and four-year old children in accordance with the preschool quality standards issued by the Commissioner and based on a district's demonstration of its readiness to operate a preschool program consistent with those standards.

Notwithstanding the provisions of any law or regulation to the contrary, from the amount hereinabove appropriated for Preschool Facilities Lead Remediation, the Commissioner of Education shall award grants to school districts for water infrastructure improvement projects in schools serving solely preschool students, provided that eligibility for funding such projects shall be based on the eligibility requirements for water infrastructure improvement grants in schools serving K-12, pursuant to P.L.2018, c.119 and its implementing regulations.

5120-495-012175-60

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.

5120-495-016630-60

Notwithstanding the provisions of any law or regulation to the contrary, a district's 2020-2021 allocation of the amounts hereinabove appropriated for School Choice Aid shall be 90% of the amount calculated pursuant to the provisions of P.L.2007, c.260; provided, however, in the event that School Choice enrollment reflected on the October 2019 Application for State School Aid is less than projected School Choice enrollment reflected on the 2019-2020 State Aid notice, such district's 2020-2021 School Choice Aid allocation shall be adjusted to reflect actual prebudget year enrollment as of October 2019, as set forth in the revised July 2020 State Aid notice issued by the Commissioner of Education. A district's 2020-2021 School Choice enrollment shall not exceed the district's maximum funded choice student enrollment as determined by the Commissioner of Education.

## *Recommended Budget Language*

*Department Of Education*

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### *Direct Educational Services and Assistance*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-34-31.TXT*

5120-495-030010-60

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 emergency 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. Provided, further, that the commissioner shall determine the repayment terms, if any, that will be assessed and may appoint a State monitor to a school district that receives an allocation from the Emergency Fund, who shall have the same powers and duties of a State monitor appointed pursuant to P.L.2016, c.15 (C.18A:7A-54 et seq.).

5120-495-030030-60

Notwithstanding the provisions of any law or regulation to the contrary, a charter school's 2020-2021 allocation of the amount hereinabove appropriated for Charter School Aid shall be as set forth in the revised July 2020 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 each of the following cases: 1) in the case of a charter school with higher enrollment in the 2020-2021 school year than in the 2007-2008 school year, to provide that in the 2020-2021 school year, the charter school receives no less total support from the State and the resident district than the sum of the total 2007-2008 payments from the resident district and the 2007-2008 payments of Charter School Aid and Charter Schools -- Council on Local Mandates Aid and to ensure that such total payments provide a 2020-2021 per pupil amount that is no less than the 2007-2008 per pupil amount based on average daily enrollment; and 2) to provide amounts pursuant to section 12 of P.L.1995, c.426 (C.18A:36A-12). A charter school shall also receive an allocation to provide that in the 2020-2021 school year, the charter school receives no less total support from the State and resident school district than in the 2019-2020 school year and to ensure that such total payments provide a 2020-2021 per pupil amount that is not less than the 2019-2020 per pupil amount based on average daily enrollment. This allocation shall be adjusted based on the October 15, 2020 actual pupil count. In addition to the amounts hereinabove appropriated for Charter School Aid, such additional amounts as may be required, based on actual charter school enrollment counts submitted through the Charter School Enrollment System, for the support of Charter School Aid 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, from the amount hereinabove appropriated for School Security Compliance Funding, the Commissioner of Education shall award grants to charter schools, renaissance school projects and school districts with school district buildings serving preschool students and no students in grades kindergarten through 12 to equip school buildings with a panic alarm or alternative emergency mechanism to comply with the provisions of P.L.2019, c.33 (C.18A:41-10 et seq.), to reimburse a school district, charter school or renaissance school project for costs previously incurred for equipping a school building after January 1, 2016, or, if the school district, charter school or renaissance school project is compliant with the provisions of P.L.2019, c.33, to complete other eligible school security projects. Each grant award shall be calculated using the charter school's average daily enrollment on October 15, 2019, the renaissance school project's enrollment on October 15, 2019, or the number of students in standalone preschool facilities in the school district as reported on October 15, 2019 Application for State School Aid, the facilities efficiency standards established pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4), and an allotment per square foot, as determined by the Commissioner of Education.

5120-495-070020-60

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.

## *Recommended Budget Language*

*Department Of Education*

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### *Direct Educational Services and Assistance*

#### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-34-31.TXT*

5120-495-070330-60

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.

5120-495-360020-60

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.

5120-495-360020-60

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.

5120-495-360020-60

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.

5120-495-360040-60

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.

5120-495-380020-60

5120-495-389680-60

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 2020-2021 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.

5120-495-380020-60

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.

5120-495-380020-60

5120-495-389680-60

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 percent of the district's approved October 9, 2019 application amount.

5120-495-389680-60

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.).

## *Recommended Budget Language*

### *Department Of Education*

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#### *Direct Educational Services and Assistance*

##### *State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-34-31.TXT*

5120-495-389680-60

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.

5120-495-389690-60

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.

5120-495-389690-60

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.

5120-495-389690-60

Notwithstanding the provisions of section 4 of P.L.1997, c.264 (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.

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#### *Operation and Support of Educational Institutions*

##### *Direct State Services - General Fund*

*L-DSS-34-32.TXT*

5011-100-120000

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.

5011-441-120110

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.

5011-440-120160

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.

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#### *Supplemental Education and Training Programs*

##### *State Aid - General Fund*

*L-SA-34-33.TXT*

5062-150-200030-60

Of the amount hereinabove appropriated for 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.

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## *Recommended Budget Language*

### *Department Of Education*

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#### *Educational Support Services*

##### *Direct State Services - General Fund*

*L-DSS-34-34.TXT*

5061-101-320000

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.

5063-100-300320-5

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.

5063-100-300320-5

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 - General Fund*

*L-GIA-34-34.TXT*

5063-140-300070-61

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.

5063-140-300140-61

The amount hereinabove appropriated for the K-12 Computer Science Education Initiative shall be used exclusively to support approved applications for the expansion and support of professional development of K-12 computer science teachers, and for advanced computer science course offerings as determined by the Commissioner of Education based on a district's demonstration of its readiness to implement such a program, subject to the approval of the Director of the Division of Budget and Accounting.

5063-140-300150-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for STEM Dual Enrollment and Early College High Schools is subject to the following conditions: the Commissioner of Education shall continue the department's efforts to develop and implement a pilot program that integrates and aligns appropriate high school coursework with appropriate college courses to improve educational outcomes for students with specific career goals. The Commissioner of Education shall be responsible for establishing written eligibility criteria for the selection of participating schools as well as program goals and requirements for the 2020-2021 school year. Such eligibility criteria and other relevant information shall be publicly available and published on the department's Internet website.

5063-140-300700-61

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 New Jersey student learning standards as established by law.

5063-140-301470-61

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.

## *Recommended Budget Language*

### *Department Of Education*

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#### *Educational Support Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-34-34.TXT*

5064-140-400390-61

From the amount hereinabove appropriated for High Poverty School District Minority Teacher Recruitment Program, the Commissioner of Education shall continue the department's efforts to develop and implement a competitive grant program to provide funding to eligible organizations that recruit, train, and place new teachers, with special emphasis on minority teachers, in one or more high poverty school districts in the State. To be eligible to receive a grant under the program an organization shall meet certain conditions established by the Commissioner of Education. "High poverty school district" means a school district in which the percentage of students who are at-risk pupils, as defined by section 3 of P.L.2007, c.260 (C.18A:7F-45) is equal to or greater than 40 percent. From the amount hereinabove appropriated for High Poverty School District Minority Teacher Recruitment Program, the Commissioner of Education shall appropriate not less than \$250,000 to an organization that, in addition to the criteria stated above, also provides at least two years of direct coaching for teachers and does not accept tuition or fees from teachers to participate in the program. The organization shall also demonstrate a history of being able to place minority teachers in high poverty districts.

5068-140-340060-61

The unexpended balance at the end of the preceding fiscal year in the Nonpublic STEM Reimbursement Program (P.L.2019, c.256) account established pursuant to P.L.2019, c.256 is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

##### *Grants-In-Aid - Property Tax Relief Fund*

*L-PTRG-34-34.TXT*

5063-495-300240-61

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-34-34.TXT*

5094-495-390010-60

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.

5094-495-390030-60

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.

5094-495-390030-60

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.

5094-495-390040-60

5094-495-390080-60

5094-495-390090-60

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.

5094-495-396660-60

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.

5094-495-396660-60

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.

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## *Recommended Budget Language*

### *Department Of Education*

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#### *Education Administration and Management*

##### *Direct State Services - General Fund*

*L-DSS-34-35.TXT*

5092-100-430000

5092-458-430000

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.

5090-100-990000-3

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.

5093-100-990070-5

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.

5093-100-990070-5

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.

5093-100-990070-5

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.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-34.TXT*

<CENTER\_TTL2>DEPARTMENT OF EDUCATION

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.

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 2020-2021 school year, there is appropriated an amount of federal funds not less than \$375,000 and not to exceed \$1,500,000, subject to the approval of the director.

## *Recommended Budget Language*

### *Department Of Education*

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#### *Departmental Language*

##### *State Aid - General Fund*

*L-SA-34.TXT*

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 September 22, 2020 school aid payment are appropriated and the State Treasurer is hereby authorized to make such payment in October 2020, as adjusted for any amounts due and owing to the State as of September 30, 2020.

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, the Commissioner of Education may reduce the total State Aid amount payable for the 2020-2021 school year for a district in which an independent audit of the 2019-2020 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, 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 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.

## *Recommended Budget Language*

### *Department Of Education*

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#### *Departmental Language*

##### *State Aid - General Fund (cont.)*

*L-SA-34.TXT*

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 "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 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 enrollment education program.

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-34.TXT*

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.

5120-150-010010-60  
5120-495-010010-60  
5120-495-011255-60  
5120-495-011265-60  
5120-495-070020-60  
5120-495-360020-60

Notwithstanding the provisions of subsection a. of section 5 of P.L.1996, c.138 (C.18A:7F-5) or any other law or regulation to the contrary, for any district receiving Equalization Aid, Security Aid, Adjustment Aid, Special Education Categorical Aid, or Transportation Aid, no adjustments shall be made to State Aid amounts payable during the 2020 - 2021 school year based on adjustments to the 2019 - 2020 allocations using actual pupil counts.

## ***Recommended Budget Language***

*Department Of Education*

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### *Departmental Language*

*State Aid - Property Tax Relief Fund (cont.)*

*L-PTRF-34.TXT*

Notwithstanding the provisions of N.J.S.A. 18A:22-8.1 or any other law or regulation to the contrary, in order to provide necessary flexibility to school districts for the 2020-2021 school year, the amounts hereinabove appropriated for Equalization Aid, Educational Adequacy Aid, Special Education Categorical Aid, Security Aid, Transportation Aid, Adjustment Aid and Vocational Expansion Stabilization Aid, are subject to the following condition: for the 2020-2021 school year, school districts may transfer funding between line item and program categories prior to April 1, 2021 without approval of the Commissioner of Education.

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## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Natural Resource Management*

##### *Direct State Services - General Fund*

*L-DSS-42-42.TXT*

4870-100-110000

In addition to the amount hereinabove appropriated for Forest Resource Management, there is appropriated \$800,000 from the New Jersey Motor Vehicle Commission.

4875-100-120000

4875-100-129980-12

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.

4875-101-125010-5

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 may be provided as recommended by the Commissioner of the Department of Environmental Protection, in part, 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 \$302,250, and is appropriated to the Department of Environmental Protection for Green Acres/Blue Acres/Open Space Administration, subject to the approval 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.

4875-449-127030

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.

4875-590-291000-7

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.

4876-100-240000

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.

4880-101-135000-12

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.

4880-101-135000

Of the amount hereinabove appropriated for the Hunters' and Anglers' License Fund, the first \$10,914,000 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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Natural Resource Management*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-42.TXT*

4880-101-205050-5

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.

4880-449-130430

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.

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.

4895-100-210000

An amount not to exceed \$3,331,500 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.

4895-100-213330-5

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.

4895-100-215810-5

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.

4895-590-211120

An amount not to exceed \$868,000 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.

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$10,000,000 from the Clean Communities Fund for Parks Management representing allocations for assistance to municipalities and counties pursuant to section 5 of N.J.S.A. 13:1E-217, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Natural Resource Management*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-42.TXT*

Notwithstanding the provisions of Section 3 of P.L.2008, c.6 or any other law or regulation to the contrary, there is appropriated \$12,000,000 from the State Recycling Fund for Parks Management representing the allocation for direct recycling grants to municipalities or counties pursuant to N.J.S.A. 13:1E-96b(1), except that such allocation shall be calculated on the basis of the total number of tons of recyclable materials annually recycled from residential, commercial and institutional sources within a particular municipality, or group of municipalities in the case of a county recycling program, and representing the allocation for grants to counties pursuant to N.J.S.A. 13:1E-96b(3) and (4), subject to the approval of the Director of the Division of Budget and Accounting.

##### *Grants-In-Aid - General Fund*

*L-GIA-42-42.TXT*

4895-140-215130-6

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 - General Fund*

*L-CC-42-42.TXT*

4895-590-211110-7

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).

4895-590-211110-7

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.

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#### *Science and Technical Programs*

##### *Direct State Services - General Fund*

*L-DSS-42-43.TXT*

4810-101-057050-5

4840-101-057050-5

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 \$512,000, 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.

4810-101-187040-5

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.

4810-423-180000

In addition to the amount hereinabove appropriated for the Office of Science Support, an amount not to exceed \$3,000,000 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.

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## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Science and Technical Programs*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-43.TXT*

4840-100-050000  
4855-100-080000-12  
4861-100-220000-12

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.

4840-100-050000  
4840-100-055130

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.

4840-100-055180  
4855-100-080000

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.

4840-101-055030-5  
4840-101-055060-5

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 \$34,250, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

4850-100-290400-5

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.

4850-100-290400-5

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, including an amount of \$100,000 for New Jersey Geological Survey, on or before October 31, 2020, 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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Science and Technical Programs*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-43.TXT*

4890-100-150000

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 - General Fund*

*L-GIA-42-43.TXT*

4850-140-290430-6

The unexpended balance at the end of the preceding fiscal year in the Stormwater Management Grants account is appropriated for the same purpose.

4850-140-290430-6

4850-140-290440-6

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.

4850-140-290440-6

The unexpended balance at the end of the preceding fiscal year in the Watershed Restoration Projects account is appropriated for the same purpose.

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.

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#### *Site Remediation*

##### *Direct State Services - General Fund*

*L-DSS-42-44.TXT*

4815-101-270000

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 \$7,552,250 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.

4815-101-270090-5

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 \$11,182,000 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.

4815-101-270090-5

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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Site Remediation*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-44.TXT*

4800-100-990000-12

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.

4910-100-230000

4855-495-083130-6

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).

##### *Capital - General Fund*

*L-CC-42-44.TXT*

4815-590-290100-7

4815-590-290700-5

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.

4815-590-290100-7

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.

4815-590-290700-5

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 Hazardous 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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Site Remediation*

##### *Capital - General Fund (cont.)*

*L-CC-42-44.TXT*

4815-590-290200-7

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, cost recoveries, recoveries of natural resource damages received pursuant to judgments concluded prior to the effective date of Article VIII, Section II, paragraph 9 of the State Constitution, and other associated damages recovered by the State 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.

Notwithstanding the provisions of any law or regulation to the contrary, there are hereby appropriated from the Natural Resource Damages – Constitutional Dedication account such amounts as are required, as determined by the Director of the Division of Budget and Accounting, in consultation with the Attorney General, and consistent with the requirements of the constitutional dedication pursuant to Article VIII, Section II, paragraph 9 of the State Constitution, to pay the legal or other costs incurred by the State to pursue settlements and judicial administrative awards relating to natural resource damages.

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#### *Environmental Regulation*

##### *Direct State Services - General Fund*

*L-DSS-42-45.TXT*

4801-449-020100

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.

4820-100-010000

4820-449-010100

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.

4820-101-017050-5

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.). 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.

Notwithstanding the provisions of any law or regulations to the contrary, receipts from agreements entered into by the Department of Environmental Protection with Exelon Generation Company, LCC, in an amount not to exceed \$1,097,000 may be transferred to the Department of Law and Public Safety for State Police operating costs and grants related to the Nuclear Emergency Response Program, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Environmental Regulation*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-45.TXT*

4825-101-020190-5

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 \$214,500, 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.

4825-101-027050-5

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 \$292,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

4825-101-027090-5

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 \$280,250, 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.

4860-449-703300

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 \$1,950,000 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.

4892-100-020000

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 - General Fund*

*L-GIA-42-45.TXT*

4892-140-290910

4892-100-290900

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 and the Diesel Risk Mitigation Fund Administrative Costs – 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; 5% for private underground storage tank remediation; 7% for hazardous substance discharge remediation loans and grants; 5% for hazardous substance discharge remediation; and 78% for acquisition, development and stewardship.

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## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Environmental Planning and Administration*

##### *Direct State Services - General Fund*

*L-DSS-42-46.TXT*

4800-100-990040-5

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 - General Fund*

*L-SA-42-46.TXT*

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.

4800-150-993020

4800-495-993020

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.

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#### *Enforcement Policy*

##### *Direct State Services - General Fund*

*L-DSS-42-47.TXT*

4835-100-040000

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.

4855-424-087320

4855-424-087330

4855-424-087310

4855-424-087340

4885-424-147130

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.). The unexpended balance at the end of the preceding fiscal year of the Coastal Protection Trust Fund may be reallocated for any of the purposes in this paragraph. 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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Enforcement Policy*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42-47.TXT*

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.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-42.TXT*

<CENTER\_TTL2>DEPARTMENT OF ENVIRONMENTAL PROTECTION <STRADDLE>  
<FL\_TITLE>Language Recommendations -- Direct State Services - General Fund

4800-100-990390-5

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 \$6,168,000, the amounts of such unanticipated revenues in excess of \$6,168,000 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.

4815-590-290700-5

4855-100-290600-5

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.

4855-101-157060-5

4890-101-157060-5

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 \$2,794,500 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.

## *Recommended Budget Language*

### *Department Of Environmental Protection*

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#### *Departmental Language*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-42.TXT*

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.

4855-100-080000-12  
4891-100-080000

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.

## ***Recommended Budget Language***

*Department Of Environmental Protection*

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### *Departmental Language*

*Direct State Services - General Fund (cont.)*

*L-DSS-42.TXT*

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.

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## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Direct State Services - General Fund*

*L-DSS-46-21.TXT*

4220-472-021090

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$375,000 from the Autism Medical Research and Treatment Fund for the operations of New Jersey's Autism Registry.

4220-472-021090

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$375,000 from the Autism Medical Research and Treatment Fund for the operations of the Governor's Council for Medical Research and Treatment of Autism.

4220-472-021090

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.

4220-472-021090

4220-472-024730

4220-750-020000

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.

4220-472-021090

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.

4220-472-021090

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$187,500 from the Autism Medical Research and Treatment Fund for the Autism New Jersey Helpline.

4220-472-024730

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.

4230-100-030420-5

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.

4220-750-020000

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.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-46-21.TXT*

4285-100-050900-5

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.

4230-100-030910-5

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.

4230-101-034500-5

4230-141-034500-61

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."

4220-783-027830-5

4230-416-034160

The unexpended balance at the end of the preceding fiscal year in the New Jersey Emergency Medical Service Helicopter Response Program account is appropriated.

4230-443-034490

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 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.

4230-444-030190

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.

4230-461-030050

4230-461-030510

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the "Emergency Medical Technician Training Fund" \$94,000 for Emergency Medical Services and \$135,000 for the First Response EMT Cardiac Training Program.

4230-461-034170

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.

4230-461-034200

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.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-46-21.TXT*

4230-474-034740

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.

4280-100-080000

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.

4280-100-080000

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 - General Fund*

*L-GIA-46-21.TXT*

4220-140-020080-61

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.

4220-140-020500-61

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.

4220-140-021040-61

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.

4285-140-050640-61

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.

4220-140-021040-61

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 up to \$4,000,000 from the Autism Medical Research and Treatment Fund for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting; provided, however, that such sums as are necessary to fund the Autism helpline and registry and any grant award approvals announced by the Governor's Council for Medical Research and Treatment of Autism after June 1, 2020 shall first be paid from the Autism Medical Research and Treatment Fund.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-46-21.TXT*

4220-140-021040-61

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.

4220-140-021040-61

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.

4220-140-021040-61

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.

4220-140-021690-61

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.

4220-140-027720-61

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.

4285-417-054620

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.

4220-472-024730

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.

4220-760-020000-61

There is appropriated \$427,500 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Fetal Alcohol Syndrome Program.

4230-140-031620-61

From the amount hereinabove appropriated for the Cancer Institute of New Jersey, \$250,000 is appropriated to the Ovarian Cancer Research Fund.

4230-140-031620-61

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.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-46-21.TXT*

4230-140-031630-61

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.

4230-140-031700-61

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.

4230-140-034510-61

Of the amount hereinabove appropriated for Public Health Infectious Disease Control, up to \$250,000 may be transferred to Direct State Services accounts 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.

4230-416-034160-61

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.

4245-100-120000

4245-140-120050-61

4245-140-120800-61

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.

4245-140-120800-61

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.

4245-403-124030

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 include, 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.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-46-21.TXT*

4245-403-124030

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.

4245-403-124030

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."

4245-403-124030

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.

4245-403-124030

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.

##### *State Aid - General Fund*

*L-SA-46-21.TXT*

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.

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#### *Health Planning and Evaluation*

##### *Direct State Services - General Fund*

*L-DSS-46-22.TXT*

4260-446-064460

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.

4260-451-064510

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.

## *Recommended Budget Language*

*Department Of Health*

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### *Health Planning and Evaluation*

#### *Grants-In-Aid - General Fund*

*L-GIA-46-22.TXT*

4270-140-070020-61

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.

4270-140-070020-61

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.

4270-140-070020-61

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 2018 5-Year American Community Survey; (b) source data used shall be from calendar year (CY) 2018 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 2018 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 2018 documented charity care for each hospital's total gross revenue for all patients shall be from the CY 2018 audited Acute Care Hospital Cost Report as defined by Form E4, Line 1, Column E data and shall be according to the DOH due date of June 30, 2019, as submitted by December 31, 2019 by each acute care hospital and audited by January 3, 2020; (d) source data used for CY 2018 documented charity care shall be from CY 2018 Medicaid Cost Report submitted by each acute care hospital by February 14, 2020; (e) in the event that an eligible hospital failed to submit the CY 2018 Acute Care Hospital Cost Report, source data from their CY 2017 Acute Care Hospital Cost Report 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; (f) in the event that an eligible hospital failed to submit a full year CY 2018 Acute Care Hospital Cost Report, source data from a supplemental 2018 Acute Care Hospital Cost Report 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; (g) 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 \$181,575,000; and (h) the resulting value will constitute each eligible hospital's SFY 2021 charity care subsidy allocation.

4270-140-070020-61

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.

4270-140-070020-61

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: A disproportionate share hospital eligible for funding through the Charity Care program may decline Charity Care payments for the fiscal year by notifying the Commissioner of Health on a form designated by the Department of Health on or before the fifteenth day following enactment.

## *Recommended Budget Language*

*Department Of Health*

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### *Health Planning and Evaluation*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-46-22.TXT*

4270-140-070020-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Charity Care Subsidy is subject to the condition that participating hospitals shall demonstrate participation in the New Jersey Department of Health's New Jersey Health Information Network (NJHIN). For purposes of this paragraph, demonstrated participation in the NJHIN shall mean: (1) the hospital has directly, or indirectly through another Trusted Data Sharing Organization, executed the NJHIN Data Use and Reciprocal Support Agreement and the NJHIN Business Associate Agreement; (2) the hospital executed and participates in the NJHIN Core Use Case; and (3) the hospital executed and participates in the Statewide Admission, Discharge, Transfer Notification Use Case, as determined by the Commissioner of Health. Provided further, that notwithstanding the provisions of any law or regulation to the contrary, participating hospitals also shall report to the Commissioner of Health key indicators of connections to care provided to patients who are eligible for Charity Care, as defined by the Commissioner of Health; in the event that a hospital does not report such information as determined by the Commissioner of Health, the final 1/12 of the hospital's Charity Care subsidy may be withheld, subject to the approval of the Director of the Division of Budget and Accounting.

4270-140-070020-61

The amounts hereinabove appropriated for Charity Care or other funding to a health care facility are conditioned upon the following requirements: 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; respond to a survey distributed by the Department of Health, on or before December 31, 2020, soliciting information on the facilities' processes to connect individuals whose claims are submitted as charity care claims to primary and preventative care systems or other systems of value-based health care delivery; and shall, to the extent permitted by State and federal law, share patient-level data as needed to facilitate such purposes.

4270-140-070020-61

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 October 2020, and (2) their January 2021 payments in December 2020.

4270-140-070210-61

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.26:21-7.1) in connection with the Hospital Asset Transformation Program.

In order to permit flexibility in the handling of appropriations and ensure timely payments to hospitals, amounts may be transferred from the State, dedicated, and federal Quality Improvement Program-New Jersey (QIP-NJ) program accounts to the General Medical Services program classification in the Division of Medical Assistance and Health Services in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

## Recommended Budget Language

Department Of Health

### Health Planning and Evaluation

Grants-In-Aid - General Fund (cont.)

L-GIA-46-22.TXT

4270-140-073050-61

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, \$147,150,000 from amounts hereinabove appropriated for Graduate Medical Education (GME) shall be designated the GME Subsidy, and shall be calculated as follows: (a) the subsidy payment shall be split into a Direct Medical Education (DME) portion and an Indirect Medical Education (IME) portion; (b) source data used for the GME calculation shall come from the Medicaid cost report for calendar year (CY) 2018 submitted by each acute care hospital by February 14, 2020 and Medicaid Managed Care encounter payments data for Medicaid and NJ FamilyCare clients as reported by insurers to the State for the following reporting period: services dates between January 1, 2018 and December 31, 2018; payment dates between January 1, 2018 and December 31, 2019; and a run-date of not later than February 15, 2020; (c) in the event that a hospital reported less than 12 months of 2018 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, two cost reports will be combined into one or a supplemental cost report for the calendar year 2018 submitted by the affected acute care hospital by January 31, 2020 shall be used. 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 as per source data defined in (b) above; (d) Medicaid managed care DME cost begins with the intern and residency program costs using the 2018 submitted 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 the 2018 resident full time equivalent employees (FTE), reported on Worksheet S-3 Pt 1 Column 9 line 14 to develop an average cost per resident FTE for each hospital; (e) median cost per resident FTE is calculated based on the average cost per resident FTE for each hospital; (f) the median cost per resident FTE is multiplied by the 2018 resident FTEs reported on Worksheet S-3 Pt 1 Column 9 Line 14 to develop total median residency program cost for each hospital; (g) median residency costs are multiplied by the ratio of Medicaid managed care days, reported on Worksheet S-3 Column 7 Line 2, divided by the difference of total days, reported on Worksheet S-3 Column 8 Line 14, less nursery days, reported on Worksheet S-3 Column 8 Line 13 to determine the Medicaid managed care DME cost of each hospital; (h) Medicaid managed care IME cost is defined as the Medicare IME factor multiplied by Medicaid managed care encounter payments as per source data defined in (b) above; (i) the IME factor is calculated using the Medicare IME formula as follows:  $1.35 * [(1 + x)^{0.405} - 1]$ , in which "x" is the ratio of submitted IME resident FTEs reported on Worksheet S-3 Pt 1 Column 9 Line 14 divided by the difference of total available beds, reported on Worksheet S-3 Column 2 Line 14, less nursery beds, reported on Worksheet S-3 Column 2 Line 13; (j) total 2018 Medicaid managed care GME costs shall equal total 2018 Medicaid managed care IME costs plus total 2018 Medicaid managed care DME costs; (k) the 2018 total Medicaid managed care DME costs is divided by the total 2018 Medicaid managed care GME costs; (l) the DME allocation portion is calculated by multiplying the total subsidy amount by the ratio in (k) above; (m) each hospital's percentage of total 2018 Medicaid managed care DME costs shall be multiplied by the DME allocation to calculate its DME payment; (n) the 2018 total Medicaid managed care IME costs are divided by the total 2018 Medicaid managed care GME costs; (o) the IME allocation portion is calculated by multiplying the total subsidy amount by the ratio in (n) above; (p) each hospital's percentage of total 2018 Medicaid managed care IME costs shall be multiplied by the IME allocation to calculate its IME payment; (q) the sum of a hospital's DME and IME payments shall equal its subsidy payment. The total GME Subsidy amount and these payments shall not exceed \$147,150,000 and shall be paid in 9 monthly payments; (r) 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; (s) each hospital receiving a GME allocation shall, on or before May 31, 2021, 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.

## *Recommended Budget Language*

*Department Of Health*

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### *Health Planning and Evaluation*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-46-22.TXT*

4270-140-073050-61

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, \$16,200,000 from the amounts hereinabove appropriated from Graduate Medical Education (GME) shall be designated as Supplemental Graduate Medical Education Subsidy (GME-S), and shall be available to hospitals that meet the following eligibility criteria: (a) an eligible hospital has a Relative Medicaid Percentage (RMP) that is among the top fourteen acute care hospitals with a residency program; (b) the RMP is a ratio calculated using the 2018 Audited Acute Care Hospital (ACH) Cost Reports according to the DOH due date of June 30, 2019, as submitted by December 31, 2019 by each acute care hospital and audited by January 3, 2020; (c) the RMP numerator equals a hospital's gross revenue from patient care for Medicaid and Medicaid HMO payers as reported on Forms E5 and E6, Line 1, Column D & Column H; (d) the RMP denominator equals a hospital's gross revenue from patient care as reported on Form E4, Line 1, Column E; (e) for instances where hospitals that have a single Medicaid identification number submit a separate ACH Cost Report for each individually licensed hospital, the ACH Cost Report data for those hospitals shall be consolidated to the single Medicaid identification number; (f) the GME-S Subsidy shall be calculated using the same methodology as the GME Subsidy is calculated in this act, except the total amount of the GME-S Subsidy payments shall not exceed \$16,200,000.

4270-140-073050-61

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, 2021.

4270-417-074690

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.

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## *Recommended Budget Language*

### *Department Of Health*

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#### *Mental Health and Addiction Services*

##### *Direct State Services - General Fund*

*L-DSS-46-23.TXT*

4291-100-150000  
4291-100-990000  
4292-100-150000  
4292-100-990000  
4293-100-150000  
4293-100-990000  
4294-100-150000  
4294-100-990000

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.

4291-100-155260-5  
4292-100-155260-5  
4294-100-155260-5

Receipts recovered from advances made under the Interim Assistance program in the mental health institutions are appropriated for the same purpose.

4291-100-155260-5  
4292-100-155260-5  
4294-100-155260-5

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.

4291-100-150000  
4291-100-990000  
4292-100-150000  
4292-100-990000  
4293-100-150000  
4293-100-990000  
4294-100-150000  
4294-100-990000

Receipts to the General Fund from charges to residents' trust accounts for maintenance costs are appropriated for use as personal needs allowances for residents who have no other source of funds for these purposes; except that the total amount herein for these allowances shall not exceed \$450,000 and any increase in the maximum monthly allowance shall be approved by the Director of the Division of Budget and Accounting.

4291-100-150000  
4291-100-990000  
4292-100-150000  
4292-100-990000  
4293-100-150000  
4293-100-990000  
4294-100-150000  
4294-100-990000

To effectuate the orderly consolidation or closure of a psychiatric hospital, amounts hereinabove appropriated for the State psychiatric hospitals may be transferred to accounts throughout the Department of Health 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 State psychiatric hospital, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Health*

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#### *Mental Health and Addiction Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-46-23.TXT*

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated to Greystone Psychiatric Hospital, such additional amounts as may be necessary are appropriated for the J.M., S.C., A.N. and P.T. et al. v. Elnahal, et al. settlement, subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Mental Health and Addiction Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-46-23-4299.TXT*

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 Behavioral Health Services to offset the costs of performing the required reviews.

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### *Departmental Language*

#### *Direct State Services - General Fund*

*L-DSS-46.TXT*

DEPARTMENT OF HEALTH <STRADDLE>

Notwithstanding the provisions of P.L.2005, c.237 or any other law or regulation to the contrary, \$24,000,000 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 \$900,000 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.

## *Recommended Budget Language*

*Department Of Health*

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### *Departmental Language*

*Direct State Services - General Fund (cont.)*

*L-DSS-46.TXT*

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.

In addition to the amounts hereinabove appropriated to the Office of the Chief 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.

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## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Mental Health Services*

##### *Direct State Services - General Fund*

*L-DSS-54-23-7700.TXT*

7700-100-091320-5

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Expanded Addiction Initiatives shall be used to develop, support, and expand programs and services, including providing grants to entities providing such programs and services, that the Commissioner of Health, the Commissioner of Human Services, the Commissioner of Corrections, and the Commissioner of Children and Families determine to be most effective in directly addressing the Statewide public health crisis associated with substance use disorders, including opioid use disorder, subject to the approval of the Director of the Division of Budget and Accounting. Such programs and services may include, but shall not be limited to, efforts to improve access to community-based behavioral health care, develop the State's anti-addiction infrastructure, support enhanced integration of care, provide medication-assisted treatment to inmates prior to release as recommended by a physician, and address relevant social and economic factors; the amount appropriated may be expended or transferred.

7700-453-094530-61

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.).

7700-474-094750-61

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 - General Fund*

*L-GIA-54-23-7700.TXT*

7700-452-080360-5

Notwithstanding the provisions of P.L.1998, c.149 or any law or regulation to the contrary, \$300,000 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.

7700-140-085800-61

7700-140-085810-61

7700-140-085820-61

7700-140-085840-61

7700-140-085850-61

7700-140-085940-61

7700-140-090090-61

7700-140-090160-61

7700-140-090170-61

7700-140-090530-61

7700-140-090540-61

7700-140-091220-61

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.

7700-140-085800-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Mental Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-23-7700.TXT*

7700-140-085800-61  
7700-140-085810-61  
7700-140-085820-61  
7700-140-085840-61  
7700-140-085850-61  
7700-140-085940-61  
7700-140-090090-61  
7700-140-090160-61  
7700-140-090170-61  
7700-140-090530-61  
7700-140-090540-61  
7700-140-091220-61

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.

7700-140-085800-61

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.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of Drug Court claims, under the Addictions Services program, within the Direct State Services accounts, an amount not to exceed \$5,000,000 may be transferred from the Grants-In-Aid Behavioral Health Rate Increase appropriation to the Drug Court Treatment/Aftercare account within the Division of Mental Health and Addiction Services, subject to the approval of the Director of the Division of Budget and Accounting.

7700-140-085850-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount appropriated for Mental Health Provider Safety Net shall be paid to providers of mental health and substance use treatment programs that were previously sustained via deficit-funded contracts, are now operating under a fee-for-service reimbursement system, and that have demonstrated a good faith effort to bill Medicaid for all eligible services, subject to the approval of the Director of the Division of Budget and Accounting. Payments shall be pursuant to quarterly applications that itemize the gap between billable revenues in FY2020 and the cumulative quarterly value of the most recent deficit-funded contract.

7700-140-090090-6  
7700-140-090160-6  
7700-140-090170-6  
7700-140-090540-6

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Mental Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-23-7700.TXT*

7700-140-090090-6

7700-140-090160-6

7700-140-090170-6

7700-140-090540-6

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.

7700-140-090160-61

7700-140-090170-61

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.

7700-140-090160-61

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.

7700-140-090160-61

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.

7700-140-090160-61

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.

7700-140-090160-61

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.

7700-140-090160-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Mental Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-23-7700.TXT*

7700-140-090530-61

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.

7700-140-090530-61

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.

7700-140-090160-61

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.

7700-472-094810-61

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.

7700-474-094760-61

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.

7700-760-090000

There is appropriated \$420,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Local Alcoholism Authorities-Expansion program.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Mental Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-23-7700.TXT*

7700-760-090000

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.

The amounts hereinabove appropriated for the General Medical Services and the Community Services and Addictions Services program classifications within the Department of Human Services, 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 amount hereinabove appropriated for Community Based Substance Use Disorder Treatment and Prevention-State Share account, an amount not to exceed \$3,000,000, subject to the approval of the Director of the Division of Budget and Accounting, shall be allocated to the New Bridge Medical Center for the provision of addiction services.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Community Care, an amount not to exceed \$250,000, subject to the approval of the Director of the Division of Budget and Accounting, shall be allocated to Seton Hall University to support the Great Minds Dare to Care Initiative to support a comprehensive and collaborative suicide prevention initiative and promote the reduction of stigma surrounding mental health.

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Community Care, an amount not to exceed \$250,000, subject to the approval of the Director of the Division of Budget and Accounting, shall be allocated to support the Rabbinical College of America/Chabad of New Jersey Mental Health Initiative to provide mental health training and workshops to promote mental health awareness.

##### *State Aid - General Fund*

*L-SA-54-23-7700.TXT*

7700-150-088070-60

7700-495-088070-60

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Mental Health Services*

#### *State Aid - General Fund (cont.)*

*L-SA-54-23-7700.TXT*

7700-150-088070-60

7700-495-088070-60

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 percent of the rate established by the Commissioner of Human Services, in consultation with the Commissioner of Health, for the period July 1 to December 31 and at the rate of 45 percent of the rate established by the Commissioner of Human Services, in consultation with the Commissioner of Health, 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 percent 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 percent 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 in consultation with the Commissioner of Health. 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 percent of the actual cost rate of the State psychiatric facilities.

7700-150-088070-60

7700-495-088070-60

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.

7700-150-088070-60

7700-495-088070-60

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.

7700-150-088070-60

7700-495-088070-60

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Mental Health Services*

#### *State Aid - General Fund (cont.)*

*L-SA-54-23-7700.TXT*

7700-150-088070-60

7700-495-088070-60

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.

7700-150-088070-60

7700-495-088070-60

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.

7700-150-088070-60

7700-495-088070-60

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.

7700-150-088070-60

7700-495-088070-60

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 claim revenues.

7700-150-088070-60

7700-495-088070-60

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, in consultation with the Commissioner of Health, shall set: (1) 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, (2) 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"), (3) 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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Mental Health Services*

##### *State Aid - General Fund (cont.)*

*L-SA-54-23-7700.TXT*

7700-150-088070-60

7700-495-088070-60

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.

7700-495-088070-60

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 percent of the total per capita costs for the reasonable cost of maintenance and clothing of county patients in State psychiatric facilities.

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#### *Division of Medical Assistance and Health Services*

##### *Direct State Services - General Fund*

*L-DSS-54-24-7540.TXT*

7540-100-210000

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.

7540-100-210000

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.

7540-100-210000

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.

7540-100-210000

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.

7540-100-210000

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.

7540-100-210000-3

From the amounts hereinabove appropriated for Services Other Than Personal, there are appropriated such sums as are necessary for the department to contract for a comprehensive evaluation of the existing Medicaid-managed care contract and relevant Medicaid program regulations, which shall recommend opportunities to improve MCO performance and compliance.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Medical Assistance and Health Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-54-24-7540.TXT*

7540-100-210000-3

Notwithstanding P.L.2011, c.114 (C.30:4D-8.1 et seq.), the Medicaid ACO Demonstration Project is hereby renamed the Regional Health Hub Project, and of the amounts hereinabove appropriated for Services Other Than Personal, an amount not to exceed \$1,125,000, subject to the approval of the Director of the Division of Budget and Accounting, is allocated for support of New Jersey's Regional Health Hubs to provide intensive management of high utilization Medicaid recipients and other related services with the goal of improving health outcomes and patient satisfaction while lowering costs. The Commissioner of Human Services shall continue the Regional Health Hub Project through June 30, 2021, except that requirements for ongoing certification and reporting shall be waived, and the commissioner is authorized to designate organizations, and their designated areas, to the project to receive funding through this line item, who were reviewed in the 2018 report titled Update on ACO Operations and Care Management Strategies in the New Jersey Medicaid ACO Demonstration Project from the Rutgers Center for State Health Policy as required by P.L.2011, c.114 (C.30:4D-8.1 et seq.). Payments to an individual Regional Health Hub (Hub) from this line item shall not exceed \$562,500 in State and matching federal funds per Hub and shall be made available to reimburse each approved Hub for administrative expenses. The commissioner shall have the discretion to support Regional Health Hub innovation projects that advance Medicaid priorities using other available dollars as appropriate. The commissioner may grant a request from any Hub to expand its designated area.

7540-100-215000-5

The unexpended balances at the end of the preceding fiscal year, in the Payments to Fiscal Agents account are appropriated for the same purpose.

##### *Grants-In-Aid - General Fund*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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 conditions: in order to promote accuracy, efficiency and accountability in the third party liability (TPL) program, the Division of Medical Assistance and Health Services shall require that 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 and any entity writing health, casualty, workers' compensation, or malpractice insurance policies in the State or covering residents of this State, enter into an agreement with the Division or the State's authorized third party liability services contractor, or both, as determined by the Commissioner of Human Services, to permit and assist the matching no less frequently than on a monthly basis of the Medicaid/NJ FamilyCare, Charity Care, and Work First New Jersey General Public Assistance eligibility files and 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 adjudicated claims file for the purpose of coordination of benefits and recovery when appropriate, utilizing, if necessary, social security numbers as common identifiers and other personal identifying information consistent with federal and State law. Provided further that the Division also shall require that third party must respond within a reasonable period not to exceed 60 calendar days to an inquiry by the State regarding a claim for payment for any health care item or service that is submitted less than three years after the date of the provision of such health care item or service; failure to pay or deny a claim within a reasonable period after receipt of the claim shall create an uncontestable obligation to pay the claim and payments made by a third party to the State shall be considered final two years after payment is made; provided further that a third party shall agree not to deny a claim submitted by the State solely on the basis of the date of submission of the claim, the type or format of the claim form, a failure to obtain prior authorization, or a failure to present proper documentation at the point-of-sale that is the basis of the claim, if both of the following apply: the claim is submitted by the State within the three-year period beginning on the date on which the item or service was furnished; and any action by the State to enforce its rights with respect to the claim is commenced within six years of the State's submission of the claim.

7540-140-220000-61

The amounts hereinabove appropriated within the General Medical Services program classification are subject to the following provisions: the Commissioner of Human Services shall apply the emergency room triage reimbursement fee of \$140, established pursuant to P.L.2018, c.51 (C.30:4D-7p et seq.), for any applicable claim submitted for a patient enrolled in the State Medicaid program.

Notwithstanding the provisions of paragraph (13) of subsection i. of section 3 of P.L.1968, c.413 (C.30:4D-3) or any other law or regulation to the contrary, and subject to federal approval, a pregnant woman whose family income does not exceed the highest income eligibility level for pregnant women established under the State plan under Title XIX of the federal Social Security Act shall continue to be eligible for coverage until the end of 180-day period beginning on the last day of her pregnancy.

7540-140-220000-61

Notwithstanding the provisions of subparagraph (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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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 percent of the gross recovery.

7540-140-220000-61

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 established pursuant to P.L.2005, c.156 (C.30:4J-8 et al.).

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Medical Assistance and Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

The appropriations within the General Medical Services program classification are subject to the following conditions: the Division of Medical Assistance and Health Services, 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 U.S.C. s.1396a(a)(55), the county welfare agency worker may be removed from the outstation location.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

The amounts hereinabove appropriated for the General Medical Services program classification are available for the payment of obligations applicable to prior fiscal years.

7540-140-220000-61

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.

7540-140-220000-61

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. For the period July 1, 2020 through the last day of the quarter of the calendar year in which the public health emergency declared by the Secretary of Health and Human Services ends, the hourly rate for personal care services shall be \$20, and beginning the first day of the immediately succeeding quarter of the calendar year, the hourly rate for personal care services shall be \$19.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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 percent 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.

7540-140-220000-61

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 Commission on Accreditation of Healthcare Organizations 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; (4) individuals in the Program of All-Inclusive Care for the Elderly program; and (5) Medically Needy segment of the NJ FamilyCare.

7540-140-220000-61

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 percent 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.

7540-140-220000-61

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.

7540-455-217030-5

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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*Division of Medical Assistance and Health Services*

*Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

Notwithstanding the provisions of any law or regulation to the contrary and subject to notice provisions of 42 C.F.R. s.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; (ii) Wholesale Acquisition Cost (WAC) less a volume discount of two percent in the absence of a NADAC price; (iii) the federal upper limit; (iv) the State upper limit (SUL); (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. In the absence of a 340B ceiling price, the alternative benchmark used shall be the WAC minus a volume discount of 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: (i) 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: (i) 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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Medical Assistance and Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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 percent finished.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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.

7540-140-220000-61

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 for the drugs administered in a practitioner's office less a volume discount of one percent or the practitioner's usual and customary charge.

7540-140-220000-61

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 percent of reasonable and customary charges.

7540-140-220000-61

Notwithstanding the provisions of subsection (a) of N.J.A.C.10:60-5.7 and subsection (b) 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 services by \$10 per hour above the fiscal year 2008 rate.

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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 percent 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.

7540-140-220000-61

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.

7540-140-220000-61

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 \$6,500,000, 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.

7540-140-220000-61

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.

7540-140-220000-61

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 percent 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 program 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.

7540-140-220000-61

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.

7540-140-220000-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Medical Assistance and Health Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-220000-61

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.

7540-140-220000-61

The amounts hereinabove appropriated for the General Medical Services program classification are available for the payment of obligations applicable to prior fiscal years.

7540-140-220000-61

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 percent 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.

7540-140-220000-61

Of the amounts hereinabove appropriated for General Medical Services, effective January 1, 2018 such sums as are necessary shall be made available to reimburse medical professionals for advance care planning visits consistent with current Medicare reimbursement policy.

7540-140-220000-61

Notwithstanding the provisions of any law or regulation to the contrary, in order to ensure compliance with 42 C.F.R. 433.138(d)(4)(i) and (ii) and 42 C.F.R. 433.138(g) (2) and (3), the New Jersey Motor Vehicle Commission and the New Jersey Division of Workers' Compensation shall make their records available to the Division of Medical Assistance and Health Services or the State's authorized third party liability services contractor for the purpose of matching no less frequently than on a monthly basis with the Division of Medical Assistance and Health Services' records in order to identify current or former Medicaid/NJ FamilyCare beneficiaries who have recovered or may recover payments from 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), for the purpose of coordination of benefits and recovery when appropriate, utilizing, if necessary, personal identifying information as common identifiers consistent with federal law.

7540-140-220000-61

7540-140-220000-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the General Medical Services program classification is subject to the following condition: amounts received by the State from a Class II facility with greater than 500 licensed beds pursuant to an intergovernmental transfer agreement are appropriated to serve as the non-federal share of supplemental Medicaid reimbursements, subject to federal approval, and subject to the approval of the Director of the Division of Budget and Accounting.

7540-140-228000-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Medical Assistance and Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-228100-61

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 \$77, \$67, and \$57, respectively, as reimbursement for each NJ FamilyCare beneficiary under their care.

7540-140-228100-61

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.

7540-140-228100-61

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.

7540-140-228100-61

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.

7540-140-228100-61

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.

7540-140-228100-61

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.

7540-140-228100-61

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 services shall remain at the rate established in the preceding fiscal year.

7540-140-228200-61

Notwithstanding the provisions of any law or regulation to the contrary, and subject to any federal approvals as may be required, effective October 1, 2020 through June 30, 2021, the reimbursement rate for Class I, Class II, and Class III nursing facilities shall be equal to the rate received on September 30, 2020, plus a 10 percent adjustment. Each facility shall use no less than 60 percent of the rate adjustment provided under this section for the sole purpose of increasing wages or supplemental pay for certified nurse aides providing direct care. The remainder of the rate adjustment shall be used for other costs related to coronavirus disease 2019 preparedness and response, including enhancing infection control measures, cleaning, reconfiguration of the facility to support cohorting, procurement of personal protective equipment, testing, or other staff wages and needs.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Medical Assistance and Health Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-24-7540.TXT*

7540-140-228200-61

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.

7540-140-228200-61

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.

7540-140-228200-61

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.), subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Division of Aging Services*

##### *Direct State Services - General Fund*

*L-DSS-54-26.TXT*

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 percent of the gross recovery.

7530-140-245010-61

7530-140-245040-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled 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.

7530-421-574210

Receipts from the Office of the Public Guardian for Elderly Adults are appropriated to the Office of the Public Guardian.

##### *Grants-In-Aid - General Fund*

*L-GIA-54-26.TXT*

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

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## *Recommended Budget Language*

*Department Of Human Services*

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*Division of Aging Services*

*Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-26.TXT*

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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 less a volume discount, in the absence of a NADAC price, that is consistent with the NJ FamilyCare Program; (iii) the federal upper limit ; 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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

7530-140-550150-61

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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Aging Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-26.TXT*

7530-140-245010-61

7530-140-245040-61

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 copayment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$5 for generic drugs and \$7 for brand name drugs.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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 pharmaceutical 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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Aging Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-26.TXT*

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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.

7530-140-245010-61

7530-140-245040-61

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the 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," 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.

7530-140-245040-61

7530-140-245050-61

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 Senior Gold Prescription Discount Program accounts shall be available as payment as a PAAD program or the 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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

Consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," Pub.L.108-173, and the current federal prohibition against State automatic enrollment of 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.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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) 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 percent finished.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Aging Services*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-26.TXT*

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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", Pub.L.108-173, to appeal the medical necessity of coverage for drugs not on the formulary of a Medicare Part D plan.

7530-140-245010-61

7530-140-245040-61

7530-140-245050-61

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 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.

7530-140-245010-61

7530-140-245050-61

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.

7530-140-245050-61

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.

7530-140-550150-61

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.

#### *Grants-In-Aid - Casino Revenue Fund*

*L-CRFG-54-26.TXT*

7530-493-209990-61

7530-493-245040-61

7530-493-550150-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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*Division of Aging Services*

*Grants-In-Aid - Casino Revenue Fund (cont.)*

*L-CRFG-54-26.TXT*

7530-493-209990-61

7530-493-245040-61

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.

7530-493-245040-61

7530-493-550150-61

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.

7530-493-245040-61

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.

7530-493-245040-61

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.

7530-493-245040-61

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 copayment in the Pharmaceutical Assistance to the Aged and Disabled program shall be \$5 for generic drugs and \$7 for brand name drugs.

7530-493-245040-61

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.

7530-493-245040-61

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.

## *Recommended Budget Language*

*Department Of Human Services*

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*Division of Aging Services*

*Grants-In-Aid - Casino Revenue Fund (cont.)*

*L-CRFG-54-26.TXT*

7530-493-245040-61

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.

7530-493-245040-61

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," 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.

7530-493-245040-61

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.

7530-493-245040-61

Consistent with the requirements of the federal "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," 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.

7530-493-245040-61

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 percent finished.

7530-493-245040-61

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," Pub.L.108-173, to appeal the medical necessity of coverage for drugs not on the formulary of a Medicare Part D plan.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Aging Services*

##### *Grants-In-Aid - Casino Revenue Fund (cont.)*

*L-CRFG-54-26.TXT*

7530-493-245040-61

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.

7530-493-245040-61

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 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.

7530-493-550150-61

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for the Community Based Senior Programs (CRF) account, \$172,000 shall be charged to the Casino Simulcasting Fund.

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#### *Division of Disability Services*

##### *Grants-In-Aid - General Fund*

*L-GIA-54-27-7545.TXT*

7545-140-270010-61

7545-140-270020-61

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.

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#### *Operation and Support of Educational Institutions*

##### *Direct State Services - General Fund*

*L-DSS-54-32.TXT*

The State appropriation for the State's developmental centers is based on ICF/MR revenues of \$118,624,000, provided that if the ICF/MR revenues exceed \$118,624,000, 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.

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## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Operation and Support of Educational Institutions*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-54-32.TXT*

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.

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#### *Community Programs*

##### *Grants-In-Aid - General Fund*

*L-GIA-54-32-7601.TXT*

7601-411-010300-61

Cost recoveries from consumers with developmental disabilities collected during the current fiscal year, not to exceed \$8,234,000, 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.

7610-140-996840-61

7620-140-996840-61

7640-140-996840-61

7650-140-996840-61

7670-140-996840-61

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, \$675,791,000 of federal Community Care Program funds is appropriated for community-based programs in the Division of Developmental Disabilities. The appropriation of federal Community Care Program 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.

In addition to the amount hereinabove appropriated for the Purchased Residential Care, Social Supervision and Consultation, and Adult Activities program classifications, 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.

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## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Commission for the Blind and Visually Impaired*

##### *Direct State Services - General Fund*

*L-DSS-54-33-7560.TXT*

7560-100-110000-12

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.

7560-100-112350-5

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.

7560-100-990010-5

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.

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#### *Division of Family Development*

##### *Direct State Services - General Fund*

*L-DSS-54-53-7550.TXT*

7550-100-150000

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.

7550-100-150000

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 - General Fund*

*L-GIA-54-53-7550.TXT*

7550-140-150000

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.

7550-140-150000

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.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Family Development*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-54-53-7550.TXT*

7550-140-150000

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.

7550-140-150390-61

7550-140-150480-61

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.

7550-140-150390-61

7550-140-150480-61

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 percent and 250 percent 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.

7550-140-150480-61

In addition to the amounts hereinabove appropriated for Work First New Jersey Child Care, there is appropriated to the Division of Family Development in the Department of Human Services an amount not to exceed \$9,000,000, subject to the approval of the Director of the Division of Budget and Accounting, to be used to adjust child care provider rates to account for the January 1, 2021 increase in the State's minimum wage.

7550-140-153550-61

In addition to the amounts hereinabove appropriated for Social Services for the Homeless, there is appropriated to the Division of Family Development in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting, an amount not to exceed \$5,000,000 to be used to provide case management services to individuals who qualify for such services pursuant to P.L.2019, c.74.

7550-140-158300-6

Notwithstanding the provisions of any law, rule or regulation to the contrary, every household in the State that is eligible to receive benefits under the Supplemental Nutrition Assistance Program (SNAP) established pursuant to the "Food and Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.) shall receive a minimum annual energy assistance payment of \$21 in order to qualify the household for a heating and cooling standard utility allowance under the SNAP program, in accordance with 7 U.S.C. s.2014(e)(6)(C), unless a standard utility allowance would have been unavailable to the household under the State and federal criteria for SNAP and any applicable energy assistance programs that were in place as of July 1, 2013.

#### *State Aid - General Fund*

*L-SA-54-53-7550.TXT*

7550-150-150000

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Family Development*

##### *State Aid - General Fund (cont.)*

*L-SA-54-53-7550.TXT*

7550-150-150000

Receipts from State administered municipalities during the preceding fiscal year are appropriated for the same purpose.

7550-150-150000

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.

7550-150-150000

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.

7550-150-150000

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.

7550-150-150000

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.

7550-150-150000

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.

7550-150-150000

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.

7550-150-150000

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 \$35 annual child support user fee, subject to the approval of the Director of the Division of Budget and Accounting.

7550-150-150000

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.

7550-150-150250-60

Notwithstanding section 7 of P.L.1997, c.38 (C.44:10-61) or any other law or regulation to the contrary, the level of cash assistance benefits payable to an assistance unit with dependent children shall increase as a result of a child having been born to the assistance unit while the assistance unit is receiving assistance.

## *Recommended Budget Language*

*Department Of Human Services*

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### *Division of Family Development*

#### *State Aid - General Fund (cont.)*

*L-SA-54-53-7550.TXT*

7550-150-150250-60

7550-150-157990-60

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for Work First New Jersey Emergency Assistance 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.

7550-150-150250-60

7550-150-158010-60

Notwithstanding any other law or regulation to the contrary, the maximum benefit levels provided to Work First New Jersey recipients shall be 20 percent greater than the assistance levels in effect in State fiscal year 2019.

7550-150-150300-60

7550-150-157990-60

In addition to the amounts hereinabove appropriated for Work First New Jersey - Emergency Assistance, Payments for Supplemental Security Income and General Assistance Emergency Assistance Program, there is appropriated to the Division of Family Development in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting, an amount not to exceed \$20,000,000 to be used to provide emergency assistance benefits to individuals who qualify for such benefits pursuant to P.L.2018, c.164 or P.L.2019, c.74.

7550-150-157990-60 7550-150-158010-60

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.

7550-150-158010-60

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.

7550-150-158040-60

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.

7550-150-158140-60

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.

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## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Division of Management and Budget*

##### *Direct State Services - General Fund*

*L-DSS-54-76-7500.TXT*

7500-100-995370-5

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 \$150,000 and any increase in the maximum monthly allowance shall be approved by the Director of the Division of Budget and Accounting.

In addition to the amount appropriated for Legal Services of New Jersey, \$3,100,000, subject to the approval of the Director of the Division of Budget and Accounting based on actual and anticipated caseloads, shall be made available by the Department of Human Services to one or more organizations qualified to provide such assistance, as determined by the Commissioner of Human Services for the provision of legal assistance to individuals facing detention or deportation based on their immigration status.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-54.TXT*

DEPARTMENT OF HUMAN SERVICES <STRADDLE>

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.

## *Recommended Budget Language*

### *Department Of Human Services*

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#### *Departmental Language*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-54.TXT*

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," and as legislatively required by the Work First New Jersey program.

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, amounts hereinabove appropriated for the State developmental centers 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, subject to the approval of the Director of the Division of Budget and Accounting.

##### *Grants-In-Aid - General Fund*

*L-GIA-54.TXT*

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 General Medical Services program classification, 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.256 (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 and the Department of Health, subject to the approval of the Director of the Division of Budget and Accounting.

The amounts hereinabove appropriated for the Purchased Residential Care, Social Supervision and Consultation, Adult Activities, Community Services, Addiction Services, and Administration and Support Services program classifications are available for the payment of obligations applicable to prior fiscal years, subject to the approval of the Director of the Division of Budget and Accounting.

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## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Economic Planning and Development*

##### *Direct State Services - General Fund*

*L-DSS-62-51.TXT*

4565-100-990000

Of the amount hereinabove appropriated for the Administration and Support Services program classification, \$403,500 is appropriated from the Unemployment Compensation Auxiliary Fund.

4565-100-990000

In addition to the amount hereinabove appropriated for the Administration and Support Services program, an amount not to exceed \$412,500 is appropriated from the Unemployment Compensation Auxiliary Fund, subject to the approval of the Director of the Division of Budget and Accounting.

4565-100-990000

Of the amount hereinabove appropriated for the Administration and Support Services program, \$23,250 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.

4565-100-995600

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.

4565-100-995600

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 \$600,000 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.).

4565-419-990260

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.

4565-435-990250-5

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.

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#### *Economic Assistance and Security*

##### *Direct State Services - General Fund*

*L-DSS-62-53.TXT*

4510-205-010010

An amount not to exceed \$112,500 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.

4510-205-010010

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.

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Economic Assistance and Security*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-62-53.TXT*

4510-437-010500

In addition to the amounts hereinabove appropriated, there is appropriated from the Unemployment Compensation Auxiliary Fund, an amount not to exceed \$12,000,000 to support the Unemployment Insurance 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.

4520-101-030000

4520-101-040000

The amounts hereinabove appropriated for the State Disability Insurance Plan and Private Disability Insurance Plan are payable out of the State Disability Benefits Fund.

4520-101-030000

4520-101-040000

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.

4520-101-030000

4520-101-030010

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 \$7,500,000, 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.

4520-101-035000

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.

4520-101-030000

4520-101-040000

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.

4525-101-050000

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.

4530-101-060000

4530-440-060010

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.

4530-440-060010

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.

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Economic Assistance and Security*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-62-53.TXT*

4530-440-060010

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.

4530-440-060010

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.

4530-441-060020

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 \$19,000,000 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. An amount not to exceed \$3,000,000 is appropriated 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, for enhancing the Department's effort in auditing and collection of unemployment contribution obligations, subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Manpower and Employment Services*

##### *Direct State Services - General Fund*

*L-DSS-62-54.TXT*

4535-100-070000

The amount hereinabove appropriated for the Vocational Rehabilitation Services program classification is appropriated from the Unemployment Compensation Auxiliary Fund.

4535-100-070000-12

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.

4535-100-070000

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.

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Manpower and Employment Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-62-54.TXT*

4545-100-100310-5

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 \$54,000 from the Unemployment Compensation Auxiliary Fund for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

4545-101-091050

4545-101-091060

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.

4545-101-091050-1

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.

4545-101-091130-5

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.

4550-100-120000

Receipts in excess of the amount anticipated for the Workplace Standards program and the unexpended balance at the end of the preceding fiscal year are appropriated for the same program, subject to the approval of the Director of the Division of Budget and Accounting.

4550-100-120000

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.

4550-100-120000-1

4550-101-121100-5

Of the amount hereinabove appropriated for Workplace Standards Salaries and Wages, an amount not less than \$500,000 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.).

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Manpower and Employment Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-62-54.TXT*

4550-101-120120-5

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.

4550-101-121100-5

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.

4556-100-160000

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.

4560-100-170000

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.

##### *Grants-In-Aid - General Fund*

*L-GIA-62-54.TXT*

4535-140-070000

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Vocational Rehabilitation Services, there is appropriated \$10,500,000 from the Workforce Development Partnership Fund.

4535-140-070000

In addition to the amount hereinabove appropriated for Vocational Rehabilitation Services, there is appropriated an additional \$3,750,000 from the Workforce Development Partnership Fund for Extended Employment (Center based jobs), Extended Employment Transportation, and Long-Term Follow Along Services which shall be allocated in the same amounts as in Fiscal Year 2020. Further, there is appropriated an additional \$3,750,000 from the Workforce Development Partnership Fund, of which \$2,700,000 shall be allocated for the Extended Employment client slots, and \$1,050,000 shall be allocated for Extended Employment Transportation.

4535-140-070000

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for Vocational Rehabilitation Services, there is appropriated \$6,835,500 from the Supplemental Workforce Fund for Basic Skills.

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Manpower and Employment Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-62-54.TXT*

4535-438-070620

In addition to the amount hereinabove appropriated for Vocational Rehabilitation Services, an amount not to exceed \$6,000,000 to allow for the matching of federal funds made available pursuant to 29 U.S.C. s.730 is hereby appropriated from the Supplemental Workforce Fund for Basic Skills, subject to the approval of the Director of the Division of Budget and Accounting.

4545-140-105400

In addition to the amounts hereinabove appropriated for the Employment and Training Services program classification, an amount not to exceed \$37,500 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.

4545-140-105400-61

Notwithstanding the provisions of any law or regulation to the contrary, of the amount hereinabove appropriated for New Jersey Youth Corps, \$1,387,500 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.

4545-140-105400-61

Of the amount hereinabove appropriated for the New Jersey Youth Corps program, \$356,250 is appropriated from the Unemployment Compensation Auxiliary Fund.

4545-140-105400-61

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 \$1,650,000 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.

4545-140-105410-61

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, \$6,142,500 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.

4545-140-105410-61

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.

4545-435-101790

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 \$16,125,000 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.

4535-140-070000

4535-493-070000

4535-140-070030

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.

## *Recommended Budget Language*

### *Department Of Labor And Workforce Development*

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#### *Manpower and Employment Services*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-62-54.TXT*

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.

4545-438-100360

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Employment and Training Services, an amount not to exceed \$22,500,000 is appropriated from the Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), for the purpose of funding the NJ Apprenticeship Network, the Career Accelerator Internship Program, the Workforce Development Policy and Evaluation Lab, the NJ Career Network, and such other priority additional workforce initiatives recommended by the Commissioner of Labor and Workforce Development, subject to the approval of the Director of the Division of Budget and Accounting.

4545-438-101830

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for Employment and Training Services, an amount not to exceed \$1,500,000 is appropriated from the Workforce Development Partnership Fund for the Parolee Employment Placement Program for parolee employment services from contracted providers, subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Civil Service Commission*

##### *Direct State Services - General Fund*

*L-DSS-62-74.TXT*

4575-100-220000-1

4575-100-220040-5

4575-100-220070-5

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.

4580-100-240000

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.

4575-100-220000-3

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.

4580-100-240000-11

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## *Recommended Budget Language*

### *Department Of Law And Public Safety*

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#### *Law Enforcement*

##### *Direct State Services - General Fund*

*L-DSS-66-12.TXT*

1020-101-094100-5

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.

1020-101-095100-5

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.

1020-300-090000

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.

1200-100-060000

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.

1200-100-062870-5

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.

1200-100-062870-5

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.

1200-100-068130-5

The unexpended balance at the end of the preceding fiscal year in the Expungement Unit account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

1200-101-060130-5

All fees and receipts collected, pursuant to paragraph (7) of subsection 1. 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.

1200-101-060520-5

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.

1200-101-060520-5

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.

1200-101-060520-5

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.

## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Law Enforcement*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-66-12.TXT*

1200-101-060580-5

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.

1200-406-991140-12

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.

1200-416-060223

1200-425-062620

1200-425-062630

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 training 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. No funds shall be expended to expand services in a manner that duplicates service currently provided. The Department of Health and the Division of State Police shall establish performance metrics to ensure the appropriate delivery of State-wide emergency medical helicopter service and that no inefficient duplication of State funded service exists.

1200-425-062630

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 \$11,280,000, are appropriated for State Police salaries, subject to the approval of the Director of the Division of Budget and Accounting.

1200-425-062630

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 \$6,505,000 are appropriated for State Police vehicles, subject to the approval of the Director of the Division of Budget and Accounting.

1200-425-062630

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 \$2,000,000 are appropriated for State Police equipment, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Law Enforcement*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-66-12.TXT*

1200-419-066190

1200-419-062430

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.

1200-435-061430

Notwithstanding the provisions of section 6 of P.L.2003, c.183 or any other law or regulation to the contrary, an amount not to exceed \$700,000 from receipts from fines and penalties collected by the Division of State Police shall be deposited in the General Fund as State revenue, subject to the approval of the Director of the Division of Budget and Accounting.

1200-435-992110

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.

1200-444-061890

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.

1020-100-090000

1200-100-990000

In addition to the amounts hereinabove appropriated to the Divisions of State Police and Criminal Justice, 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.

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.

#### *Direct State Services - Casino Control Fund*

*L-CCF-66-12.TXT*

1460-490-300000

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.

## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Law Enforcement*

#### *Grants-In-Aid - General Fund*

*L-GIA-66-12.TXT*

1200-140-060400-6

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.

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### *Special Law Enforcement Activities*

#### *Direct State Services - General Fund*

*L-DSS-66-13.TXT*

1400-404-210000

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.

1410-447-220000

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.

1410-447-220000

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.

1420-100-170000

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.

1420-412-170040

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.

1480-457-270000

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.

1420-496-175100

There are appropriated from the Gubernatorial Elections Fund such sums 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 sums as may be required, subject to the approval of the Director of the Division of Budget and Accounting.

1420-496-175100

Of the amount hereinabove appropriated for the Election Law Enforcement Gubernatorial Elections Fund, an amount not to exceed \$480,000 may be used to offset the administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting.

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## *Recommended Budget Language*

### *Department Of Law And Public Safety*

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#### *Juvenile Services*

##### *Direct State Services - General Fund*

*L-DSS-66-18.TXT*

1505-429-360060

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.

##### *Grants-In-Aid - General Fund*

*L-GIA-66-18.TXT*

1500-140-340140-6

1500-140-340240-6

1500-140-340270-6

1500-140-342000-6

1500-140-342810-6

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.

1500-140-340140-6

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.

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#### *Central Planning, Direction and Management*

##### *Direct State Services - General Fund*

*L-DSS-66-19.TXT*

1000-459-991230

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.

1000-460-991250

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.

1005-100-130010-5

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.

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## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Central Planning, Direction and Management*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-66-19.TXT*

1005-100-130010-5

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.

1005-444-130010

1005-444-130400

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 - General Fund*

*L-GIA-66-19.TXT*

1005-100-130380-6

Of the amount appropriated for the New Jersey Nonprofit Security Grant Pilot Program (P.L.2017, c.246), the unexpended balance 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.

#### *State Aid - General Fund*

*L-SA-66-19.TXT*

1005-150-130030-6

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.

1005-150-130030-6

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.

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## *Recommended Budget Language*

### *Department Of Law And Public Safety*

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#### *General Government Services*

##### *Direct State Services - General Fund*

*L-DSS-66-74.TXT*

1010-100-120000  
1010-100-120020  
1010-100-121200  
1010-101-125000

In addition to the amount hereinabove appropriated for Legal Services and the 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.

1010-100-120000  
1010-100-120020  
1010-100-121200  
1010-101-125000

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.

1010-100-120000  
1010-100-120020  
1010-100-121200  
1010-101-125000

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.

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#### *Protection of Citizens' Rights*

##### *Direct State Services - General Fund*

*L-DSS-66-82.TXT*

1310-100-140000

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.

1310-100-140000

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.

1310-100-140000

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.

## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Protection of Citizens' Rights*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-66-82.TXT*

1310-101-140000-1

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, investigations required by law, opioid related expenses, and unanticipated costs related to enforcement needs, subject to the approval of the Director of the Division of Budget and Accounting.

1310-101-140010-1

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.

1310-100-142080-5

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.

1310-101-142090-5

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.

1310-101-145200-5

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.

1310-101-145300-5

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.

1310-101-145310-5

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.

## *Recommended Budget Language*

*Department Of Law And Public Safety*

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### *Protection of Citizens' Rights*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-66-82.TXT*

1317-101-150000

To

1349-101-150000

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.

1350-100-160000

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.

1350-100-160000

Receipts from the provision of copies of transcripts and other materials related to officially docketed cases are appropriated.

1440-101-190010-5

The unexpended balances at the end of the preceding fiscal year in the Victims of Crime Compensation Office pursuant to section 2 of P.L.1979, c.396 (C.2C:43-3.1) are appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

1440-101-190010-5

The amount hereinabove appropriated for Claims - Victims of Crime is available for payment of awards applicable to claims filed in prior fiscal years.

1440-100-190000

1440-101-190010-5

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.

1440-101-190100-5

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.

1440-435-190090

Notwithstanding the provisions of any law or regulation to the contrary and consistent with P.L.2015, c.55, restitution payments collected by the Department of Corrections owed to victims of crimes who have not been located by the Department and who have not come forward to claim such payments for a period of two years from when the Department attempts to locate them shall be transferred to the Victims of Crime Compensation Office and are appropriated to satisfy claims pursuant to the provisions of the "Criminal Injuries Compensation Act of 1971," P.L.1971, c.317 (C.52:4B-1 et seq.).

## *Recommended Budget Language*

### *Department Of Law And Public Safety*

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#### *Protection of Citizens' Rights*

*Direct State Services - Casino Revenue Fund*

*L-CRFD-66-82.TXT*

1326-491-151090

The amount hereinabove is appropriated from the Casino Revenue Fund for the costs associated with the operation of the New Jersey Board of Nursing.

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#### *Departmental Language*

*Direct State Services - General Fund*

*L-DSS-66.TXT*

<CENTER\_TTL2>DEPARTMENT OF LAW AND PUBLIC SAFETY<HR> <STRADDLE>

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 \$33,500,000, 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.

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## *Recommended Budget Language*

### *Department Of Military And Veterans' Affairs*

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#### *Military Services*

##### *Direct State Services - General Fund*

*L-DSS-67-14.TXT*

3620-100-400000

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.

3620-440-401210

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.

3620-100-403000-5

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.

3620-100-408060-5

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.

3620-435-990300

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.

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#### *Veterans' Program Support*

##### *Direct State Services - General Fund*

*L-DSS-67-83-3610.TXT*

3610-100-500000

3610-100-510000

3610-100-511110

3610-100-511120

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.

3610-100-500200-5

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.

3610-100-505000

Funds collected by and on behalf of the Korean Veterans' Memorial Fund are hereby appropriated for the purposes of the fund.

3610-100-700000-2

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.

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## *Recommended Budget Language*

### *Department Of Military And Veterans' Affairs*

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#### *Veterans' Program Support*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-67-83-3610.TXT*

3610-100-700000-4

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 - General Fund*

*L-GIA-67-83-3610.TXT*

3610-140-500050-6

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.

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#### *Vineland Veterans' Memorial Home*

##### *Direct State Services - General Fund*

*L-DSS-67-83-3650.TXT*

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 eligible 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.

Receipts in excess of anticipated revenues derived from resident contributions and the U.S. Department of Veterans Affairs 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.

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#### *Departmental Language*

##### *Direct State Services - General Fund*

*L-DSS-67.TXT*

<CENTER\_TTL2>DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS <STRADDLE>

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.

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***Recommended Budget Language***

*Department Of Military And Veterans' Affairs*

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*Departmental Language*

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## *Recommended Budget Language*

### *Department Of State*

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#### *Higher Educational Services*

##### *Direct State Services - General Fund*

*L-DSS-74-36.TXT*

2400-100-800000

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 a statewide longitudinal New Jersey Education to Earnings Data System.

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36.TXT*

2400-140-800930-61

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.

2400-140-800930-61

Refunds from prior years to the College Bound Program are appropriated to that account.

2401-140-810010-61

2401-140-810020-61

2401-140-810050-61

2401-140-810060-61

Refunds from prior years to the Educational Opportunity Fund Programs accounts are appropriated to those accounts.

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#### *Higher Education Student Assistance Authority*

##### *Direct State Services - General Fund*

*L-DSS-74-36-2405.TXT*

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.

## *Recommended Budget Language*

*Department Of State*

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### *Higher Education Student Assistance Authority*

#### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2405.TXT*

2405-140-450070-61

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 set by the Higher Education Student Assistance Authority. Such amounts as may be necessary are appropriated from Tuition Aid Grants to fund awards for undocumented students as set forth in P.L.2018, c.12 (C.18A:71B-2.1) or incarcerated individuals, subject to the approval of the Director of the Division of Budget and Accounting. 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.

2405-140-450070-61

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.

2405-140-450070-61

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.

2405-140-450100-61

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 credits 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.

2405-140-450100-61

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.

## *Recommended Budget Language*

*Department Of State*

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### *Higher Education Student Assistance Authority*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-74-36-2405.TXT*

2405-140-450260-61

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Community College Opportunity Grants is subject to the following conditions: (1) \$10 million is appropriated to the Higher Education Student Assistance Authority for the purpose of providing grants to eligible enrollees at New Jersey county colleges for the Fall 2020 and Spring 2021 semesters, to pay for the costs of tuition or approved educational fees, including fees for nursing, culinary, and other career and technical education programs, or both, that are not already covered by other available funding opportunities, including, but not limited to, awards of tuition assistance and grants from any source, as determined by the Higher Education Student Assistance Authority; provided, however, that the Higher Education Student Assistance Authority, in consultation with the Office of the Secretary of Higher Education, shall establish criteria governing student eligibility and other necessary program elements, which shall be published on the Authority's Internet website; provided further that for Fiscal Year 2021, grants shall be available only to students determined to be eligible by the Authority, and whose adjusted gross income does not exceed \$65,000; and provided further that the maximum per student tuition and approved educational fee amounts eligible for Community College Opportunity Grants coverage shall not be more than two percent greater than the equivalent tuition and fee amounts at each county college in Academic Year 2019-2020; and provided further that unexpended balances, not to exceed \$5 million, may be reallocated to augment the Tuition Assistance Grant program for county colleges, upon the recommendation of the Secretary of Higher Education and subject to the approval of the Director of the Division of Budget and Accounting; and (2) students must be enrolled in 6 or more credit hours, as defined pursuant to N.J.A.C. 9A:9-2.6.

2405-140-450260-61

In addition to the amount hereinabove appropriated for Community College Opportunity Grants (CCOG), there are appropriated such amounts as are required to cover the costs of increases in the number of applicants qualifying for CCOG 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.

2405-140-457420-61

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.

2405-140-459000-61

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.

2405-140-459000-61

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.

2405-140-459000-61

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.

## *Recommended Budget Language*

### *Department Of State*

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#### *Higher Education Student Assistance Authority*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-74-36-2405.TXT*

2405-140-459000-61

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.

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.

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#### *Rutgers, The State University*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2410.TXT*

2410-140-829500-61

2410-140-829800-61

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.

2410-140-829800-61

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.

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#### *Agricultural Experiment Station*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2415.TXT*

2415-140-829510-61

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.

2415-140-829510-61

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.

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## *Recommended Budget Language*

### *Department Of State*

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#### *Agricultural Experiment Station*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-74-36-2415.TXT*

2415-140-829510-61

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.

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#### *Rutgers, The State University - Camden*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2416.TXT*

2416-140-829550-61

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.

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#### *Rutgers, The State University - Newark*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2417.TXT*

2417-140-829560-61

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.

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#### *New Jersey Institute of Technology*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2430.TXT*

2430-140-829680-61

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.

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#### *Thomas A. Edison State College*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2440.TXT*

2440-140-821780-61

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.

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#### *Rowan University*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2445.TXT*

2445-140-821700-61

2445-140-829200-61

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Rowan University shall be 1,650.

2445-140-829080-61

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.

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## *Recommended Budget Language*

### *Department Of State*

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#### *New Jersey City University*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2450.TXT*

2450-140-821710-61

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.

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#### *Kean University*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2455.TXT*

2455-140-821720-61

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.

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#### *William Paterson University of New Jersey*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2460.TXT*

2460-140-821730-61

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.

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#### *Montclair State University*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2465.TXT*

2465-140-821740-61

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.

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#### *The College of New Jersey*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2470.TXT*

2470-140-821750-61

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.

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#### *Ramapo College of New Jersey*

##### *Grants-In-Aid - General Fund*

*L-GIA-74-36-2475.TXT*

2475-140-821760-61

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.

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## *Recommended Budget Language*

*Department Of State*

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*The Richard Stockton College of New Jersey*

*Grants-In-Aid - General Fund*

*L-GIA-74-36-2480.TXT*

2480-140-821770-61

For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Stockton University shall be 1,069.

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*University Hospital*

*Grants-In-Aid - General Fund*

*L-GIA-74-36-2485.TXT*

2485-140-821800-61

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.

2485-140-821800-61

In addition to the amount hereinabove appropriated for University Hospital, an amount not to exceed \$8,000,000 is appropriated to support expenditures related to the Clinical Service Agreement between University Hospital and Rutgers, The State University, subject to the approval of the Director of the Division of Budget and Accounting.

<CENTER\_TTL2>HIGHER EDUCATIONAL SERVICES<HR>

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 Division 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, 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.

## *Recommended Budget Language*

*Department Of State*

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### *University Hospital*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-74-36-2485.TXT*

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 equal monthly installments on the last business day of each month.

Notwithstanding the provisions 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 the Division 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 the Division 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.

Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for the Outcomes-Based Allocation program in each of the senior public institutions of higher education shall be allocated and distributed to eligible senior public institutions based on a funding rationale that takes into consideration: (1) the total number of degrees awarded by the institution, (2) the number of degrees awarded by the institution to individuals from underrepresented ethnic and racial minority groups, and (3) the number of students at the institution who qualify for need-based financial aid awards at the State and federal levels; provided, however, that institutions receiving awards shall be required to: (1) commit to the principles of the State Plan for Higher Education, (2) maintain a Financial Aid Shopping Sheet for all undergraduate students, (3) participate in good faith discussions led by the Secretary of Higher Education to improve future distribution of funding to institutions consistent with State priorities, (4) share program-level spending information to assist in the distribution of future funding, and (5) such other requirements determined to be appropriate by the Secretary of Higher Education, 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 Higher Educational Services - Institutional Support, there is appropriated an amount not to exceed \$1,000,000 for institutions participating in the New Jersey Civic Information Consortium to advance research and innovation in the field of media and technology to benefit the State, subject to the approval of the Director of the Division of Budget and Accounting.

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## *Recommended Budget Language*

*Department Of State*

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### *Cultural and Intellectual Development Services*

#### *Grants-In-Aid - General Fund*

*L-GIA-74-37.TXT*

2530-140-055000-61

Of the amount hereinabove appropriated for Cultural Projects, an amount not to exceed \$500,000 may be used for administrative purposes, including but not limited to 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.

2530-140-055000-61

Of the amount hereinabove appropriated for Cultural Projects, the value of project grants awarded within each county shall total not less than \$50,000.

2530-140-055000-61

Of the amount hereinabove appropriated for Cultural Projects, funds may be used for the purpose of matching federal grants.

2530-140-055000-61

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.

2540-140-077700-61

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 \$300,000 is appropriated for administrative costs, subject to the approval of the Director of the Division of Budget and Accounting.

2530-140-055000-6

Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the New Jersey Cultural Trust \$4,100,000 for transfer to the General Fund as State revenue, subject to the approval of the Director of the Division of Budget and Accounting. The amount hereinabove appropriated for Cultural Projects shall first be provided from this revenue.

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### *Division of State Library*

#### *Direct State Services - General Fund*

*L-DSS-74-37-2541.TXT*

2541-100-510000-5

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 equal monthly installments, on the last business day of each month.

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## *Recommended Budget Language*

### *Department Of State*

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#### *General Government Services*

##### *Direct State Services - General Fund*

*L-DSS-74-74.TXT*

2510-100-020000

2510-100-020020

Of the amount hereinabove appropriated to the Business Action Center, an amount up to \$250,000 is appropriated for New Jersey Small Business Development Centers, pursuant to a spending plan approved by the Secretary of State, subject to the approval of the Director of the Division of Budget and Accounting.

2510-100-020080-5

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.

2525-100-250000

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.

2525-100-250010-5

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.

2505-100-015830-5

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the Business Marketing Initiative shall be used to pay for the costs of developing and implementing a marketing program to highlight the benefits of doing business in the State of New Jersey and to encourage national and international business entities to relocate and expand in New Jersey, pursuant to a competitively awarded contract between the Department of State and a non-profit entity with expertise in economic development, subject to the approval of the Director and the Division of Budget and Accounting.

##### *Grants-In-Aid - General Fund*

*L-GIA-74-74.TXT*

2505-140-010240-61

Of the amount hereinabove appropriated for the Office of Programs, an amount not to exceed 10% may be used for administrative purposes, including the oversight 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 - General Fund*

*L-SA-74-74.TXT*

2525-150-250160-60

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.

2525-150-250600

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## *Recommended Budget Language*

*Department Of State*

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### *Departmental Language*

*Direct State Services - General Fund*

*L-DSS-74.TXT*

<CENTER\_TTL2>DEPARTMENT OF STATE<HR> <STRADDLE>

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.

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## *Recommended Budget Language*

### *Department Of Transportation*

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#### *Vehicular Safety*

##### *Direct State Services - General Fund*

*L-DSS-78-11.TXT*

6400-419-016190

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.

6400-420-010000

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, \$1,875,000 is appropriated for transfer to the Interdepartmental Property Rentals and Household and Security accounts, \$3,862,000 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.

6400-420-010000

Notwithstanding the provisions of section 105 of P.L.2003, c.13 (C.39:2A-36) or any law to the contrary, \$8,205,000 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.

6400-425-010220

1200-416-060220

4220-416-024160

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.

There are appropriated from the "Unsafe Driving Surcharges Fund" established pursuant to section 5 of P.L.2004, c.70 (C.34:1B-21.27), all amounts on deposit in such fund as required under the contract between the State Treasurer and the New Jersey Economic Development Authority entered into pursuant to section 7 of P.L.2004, c.70 (C.34:1B-21.29).

There are appropriated from the "Division of Motor Vehicles Surcharge Fund" established pursuant to section 12 of P.L.1994, c.57 (C.34:1B-21.12), all amounts on deposit in such fund as required under the contract between the State Treasurer and the New Jersey Economic Development Authority entered into pursuant to section 7 of P.L.2004, c.70 (C.34:1B-21.29).

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *Vehicular Safety*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-78-11.TXT*

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 \$7,500,000 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, \$42,500,000 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.

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#### *State and Local Highway Facilities*

##### *Direct State Services - General Fund*

*L-DSS-78-61.TXT*

6100-100-060000

6120-100-080000

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.

6100-100-060000

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.

6100-100-060000

6120-100-080000

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, \$9,375,000 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.

6100-100-060080-5

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.

6100-101-061000-1

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.

6100-101-061310-5

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.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *State and Local Highway Facilities*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-78-61.TXT*

Of the amount hereinabove appropriated for Maintenance and Operations, \$7,575,000 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 \$3,862,000 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.

6100-100-060000

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, \$1,500,000 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.

6100-400-060040

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 and litter removal activities, including public service campaigns for graffiti and litter removal, 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.

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-78-61.TXT*

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Pedestrian Safety Grants shall be used to provide grants to local units for new, improved, or expanded pedestrian safety programs pursuant to a competitive process administered by the Department of Transportation, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *State and Local Highway Facilities*

##### *Capital - General Fund*

*L-CC-78-61.TXT*

6200-590-601150-5

6200-590-601160-5

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) \$328,200,000 from motor fuels taxes, which are hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (ii) \$589,895,000 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) \$150,000,000 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) \$9,000,000 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 is authorized to use monies in the Transportation Trust Fund Subaccount for Capital Reserves for 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. Subject to the receipt of federal funds, the Transportation Trust Fund Subaccount for Capital Reserves may be reimbursed for all monies that were transferred to advance federally funded projects, subject to the approval of the Director of the Division of Budget and Accounting.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *State and Local Highway Facilities*

##### *Capital - General Fund (cont.)*

*L-CC-78-61.TXT*

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.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *State and Local Highway Facilities*

##### *Capital - General Fund (cont.)*

*L-CC-78-61.TXT*

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et al.) or any law or regulation to the contrary, there is appropriated up to the sum of \$2,000,000,000 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: <HR>

<F35>S<F0><SP>Airport Assets<HR>  
<F35>S<F0><SP>Bridge Assets<HR>  
<F35>S<F0><SP>Capital Program Delivery<HR>  
<F35>S<F0><SP>Congestion Relief<HR>  
<F35>S<F0><SP>Local System Support<HR>  
<F35>S<F0><SP>Mass Transit Assets<HR>  
<F35>S<F0><SP>Multimodal Programs<HR>  
<F35>S<F0><SP>Road Assets<HR>  
<F35>S<F0><SP>Safety Management<HR>  
<F35>S<F0><SP>Transportation Support Facilities

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 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.

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.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *State and Local Highway Facilities*

##### *Capital - General Fund (cont.)*

*L-CC-78-61.TXT*

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 2021 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.

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et seq.) or any law or regulation to the contrary, there is appropriated the sum of \$800,889,500 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:

[Insert DOT State Project List]

Notwithstanding the provisions of P.L.1984, c.73 (C.27:1B-1 et seq.) or any law or regulation to the contrary, there is appropriated the sum of \$500,462,000 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:

[Insert NJ Transit State Project List]

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## *Recommended Budget Language*

### *Department Of Transportation*

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#### *Public Transportation*

##### *Grants-In-Aid - General Fund*

*L-GIA-78-62.TXT*

6050-478-041000

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for the 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.

6050-478-041100

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for the New Jersey Transit Corporation, there is appropriated \$61,566,750 from the Clean Energy Fund for utility costs associated with New Jersey Transit Corporation operations.

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-78-62.TXT*

6050-495-040070-6

Notwithstanding the provisions of subsection b. of section 4 of P.L.1983, c.578 (C.27:25-28) or any other law or regulation to the contrary, the amount hereinabove appropriated for Transportation Assistance for Senior Citizens and Disabled Residents is appropriated from the Property Tax Relief Fund, subject to the approval of the Director of the Division of Budget and Accounting.

6050-491-040070-61

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 - General Fund*

*L-CC-78-62.TXT*

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.

## *Recommended Budget Language*

### *Department Of Transportation*

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#### *Regulation and General Management*

##### *Direct State Services - General Fund*

*L-DSS-78-64.TXT*

6070-100-050000

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.

6070-100-050010

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.

6070-100-050130

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.

6070-100-050130

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 - General Fund*

*L-GIA-78-64.TXT*

6070-141-050040

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.

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## *Recommended Budget Language*

*Department Of The Treasury*

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### *Higher Educational Services*

#### *Grants-In-Aid - General Fund*

*L-GIA-82-36.TXT*

2155-140-470020-61

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 six State Colleges shall be 46,038 for fiscal year 2020.

2155-140-470240-61

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.

Notwithstanding the provision of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Aid to Independent Colleges and Universities, there is appropriated an amount not to exceed \$1,000,000 subject to requirements determined to be appropriate by the Secretary in accordance with the "Independent College and University Assistance Act," P.L. 1979, c.132 (C.18A:72B--15 et seq.), and subject to the approval of the Director of the Division of Budget and Accounting.

#### *State Aid - General Fund*

*L-SA-82-36.TXT*

2155-150-480020-60

In addition to the amount hereinabove appropriated for Operational Costs, there is appropriated \$30,834,000 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).

#### *State Aid - Property Tax Relief Fund*

*L-PTRF-82-36.TXT*

2155-495-480020-60

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).

2155-495-480030-60

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.

2155-495-480040-60

2155-495-480050-60

2155-495-480180-60

2155-495-480200-60

2155-495-480220-60 2155-495-480250-60

2155-495-480400-60

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.

2155-495-480420-60

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.

## *Recommended Budget Language*

*Department Of The Treasury*

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*Higher Educational Services*

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*Economic Planning and Development*

*Grants-In-Aid - General Fund*

*L-GIA-82-51.TXT*

2043-140-380090-61

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.

2043-140-386690-61

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.

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*Economic Regulation*

*Direct State Services - General Fund*

*L-DSS-82-52.TXT*

Receipts from fees are appropriated for the administrative costs of the Board of Public Utilities.

2003-101-990000-0

2004-101-550000-0

2008-101-540000-0

2009-101-540000-0

2012-101-540000-0

2016-101-970000-0

2019-101-540000-0

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.

2004-100-550100

All revenue received in the CATV Universal Access Fund is appropriated for transfer to the General Fund as State revenue.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *Economic Regulation*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-82-52.TXT*

2014-427-560590

2014-427-560600

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) or any other law or regulation 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; and an additional amount, not to exceed \$30,000,000, is appropriated from receipts of the Clean Energy Fund to the Board of Public Utilities to establish a program to support the purchase and use of zero-emissions vehicles and infrastructure, subject to the approval of the Director of the Division of Budget and Accounting.

2014-71D-560610

2014-71D-560620

2014-71D-560630

2058-730-880000

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 appropriated to pay the costs of the various programs of the Board of Public Utilities Clean Energy Program and Universal Service Fund.

2014-784-567278

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.

2014-784-567278

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.

2058-101-880000

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 - General Fund*

*L-GIA-82-52.TXT*

2058-141-880020-61

2058-141-880900-61

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.

2058-141-880020-61

2058-141-880900-61

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 period funded by this appropriations act, 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.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *Economic Regulation*

#### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-82-52.TXT*

2058-141-880020-61

2058-141-880900-61

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.

2058-141-880020-61

2058-141-880900-61

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.

2058-141-880020-61

2058-141-880900-61

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.

2058-141-880020-61

2058-141-880900-61

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.

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### *Governmental Review and Oversight*

#### *Direct State Services - General Fund*

*L-DSS-82-72.TXT*

2040-100-070000

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).

2040-100-070000-1

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.

2040-100-070040-5

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.

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### *State Comptroller*

#### *Direct State Services - General Fund*

*L-DSS-82-72-2066.TXT*

7540-140-220000

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.

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## *Recommended Budget Language*

*Department Of The Treasury*

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### *Financial Administration*

#### *Direct State Services - General Fund*

*L-DSS-82-73.TXT*

2080-100-150000

2105-100-170000

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.

2080-100-150000-0

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.

2080-100-150000-1

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.

2080-100-150000-3

Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from 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 in accordance with the Taxpayers' Bill of Rights under P.L.1992, c.175.

2080-100-150000-7

2105-100-170000-7

Such amounts as are required for the acquisition of equipment, software and necessary services essential to the modernization of processing tax returns, tax payments, fees and associated documents and transactions 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.

2080-100-150000

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.

2080-414-150350

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). Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated such additional amounts, as determined by the Director of the Division of Budget and Accounting, as are required to pay debt service on the bonds issued pursuant to P.L.2004, c.68.

2080-419-159020

2105-419-179020

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.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *Financial Administration*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-82-73.TXT*

2080-420-159030

2105-420-179030

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.).

2080-435-150080

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.

2080-444-155200

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.

2084-407-900000

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.

2090-400-160000

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.).

2105-100-170000

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.

2105-100-170000-1

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.

2105-100-170000-1

Receipts in excess of those anticipated from expedited service 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.

2105-100-170190-5

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, Family Leave Insurance, the Workforce Development Partnership program, and aligned programs.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *Financial Administration*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-82-73.TXT*

2105-100-170190-5

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 and processing functions associated with the Temporary Disability Insurance program, subject to the approval of the Director of the Division of Budget and Accounting.

2105-402-170240

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.

2105-416-170160

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.

2105-428-172000-3

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.

2105-435-170220

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 systems in the Division of Revenue and Enterprise Services within the Department of Treasury, including the administration of the State's records management and records center operations, subject to the approval of the Director of the Division of Budget and Accounting.

2120-429-190000-1

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.

2120-429-190000

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.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *General Government Services*

#### *Direct State Services - General Fund*

*L-DSS-82-74.TXT*

2050-100-090000-0

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.

2050-100-090000-1

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, of the remaining 50% of the total rebates on procurement card purchases, the top three participating State using agencies with the highest spending will receive 50% of the rebates earned for their respective eligible procurement card spending and the balance is appropriated to the Division of Purchase and Property for costs of the Division, subject to the approval of the Director of the Division of Budget and Accounting.

2051-100-370000-1

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.

2056-301-430000

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.

2065-320-120000

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.

2067-100-260000

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.

2067-100-260000-4

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.

2067-100-260000-4

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.

2067-100-260010-0

Receipts from the leasing of State real property are appropriated for the maintenance of State-owned property, subject to the approval of the Director of the Division of Budget and Accounting.

2067-100-260020-4

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.

## *Recommended Budget Language*

### *Department Of The Treasury*

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#### *General Government Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-82-74.TXT*

2067-100-260090

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.

2067-447-260000

Receipts from employee maintenance charges in excess of \$225,000 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.

2067-472-260070

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.

2069-101-020000-5

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 Green Acres Preservation Trust Fund established pursuant to section 19 of P.L.1999, c.152 (C.13:8C-19) 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.

2140-463-210000

2140-435-210080

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 or the Board of Trustees of the Police and Firemen's Retirement System of New Jersey 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.

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#### *Office of Administrative Law*

##### *Direct State Services - General Fund*

*L-DSS-82-74-2026.TXT*

2026-396-450000-1

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.

2026-432-455000

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.

2026-432-455000

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.

## *Recommended Budget Language*

### *Department Of The Treasury*

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#### *Office of Administrative Law*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-82-74-2026.TXT*

2026-433-455060

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.

2026-433-455070

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.

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#### *Office of Information Technology*

##### *Direct State Services - General Fund*

*L-DSS-82-74-2034.TXT*

2034-100-400000

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.

2034-100-400000

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.

2034-100-400300-5

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.

2034-100-650010-5

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.

2034-324-400440

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.

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## *Recommended Budget Language*

*Department Of The Treasury*

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### *State Subsidies and Financial Aid*

#### *Grants-In-Aid - Property Tax Relief Fund*

*L-PTRG-82-75.TXT*

2077-495-330200-61

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 2017 are excluded from the program; (b) gross income in excess of \$100,000 but not in excess of \$150,000 for tax year 2017 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 2017 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 2017 are excluded from the program; (b) gross income in excess of \$50,000 but not in excess of \$75,000 for tax year 2017 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 2017 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, 2017 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 2017 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 before the end of the fiscal year. If the amount hereinabove appropriated for the Homestead Benefit Program is not sufficient, there are 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.

2077-495-330200-61

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.

2077-495-330200-61

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.

2077-495-330200-61

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.).

2077-495-330600-61

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.

## *Recommended Budget Language*

### *Department Of The Treasury*

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#### *State Subsidies and Financial Aid*

##### *State Aid - General Fund*

*L-SA-82-75.TXT*

2078-150-290010-60  
2078-150-290060-60

2078-495-290100-60

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.

2078-150-290210-60  
2078-150-290220-60  
2078-150-290230-60

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 - Planning Grants account within the Department of the Treasury and the Administration and Operations of the Highlands Council account within the Department of Environmental Protection, subject to the approval of the Director of the Division of Budget and Accounting.

2078-150-296660-60

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.

2080-435-155410

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.

2085-450-270000

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.

2085-453-270000

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.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *State Subsidies and Financial Aid*

#### *State Aid - General Fund (cont.)*

*L-SA-82-75.TXT*

2085-454-420000-60

2085-495-420000-60

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Energy Tax Receipts Property Tax Relief Aid and an amount not to exceed \$243,737,000 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 as provided in the previous fiscal year from the Energy Tax Receipts Property Tax Relief Aid account. 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.

2085-454-420000-60

2085-495-420000-60

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 Aid shall be distributed on the following schedule: on or before October 1, 81.8% of the total amount due; November 1, 9.1% of the total amount due; December 1 for municipalities operating under a calendar fiscal year, 9.1% of the total amount due; and June 1 for municipalities operating under the State fiscal year, 9.1% 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.

2085-454-420000-60

2085-495-420000-60

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 Energy Tax Receipts 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 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.

2085-455-270000-60

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.

2085-495-420000-60

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.

## *Recommended Budget Language*

### *Department Of The Treasury*

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#### *State Subsidies and Financial Aid*

##### *State Aid - Property Tax Relief Fund*

*L-PTRF-82-75.TXT*

2077-495-340450-60

2077-495-340500-60

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.

2078-495-350710-60

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.

2078-495-350810-60

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.

2085-495-270010-60

Notwithstanding the provisions of any law or regulation to the contrary, 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 2021 pursuant to the provisions of P.L.1945, c.132 (C.54:18A-1 et seq.). If the amount hereinabove appropriated for Aid to Counties in Lieu of Insurance Premiums Tax Payments is not sufficient, there are appropriated from the Property Tax Relief Fund such additional amounts as may be required pursuant to the provisions of P.L.1945, c.132 (C.54:18A-1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Management and Administration*

##### *Direct State Services - General Fund*

*L-DSS-82-76.TXT*

2000-100-990000

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.

2000-100-990420

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.

2000-100-995170

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.

2000-100-995170

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.

## *Recommended Budget Language*

*Department Of The Treasury*

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### *Management and Administration*

#### *Direct State Services - General Fund (cont.)*

*L-DSS-82-76.TXT*

2000-100-995170

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.

2000-434-993000

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.

2000-474-990120

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.).

2000-475-995120

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.

2000-100-990460-5

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for the Department of the Treasury, there are appropriated such additional amounts as are necessary to establish the Office of the Ombudsman for Individuals with Intellectual or Developmental Disabilities and their Families established pursuant to P.L.2017, c.269 (C.30:1AA-9.1 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, receipts collected pursuant to the New Jersey Compassionate Use Medical Marijuana Act, P.L.2009, c.307, may be transferred from the Department of Health to the Cannabis Regulatory Commission within the Department of the Treasury to offset the costs of administering P.L.2019, c.153, subject to the approval of the Director of the Division of Budget and Accounting.

#### *Grants-In-Aid - General Fund*

*L-GIA-82-76.TXT*

2000-140-990480-61

Notwithstanding the provisions of any other law or regulation to the contrary, the amount hereinabove appropriated to the National Center for Civic Innovation, Inc. ("NCCI") is subject to the following conditions: the appropriated moneys shall be used by NCCI to pay for administrative expenses, including, but not limited to, staff, office, supplies, travel, consultants and technology, and NCCI, in consultation with the State's Chief Innovation Office, shall provide advisory services to State departments and agencies in the area of modernizing, improving, facilitating, and streamlining government services to individuals and businesses. The State Treasurer shall enter into an agreement with NCCI to implement this provision.

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## *Recommended Budget Language*

*Department Of The Treasury*

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### *Protection of Citizens' Rights*

#### *Direct State Services - General Fund*

*L-DSS-82-82.TXT*

2021-100-570000-3  
2021-100-660000-3  
2021-100-670000-3  
2022-100-580000-3  
2024-100-060000-3  
2025-100-990000-3

Amounts provided for legal and investigative services are available for payment of obligations applicable to prior fiscal years.

2021-100-570000-3  
2021-100-660000-3  
2021-100-670000-3  
2022-100-580000-3  
2024-100-060000-3  
2025-100-990000-3

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.

2021-100-570000-0  
2021-100-660000-0  
2021-100-670000-0  
2022-100-580000-0  
2024-100-060000-0  
2025-100-990000-0

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.

2021-100-570000-0  
2021-100-660000-0  
2021-100-670000-0  
2022-100-580000-0  
2024-100-060000-0  
2025-100-990000-0

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.

2021-100-570000-0  
2021-100-660000-0  
2021-100-670000-0  
2022-100-580000-0  
2024-100-060000-0  
2025-100-990000-0

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.

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## *Recommended Budget Language*

### *Department Of The Treasury*

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#### *Division of Elder Advocacy*

##### *Direct State Services - General Fund*

*L-DSS-82-82-2097.TXT*

2097-100-810000-12

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 Office of the State Long-Term Care Ombudsman, subject to the approval of the Director of the Division of Budget and Accounting.

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#### *Division of Rate Counsel*

##### *Direct State Services - General Fund*

*L-DSS-82-82-2098.TXT*

2098-101-530000

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.

2098-101-530000

The unexpended balances at the end of the preceding fiscal year in the Division of Rate Counsel accounts are appropriated for the same purpose.

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#### *Departmental Language*

##### *Debt Service - General Fund*

*L-DS-82.TXT*

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.

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## ***Recommended Budget Language***

### *Miscellaneous Commissions*

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#### *Council on Local Mandates*

*Direct State Services - General Fund*

*L-DSS-90-72-9148.TXT*

9148-100-920000-5

The unexpended balance at the end of the preceding fiscal year in this account is appropriated.

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## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Direct State Services - General Fund*

*L-DSS-94-74.TXT*

9400-100-010040-5

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.

9400-100-010040-5

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.

9400-100-010040-5

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, except 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.

9400-100-010040-5

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.

9400-100-010040-5

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.

9400-100-010040-5

Receipts from the leasing of State surplus real property are appropriated for the maintenance of State surplus real property, subject to the approval of the Director of the Division of Budget and Accounting.

9400-100-010040-5

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.

9400-100-010040-5

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.

9400-100-010040-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-94-74.TXT*

9400-100-010040-5

Notwithstanding the provisions of section 105 of P.L.2003, c. 13 (C.39:2A-36) or any law or regulation to the contrary, \$8,205,000 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.

9400-100-010040-5

9400-100-010060-5

9400-100-010090-5

9400-100-020020-5

9400-100-020030-5

9400-100-020040-5

9400-100-020050-5

9400-100-020060-5

9400-100-020070-5

9400-100-025000-5

9400-100-026000-5

9400-100-026010-5

9400-100-060000-5

9400-100-060050-5

9400-100-060350-5

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.

9400-100-012000-5

The unexpended balance at the end of the preceding fiscal year in the Master Lease Program Fund is appropriated for the same purpose.

9400-100-020020-5

9400-100-020030-5

9400-100-020040-5

9400-100-020050-5

9400-100-020060-5

9400-100-020070-5

9400-100-025000-5

9400-100-026000-5

9400-100-026010-5

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.

9400-100-020020-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-94-74.TXT*

9400-100-020020-5

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, 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, for the refunding of fees, court costs and restitution paid by persons charged with, adjudicated delinquent, or convicted of various crimes or offenses whose charges or convictions are later dismissed for various reasons, including on the basis of evidence found to not have been appropriately collected, tested or analyzed and for the direct costs of administering such refunds, all as recommended by the Attorney General and as the Director of the Division of Budget and Accounting shall determine.

9400-100-020020-5

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.

9400-100-020020-5

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.

9400-100-020030-5

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.

9400-100-020030-5

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.

9400-100-020030-5

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.

9400-100-020030-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-94-74.TXT*

9400-100-025000-5

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.

9400-100-025000-5

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.

9400-100-026000-5

The unexpended balance at the end of the preceding fiscal year in the Self-Insurance Deductible Fund is appropriated for the same purposes.

9400-100-026010-5

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.

9400-100-060000-5

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.

9400-100-060000-5

9400-100-060050-5

9400-100-060350-5

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.

9400-100-060350-5

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.

9400-100-060350-5

In addition to the amount hereinabove appropriated for the Household and Security account, there is appropriated to the Household and Security account \$1,875,000 from the New Jersey Motor Vehicle Commission for utility, security, and building maintenance costs.

9400-419-060000-3

In accordance with the "Recycling Enhancement Act," P.L.2007, c.311 (C.13:1E-96.2 et al.), an amount not to exceed \$268,000 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.

9400-423-060030-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Grants-In-Aid - General Fund*

*L-GIA-94-74.TXT*

9460-140-090020-61

9460-140-091125-61

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.

9460-140-090100-61

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 additional 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.

9460-140-091125-61

Notwithstanding the provisions of N.J.S.46:30B-74 and N.J.S.46:30B-75, or any other rule, regulation, or guideline to the contrary, and in addition to the amounts hereinabove appropriated for the New Jersey Sports and Exposition Authority, there is appropriated from the Unclaimed Personal Property Trust Fund such amount as shall be determined by the Director of the Division of Budget and Accounting to be available and necessary for Sports Complex property demolition, clean-up, and roadway improvement costs associated with the Grandstand demolition project.

##### *Grants-In-Aid - Property Tax Relief Fund*

*L-PTRG-94-74.TXT*

9460-495-090140-61

The amounts hereinabove appropriated for debt service payments attributable 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 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.

##### *Capital - General Fund*

*L-CC-94-74.TXT*

9450-400-083590-7

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Capital - General Fund (cont.)*

*L-CC-94-74.TXT*

9450-590-082210-7  
9450-590-082230-7  
9450-590-083350-7  
9450-590-083430-7  
9450-590-083440-7  
9450-590-083450-7  
9450-590-083460-7  
9450-590-083475-7  
9450-590-083480-7  
9450-590-083530-7  
9450-590-083730-7  
9450-590-083750-7  
9450-590-083490-7

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.

9450-590-083430-7

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.

9450-590-082210-7  
9450-590-082230-7  
9450-590-083350-7  
9450-590-083440-7  
9450-590-083475-7  
9450-590-083480-7  
9450-590-083490-7  
9450-590-083730-7

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.

9450-590-083520-7

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.

9450-590-083450-7  
9450-590-083460-7

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *General Government Services*

##### *Capital - General Fund (cont.)*

*L-CC-94-74.TXT*

9450-590-083490-7

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.

9480-495-083500-7

9480-590-083500-7

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).

9480-495-083500-7

9480-590-083500-7

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.

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## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Employee Benefits*

##### *Direct State Services - General Fund*

*L-DSS-94-74-9410.TXT*

9410-100-032010-5  
9410-100-032020-5  
9410-100-032110-5  
9410-100-032300-5  
9410-100-032310-5  
9410-100-032330-5  
9410-100-032340-5  
9410-100-032410-5  
9410-100-032510-5  
9410-100-032610-5  
9410-100-032620-5  
9410-100-033120-5  
9410-100-033200-5  
9410-100-033210-5  
9410-100-033300-5  
9410-100-033400-5  
9410-100-033500-5  
9410-100-033510-5  
9410-100-033600-5  
9410-100-033700-5  
9410-100-033800-5

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.

9410-100-032010-5  
9410-100-032610-5  
9410-100-033200-5  
9410-100-033210-5  
9410-100-033300-5  
9410-100-033400-5  
9410-100-033500-5

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.

9410-100-032800-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Employee Benefits*

##### *Direct State Services - General Fund (cont.)*

*L-DSS-94-74-9410.TXT*

9410-100-033110-5

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.

9410-100-033110-5

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.

9410-100-033200-5

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.

9410-100-033600-5

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.

9410-100-033600-5

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.

9410-100-033600-5

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.

9410-100-033800-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Employee Benefits*

##### *Grants-In-Aid - General Fund*

*L-GIA-94-74-9410.TXT*

9410-140-032010-61  
9410-140-032020-61  
9410-140-032110-61  
9410-140-032300-61  
9410-140-032310-61  
9410-140-032610-61  
9410-140-032620-61  
9410-140-033200-61  
9410-140-033210-61  
9410-140-033300-61  
9410-140-033400-61  
9410-140-033510-61  
9410-140-033600-61  
9410-140-033700-61  
9410-140-033800-61

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.

9410-140-032010-61  
9410-140-032610-61  
9410-140-033200-61  
9410-140-033210-61  
9410-140-033300-61  
9410-140-033400-61

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.

9410-140-033110-61

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.

9410-140-033110-61

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.

9410-140-033600-61

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Employee Benefits*

##### *Grants-In-Aid - General Fund (cont.)*

*L-GIA-94-74-9410.TXT*

9410-140-033800-61

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.

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#### *Other Inter-Departmental Accounts*

##### *Direct State Services - General Fund*

*L-DSS-94-74-9420.TXT*

9420-100-040010-5

9420-100-040050-5

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.

9420-100-040010-5

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.

9420-100-040010-5

The unexpended balance at the end of the preceding fiscal year in the Governor's Contingency Fund is appropriated for the same purpose.

9420-100-040010-5

The amount hereinabove appropriated for the Governor's Contingency Fund is appropriated 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.

9420-100-040030-5

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.

9420-100-040020-5

Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Permit Modernization shall be used for the purpose of engaging expert consulting services to review and recommend improvements to improve the efficiency and effectiveness of State permitting processes across the various departments, including but not limited to the Department of Environmental Protection, the Department of Transportation, and the Department of Community Affairs.

9420-100-040100-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Other Inter-Departmental Accounts*

##### *Grants-In-Aid - General Fund*

*L-GIA-94-74-9420.TXT*

9420-140-040170-61

Notwithstanding any other law or regulation to the contrary, the amount hereinabove appropriated for Direct Support Professionals Wage Increase shall be used to provide payments, based upon the wage increase established in Fiscal Year 2020, for each direct support professional who provides children's behavioral health services or assists children or adults with intellectual or developmental disabilities under a provider contract or fee-for-service agreement with the Department of Children and Families, the Division of Developmental Disabilities in the Department of Human Services, or the Division of Vocational Rehabilitation Services in the Department of Labor and Workforce Development. Amounts, as determined by the Director of the Division of Budget and Accounting, shall be transferred, as necessary, to departments and divisions contracting with community care providers in order to effectuate this provision.

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#### *Salary Increases and Other Benefits*

##### *Direct State Services - General Fund*

*L-DSS-94-74-9430.TXT*

9430-100-056620-5

9430-100-056630-5

9430-100-056640-5

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.

9430-100-056620-5

9430-100-056630-5

9430-100-056640-5

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.

9430-100-056620-5

9430-100-056630-5

9430-100-056640-5

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.

9430-100-056620-5

9430-100-056630-5

9430-100-056640-5

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.

## *Recommended Budget Language*

### *Interdepartmental Accounts*

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#### *Salary Increases and Other Benefits*

*Direct State Services - General Fund (cont.)*

*L-DSS-94-74-9430.TXT*

9430-100-056620-5

9430-100-056630-5

9430-100-056640-5

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.

9430-100-056620-5

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.

9430-100-056660-5

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.

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## *Recommended Budget Language*

### *The Judiciary*

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#### *Judicial Services*

##### *Direct State Services - General Fund*

*L-DSS-98-15.TXT*

9720-100-030010-5

9725-100-040870-5

9725-100-040880-5

9725-100-040890-5

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.

9720-417-030050

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.

9725-100-040870-5

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.

9755-425-100080

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 \$52,625,000 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.

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.

9725-100-041120-5

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## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund*

*GENPROV.txt*

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 donation 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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 Division 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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 Services 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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 (JBOC). Appropriations referred to JBOC 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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 percent 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 percent 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 \$.35 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

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 \$172,000 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

51. 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. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the Universal Service Fund \$50,737,500 for transfer to the General Fund as State revenue.

52. 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. 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.

55. 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.

56. 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.

57. 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

58. 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.

59. 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.

60. 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.

61. 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.

62. 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 (C.52:9H-24 et seq.) 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 \$105,200,000 there is appropriated sufficient funding to total \$105,200,000. 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 \$105,200,000 shall be deemed a "Base Year Appropriation."

63. 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

64. 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.

65. 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.

66. 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.

67. 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.

68. 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.

69. 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.

70. 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.

71. 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

72. 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.

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

78. 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 (C.48:23-18 et al.) 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 (C.48:23-18 et al.) consistent with FCC requirements.

79. Notwithstanding the provisions of sections 5 and 6 of P.L.1990, c.44 (C.52:9H-18 and C.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.

80. 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.

81. 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

82. 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 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, the director of the Division of Budget and Accounting may reserve an amount of excess appropriated State funds.

83. 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, an amount not to exceed \$661,865,000, as determined by the Director of the Division of Budget and Accounting, 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, 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; proceeds received in connection with asset value optimization initiatives other than the sale of surplus State-owned real property are appropriated to support State obligations to the retirement systems, consistent with federal law and regulation, subject to the approval of the Director of the Division of Budget and Accounting. In addition to the amounts hereinabove appropriated for the Department of the Treasury, there are appropriated such additional amounts as are necessary to pay for costs associated with implementing asset value optimization initiatives.

84. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated \$3,000,000 from the State Recycling Fund to the General Fund as State revenue.

86. Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for environmental protection, there are appropriated such additional amounts as the Commissioner of Environmental Protection and the President of the Board of Public Utilities may determine to be necessary to ensure that the State of New Jersey rejoins the Regional Greenhouse Gas Initiative in an expeditious manner, subject to the approval of the Director of the Division of Budget and Accounting.

87. 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 October 31, 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.

88. 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.13:8C-43 et seq.), as amended by P.L.2019, c.136, 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

90. 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.

89. 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.

91. 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).

92. 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.).

93. 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 transferred 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

94. Any funds that may be received by the State of New Jersey from the Environmental Mitigation Trust established in partial settlement of In re: Volkswagen "Clean Diesel" Marketing, Sales Practices and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC) (N.D. Cal.) are appropriated solely for projects which are eligible mitigation actions consistent with the terms of the trust agreement. Such projects shall be selected by the Department of Environmental Protection, as the lead agency previously designated by the Governor and shall be selected from among the categories of eligible mitigation actions described in the Environmental Mitigation Trust Agreement. Any funds received from the Trustee for projects to be administered by State departments shall be deposited in a separate non-lapsing fund to be known as the "Volkswagen Environmental Mitigation Fund," and are appropriated solely for projects which are eligible mitigation actions consistent with the terms of the trust agreement and may include administrative costs in such amounts that are consistent with the terms of the trust agreement, subject to the approval of the Director of the Division of Budget and Accounting. Any projects administered by State departments which will award grants through new or existing grant programs will award such grants on a competitive basis, using criteria determined by the Department of Environmental Protection.

95. Notwithstanding the provisions of any law or regulation to the contrary, amounts deposited into the "Energy Tax Receipts Property Tax Relief Fund" pursuant to P.L.1997, c.167 (C.52:27D-438 et al.) are appropriated to the General Fund as State revenue.

96. The unexpended balances at the end of the preceding fiscal year in the Expanded Addiction Initiatives line item in the Division of Mental Health and Addiction Services in the Department of Human Services and the various accounts in the Departments of Children and Families, Corrections, Community Affairs, Education, Health, Human Services, Labor and Workforce Development, and Law and Public Safety reallocated from the Expanded Addiction Initiatives line item in the Division of Mental Health and Addiction Services in the Department of Human Services for anti-opioid initiatives, including, but not limited to, Integrated Population Health Data Project, Health Information Technology, Alternatives to Opioid Program, Syringe Access Programs, Single License for Primary Care, and other similar accounts, are appropriated for the same purpose and may be transferred among the same accounts, subject to the approval of the Director of the Division of Budget and Accounting.

97. Notwithstanding the provisions of P.L.2006, c.43, or any other law or regulation to the contrary, the amount hereinabove appropriated for the Health Care Subsidy Fund is subject to the following condition: the assessment on net written premiums received from each health maintenance organization shall be made available to fund any qualified expenditure that can be paid from the Health Care Subsidy Fund.

98. Notwithstanding the provisions of any law or regulation to the contrary, and in addition to the amounts hereinabove appropriated for the Department of Banking and Insurance and the Department of the Treasury, the amount necessary to pay for the operational costs incurred by various departments to meet the statutory requirements of P.L.2019, c.141 is appropriated from the Health Insurance Exchange Trust Fund, subject to the approval of the Director of the Division of Budget and Accounting.

99. 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, \$20,655,000 is appropriated from the Health Care Subsidy Fund to the Department of Health to fund the Quality Improvement Program – New Jersey.

100. Notwithstanding the provisions of P.L. 2013, c. 22, or any other law or regulation to the contrary, there is appropriated to the General Fund as State revenue \$10,000,000 to be paid by the New Jersey Economic Development Authority to the State, which shall be deemed to include the amount required to be paid 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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - General Fund (cont.)*

*GENPROV.txt*

101. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the Clean Energy Fund \$40,000,000 for transfer to the General Fund as State revenue.

102. Notwithstanding the provisions of any law or regulation to the contrary, there is appropriated from the Affordable Housing Trust Fund \$10,000,000 for transfer to the General Fund as State revenue.

103. This act shall take effect October 1, 2020.

##### *General Provisions - Federal Funds*

*FEDPROV.txt*

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 \$500,000 of unanticipated grant awards plus an additional 25 percent of any remaining award amount that is greater than \$500,000, and up to 25 percent 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 percent 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.

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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - Federal Funds (cont.)*

*FEDPROV.txt*

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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - Federal Funds (cont.)*

*FEDPROV.txt*

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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - Federal Funds (cont.)*

*FEDPROV.txt*

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 administrative 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 to ARRA with 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 leveraged 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 percent 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

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - Federal Funds (cont.)*

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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.

## *Recommended Budget Language*

### *General Provisions*

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#### *General Provisions*

##### *General Provisions - Federal Funds (cont.)*

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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.

Notwithstanding the provisions of subsection d. of section 21 of P.L.1984, c.73 (C.27:1B-21), or any other law or regulation to the contrary, transfers among the Federal Highway Administration and the Federal Transit Administration federal appropriations by project, under the category of Public Transportation, shall not require approval by the Joint Budget Oversight Committee. 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.

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