

ASSEMBLY, No. 4180

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JUNE 2, 2022

Sponsored by:

Assemblywoman SADAF F. JAFFER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblywoman GABRIELA M. MOSQUERA

District 4 (Camden and Gloucester)

Assemblywoman LISA SWAIN

District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Freiman and Stanley

SYNOPSIS

Eliminates various boards, commissions, committees, councils, and task forces created by law.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT to eliminate inactive boards, commissions, committees,
2 councils, and task forces, and amending and repealing various
3 parts of the statutory law.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The following are hereby repealed:
9 R.S.32:13A-1 through R.S.32:13A-20
10 Section 1 of P.L.1938, c.379 (C.32:13A-2.1)
11 Sections 17 and 18 of P.L.1948, c.446 (C.34:1A-17 and
12 C.34:1A-18)
13 P.L.1949, c.14 (C.52:9J-1 et seq.)
14 P.L.1952, c.194 (C.32:22-1 et seq.)
15 P.L.1953, c.198 (C.34:1A-36 et seq.)
16 P.L.1954, c.44 (C.32:22-11 et seq.)
17 P.L.1965, c.12 (C.32:22B-1 et seq.)
18 Sections 28 and 29 of P.L.1986, c.103 (C.52:27D-357 and
19 C.52:27D-358)
20 P.L.1986, c.205 (C.30:1A-4 et seq.)
21 Sections 3 and 4 of P.L.1991, c.294 (C.17:16Q-3 and C.17:16Q-
22 4)
23 P.L.1993, c.149 (C.52:9H-34 et seq.)
24 P.L.1997, c.215 (C.30:4-123.47a et seq.)
25 Section 28 of P.L.1998, c.21 (C.17:29A-50)
26 Section 27 of P.L.1998, c.44 (C.52:27C-87)
27 Section 13 of P.L.1999, c.380 (C.52:14-15.115)
28 Section 7 of P.L.2001, c.167 (C.2C:7-18)
29 Sections 1 and 2 of P.L.2003, c.133 (C.18A:64H-9 and
30 C.18A:64H-10)
31 Sections 2 and 3 of P.L.2005, c.70 (C.34:11-56a4.7 and C.34:11-
32 56a4.8)
33 Section 23 of P.L.2005, c.206 (C.24:6B-32)
34 P.L.2007, c.44 (C.13:1L-26 et seq.)
35 P.L.2007, c.55 (C.52:9RR-1 et seq.)
36 Sections 5 through 7 of P.L.2007, c.330 (C.26:1A-136, C.26:1A-
37 137, and C.26:1A-138)
38 Section 10 of P.L.2009, c.329 (C.30:4-6.2)
39 Sections 3 and 4 of P.L.2010, c.105 (C.34:13A-16.8 and
40 C.34:13A-16.9)
41 P.L.2013, c.109 (C.52:17B-239 et seq.)
42

43 2. Section 70 of P.L.2015, c.19 (C.5:10A-70) is amended to
44 read as follows:

45 70. The Legislature finds and declares that:

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 a. Every day, residents of New Jersey confront congestion in
2 some part of their day as they commute to work, recreate, or travel
3 for family business. As our State continues to grow and prosper,
4 we can only expect more cars, trucks, and buses on our roads.
5 Meanwhile, the number of riders on our trains and buses is also
6 increasing along with the number of pedestrians and bicyclists.

7 b. Our ability to deal with these demands at all levels of
8 government is limited without a sound framework for developing
9 responses to congestion and aging infrastructure problems and
10 providing adequate funding to implement strategic solutions.

11 c. Sections 69 through 81 of P.L.2015, c.19 (C.5:10A-69
12 through C.5:10A-81) develops the concept of a transportation
13 planning district, which permits the assessment of fees on future
14 development to ensure that adequate transportation infrastructure is
15 put into place to accommodate the vehicular and pedestrian traffic
16 caused by future development.

17 d. Existing financial resources and existing mechanisms for
18 securing financial commitments for transportation improvements
19 are inadequate to meet transportation improvement needs which are
20 the result of new development in growth areas and, therefore, it is
21 appropriate for the State to make special provisions for the
22 financing of needed transportation improvements in the
23 Meadowlands District, including the assessment of fees on new
24 developments which are responsible for the travel demand burdens
25 on the transportation system. Creation of a transportation planning
26 district provides a mechanism through which the State, counties,
27 and municipalities, and the Meadowlands Regional Commission, as
28 well as the private sector, will have the means to work together to
29 respond to transportation needs on a regional basis as determined by
30 travel conditions or transportation needs in developed areas rather
31 than upon preexisting boundaries. The Meadowlands Regional
32 Commission [and the Meadowlands Transportation Planning
33 Board] shall oversee the development of a district-wide
34 transportation plan through a consultative planning process which
35 relies upon the participation of public and private sector interests.

36 e. In assessing development fees under sections 69 through 81
37 of P.L.2015, c.19 (C.5:10A-69 through C.5:10A-81), the
38 commission recognizes that: (1) those fees supplement, but do not
39 replace, the public investment needed in the transportation system;
40 (2) the costs of remedying pre-existing problems shall not be
41 charged to a new development; (3) the fee charged to any particular
42 development shall be reasonably related to the impact of that
43 development on the transportation system of the district and shall
44 not exceed the development's fair share of the cost of the
45 improvements and related allowable administrative costs; and (4) no
46 development shall be subject to any assessment or fees for
47 transportation improvements by the State, a county, or a
48 municipality, except as provided pursuant to sections 69 through 81

1 of P.L.2015, c.19 (C.5:10A-69 through C.5:10A-81). In
2 determining the basis for assessing development fees, the
3 commission shall develop reasonable formulas that rely on
4 established planning models.

5 f. The creation of a transportation planning district shall be
6 accompanied by the development of strategies to improve regional
7 comprehensive planning, to encourage transportation-efficient land
8 uses, to reduce automobile dependency, to improve pedestrian and
9 bicyclist safety, and to encourage alternatives to peak-hour
10 automobile trips.

11 (cf: P.L.2015, c.19, s.70)

12
13 3. Section 71 of P.L.2015, c.19 (C.5:10A-71) is amended to
14 read as follows:

15 71. As used in sections 69 through 81 of P.L.2015, c.19
16 (C.5:10A-69 through C.5:10A-81):

17 "Allowable administrative costs" means expenses incurred by the
18 commission **or the board** in developing a district transportation
19 plan, including a financial element, and in managing a
20 transportation planning district.

21 **["Board" means the Meadowlands Transportation Planning**
22 **Board established by section 72 of P.L.2015, c.15 (C.5:10A-72).]**

23 "Chief fiscal officer" means the chief fiscal officer of the
24 commission.

25 "Commission" means the New Jersey Sports and Exposition
26 Authority, which may be referred to as the "Meadowlands Regional
27 Commission," as established by section 6 of P.L.2015, c.19
28 (C.5:10A-6).

29 "Commissioner" means the Commissioner of Transportation.

30 "Department" means the Department of Transportation.

31 "Developer" means the legal or beneficial owner or owners of a
32 lot or of any land proposed to be included in a proposed
33 development, including the holder of an option or contract to
34 purchase, or other person having an enforceable proprietary interest
35 in that land.

36 "Development" means any project for which zoning approval is
37 required pursuant to sections 1 through 68 of P.L.2015, c.19
38 (C.5:10A-1 through C.5:10A-68), or rules or regulations
39 promulgated pursuant thereto.

40 "Development fee" means a fee assessed on a development
41 pursuant to a resolution of the commission adopted under section 74
42 of P.L.2015, c.19 (C.5:10A-74).

43 "District transportation plan" or "plan" means the plan adopted
44 pursuant to section 73 of P.L.2015, c.19 (C.5:10A-73).

45 "Hackensack Meadowlands District" or "Meadowlands District"
46 means the area within the jurisdiction of the commission set forth in
47 section 5 of P.L.2015, c.19 (C.5:10A-5).

1 "Project costs" means expenses incurred in the planning, design,
2 engineering, and construction of any transportation project, and
3 shall include debt service.

4 "Public highways" means public roads, streets, expressways,
5 freeways, parkways, motorways, and boulevards including bridges,
6 tunnels, overpasses, underpasses, interchanges, rest areas, express
7 bus roadways, bus pullouts and turnarounds, park-ride facilities,
8 traffic circles, grade separations, traffic control devices, the
9 elimination or improvement of crossings of railroads and highways,
10 whether at grade or not at grade, bicycle and pedestrian pathways,
11 and pedestrian and bicycle bridges traversing public highways and
12 any facilities, equipment, property, rights-of-way, easements, and
13 interests therein needed for the construction, improvement, and
14 maintenance of highways.

15 "Public transportation project" means, in connection with public
16 transportation service or regional ridesharing programs, passenger
17 stations, shelters and terminals, automobile parking facilities,
18 ferries and ferry facilities including capital projects for ferry
19 terminals, approach roadways, pedestrian accommodations, parking,
20 docks, and other necessary land-side improvements, ramps, track
21 connections, signal systems, power systems, information and
22 communication systems, roadbeds, transit lands or rights-of-way,
23 equipment storage and servicing facilities, bridges, grade crossings,
24 rail cars, locomotives, motorbus and other motor vehicles,
25 maintenance and garage facilities, revenue handling equipment, and
26 any other equipment, facility, or property useful for, or related to,
27 the provision of public transportation service or regional ridesharing
28 programs.

29 "Transportation planning district" or "district" means the
30 Meadowlands District.

31 "Transportation project" or "transportation improvement" means,
32 in addition to public highways and public transportation projects,
33 any equipment, facility, or property useful or related to the
34 provision of any ground, waterborne, or air transportation for the
35 movement of people and goods within or through the district,
36 including rail freight infrastructure.

37 (cf: P.L.2015, c.19, s.71)

38

39 4. Section 72 of P.L.2015, c.19 (C.5:10A-72) is amended to
40 read as follows:

41 72. a. There is hereby established a transportation planning
42 district which shall consist of those lands which comprise the
43 Meadowlands District. The Meadowlands **【Transportation**
44 **Planning Board, created pursuant to subsection b. of this section,】**
45 Regional Commission shall be the managing authority to administer
46 and manage the transportation planning district and to carry out
47 such additional functions as provided in sections 69 through 81 of
48 P.L.2015, c.19 (C.5:10A-69 et seq.).

1 b. **【**There is established in, but not of, the Department of State,
2 the Meadowlands Transportation Planning Board. The board shall
3 consist of: the Commissioner of Community Affairs or the
4 commissioner's designee; the Commissioner of Transportation or
5 the commissioner's designee; a representative from the ridesharing
6 organization EZ Ride or its successor organization; a representative
7 of the Hackensack Meadowlands Municipal Committee; a
8 representative of the Meadowlands Regional Chamber of
9 Commerce; and four public members appointed by the Governor,
10 with the advice and consent of the Senate. The executive director
11 of the commission shall serve as the secretary of the board. The
12 board shall be staffed by the employees of the commission**】**
13 (Deleted by amendment, P.L. _____, c.) (pending before the
14 Legislature as this bill).

15 c. In furtherance of the development of a coherent and
16 sustainable transportation system for the district, the **【board】**
17 commission shall initiate a joint planning process with participation
18 by: State departments and agencies, corporations, commissions,
19 boards, and authorities; those bi-state authorities, metropolitan
20 planning organizations, and counties and municipalities with
21 jurisdiction in the district; and private representatives. The **【board】**
22 commission shall oversee the development and updating of a
23 comprehensive, future-oriented district transportation plan in
24 accordance with the provisions of section 73 of P.L.2015, c.19
25 (C.5:10A-73).

26 The provisions of sections 69 through 81 of P.L.2015, c.19
27 (C.5:10A-69 et seq.) shall be retroactive to January 1, 2014.
28 (cf: P.L.2015, c.72, s.24)

29

30 5. Section 73 of P.L.2015, c.19 (C.5:10A-73) is amended to
31 read as follows:

32 73. a. The district transportation plan shall establish goals,
33 policies, needs, and improvement priorities for all modes of
34 transportation, including walking and bicycling, within the district
35 for the ensuing 20 years following the effective date of sections 69
36 through 81 of P.L.2015, c.19 (C.5:10A-69 through C.5:10A-81) and
37 shall be consistent with the master plan adopted by the commission
38 pursuant to section 10 of P.L.2015, c.19 (C.5:10A-10). The district
39 transportation plan shall be based on a reasonable assessment of
40 likely future growth reflected in that master plan.

41 b. The plan shall quantify transportation needs arising from
42 anticipated future traffic passing within or through the district based
43 upon future development anticipated to occur within or through the
44 district, and reflected in the master plan. The plan shall set forth
45 proposed transportation projects designed to address that future
46 development, prioritized over increments of five years, the
47 allocation of public and private shares of project costs and
48 allowable administrative costs, and the amount, schedule, and

1 collection of development fees. If new developments are proposed
2 in the district which are not considered in the plan which is
3 currently in effect, the plan shall be reevaluated, notwithstanding
4 the five-year increment provision.

5 c. The plan shall be consistent with the State transportation
6 master plan adopted under section 5 of P.L.1966, c.301 (C.27:1A-
7 5), the applicable county master plans adopted under R.S.40:27-2,
8 and the applicable regional transportation plan or plans adopted by
9 a metropolitan planning organization pursuant to 23 C.F.R.
10 s.450.322. To the extent appropriate given the district-wide
11 objectives of the plan, the plan shall be coordinated with local
12 zoning ordinances and master plans.

13 d. The plan shall include a financial element setting forth a
14 statement of projected revenue and expenses, including all project
15 costs. The financial element of the plan shall identify public and
16 private financial resources which may be available to fund, in whole
17 or in part, those transportation projects set forth in the plan. The
18 financial element shall make recommendations for the types and
19 rates of development fees to be assessed under section 74 of
20 P.L.2015, c.19 (C.5:10A-74), formulas to govern the assessment of
21 those fees, and the projected annual revenue to be derived
22 therefrom.

23 e. The **【board】** commission shall make copies of the plan
24 available to the public for inspection no less than 14 days prior to
25 taking any formal action to recommend the plan to the commission
26 for adoption thereof. In addition, the **【board】** commission shall
27 take steps to notify members of the business community and other
28 interested parties of the plan and shall hold a public hearing thereon
29 after having given public notice of the hearing.

30 f. The commission may, by resolution, adopt the plan as
31 recommended by the **【board】** commission or with modifications.
32 (cf: P.L.2015, c.19, s.73)

33
34 6. Section 8 of P.L.2007, c.330 (C.17:1D-1) is amended to read
35 as follows:

36 8. a. There is established in the Department of Banking and
37 Insurance the Office for the Development, Implementation, and
38 Deployment of Electronic Health Information Technology in New
39 Jersey, to be known as the Office for e-HIT.

40 b. The Office for e-HIT**【**, in collaboration with the Health
41 Information Technology Commission,**】** shall develop, implement,
42 and oversee the operation of a Statewide health information
43 technology plan. The plan shall provide for, but not be limited to, a
44 mechanism designed to support the establishment of a secure,
45 integrated, interoperative, and Statewide electronic health
46 information infrastructure for the sharing of electronic health
47 information and electronic health records among health care

1 facilities, health care professionals, public and private payers, and
2 patients, which complies with all State and federal privacy
3 requirements and links all components of the health care delivery
4 system through secure and appropriate exchanges of health
5 information for the purpose of enhancing health care quality, patient
6 safety, communication of patient information, disease management
7 capabilities, patient and provider satisfaction, clinical and
8 administrative cost reductions, fraud and abuse prevention and
9 detection, and public health emergency preparedness. The plan shall
10 also provide for the designation of a custodian for all protected
11 health information that meets federal and State privacy and security
12 laws and is accredited by a national standard setting organization
13 recognized by the department.

14 c. **【The Office for e-HIT shall submit the plan to the Health**
15 **Information Technology Commission for the commission's review**
16 **and approval.**

17 d. In collaboration with the commission, **the】** The Office for e-
18 HIT shall, no later than 18 months after its initial meeting and
19 annually thereafter, submit a joint report to the Governor, and to the
20 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),
21 concerning its activities and the status, and actions taken regarding
22 development, implementation, and oversight, of the Statewide
23 health information technology plan. The office shall include in that
24 report any findings and recommendations that it desires to make,
25 along with any legislative bills that it desires to recommend for
26 adoption by the Legislature.

27 (cf: P.L.2007, c.330, s.8)

28

29 7. Section 1 of P.L.1991, c.294 (C.17:16Q-1) is amended to
30 read as follows:

31 1. As used in this act:

32 "Appropriate federal financial supervisory agency" means:

33 a. The Comptroller of the Currency with respect to federally
34 chartered banks;

35 b. The Board of Governors of the Federal Reserve System with
36 respect to bank holding companies and State chartered banks which
37 are members of the Federal Reserve System;

38 c. The Federal Deposit Insurance Corporation with respect to
39 State chartered banks and savings banks which are not members of
40 the Federal Reserve System; and

41 d. The Director of the Office of Thrift Supervision with respect
42 to associations whose deposits are insured by the Federal Deposit
43 Insurance Corporation, and association holding companies.

44 **【"Board" means the Community Financial Services Advisory**
45 **Board established pursuant to section 3 of this act.】**

46 "Commissioner" means the Commissioner of Banking.

47 "CRA" means the "Community Reinvestment Act of 1977,"
48 Pub.L. 95-128 (12 U.S.C. s.2901 et seq.).

1 "Depository institution" means a State or federally chartered
2 bank, savings bank or savings and loan association located in this
3 State.

4 (cf: P.L.1991, c.294, s.1)

5

6 8. Section 2 of P.L.1991, c.294 (17:16Q-2) is amended to read
7 as follows:

8 2. Beginning on the effective date of this act, each time a
9 depository institution receives a CRA rating on and after July 1,
10 1990, from its appropriate federal financial supervisory agency, it
11 shall send a copy of the public section of the written evaluation to
12 the commissioner **and the board** within 45 calendar days of
13 receipt. The commissioner shall make these reports available to the
14 public for inspection, copying, or both, and may set a reasonable fee
15 to be charged for inspection, copying, or both.

16 (cf: P.L.1991, c.294, s.2)

17

18 9. Section 2 of P.L.2009, c.264 (C.18A:73-25.6) is amended to
19 read as follows:

20 2. The New Jersey Historical Commission**,** in consultation
21 with the New Jersey Heritage Tourism Task Force established
22 pursuant to section 1 of P.L.2006, c.60,**]** is authorized to establish a
23 program to encourage local government units, nonprofit charitable
24 organizations, and civic organizations to identify and propose sites
25 of historical and cultural significance in the State, to be recognized
26 by the placement of roadside markers. The markers shall feature a
27 standardized design bearing the State seal, indicating that the site
28 has been approved by the commission and that the marker meets
29 standards for historical accuracy. In developing the program
30 required pursuant to this section, the commission shall consult with
31 the Department of Transportation to establish standards for the
32 design, placement, and location of the roadside markers.

33 (cf: P.L.2009, c.264, s.2)

34

35 10. Section 2 of P.L.2009, c.330 (C.30:4-92.2) is amended to
36 read as follows:

37 2. a. The Commissioner of Corrections, in consultation with
38 the Commissioner of Education, shall establish a program of
39 mandatory education in each State correctional facility under the
40 jurisdiction of the Department of Corrections for each inmate who
41 fails to attain a minimal educational standard.

42 b. The minimal educational standard set forth in subsection a.
43 of this section shall be the attainment of a high school equivalency
44 certificate or high school diploma.

45 c. Consistent with the phase-in schedule adopted by the
46 commissioner pursuant to subsection h. of this section, the
47 requirement of attaining a minimal educational standard shall apply
48 to an inmate who:

1 (1) is in the custody of the Department of Corrections on and
2 after the effective date of P.L.2009, c.330 (C.30:4-92.1 et al.);

3 (2) has 18 months or more remaining to be served before a
4 mandatory release date;

5 (3) is not exempted due to a medical, developmental, or learning
6 disability; and

7 (4) does not possess a high school equivalency certificate or
8 high school diploma.

9 d. The mandatory education requirement may be deferred for
10 an inmate who is serving a sentence exceeding 10 years.

11 e. An inmate who satisfactorily participates in the mandatory
12 education program shall be eligible for commutation time for good
13 behavior pursuant to R.S.30:4-140 or credits for diligent application
14 to work and other institutional assignments pursuant to R.S.30:4-92.

15 f. The commissioner shall report to the State Parole Board the
16 academic progress of an inmate participating in the mandatory
17 education program.

18 g. The commissioner may utilize digital technology and on-line
19 education methods to meet the mandatory education requirement
20 established by this section provided these alternate methods are
21 documented to be as effective with inmate populations as live
22 instruction.

23 h. The commissioner shall establish a schedule for the
24 incremental implementation of the minimal educational standard
25 required by this section. As hereinafter provided, the schedule shall
26 consist of five foundation stages and shall provide for the full
27 implementation of the minimal educational standard within five
28 years of the effective date of this act.

29 (1) Stage One: **【The Prisoner Reentry Commission, established**
30 **pursuant to section 10 of P.L.2009, c.329 (C.30:4-6.2), shall prepare**
31 **a report outlining and assessing the availability of innovative**
32 **technology, volunteer services and private sector resources the**
33 **Department of Corrections may utilize to support and enhance in-**
34 **prison education programs. In preparing this report, the**
35 **commission, in consultation with the Department of Corrections**
36 **and the Department of Education, shall prepare an inventory of the**
37 **in-house educational programs currently available to inmates, the**
38 **curricula for those programs, and the educational materials utilized.**
39 **The report shall be submitted to the Commissioner of Corrections**
40 **and the Commissioner of Education, along with any**
41 **recommendations the commission may have, not later than the first**
42 **day of the 12th month following the effective date of P.L.2009,**
43 **c.330 (C.30:4-92.1 et al.)】** (Deleted by amendment, P.L. , c.)
44 (pending before Legislature as this bill).

45 (2) Stage Two: Beginning in the 13th month following the
46 effective date of P.L.2009, c.330 (C.30:4-92.1 et al.), the
47 commissioner shall initiate a program designed to raise the literacy
48 level of inmates scheduled for release within three years to a ninth

1 grade level. The program shall utilize, to the greatest extent
2 feasible, available technology, volunteer services and private sector
3 resources.

4 (3) Stage Three: Beginning in the 25th month following the
5 effective date of P.L.2009, c.330 (C.30:4-92.1 et al.), the
6 commissioner shall initiate a program designed to raise the literacy
7 level of inmates scheduled to be released within 10 years to a ninth
8 grade level. The program shall utilize, to the greatest extent
9 feasible, available technology, volunteer services and private sector
10 resources.

11 (4) Stage Four: Beginning in the 48th month following the
12 effective date of P.L.2009, c.330 (C.30:4-92.1 et al.), the
13 commissioner shall initiate a program designed to raise the literacy
14 level of inmates scheduled to be released within 10 years to a 12th
15 grade level. The program shall utilize, to the greatest extent
16 feasible, available technology, volunteer services and private sector
17 resources.

18 (5) Stage Five: Beginning in the 60th month following the
19 effective date of P.L.2009, c.330 (C.30:4-92.1 et al.), the
20 commissioner shall initiate a program designed to raise the literacy
21 level of all inmates to a 12th grade level. The program shall utilize,
22 to the greatest extent feasible, available technology, volunteer
23 services and private sector resources.

24 i. The commissioner, in consultation with the Commissioner of
25 Education, shall promulgate, pursuant to the "Administrative
26 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) the rules and
27 regulations that are necessary to implement the provisions of
28 P.L.2009, c.330 (C.30:4-92.1 et al.). These rules and regulations
29 shall include, but not be limited to, provisions to:

30 (1) determine when an inmate shall be exempted from the
31 mandatory education program due to a medical, developmental, or
32 learning disability as authorized under paragraph (3) of subsection
33 c. of this section;

34 (2) authorize these exempted inmates to voluntarily participate
35 in the mandatory education program; and

36 (3) offer and encourage these exempted inmates who possess the
37 capability to participate in an alternate educational program.

38 (cf: P.L.2009, c.330, s.2)

39

40 11. Section 19 of P.L.2008, c.27 (C.34:1B-228) is amended to
41 read as follows:

42 19. a. The functions, powers, and duties of the New Jersey
43 Commerce Commission to appoint executive directors of the New
44 Jersey Economic Development Authority, established pursuant to
45 P.L.1974, c.80 (C.34:1B-1 et seq.), and the New Jersey Commission
46 on Science and Technology, established pursuant to P.L.1985, c.102
47 (C.52:9X-1 et seq.) are continued and are transferred to the
48 Governor. Each such executive director shall be employed by and

1 report to the board of the respective agency and shall receive such
2 compensation as shall be fixed by the board of the respective
3 agency.

4 b. The functions, powers, and duties of the New Jersey
5 Commerce Commission to serve as a member of the board of
6 agencies and to provide administrative assistance to agencies are
7 transferred to the Division of Business Assistance, Marketing, and
8 International Trade unless otherwise provided by this act.

9 c. Notwithstanding the provisions of any law, rule, regulation,
10 or order to the contrary, the functions, powers, and duties of the
11 New Jersey Commerce Commission and the executive director of
12 the New Jersey Commerce Commission are transferred to the New
13 Jersey Economic Development Authority and the Executive
14 Director of the New Jersey Economic Development Authority,
15 respectively, with regard to the following statutorily established
16 boards, councils, commissions, authorities, and other organizations:

17 (1) State Employment and Training Commission, established
18 pursuant to section 5 of P.L.1989, c.293 (C.34:15C-2);

19 (2) State Council for Adult Literacy Education Services,
20 established pursuant to section 2 of P.L.1999, c.107 (C.34:15C-18);

21 (3) Council on Armed Forces and Veterans' Affairs, established
22 pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) and transferred to
23 and established in the Department of Military and Veterans' Affairs,
24 pursuant to section 2 of P.L.1992, c.86 (C.38A:3-16);

25 (4) The Foundation for Technology Advancement, authorized to
26 be established pursuant to section 1 of P.L.2005, c.373 (C.52:27C-
27 96);

28 (5) The Main Street New Jersey Advisory Board, established
29 pursuant to section 5 of P.L.2001, c.238 (C.52:27D-456);

30 (6) The Brownfields Redevelopment Task Force, established
31 pursuant to section 5 of P.L.1997, c.278 (C.58:10B-23);

32 (7) The Fort Monmouth Economic Revitalization **【Planning】**
33 Authority, established pursuant to **【section 4 of P.L.2006, c.16**
34 **(C.52:27I-4)】** section 1 of P.L.2010, c.51 (C.52:27I-18);

35 (8) The South Jersey Transportation Authority, established
36 pursuant to section 4 of P.L.1991, c.252 (C.27:25A-4);

37 (9) The Aquaculture Advisory Council, established pursuant to
38 section 5 of P.L.1997, c.236 (C.4:27-5);

39 (10) The Clean Air Council, established pursuant to section 3 of
40 P.L.1967, c.106 (C.26:2C-3.2); and

41 (11) **【The Community Financial Services Advisory Board,**
42 **established pursuant to section 3 of P.L.1991, c.294 (C.17:16Q-3);**
43 **and**

44 **(12)】** The New Jersey Redevelopment Authority, established
45 pursuant to section 4 of P.L.1996, c.62 (C.55:19-23).

46 d. Notwithstanding the provisions of any law, rule, regulation,
47 or order to the contrary, the functions, powers, and duties of the

1 New Jersey Commerce Commission and the executive director of
2 the New Jersey Commerce Commission, except as otherwise
3 provided in this act, are transferred to the Division and the Director
4 of the Division, respectively, with regard to any council,
5 commission, committee, task force, or other organization
6 established by executive order.
7 (cf: P.L.2008, c.27, s.19)

8
9 12. Section 3 of P.L.1983, c.315 (C.34:5A-3) is amended to read
10 as follows:

11 3. As used in this act:

12 a. "Chemical Abstracts Service number" means the unique
13 identification number assigned by the Chemical Abstracts Service
14 to chemicals.

15 b. "Chemical name" means the scientific designation of a
16 chemical in accordance with the nomenclature system developed by
17 the International Union of Pure and Applied Chemistry or the
18 Chemical Abstracts Service rules of nomenclature.

19 c. "Common name" means any designation or identification such
20 as a code name, code number, trade name, brand name or generic
21 name used to identify a chemical other than by its chemical name.

22 d. "Container" means a receptacle used to hold a liquid, solid, or
23 gaseous substance, including, but not limited to, bottles, pipelines,
24 bags, barrels, boxes, cans, cylinders, drums, cartons, vessels, vats,
25 and stationary or mobile storage tanks. "Container" shall not
26 include process containers.

27 e. **["Council" means the Right to Know Advisory Council**
28 **created pursuant to section 18 of this act]** (Deleted by amendment,
29 P.L. , c.) (pending before the Legislature as this bill).

30 f. "County health department" means a county health agency
31 established pursuant to P.L.1975, c.329 (C.26:3A2-1 et seq.), or the
32 office of a county clerk in a county which has not established a
33 department.

34 g. "Employee representative" means a certified collective
35 bargaining agent or an attorney whom an employee authorizes to
36 exercise his rights to request information pursuant to the provisions
37 of this act, or a parent or legal guardian of a minor employee.

38 h. "Employer" means any person or corporation in the State
39 engaged in business operations which has a Standard Industrial
40 Classification, as designated in the Standard Industrial
41 Classification Manual prepared by the federal Office of
42 Management and Budget, within the following Major Group
43 Numbers, Group Numbers, or Industry Numbers, as the case may
44 be, except as otherwise provided herein: Major Group Number 07
45 (Agricultural Services), only Industry Number 0782--Lawn and
46 garden services; Major Group Numbers 20 through 39 inclusive
47 (manufacturing industries); Major Group Number 45
48 (Transportation by Air), only Industry Number 4511--Air

1 Transportation, certified carriers, and Group Number 458--Air
2 Transportation Services; Major Group Number 46 (Pipelines,
3 Except Natural Gas); Major Group Number 47 (Transportation
4 Services), only Group Numbers 471--Freight Forwarding, 474--
5 Rental of Railroad Cars, and 478--Miscellaneous Services
6 Incidental to Transportation; Major Group Number 48
7 (Communication), only Group Numbers 481--Telephone
8 Communication, and 482--Telegraph Communication; Major Group
9 Number 49 (Electric, Gas and Sanitary Services); Major Group
10 Number 50 (Wholesale Trade--Durable Goods), only Industry
11 Numbers 5085--Industrial Supplies, 5087--Service Establishment
12 Equipment and Supplies, and 5093--Scrap and Waste Materials;
13 Major Group Number 51 (Wholesale trade, nondurable goods), only
14 Group Numbers 512--Drugs, Drug Proprietaries and Druggist's
15 Sundries, 516--Chemicals and Allied Products, 517--Petroleum and
16 petroleum products, 518--Beer, Wine and Distilled Alcoholic
17 Beverages, and 519--Miscellaneous Nondurable Goods; Major
18 Group Number 55 (Automobile Dealers and Gasoline Service
19 Stations), only Group Numbers 551--Motor Vehicle Dealers (New
20 and Used), 552--Motor Vehicle Dealers (Used only), and 554--
21 Gasoline Service Stations; Major Group Number 72 (Personal
22 Services), only Industry Numbers 7216--Dry Cleaning Plants,
23 Except Rug Cleaning, 7217--Carpet and Upholstery Cleaning, and
24 7218--Industrial Launderers; Major Group Number 73 (Business
25 Services), only Industry Number 7397 Commercial testing
26 laboratories; Major Group Number 75 (automotive repair, services,
27 and garages), only Group Number 753--Automotive Repair Shops;
28 Major Group Number 76 (miscellaneous repair services), only
29 Industry Number 7692--Welding Repair; Major Group Number 80
30 (health services), only Group Number 806--Hospitals; and Major
31 Group Number 82 (educational services), only Group Numbers 821-
32 -Elementary and Secondary Schools and 822--Colleges and
33 Universities, and Industry Number 8249--Vocational Schools.
34 Except for the purposes of section 26 of this act, "employer" means
35 the State and local governments, or any agency, authority,
36 department, bureau, or instrumentality thereof, or any non-profit,
37 non-public school, college or university.

38 i. "Environmental hazardous substance" means any substance on
39 the environmental hazardous substance list.

40 j. "Environmental hazardous substance list" means the list of
41 environmental hazardous substances developed by the Department
42 of Environmental Protection pursuant to section 4 of this act.

43 k. "Environmental survey" means a written form prepared by the
44 Department of Environmental Protection and transmitted to an
45 employer, on which the employer shall provide certain information
46 concerning each of the environmental hazardous substances at his
47 facility, including, but not limited to, the following:

- 1 (1) The chemical name and Chemical Abstracts Service number
- 2 of the environmental hazardous substance;
- 3 (2) A description of the use of the environmental hazardous
- 4 substance at the facility;
- 5 (3) The quantity of the environmental hazardous substance
- 6 produced at the facility;
- 7 (4) The quantity of the environmental hazardous substance
- 8 brought into the facility;
- 9 (5) The quantity of the environmental hazardous substance
- 10 consumed at the facility;
- 11 (6) The quantity of the environmental hazardous substance
- 12 shipped out of the facility as or in products;
- 13 (7) The maximum inventory of the environmental hazardous
- 14 substance stored at the facility, the method of storage, and the
- 15 frequency and methods of transfer;
- 16 (8) The total stack or point-source emissions of the
- 17 environmental hazardous substance;
- 18 (9) The total estimated fugitive or nonpoint-source emissions of
- 19 the environmental hazardous substance;
- 20 (10) The total discharge of the environmental hazardous
- 21 substance into the surface or groundwater, the treatment methods,
- 22 and the raw wastewater volume and loadings;
- 23 (11) The total discharge of the environmental hazardous
- 24 substance into publicly owned treatment works;
- 25 (12) The quantity, and methods of disposal, of any wastes
- 26 containing an environmental hazardous substance, the method of
- 27 on-site storage of these wastes, the location or locations of the final
- 28 disposal site for these wastes, and the identity of the hauler of the
- 29 wastes;
- 30 (13) The total quantity of environmental hazardous substances
- 31 generated at the facility, including hazardous substances generated
- 32 as nonproduct output;
- 33 (14) The quantity of environmental hazardous substances
- 34 recycled on-site and off-site; and
- 35 (15) Information pertaining to pollution prevention activities at
- 36 the facility.
- 37 As used in this subsection, "pollution prevention" and
- 38 "nonproduct output" shall have the same meaning as set forth in
- 39 section 3 of P.L.1991, c.235 (C.13:1D-37).
- 40 l. "Facility" means the building, equipment and contiguous area
- 41 at a single location used for the conduct of business. Except for the
- 42 purposes of subsection c. of section 13, section 14, and subsection
- 43 b. of section 25 of this act, "facility" shall not include a research
- 44 and development laboratory.
- 45 m. "Hazardous substance" means any substance, or substance
- 46 contained in a mixture, included on the workplace hazardous
- 47 substance list developed by the Department of Health pursuant to
- 48 section 5 of this act, introduced by an employer to be used, studied,

1 produced, or otherwise handled at a facility. "Hazardous substance"
2 shall not include:

3 (1) Any article containing a hazardous substance if the
4 hazardous substance is present in a solid form which does not pose
5 any acute or chronic health hazard to an employee exposed to it;

6 (2) Any hazardous substance constituting less than 1% of a
7 mixture unless the hazardous substance is present in an aggregate
8 amount of 500 pounds or more at a facility;

9 (3) Any hazardous substance which is a special health hazard
10 substance constituting less than the threshold percentage established
11 by the Department of Health for that special health hazard
12 substance when present in a mixture; or

13 (4) Any hazardous substance present in the same form and
14 concentration as a product packaged for distribution and use by the
15 general public to which an employee's exposure during handling is
16 not significantly greater than a consumer's exposure during the
17 principal use of the toxic substance.

18 n. "Hazardous substance fact sheet" means a written document
19 prepared by the Department of Health for each hazardous substance
20 and transmitted by the department to employers pursuant to the
21 provisions of this act, which shall include, but not be limited to, the
22 following information:

23 (1) The chemical name, the Chemical Abstracts Service number,
24 the trade name, and common names of the hazardous substance;

25 (2) A reference to all relevant information on the hazardous
26 substance from the most recent edition of the National Institute for
27 Occupational Safety and Health's Registry of Toxic Effects of
28 Chemical Substances;

29 (3) The hazardous substance's solubility in water, vapor pressure
30 at standard conditions of temperature and pressure, and flash point;

31 (4) The hazard posed by the hazardous substance, including its
32 toxicity, carcinogenicity, mutagenicity, teratogenicity,
33 flammability, explosiveness, corrosivity and reactivity, including
34 specific information on its reactivity with water;

35 (5) A description, in nontechnical language, of the acute and
36 chronic health effects of exposure to the hazardous substance,
37 including the medical conditions that might be aggravated by
38 exposure, and any permissible exposure limits established by the
39 federal Occupational Safety and Health Administration;

40 (6) The potential routes and symptoms of exposure to the
41 hazardous substance;

42 (7) The proper precautions, practices, necessary personal
43 protective equipment, recommended engineering controls, and any
44 other necessary and appropriate measures for the safe handling of
45 the hazardous substance, including specific information on how to
46 extinguish or control a fire that involves the hazardous substance;
47 and

- 1 (8) The appropriate emergency and first aid procedures for
2 spills, fires, potential explosions, and accidental or unplanned
3 emissions involving the hazardous substance.
- 4 o. "Label" means a sign, emblem, sticker, or marker affixed to
5 or stenciled onto a container listing the information required
6 pursuant to section 14 of this act.
- 7 p. "Mixture" means a combination of two or more substances
8 not involving a chemical reaction.
- 9 q. "Process container" means a container, excluding a pipeline,
10 the content of which is changed frequently; a container of 10
11 gallons or less in capacity, into which substances are transferred
12 from labeled containers, and which is intended only for the
13 immediate use of the employee who performs the transfer; a
14 container on which a label would be obscured by heat, spillage or
15 other factors; or a test tube, beaker, vial, or other container which is
16 routinely used and reused.
- 17 r. "Research and development laboratory" means a specially
18 designated area used primarily for research, development, and
19 testing activity, and not primarily involved in the production of
20 goods for commercial sale, in which hazardous substances or
21 environmental hazardous substances are used by or under the direct
22 supervision of a technically qualified person.
- 23 s. "Special health hazard substance" means any hazardous
24 substance on the special health hazard substance list.
- 25 t. "Special health hazard substance list" means the list of special
26 health hazard substances developed by the Department of Health
27 pursuant to section 5 of this act for which an employer may not
28 make a trade secret claim.
- 29 u. "Trade secret" means any formula, plan, pattern, process,
30 production data, information, or compilation of information, which
31 is not patented, which is known only to an employer and certain
32 other individuals, and which is used in the fabrication and
33 production of an article of trade or service, and which gives the
34 employer possessing it a competitive advantage over businesses
35 who do not possess it, or the secrecy of which is certified by an
36 appropriate official of the federal government as necessary for
37 national defense purposes. The chemical name and Chemical
38 Abstracts Service number of a substance shall be considered a trade
39 secret only if the employer can establish that the substance is
40 unknown to competitors. In determining whether a trade secret is
41 valid pursuant to section 15 of this act, the Department of Health, or
42 the Department of Environmental Protection, as the case may be,
43 shall consider material provided by the employer concerning (1) the
44 extent to which the information for which the trade secret claim is
45 made is known outside the employer's business; (2) the extent to
46 which the information is known by employees and others involved
47 in the employer's business; (3) the extent of measures taken by the
48 employer to guard the secrecy of the information; (4) the value of

1 the information, to the employer or the employer's competitor; (5)
2 the amount of effort or money expended by the employer in
3 developing the information; and (6) the ease or difficulty with
4 which the information could be disclosed by analytical techniques,
5 laboratory procedures, or other means.

6 v. "Trade secret registry number" means a code number
7 temporarily or permanently assigned to the identity of a substance
8 in a container by the Department of Health pursuant to section 15 of
9 this act.

10 w. "Trade secret claim" means a written request, made by an
11 employer pursuant to section 15 of this act, to withhold the public
12 disclosure of information on the grounds that the disclosure would
13 reveal a trade secret.

14 x. "Workplace hazardous substance list" means the list of
15 hazardous substances developed by the Department of Health
16 pursuant to section 5 of this act.

17 y. "Workplace survey" means a written document, prepared by
18 the Department of Health and completed by an employer pursuant
19 to this act, on which the employer shall report each hazardous
20 substance present at his facility.

21 (cf: P.L.1991, c.235, s.17)

22
23 13. Section 1 of P.L.2001, c.446 (C.34:15F-12) is amended to
24 read as follows:

25 1. a. There is established in the Department of Labor and
26 Workforce Development a Youth Employment and After School
27 Incentive Pilot Program which shall be administered by the
28 Commissioner of Labor and Workforce Development, pursuant to
29 the provisions of P.L.2001, c.446 (C.34:15F-12 et seq.). The
30 program shall provide for employment opportunities for
31 disadvantaged youth with private and nonprofit employers. The
32 purpose of the program shall be to enable disadvantaged youth to
33 acquire job knowledge and skills and an understanding of the
34 linkage between the skills, behaviors, and attitudes necessary to
35 function as an adult in the workplace.

36 As used in P.L.2001, c.446 (C.34:15F-12 et seq.),
37 "disadvantaged youth" means public and nonpublic school students
38 as well as youth who are not students who reside in municipalities
39 where both the rates of unemployment and violent crime
40 significantly exceed the Statewide rates of unemployment and
41 violent crime by percentages which shall be designated by the
42 commissioner. The term shall include youth in these municipalities
43 who are participating in a program of aftercare following their
44 release from juvenile detention or community facilities.

45 b. [There is established in, but not of, the Department of Labor
46 and Workforce Development the Disadvantaged Youth Employment
47 Opportunities Council. Notwithstanding the allocation of the
48 council to the Department of Labor and Workforce Development,

1 the council shall directly report to the Chairperson of the State
2 Employment and Training Commission established by section 5 of
3 P.L.1989, c.293 (C.34:15C-2). The council shall consist of 18
4 members: the Commissioner of Labor and Workforce Development,
5 the Commissioner of Education, the Executive Director of the New
6 Jersey Commission on Higher Education, the Chief Executive
7 Officer and Secretary of the New Jersey Commerce, Economic
8 Growth and Tourism Commission, the Secretary of State and the
9 Executive Director of the Juvenile Justice Commission, or their
10 designees, who shall serve ex officio and as nonvoting members;
11 and 12 public members appointed by the Governor, the President of
12 the Senate and the Speaker of the General Assembly. The Governor
13 shall appoint two religious leaders and two representatives of
14 education organizations. The President of the Senate and the
15 Speaker of the Assembly shall each appoint a leader of the business
16 community, a labor leader, a representative of a county vocational-
17 technical school, and a person representing organizations that have
18 expertise serving the needs of disadvantaged youth. The public
19 members shall serve for terms of three years, may be reappointed
20 and may serve until a successor has been appointed. Of the public
21 members first appointed, six shall be appointed for terms of three
22 years, and six shall be appointed for terms of two years. A vacancy
23 in the membership, occurring other than by expiration of a term,
24 shall be filled in the same manner as the original appointment, but
25 for the unexpired term only. The members shall serve without
26 compensation, but the council may, within the limits of funds
27 appropriated or otherwise made available to it, reimburse members
28 for actual expenses necessarily incurred in the discharge of their
29 official duties.

30 The council shall organize as soon as its members are appointed
31 and shall select a chairman and vice-chairman from among its
32 members and may select a secretary, who need not be a member of
33 the council. The council shall meet monthly, and at such other
34 times as may be necessary.

35 The council may employ, prescribe the duties and fix and pay the
36 compensation of such persons it may deem necessary to carry out
37 the duties of the council within the limits of available
38 appropriations.

39 It shall be the duty of the council to:

40 (1) Develop a master plan to increase employment opportunities
41 for disadvantaged youth;

42 (2) Enlist the commitment of the State's business leadership to
43 provide employment opportunities for disadvantaged youth;

44 (3) Enlist the support of the State's key unions which operate
45 apprenticeship and similar programs;

46 (4) Develop proposals for innovative efforts to assist
47 economically disadvantaged youth to enroll in and successfully
48 complete employment programs;

1 (5) Involve all sectors of the community, including high level
2 representatives of business, youth-serving agencies, foundations,
3 local school systems, the communications media, and the religious
4 community in an effort to promote and coordinate employment
5 opportunities for disadvantaged youth; and

6 (6) In conjunction with the Department of Labor and Workforce
7 Development and the Commerce, Economic Growth and Tourism
8 Commission, seek to identify and maximize any available federal
9 funding for the purpose of enhancing employment opportunities
10 provided under P.L.2001, c.446 (C.34:15F-12 et seq.).

11 The council shall be entitled to call to its assistance and avail
12 itself of the services of such employees of any State, county or
13 municipal department, board, bureau, commission, or agency as it
14 may require and as may be available to it for these purposes.】
15 (Deleted by amendment, P.L. , c.) (pending before Legislature as
16 this bill).

17 The Commissioner of Labor and Workforce Development, in
18 consultation with the State Employment and Training Commission
19 **【and the council】**, may promulgate rules and regulations necessary
20 to effectuate the purposes of P.L.2001, c.446 (C.34:15F-12 et seq.).
21 (cf: P.L.2007, c.189, s.1)

22
23 14. Section 2 of P.L.2001, c.446 (C.34:15F-13) is amended to
24 read as follows:

25 2. a. **【In cooperation with the Disadvantaged Youth**
26 **Employment Opportunities Council established in section 1 of**
27 **P.L.2001, c.446 (C.34:15F-12), the】** The Commissioner of Labor
28 and Workforce Development, in consultation with the State
29 Employment and Training Commission shall develop and
30 administer the employment program established under this act. The
31 commissioner shall, to the greatest extent feasible, attempt to
32 achieve a balance of enrolled disadvantaged youth from the
33 northern, central, and southern parts of the State.

34 b. The Commissioner of Labor and Workforce Development, in
35 consultation with the State Employment and Training Commission,
36 the Department of Education, and the Juvenile Justice Commission,
37 **【and the council,】** shall develop procedures relating to the program
38 referral process; establish the selection criteria for participants
39 which shall include the identification of local disadvantaged youths
40 assessed by local law enforcement and juvenile corrections
41 authorities as being at risk of gang membership or involvement or
42 reinvolvement in the criminal justice system and students who are
43 not meeting minimal district standards of behavior and academic
44 achievement; provide a listing of employers who have agreed to
45 participate in the program; and establish the process which will be
46 utilized for matching disadvantaged youth to employment
47 opportunities that will enhance the self-esteem and assimilation of

1 life skills necessary for productive functioning in the school setting
2 and society.

3 (cf: P.L.2007, c.189, s.2)

4
5 15. Section 3 of P.L.2001, c.446 (C.34:15F-14) is amended to
6 read as follows:

7 3. a. The State's limitations on hours of employment for child
8 labor shall govern the maximum hours of employment for youths
9 employed through the program. For participation in the
10 employment program, the youth shall receive from the employer
11 compensation of not less than the minimum wage rate pursuant to
12 section 5 of P.L.1966, c.113 (C.34:11-56a4).

13 b. The Commissioner of Labor and Workforce Development, in
14 conjunction with the State Employment and Training Commission
15 [and the council], shall endeavor to work with the Secretary of
16 State, the Commissioner of Education, major Statewide education
17 organizations, and nonprofit organizations providing specialized
18 services to youth to publicize the opportunities available under the
19 program and promote the voluntary participation therein of school
20 districts and students.

21 (cf: P.L.2007, c.189, s.3)

22
23 16. Section 4 of P.L.2001, c.446 (C.34:15F-15) is amended to
24 read as follows:

25 4. a. The Commissioner of Labor and Workforce Development
26 shall implement a plan to collect data on the effectiveness of the
27 program in meeting the needs and conditions of disadvantaged
28 youths which place them at risk of academic or social failure or
29 both. The plan shall include a system to track participants to
30 determine if they successfully completed the school year and
31 whether such students and other youth participants succeed in
32 making productive contributions to their communities.

33 b. Within two years following the effective date of P.L.2001,
34 c.446 (C.34:15F-12 et seq.), the Commissioners of Labor and
35 Workforce Development and Education, in concert with the State
36 Employment and Training Commission [and the council established
37 in section 1 of P.L.2001, c.446 (C.34:15F-12)], shall submit to the
38 Governor and the Legislature an evaluation of the Youth
39 Employment and After School Incentive Pilot Program and
40 recommendations to the Legislature that will enable them to better
41 coordinate and improve the effectiveness of their efforts.

42 (cf: P.L.2007, c.189, s.4)

43
44 17. Section 4 of P.L.1995, c.368 (C.39:3-27.75) is amended to
45 read as follows:

46 4. a. There is created in the Department of Community Affairs
47 a special non-lapsing fund to be known as the "Historic
48 Preservation License Plate Fund." The fund shall be administered

1 by the New Jersey Historic Trust. There shall be deposited in the
2 fund the amount collected from all license plate fees collected
3 pursuant to section 3 of P.L.1995, c.368 (C.39:3-27.74), less the
4 amounts necessary to reimburse the division for administrative
5 costs pursuant to section 5 of P.L.1995, c.368 (C.39:3-27.76).
6 Moneys deposited in the fund shall be dedicated to **[(1)]** the
7 awarding of grants to State agencies, local government units, and
8 qualifying tax-exempt nonprofit organizations to meet costs related
9 to the physical preservation of, development of interpretive and
10 educational programming for, or operation of New Jersey's historic
11 resources **[pursuant to the criteria established by the New Jersey**
12 **Heritage Tourism Task Force in the heritage tourism master plan**
13 **prepared and submitted by the New Jersey Heritage Tourism Task**
14 **Force; and (2) the payment of expenses incurred by the New Jersey**
15 **Heritage Tourism Task Force up to \$135,000 in implementing the**
16 **provisions of P.L.2006, c.60]**. Approval of any grants shall be
17 made by the New Jersey Historic Trust pursuant to its guidelines.

18 b. Moneys deposited in the fund shall be held in interest-
19 bearing accounts in public depositories as defined pursuant to
20 section 1 of P.L.1970, c.236 (C.17:9-41), and may be invested or
21 reinvested in such securities as are approved by the State Treasurer.
22 Interest or other income earned on moneys deposited in the fund,
23 and any moneys which may be appropriated or otherwise become
24 available for the purposes of the fund, shall be credited to and
25 deposited in the fund for use as set forth in P.L.1995, c.368 (C.39:3-
26 27.72 et seq.).

27 (cf: P.L.2006, c.60, s.7)

28

29 18. R.S.43:21-11 is amended to read as follows:

30 43:21-11. (a) Duties and powers of the Department of Labor
31 and Workforce Development. The department shall have power and
32 authority to adopt, amend, or rescind such rules and regulations,
33 require such reports, make such investigations, and take such other
34 action as it deems necessary or suitable or to administer this
35 chapter; provided that the Commissioner of Labor and Workforce
36 Development may delegate such power and authority, subject to his
37 ultimate supervision and control. Such rules and regulations shall
38 be effective upon publication in the manner, not inconsistent with
39 the provisions of this chapter, which the department shall prescribe.
40 The department shall determine its own organization and methods
41 of procedure, in accordance with the provisions of this chapter.
42 Whenever the department believes that a change in contribution or
43 benefit rates will become necessary to protect the solvency of the
44 fund, it shall promptly so inform the Governor and the Legislature,
45 and make recommendations with respect thereto.

46 (b) Regulations and general and special rules. General and
47 special rules may be adopted, amended, or rescinded by the
48 department. General rules shall become effective 10 days after

1 filing with the Secretary of State and publication in one or more
2 newspapers of general circulation in this State. Special rules shall
3 become effective 10 days after notification to or mailing to the last
4 known address of the individuals or concerns affected thereby.
5 Regulations may be adopted, amended, or rescinded by the
6 department and shall become effective in the manner and at the time
7 prescribed by the department.

8 (c) Publication. The department shall cause to be printed for
9 distribution to the public the text of this chapter, the department's
10 regulations and general rules, its annual reports to the Governor,
11 and any other material the department deems relevant and suitable
12 and shall furnish the same to any person upon application therefor.

13 (d) Personnel. Subject to other provisions of this chapter, the
14 department is authorized to appoint (subject to the provisions of
15 Title **[11]** 11A, Civil Service), fix the compensation, and prescribe
16 the duties and powers of such officers, accountants, attorneys,
17 experts, and other persons as may be necessary in the performance
18 of its duties under R.S. 43:21-1 et seq. All positions shall be filled
19 by persons selected and appointed on a nonpartisan merit basis from
20 lists of eligible persons prepared by the Civil Service Commission,
21 in accordance with the provisions of Title **[11]** 11A, Civil Service,
22 except that any attorney, now or hereafter in office or position of
23 legal assistant for the department, shall be placed in the exempt
24 class of the civil service and thereafter shall not be subject to
25 removal except for cause and then only in accordance with the
26 provisions of Title **[11]** 11A, Civil Service; provided, however,
27 that nothing herein shall be construed to apply to any attorney
28 designated as special counsel in accordance with the provisions of
29 sections 43:21-6, subsection (h), and 43:21-17. The division shall
30 not employ or pay any person who is an officer or committee
31 member of any political party organization. The commissioner may
32 delegate to any such person so appointed such power and authority
33 as he deems reasonable and proper for the effective administration
34 of this chapter, and may in his discretion bond any person handling
35 moneys or signing checks hereunder.

36 (e) **[Employment Security Council.** There shall be within the
37 department an Employment Security Council, as established and
38 constituted under the Department of Labor and Industry Act of 1948
39 (P.L.1948, c. 446; C. 34:1A-1 et seq.)**]** (Deleted by amendment,
40 P.L. , c.) (pending before the Legislature as this bill).

41 (f) Employment stabilization. The department**[**, with the advice
42 and aid of the Employment Security Council,**]** shall take all
43 appropriate steps to reduce and prevent unemployment; to
44 encourage and assist in the adoption of practical methods of
45 vocational training, retraining and vocational guidance; to
46 investigate, recommend, advise, and assist in the establishment and
47 operation, by municipalities, counties, school districts, and the

1 State, of reserves for public works to be used in times of business
2 depression and unemployment; to promote the re-employment of
3 unemployed workers throughout the State in every other way that
4 may be feasible, and to these ends to carry on and publish the
5 records of investigations and research studies.

6 (g) Records and reports. Each employing unit shall keep true
7 and accurate employment records, containing such information as
8 may be prescribed. Such records shall be open to inspection and be
9 subject to being copied by the director of the division and the
10 controller or their authorized representatives at any reasonable time.
11 The department may require from any employing unit any sworn or
12 unsworn reports, with respect to persons employed by it, which are
13 deemed necessary for the effective administration of this chapter.
14 Under such rules and regulations as may be adopted by the
15 department, reports relative to wages and separation from
16 employment may be required from any employer or employing unit
17 at the time such employer or employing unit suspends business
18 operations in this State, or from any employer or employing unit
19 which fails to cooperate in submitting promptly the wage and
20 employment data which may be required under paragraph (2) of
21 subsection (b) of section 43:21-6 of this Title. If the nature of such
22 suspension is temporary or in the nature of a transfer, then the
23 employer or employing unit may be excused from furnishing such a
24 termination report upon assurances that proper arrangements have
25 been made to supply any information which may be required under
26 paragraph (2) of subsection (b) of section 43:21-6 of this Title. The
27 department may require from any employer or employing unit
28 reports relative to wages and separation in such manner and at such
29 time as may be necessary for the effective administration of this
30 chapter.

31 All records, reports and other information obtained from
32 employers and employees under this chapter, except to the extent
33 necessary for the proper administration of this chapter, shall be
34 confidential and shall not be published or open to public inspection
35 other than to public employees in the performance of their public
36 duties, and shall not be subject to **[subpena]** subpoena or
37 admissible in evidence in any civil action or proceeding other than
38 one arising under this chapter, but any claimant at a hearing before
39 an appeal tribunal, the division or the board of review shall be
40 supplied with information from such records to the extent necessary
41 for the proper presentation of his claim. Any officer or employee of
42 the department who violates any provision of this section shall be
43 liable to a fine of \$200.00, to be recovered in a civil action in the
44 name of the division, said fine when recovered to be paid to the
45 unemployment compensation auxiliary fund for the use of said
46 fund.

47 (h) Oaths and witnesses. In the discharge of the duties imposed
48 by this chapter, the controller, the appeal tribunal and any duly

1 authorized representative or member of the division, the director or
2 any deputy director thereof or member of the board of review shall
3 have power to administer oaths and affirmations, take depositions,
4 certify to official acts, and issue **【subpenas】** subpoenas to compel
5 the attendance of witnesses and the production of books, papers,
6 correspondence, memoranda and other records deemed necessary as
7 evidence in connection with a disputed claim or the administration
8 of this chapter. Witnesses **【subpenaed】** subpoenaed pursuant to this
9 section shall in the discretion of the department be allowed fees at a
10 rate to be fixed by it. Such fees shall be deemed a part of the
11 expense of administering this chapter.

12 (i) **【Subpenas】** Subpoenas. In case of contumacy by or refusal
13 to obey a **【subpena】** subpoena issued to any person, any court of
14 this State within the jurisdiction of which the inquiry is carried on
15 or within the jurisdiction of which said person guilty of contumacy
16 or refusal to obey is found or resides or transacts business, upon
17 application by the department or its duly authorized representative,
18 or the board of review, shall have jurisdiction to issue to such
19 person an order requiring such person to appear before the board of
20 review or a member thereof, the department or its duly authorized
21 representative, there to produce evidence if so ordered or there to
22 give testimony touching the matter under investigation or in
23 question; and any failure to obey such order of the court may be
24 punished by said court as a contempt thereof. Any person who shall
25 without just cause fail or refuse to attend and testify or to answer
26 any lawful inquiry or to produce books, papers, correspondence,
27 memoranda, and other records, if it is in his power so to do, in
28 obedience to a **【subpena】** subpoena of the division or of the board
29 of review shall be punished by a fine of not more than \$200.00 or
30 by imprisonment for not longer than 60 days, or by both such fine
31 and imprisonment, and each day such violation continues shall be
32 deemed to be a separate offense.

33 (j) Protection against self-incrimination. No person shall be
34 excused from attending and testifying or from producing books,
35 papers, correspondence, memoranda and other records before the
36 department or the board of review or in obedience to the **【subpena】**
37 subpoena of a member of the department or the board of review or a
38 member thereof, or any duly authorized representative thereof in
39 any cause or proceeding before the department, the board of review
40 or a member thereof, on the ground that the testimony or evidence,
41 documentary or otherwise, required of him may tend to incriminate
42 him or subject him to a penalty or forfeiture; but no individual shall
43 be prosecuted or subject to any penalty or forfeiture for or on
44 account of any transaction, matter, or thing concerning which he is
45 compelled, after having claimed his privilege against self-
46 incrimination, to testify or produce evidence, documentary or
47 otherwise, except that such individual so testifying shall not be

1 exempt from prosecution and punishment for perjury committed in
2 so testifying.

3 (k) State-Federal cooperation. In the administration of this
4 chapter the department shall cooperate to the fullest extent,
5 consistent with the provisions of this chapter, with the United States
6 Department of Labor to secure to this State and its citizens all
7 advantages available under the provisions of the Social Security Act
8 (42 U.S.C. s. 301 et seq.), as amended, the Federal Unemployment
9 Tax Act (26 U.S.C. s. 3301 et seq.), as amended, and the Wagner-
10 Peyser Act (29 U.S.C. s. 49 et seq.), as amended; shall make such
11 reports, in such form and containing such information as the United
12 States Secretary of Labor may from time to time require; and shall
13 comply with such provisions as the United States Secretary of
14 Labor may from time to time find necessary to assure the
15 correctness and verification of such reports; and shall comply with
16 the regulations prescribed by the United States Secretary of Labor
17 governing the expenditure of such sums as may be allotted and paid
18 to this State under any of such federal acts.

19 Upon request therefor, the department shall furnish to any
20 agency of the United States charged with the administration of
21 public works or assistance through public employment, the name,
22 address, ordinary occupation and employment status of each
23 recipient of benefits and such recipient's rights to further benefits
24 under this chapter.

25 The department may afford reasonable cooperation with every
26 agency of the United States charged with the administration of any
27 unemployment insurance law.

28 The department is authorized to make such investigations and
29 exercise such of the other powers provided herein with respect to
30 the administration of this chapter and to transmit such information
31 and make available such services and facilities to the agency
32 charged with the administration of any State or federal
33 unemployment insurance or public employment service law as it
34 deems necessary or appropriate to facilitate the administration of
35 such law and to accept and utilize information, services and
36 facilities made available to this State by such agency.

37 The department shall adopt regulations prescribed by the United
38 States Secretary of Labor to address state unemployment tax
39 avoidance and to insure that the transfer or acquisition of a business
40 is not done for the specific purpose of avoiding higher contribution
41 rates.

42 (l) The controller shall establish procedures to identify
43 employers who engage in the transfer or acquisition of a business,
44 trade or organization for the purposes of achieving an
45 unemployment tax rate unrelated to employment experience.

46 (cf: P.L.2005, c.239, s.2)

1 19. Section 21 of P.L.1948, c.110 (C.43:21-45) is amended to
2 read as follows:

3 21. **[(a)]** It shall be the duty of the executive director of the
4 commission to administer this act under the supervision and control
5 of the commission; to appoint and fix the compensation of
6 members of the staff subject to the approval of the commission and
7 subject to the provisions of subsection (d) of section 43:21-11 of the
8 Revised Statutes; and to make such expenditures as are necessary
9 in the discharge of his functions hereunder as provided for in the
10 budget to be approved annually by the commission.

11 **[(b)]** There is hereby established an Advisory Council on
12 Disability Benefits to consist of the following: Four representatives
13 of labor, two representatives of employers, two representatives of
14 the insurance industry, and two representatives of the medical
15 profession, to be appointed by the Governor with the advice and
16 consent of the Senate; the executive director of the commission and
17 the commissioners of Banking and Insurance, and of Labor, for the
18 time being. Each appointive member shall serve for a term of five
19 years, and vacancies shall be filled for the unexpired term only.
20 Members of the advisory council shall serve without compensation
21 but may be reimbursed for their necessary expenses. The advisory
22 council shall:

23 (1) study the administration and operation of this act;

24 (2) aid the commission in formulating policies, rules and
25 regulations and consult and advise with the executive director;

26 (3) report to the Governor and the Legislature on or before
27 March first, one thousand nine hundred and fifty-one, and at such
28 other times as it may deem appropriate its recommendations for
29 legislation or administration necessary or desirable to improve and
30 perfect the operation of this act;

31 (4) report to the Governor and the Legislature on such other
32 matters relating to this act, and at such other times, as it may deem
33 in the public interest. **]**

34 (cf: P.L.1948, c.110, s.21)
35

36 20. Section 3 of P.L.1975, c.208 (C.52:9S-3) is amended to read
37 as follows:

38 3. a. The commission shall each year prepare a State Capital
39 Improvement Plan containing its proposals for State spending for
40 capital projects, which shall be consistent with the goals and
41 provisions of the State Development and Redevelopment Plan
42 adopted by the State Planning Commission **]**and shall be prepared
43 after consultation with the New Jersey Council of Economic
44 Advisors, created pursuant to P.L.1993, c.149 (C.52:9H-34 et
45 seq.) **]**. Copies of the plan shall be submitted to the Governor and
46 the Legislature no later than December 1 of each year. The plan
47 shall provide:

- 1 (1) A detailed list of all capital projects of the State which the
2 commission recommends be undertaken or continued by any State
3 agency in the next three fiscal years, together with information as to
4 the effect of such capital projects on future operating expenses of
5 the State, and with recommendations as to the priority of such
6 capital projects and the means of funding them;
- 7 (2) The forecasts of the commission as to the requirements for
8 capital projects of State agencies for the four fiscal years next
9 following such three fiscal years and for such additional periods, if
10 any, as may be necessary or desirable for adequate presentation of
11 particular capital projects, and a schedule for the planning and
12 implementation or construction of such capital projects;
- 13 (3) A schedule for the next fiscal year of recommended
14 appropriations of bond funds from issues of bonds previously
15 authorized;
- 16 (4) A review of capital projects which have recently been
17 implemented or completed or are in process of implementation or
18 completion;
- 19 (5) Recommendations as to the maintenance of physical
20 properties and equipment of State agencies;
- 21 (6) Recommendations which the commission deems appropriate
22 as to the use of properties reported in subsection c. of this section;
- 23 (7) A report on the State's overall debt. This report shall include
24 information on the outstanding general obligation debt and debt
25 service costs for the prior fiscal year, the current fiscal year, and the
26 estimated amount for the subsequent five fiscal years. In addition,
27 the report shall provide similar information on capital leases and
28 installment obligations. In addition, the report shall provide similar
29 information on the following long-term obligations: all items
30 comprising long-term liabilities as recorded in a schedule of long-
31 term debt changes (bonded and non-bonded) in the State's annual
32 comprehensive financial report prepared pursuant to section 37 of
33 article 3 of P.L.1944, c.112 (C.52:27B-46), the unfunded actuarial
34 accrued liability for State administered retirement systems, and the
35 unfunded actuarial accrued liabilities for post-retirement medical
36 and other benefits;
- 37 (8) An assessment of the State's ability to increase its overall
38 debt and a recommendation on the amount of any such increase. In
39 developing this assessment and recommendation, the commission
40 shall consider those criteria used by municipal securities rating
41 services in rating governmental obligations;
- 42 (9) A summary or written notification regarding the repayment
43 or issuance of motor vehicle surcharge revenue bonds required to be
44 prepared or transmitted pursuant to section 2 of P.L.2019, c.301
45 (C.52:9S-3.1); and
- 46 (10) Such other information as the commission deems relevant to
47 the foregoing matters.

1 b. Each State agency shall no later than August 15 of each year
2 provide the commission with:

3 (1) A detailed list of capital projects which each State agency
4 seeks to undertake or continue for its purposes in the next three
5 fiscal years, together with information as to the effect of such
6 capital projects on future operating expenses of the State, and with
7 such relevant supporting data as the commission requests;

8 (2) Forecasts as to the requirements for capital projects of such
9 agency for the four fiscal years next following such three fiscal
10 years and for such additional periods, if any, as may be necessary or
11 desirable for adequate presentation of particular capital projects,
12 and a schedule for the planning and implementation or construction
13 of such capital projects;

14 (3) A schedule for the next fiscal year of requested
15 appropriations of bond funds from issues of bonds previously
16 authorized;

17 (4) A report on capital projects which have recently been
18 implemented or completed or are in process of implementation or
19 completion;

20 (5) A report as to the maintenance of its physical properties and
21 capital equipment;

22 (6) Such other information as the commission may request.

23 c. Each State agency shall, when requested, provide the
24 commission with supplemental information in addition to that to be
25 available to the commission under the computerized record keeping
26 of the Department of the Treasury, Bureau of Real Property
27 Management, concerning any real property owned or leased by the
28 agency including its current or future availability for other State
29 uses.

30 d. A copy of the plan shall also be forwarded to the Division of
31 Budget and Accounting each year upon its completion, and the
32 portion of the plan relating to the first fiscal year thereof shall, to
33 the extent it treats of capital appropriations in the annual budget,
34 constitute the recommendations of the commission with respect to
35 such capital appropriations in the budget for the next fiscal year.

36 (cf: P.L.2019, c.301, s.1)

37

38 21. Section 20 of P.L.1985, c.222 (C.52:27D-320) is amended to
39 read as follows:

40 20. There is established in the Department of Community
41 Affairs a separate trust fund, to be used for the exclusive purposes
42 as provided in this section, and which shall be known as the "New
43 Jersey Affordable Housing Trust Fund." The fund shall be a non-
44 lapsing, revolving trust fund, and all monies deposited or received
45 for purposes of the fund shall be accounted for separately, by source
46 and amount, and remain in the fund until appropriated for such
47 purposes. The fund shall be the repository of all State funds
48 appropriated for affordable housing purposes, including, but not

1 limited to, the proceeds from the receipts of the additional fee
2 collected pursuant to paragraph (2) of subsection a. of section 3 of
3 P.L.1968, c.49 (C.46:15-7), proceeds from available receipts of the
4 Statewide non-residential development fees collected pursuant to
5 section 35 of P.L.2008, c.46 (C.40:55D-8.4), monies lapsing or
6 reverting from municipal development trust funds, or other monies
7 as may be dedicated, earmarked, or appropriated by the Legislature
8 for the purposes of the fund. All references in any law, order, rule,
9 regulation, contract, loan, document, or otherwise, to the
10 "Neighborhood Preservation Nonlapsing Revolving Fund" shall
11 mean the "New Jersey Affordable Housing Trust Fund." The
12 department shall be permitted to utilize annually up to 7.5 percent
13 of the monies available in the fund for the payment of any
14 necessary administrative costs related to the administration of the
15 "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), or any
16 costs related to administration of P.L.2008, c.46 (C.52:27D-329.1 et
17 al.).

18 a. Except as permitted pursuant to subsection g. of this section,
19 and by section 41 of P.L.2009, c.90 (C.52:27D-320.1), the
20 commissioner shall award grants or loans from this fund for
21 housing projects and programs in municipalities whose housing
22 elements have received substantive certification from the council, in
23 municipalities receiving State aid pursuant to P.L.1978, c.14
24 (C.52:27D-178 et seq.), in municipalities subject to a builder's
25 remedy as defined in section 28 of P.L.1985, c.222 (C.52:27D-328),
26 or in receiving municipalities in cases where the council has
27 approved a regional contribution agreement and a project plan
28 developed by the receiving municipality.

29 Of those monies deposited into the "New Jersey Affordable
30 Housing Trust Fund" that are derived from municipal development
31 fee trust funds, or from available collections of Statewide non-
32 residential development fees, a priority for funding shall be
33 established for projects in municipalities that have petitioned the
34 council for substantive certification.

35 Programs and projects in any municipality shall be funded only
36 after receipt by the commissioner of a written statement in support
37 of the program or project from the municipal governing body.

38 b. The commissioner shall establish rules and regulations
39 governing the qualifications of applicants, the application
40 procedures, and the criteria for awarding grants and loans and the
41 standards for establishing the amount, terms, and conditions of each
42 grant or loan.

43 c. For any period which the council may approve, the
44 commissioner may assist affordable housing programs which are
45 not located in municipalities whose housing elements have been
46 granted substantive certification or which are not in furtherance of a
47 regional contribution agreement; provided that the affordable

1 housing program will meet all or part of a municipal low and
2 moderate income housing obligation.

3 d. Amounts deposited in the "New Jersey Affordable Housing
4 Trust Fund" shall be targeted to regions based on the region's
5 percentage of the State's low and moderate income housing need as
6 determined by the council. Amounts in the fund shall be applied for
7 the following purposes in designated neighborhoods:

8 (1) Rehabilitation of substandard housing units occupied or to
9 be occupied by low and moderate income households;

10 (2) Creation of accessory apartments to be occupied by low and
11 moderate income households;

12 (3) Conversion of non-residential space to residential purposes;
13 provided a substantial percentage of the resulting housing units are
14 to be occupied by low and moderate income households;

15 (4) Acquisition of real property, demolition and removal of
16 buildings, or construction of new housing that will be occupied by
17 low and moderate income households, or any combination thereof;

18 (5) Grants of assistance to eligible municipalities for costs of
19 necessary studies, surveys, plans, and permits; engineering,
20 architectural, and other technical services; costs of land acquisition
21 and any buildings thereon; and costs of site preparation, demolition,
22 and infrastructure development for projects undertaken pursuant to
23 an approved regional contribution agreement;

24 (6) Assistance to a local housing authority, nonprofit or limited
25 dividend housing corporation, or association or a qualified entity
26 acting as a receiver under P.L.2003, c.295 (C.2A:42-114 et al.) for
27 rehabilitation or restoration of housing units which it administers
28 which: (a) are unusable or in a serious state of disrepair; (b) can be
29 restored in an economically feasible and sound manner; and (c) can
30 be retained in a safe, decent, and sanitary manner, upon completion
31 of rehabilitation or restoration; and

32 (7) Other housing programs for low and moderate income
33 housing, including, without limitation, (a) infrastructure projects
34 directly facilitating the construction of low and moderate income
35 housing not to exceed a reasonable percentage of the construction
36 costs of the low and moderate income housing to be provided and
37 (b) alteration of dwelling units occupied or to be occupied by
38 households of low or moderate income and the common areas of the
39 premises in which they are located in order to make them accessible
40 to persons with disabilities.

41 e. Any grant or loan agreement entered into pursuant to this
42 section shall incorporate contractual guarantees and procedures by
43 which the division will ensure that any unit of housing provided for
44 low and moderate income households shall continue to be occupied
45 by low and moderate income households for at least 20 years
46 following the award of the loan or grant, except that the division
47 may approve a guarantee for a period of less than 20 years where
48 necessary to ensure project feasibility.

1 f. Notwithstanding the provisions of any other law, rule, or
2 regulation to the contrary, in making grants or loans under this
3 section, the department shall not require that tenants be certified as
4 low or moderate income or that contractual guarantees or deed
5 restrictions be in place to ensure continued low and moderate
6 income occupancy as a condition of providing housing assistance
7 from any program administered by the department, when that
8 assistance is provided for a project of moderate rehabilitation if the
9 project: (1) contains 30 or fewer rental units; and (2) is located in a
10 census tract in which the median household income is 60 percent or
11 less of the median income for the housing region in which the
12 census tract is located, as determined for a three person household
13 by the council in accordance with the latest federal decennial
14 census. A list of eligible census tracts shall be maintained by the
15 department and shall be adjusted upon publication of median
16 income figures by census tract after each federal decennial census.

17 g. In addition to other grants or loans awarded pursuant to this
18 section, and without regard to any limitations on such grants or
19 loans for any other purposes herein imposed, the commissioner
20 shall annually allocate such amounts as may be necessary in the
21 commissioner's discretion, and in accordance with section 3 of
22 P.L.2004, c.140 (C.52:27D-287.3), to fund rental assistance grants
23 under the program created pursuant to P.L.2004, c.140 (C.52:27D-
24 287.1 et al.). Such rental assistance grants shall be deemed
25 necessary and authorized pursuant to P.L.1985, c.222 (C.52:27D-
26 301 et al.), in order to meet the housing needs of certain low income
27 households who may not be eligible to occupy other housing
28 produced pursuant to P.L.1985, c.222 (C.52:27D-301 et al.).

29 h. The department and the State Treasurer shall submit the
30 "New Jersey Affordable Housing Trust Fund" for an audit annually
31 by the State Auditor or State Comptroller, at the discretion of the
32 Treasurer. In addition, the department shall prepare an annual
33 report for each fiscal year, and submit it by November 30th of each
34 year to the Governor and the Legislature, [and the Joint Committee
35 on Housing Affordability, or its successor,] and post the
36 information to its web site, of all activity of the fund, including
37 details of the grants and loans by number of units, number and
38 income ranges of recipients of grants or loans, location of the
39 housing renovated or constructed using monies from the fund, the
40 number of units upon which affordability controls were placed, and
41 the length of those controls. The report also shall include details
42 pertaining to those monies allocated from the fund for use by the
43 State rental assistance program pursuant to section 3 of P.L.2004,
44 c.140 (C.52:27D-287.3) and subsection g. of this section.

45 i. The commissioner may award or grant the amount of any
46 appropriation deposited in the "New Jersey Affordable Housing
47 Trust Fund" pursuant to section 41 of P.L.2009, c.90 (C.52:27D-

1 320.1) to municipalities pursuant to the provisions of section 39 of
2 P.L.2009, c.90 (C.40:55D-8.8).
3 (cf: P.L.2017, c.131, s.200)
4

5 22. This act shall take effect immediately.
6
7

8 STATEMENT
9

10 This bill eliminates the following commissions, committees,
11 councils, boards, and task forces:

12 Gloucester County Tunnel Commission, created by R.S.32:13A-
13 4 (C.32:13A-4)

14 Employment Security Council, created by section 17 of
15 P.L.1948, c.446 (C.34:1A-17)

16 State Beach Erosion Commission, created by P.L.1949, c.14
17 (C.52:9J-1 et seq.)

18 Metropolitan Rapid Transit Commission, created by P.L.1952,
19 c.194 (C.32:22-1 et seq.)

20 State Apprenticeship Council, created by P.L.1953, c.198
21 (C.34:1A-36 et seq.)

22 Tri-State Regional Planning Commission, created by P.L.1965,
23 c.12 (C.32:22B-1 et seq.)

24 Continuing Care Advisory Council, created by section 28 of
25 P.L.1986, c.103 (C.52:27D-357)

26 New Jersey Boarding Home Advisory Council, created by
27 P.L.1986, c.205 (C.30:1A-4 et seq.)

28 Community Financial Services Advisory Board, created by
29 section 3 of P.L.1991, c.294 (C.17:16Q-3)

30 New Jersey Council of Economic Advisors, created by P.L.1993,
31 c.149 (C.52:9H-34 et seq.)

32 Parole Advisory Board, created by P.L.1997, c.215 (C.30:4-
33 123.47a et seq.)

34 Automobile Insurance Territorial Rating Plan Advisory
35 Commission, created by section 28 of P.L.1998, c.21 (C.17:29A-50)

36 Public Officers Salary Review Commission, created by
37 P.L.1999, c.380 (C.52:14-15.115)

38 Internet Registry Advisory Council, created by section 7 of
39 P.L.2001, c.167 (C.2C:7-18)

40 Advisory Committee on Alternately Accredited Medical
41 School Clinical Clerkships, created by Section 1 of P.L.2003, c.133
42 (C.18A:64H-9)

43 New Jersey Minimum Wage Advisory Commission, created by
44 section 2 of P.L.2005, c.70 (C.34:11-56a4.7)

45 Wholesale Drug Distribution Advisory Council, created by
46 section 23 of P.L.2005, c.206 (C.24:6B-32)

47 Forest Health Advisory Council, created by P.L.2007, c.44
48 (C.13:1L-26 et seq.)

1 Joint Committee on Housing Affordability, created by P.L.2007,
2 c.55 (52:9RR-1 et seq.)

3 New Jersey Health Information Technology Commission, created
4 by section 5 of P.L.2007, c.330 (C.26:1A-136)

5 Prisoner Reentry Commission, created by section 10 of
6 P.L.2009, c.329 (C.30:4-6.2)

7 Police and Fire Public Interest Arbitration Impact Task Force,
8 created by section 3 of P.L.2010, c.105 (C.34:13A-16.8)

9 Study Commission on Violence, created by P.L.2013, c.109
10 (C.52:17B-239 et seq.)

11 These entities are either inactive or failed to submit their
12 required reports in a timely manner. The bill also removes any
13 mention of these entities in other statutes.

14 In addition, the following entities are repealed by amending
15 current statutes:

16 Advisory Council on Disability Benefits;

17 Disadvantaged Youth Employment Opportunities Council;

18 Meadowlands Transportation Planning Board;

19 New Jersey Heritage Tourism Task Force; and

20 Right to Know Advisory Council.