

ASSEMBLY, No. 1043

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman JOSEPH R. MALONE, III

District 30 (Burlington, Mercer, Monmouth and Ocean)

SYNOPSIS

Abolishes Department of Personnel and New Jersey Commerce, Economic Growth and Tourism Commission and makes certain transfers; abolishes various other statutory entities.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT abolishing the Department of Personnel, the New Jersey
2 Commerce, Economic Growth and Tourism Commission and
3 various other statutory entities, amending, supplementing and
4 repealing various parts of the statutory law.

5

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

8

9 1. (New section) a. The Department of Personnel as
10 established by N.J.S.A.11A:1-1 et seq. is abolished as a principal
11 department in the Executive Branch of State Government and its
12 functions, powers and duties, and those of the Commissioner of
13 Personnel and the Merit System Board, as well as the divisions
14 subdivisions, officers and employees thereof are transferred in
15 accordance with this act to the Department of the Treasury.

16 b. The office of the Commissioner of Personnel is terminated,
17 and the positions of any assistants and deputies are hereby
18 terminated.

19 c. This act shall not affect the orders, rules and regulations
20 heretofore made or promulgated by the Merit System Board or the
21 Commissioner of Personnel, but such orders, rules and regulations
22 shall continue with full force and effect until amended or repealed
23 by the appropriate State office or officer.

24 d. This act shall not affect the tenure, compensation, and pension
25 rights, if any, of the holder of a position not specifically abolished
26 herein in office upon the effective date of this act, nor alter the term
27 of a member of a board, commission, or public body, not
28 specifically abolished herein, in office on the effective date of this
29 act, or require the reappointment thereof. Nothing in this act shall
30 be construed to deprive any person of any right or protection
31 provided to the person by Title 11A of the New Jersey Statutes,
32 Civil Service, or under any pension law or retirement system.

33 e. Acts and parts of acts inconsistent with any of the provisions
34 of this act are, to the extent of such inconsistency, superseded.

35 f. This act shall be subject to the provisions of the "State Agency
36 Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

37 Whenever, in any law, rule, regulation, order, contract,
38 document, judicial or administrative proceeding or otherwise,
39 reference is made to the Department of Personnel, Merit System
40 Board or Commissioner of Personnel, the same shall mean and refer
41 to the department, officer, board or agency to which the relevant
42 function, power or duty referred to in the law, rule, regulation,
43 order, contract, document, judicial or administrative proceeding has
44 been transferred pursuant to this act.

45 g. This act shall not affect actions or proceedings, civil or

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 criminal, brought by or against any office or officer, the functions,
2 powers and duties of which have been herein transferred from the
3 Department of Personnel, and pending on the effective date of this
4 act, and such actions or proceedings may be prosecuted or defended
5 in the same manner and to the same effect by the department,
6 officer, board or agency to which such transfer has been made
7 hereunder, as if the provisions of this section had not taken effect,
8 nor shall any of the provisions affect any order or recommendation
9 made by, or other matters or proceedings before, any office or
10 officer, the functions, powers and duties of which have been herein
11 transferred from the Department of Personnel, and all such matters
12 or proceedings pending before such office or officer on the effective
13 date of this act shall be continued by the department, officer, board
14 or agency to which such assignment or transfer has been made
15 hereunder, as if the provisions of this section had not taken effect.

16 h. This act shall not affect the validity of any certificate,
17 authorization or other document, heretofore filed with the
18 department or commissioner or issued to any person under any prior
19 law, when the functions, powers and duties of such filings or
20 issuances have been herein transferred or assigned to a department,
21 officer, board or agency in the Executive Branch, but all such
22 filings and issuances shall in all other respects be subject to the
23 provisions of this act and to the respective provisions of law
24 governing or regulating such filings and issuances.

25 i. Whenever a law directs a filing, publication, deposit,
26 certification, transmission, recording, issuance, receipt, designation,
27 or other action from or by, the Department of Personnel,
28 Commissioner of Personnel, or Merit System Board, those
29 functions, powers and duties shall be transferred and assumed by
30 the Department of Treasury, unless otherwise provided by a
31 Governor's reorganization plan executed pursuant to P.L.1969,
32 c.203 (C.52:14C-1 et seq.).

33 j. Entities created by executive order and placed within the
34 Department of Personnel or administered by the office of the
35 Commissioner of Personnel shall be transferred to the Department
36 of the Treasury.

37 k. There shall be established in the Department of the Treasury a
38 Merit System Board, to be constituted as provided by law. The
39 Merit System Board shall have and exercise all of the functions,
40 powers and duties conferred and imposed upon it by law.

41

42 2. N.J.S.11A:2-2 is amended to read as follows:

43 11A:2-2: Implementation.

44 The **[department]** State Treasurer through the Department of the
45 Treasury shall implement and enforce this title.

46 (cf: 11A:2-2)

47

48 3. N.J.S.11A:2-11 is amended to read as follows:

- 1 11A:2-11. Powers and duties of the **【commissioner】** State
2 Treasurer. In addition to other powers and duties vested in the
3 **【commissioner】** State Treasurer by this title or any other law, the
4 **【commissioner】** State Treasurer:
- 5 a. Shall be the principal executive and request officer **【of the**
6 **department】**, allocating the functions and activities of the
7 **【department among departmental subdivisions】** civil service
8 system as the **【commissioner】** State Treasurer may establish;
- 9 b. May appoint one deputy **【commissioner】**, who shall be in the
10 unclassified service, and may appoint other necessary employees.
11 All employees shall be confidential employees for the purposes of
12 the "New Jersey Employer-Employee Relations Act," P.L. 1941, c.
13 100 (C. 34:13A-1 et seq.);
- 14 c. Shall maintain a management information system necessary to
15 carry out the provisions of this title;
- 16 d. Shall have the authority to audit payrolls, reports or
17 transactions for conformity with the provisions of this title;
- 18 e. Shall plan, evaluate, administer and implement personnel
19 programs and policies in State government and political
20 subdivisions operating under this title;
- 21 f. Shall establish and supervise the selection process and
22 employee performance evaluation procedures;
- 23 g. Shall develop programs to improve efficiency and
24 effectiveness of the public service, including, but not limited to,
25 employee training, development, assistance and incentives;
- 26 h. Shall set standards and procedures for review and render the
27 final administrative decision on a written record or after
28 recommendation by an independent reviewer assigned by the
29 **【commissioner】** State Treasurer of appeals from classification,
30 salary, layoff rights and in the State service noncontractual
31 grievances;
- 32 i. May establish pilot programs and other projects for a
33 maximum of one year outside of the provisions of this title;
- 34 j. Shall provide for a public employee interchange program
35 pursuant to the "Government Employee Interchange Act of 1967,"
36 P.L.1967, c.77 (C.52:14-6.10 et seq.) and may provide for an
37 employee interchange program between public and private sector
38 employees;
- 39 k. May establish an internship program;
- 40 l. Shall assist the Governor in general work force planning,
41 personnel matters and labor relations;
- 42 m. Shall establish and consult with advisory boards representing
43 political subdivisions, personnel officers, labor organizations and
44 other appropriate groups;
- 45 n. Shall make an annual report to the Governor and Legislature
46 and all other special or periodic reports as may be required. The
47 annual report shall indicate the number of persons, by title, who, on

1 March 31, June 30, September 30, and December 31 of each year,
2 held appointments to positions in the senior executive service and
3 the number of noncareer employees by title, who, on those same
4 dates, held appointments in positions in the senior executive
5 service;

6 o. Shall have the authority to assess costs for special or other
7 services; and

8 p. Shall recommend rules to the board for the implementation of
9 this title.

10 (cf: 11A:2-11)

11

12 4. (New section) a. The New Jersey Commerce, Economic
13 Growth and Tourism Commission created by P.L.1998, c.44
14 (C.52:27C-61 et seq.) is abolished as a commission in the Executive
15 Branch of State government, and all of its functions, powers and
16 duties, except as otherwise provided in this act, are hereby
17 terminated.

18 b. The office and term of the Chief Executive and Secretary of
19 the New Jersey Commerce, Economic Growth and Tourism
20 Commission and of the consultants, employees, assistants, deputies,
21 and directors of the various divisions and departments of the New
22 Jersey Commerce, Economic Growth and Tourism Commission,
23 and of the Board of Directors, except as otherwise provided in this
24 act, are hereby terminated.

25 c. This act shall not affect the orders, rules and regulations
26 heretofore made or promulgated by the New Jersey Commerce,
27 Economic Growth and Tourism Commission, but such orders, rules
28 and regulations shall continue with full force and effect until
29 amended or repealed by the appropriate State office or officer.

30 d. This act shall not affect the tenure, compensation, and
31 pension rights, if any, of the holder of a position not specifically
32 abolished herein in office upon the effective date of this act, nor
33 alter the term of a member of a board, commission, or public body,
34 not specifically abolished herein, in office on the effective date of
35 this act, or require the reappointment thereof. Nothing in this act
36 shall be construed to deprive any person of any right or protection
37 provided to the person by Title 11A of the New Jersey Statutes,
38 Civil Service, or under any pension law or retirement system.

39 e. Acts and parts of acts inconsistent with any of the provisions
40 of this act are, to the extent of such inconsistency, superseded and
41 repealed.

42 f. This act shall be subject to the provisions of the "State
43 Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

44 g. Whenever, in any law, rule, regulation, order, contract,
45 document, judicial or administrative proceeding or otherwise,
46 reference is made to the Chief Executive and Secretary of the New
47 Jersey Commerce, Economic Growth and Tourism Commission or
48 the New Jersey Commerce, Economic Growth and Tourism

1 Commission, or the Chief Executive and Secretary of the New
2 Jersey Commerce and Economic Growth Commission, or the New
3 Jersey Commerce and Economic Growth Commission, the same
4 shall mean and refer to the department, office or commission to
5 which the relevant function, power or duty referred to in the law,
6 rule, regulation, order, contract, document, judicial or
7 administrative proceeding has been transferred pursuant to this act.

8 h. This act shall not affect actions or proceedings, civil or
9 criminal, brought by or against any office or officer, the functions,
10 powers, and duties of which have been herein transferred from the
11 New Jersey Commerce, Economic Growth and Tourism
12 Commission, and pending on the effective date of this act, and such
13 actions or proceedings may be prosecuted or defended in the same
14 manner and to the same effect by the department, officer, or
15 commission to which such transfer has been made hereunder, as if
16 the provisions of this section had not taken effect, nor shall any of
17 the provisions affect any order or recommendation made by, or
18 other matters or proceedings before, any office or officer, the
19 functions, powers, and duties of which have been herein transferred
20 from the New Jersey Commerce, Economic Growth and Tourism
21 Commission, and all such matters or proceedings pending before
22 such office or officer on the effective date of this act shall be
23 continued by the department, officer, or commission to which such
24 assignment or transfer has been made hereunder, as if the provisions
25 of this section had not taken effect.

26 i. All commissions, offices, departments, divisions, or boards
27 created by executive order and placed within the New Jersey
28 Commerce, Economic Growth and Tourism Commission or
29 administered by the commission shall be transferred to the
30 Department of Treasury, except that the Office of Travel and
31 Tourism shall be transferred to the Department of State. The
32 Governor may make such allocation by executive order as the
33 Governor deems appropriate of the entities named above.

34
35 5. Section 5 of P.L.2000, c.73 (C.27:1B-21.18) is amended to
36 read as follows:

37 5. No later than January 1, 2001, the [Chief Executive Officer
38 and Secretary of the New Jersey Commerce and Economic Growth
39 Commission, in consultation with the] commissioner and the State
40 Treasurer, shall submit a report to the Legislature containing a
41 program to identify sectors of the economy, or specific occupations,
42 which are appropriate for telecommuting to increase telecommuting
43 in the State.

44 (cf: P.L.2000, c.73, s.5)

45

46 6. Section 2 of P.L.1977, c.225 (C.34:1A-46) is amended to read
47 as follows:

- 1 2. The Legislature hereby finds and declares that:
- 2 a. Increased revenues for this State and more employment
3 opportunities for its citizens will result from the proper promotion
4 throughout the United States and the world of the many tourist
5 attractions which New Jersey has to offer to vacationers and
6 travelers.
- 7 b. Such proper promotion--and the desired expansion of
8 tourism in New Jersey--will be enhanced by the formulation of a
9 master plan for the development of the tourist industry throughout
10 New Jersey.
- 11 c. The objective of State policy through its programs, agencies,
12 and resources shall be to provide an optimum of satisfaction and
13 high-quality service to visitors, to protect the natural beauty of New
14 Jersey, and to sustain, promote, and expand the economic health of
15 the tourist industry in a manner and to the extent compatible with
16 such goals.
- 17 d. To implement this policy, the **[Commerce, Economic
18 Growth and Tourism Commission]** Department of State shall create
19 advertisements for use on television, radio, the Internet and in print,
20 to promote the State's diverse appeal to prospective national and
21 international vacationers and travelers as part of its advertising,
22 public relations, and marketing campaign. In addition, as required
23 pursuant to section 9 of P.L.1977, c.225 (C.34:1A-53), the Division
24 of Travel and Tourism shall annually review the 10-year master
25 plan developed pursuant to section 8 of P.L.1977, c.225 (C.34:1A-
26 52) by the director of the division with the assistance of the New
27 Jersey Tourism Policy Council, and submit a report to the Governor
28 and Legislature containing an evaluation of the preceding year's
29 activities and developments in tourism and the revisions
30 recommended in the master plan.
- 31 e. In the advancement and promotion of New Jersey's tourism
32 industry, it is necessary to **[change the name of the New Jersey
33 Commerce and Economic Growth Commission to the New Jersey
34 Commerce, Economic Growth and Tourism Commission and to]**
35 require that the division report semiannually to the Governor and
36 the Legislature on the efforts of the **[commission]** division and the
37 department to promote tourism in New Jersey and on the
38 expenditure of funds allocated to tourism advertising and promotion
39 from hotel and motel occupancy fees pursuant to section 2 of
40 P.L.2003, c.114 (C.54:32D-2). As tourism may be particularly
41 sensitive to changing economic conditions, a frequent review of the
42 State's tourism planning and activities may necessitate revisions in
43 the State's tourism policy to further encourage tourism promotion
44 and to otherwise meet the challenges of implementing this policy.
45 (cf: P.L.2005, c.378, s.1)

1 7. Section 3 of P.L.1977, c.225 (C.34:1A-47) is amended to read
2 as follows:

3 3. As used in this act, unless a different meaning appears from
4 the context:

5 ["Commission" means the New Jersey Commerce, Economic
6 Growth and Tourism Commission established pursuant to section 3
7 of P.L.1998, c.44 (C.52:27C-63).]

8 "Council" means the New Jersey Tourism Policy Council.

9 "Department" means the Department of State.

10 "Director" means the Director of the Division of Travel and
11 Tourism.

12 "Division" means the Division of Travel and Tourism in the
13 [New Jersey Commerce, Economic Growth and Tourism
14 Commission] Department of State.

15 "Elected local official" means the county executive of any
16 county wherein that office is established, a member of the
17 governing body of a county, or a mayor or member of the governing
18 body of a municipality.

19 "Tourism" means activities involved in providing and marketing
20 services and products, including accommodations, for nonresidents
21 and residents who travel to and in New Jersey for recreation and
22 pleasure.

23 "Tourist industry" means the industry consisting of private and
24 public organizations which directly or indirectly provide services
25 and products to nonresidents and residents who travel to and in New
26 Jersey for recreation and pleasure.

27 (cf: P.L.2005, c.378, s.2)

28

29 8. Section 4 of P.L.1977, c.225 (C.34:1A-48) is amended to read
30 as follows:

31 4. There is hereby established in the [New Jersey Commerce,
32 Economic Growth and Tourism Commission ("commission")]
33 Department of State the Division of Travel and Tourism. The
34 division shall be under the supervision of a director, who shall be a
35 person qualified by training and experience to direct the work of
36 such division. The director shall be appointed by the Governor
37 after consultation with the council and with the advice and consent
38 of the Senate. The director shall serve during the term of office of
39 the Governor appointing the director and until the director's
40 successor is appointed and qualified. The director shall receive
41 such salary as shall be provided by law and shall devote the
42 director's entire time and attention to the duties of the director's
43 office and shall not, while in office, engage in any other gainful
44 pursuit. The Governor may remove the director from office for
45 cause, upon notice and opportunity to be heard.

46 (cf: P.L.2005, c.378, s.3)

1 9. Section 7 of P.L.1977, c.225 (C.34:1A-51) is amended to read
2 as follows:

3 7. a. There is created in the division the New Jersey Tourism
4 Policy Council which shall consist of 23 members:

5 (1) Two members of the Senate, who shall serve as ex officio,
6 non-voting members to be appointed by the President thereof, not
7 more than one of whom shall be of the same political party, and two
8 members of the General Assembly, who shall serve as ex officio,
9 non-voting members to be appointed by the Speaker thereof, not
10 more than one of whom shall be of the same political party;

11 (2) Nine public members, who shall be residents of this State,
12 not more than five of whom shall be of the same political party,
13 who shall be appointed by the Governor with the advice and
14 consent of the Senate, who shall include persons who by experience
15 or training represent the areas of the tourist industry as follows:

- 16 One representative of the lodging sector;
- 17 One representative of the food service sector;
- 18 One representative of the eco-tourism sector;
- 19 One representative of the cultural arts sector;
- 20 One representative of the convention and visitor bureaus or
21 tour/receptive services sectors;
- 22 One representative of the entertainment or amusement sector;
- 23 One representative of the outdoor recreation sector;
- 24 One representative of the historical community; and
- 25 One representative of a Statewide travel and tourism association
26 representing the various sectors of the tourism industry;

27 (3) The **【Chief Executive Officer and Secretary of the**
28 **commission】** Secretary of State, who shall serve ex officio as a
29 voting member and chair of the council;

30 (4) Six elected local officials, not more than three of whom shall
31 be of the same political party, who shall be appointed by the
32 Governor with the advice and consent of the Senate, and of whom
33 one shall be a resident of Cape May or Cumberland County, one
34 shall be a resident of Atlantic County, one shall be a resident of
35 Burlington, Camden, Gloucester, Mercer or Salem County, one
36 shall be a resident of Monmouth or Ocean County, one shall be a
37 resident of Bergen, Essex, Hudson, Middlesex, Passaic or Union
38 County, and one shall be a resident of Hunterdon, Morris, Somerset,
39 Sussex or Warren County; and

40 (5) The executive directors of the New Jersey Sports and
41 Exposition Authority, the Casino Reinvestment Development
42 Authority, and the Atlantic City Convention Center Authority, or
43 their designees, all of whom shall serve ex officio and as voting
44 members.

45 b. (1) The public members of the council shall be appointed to
46 three-year terms, except that public members initially appointed on
47 or after the effective date of P.L.2005, c.378, representing the

1 lodging, food service, and eco-tourism sectors shall be appointed to
2 a two-year term, and public members representing the cultural arts
3 and outdoor recreation sectors and the historical community shall be
4 appointed to a one-year term. Public members shall serve until
5 their successors are appointed and qualified. Vacancies occurring
6 other than by expiration of term shall be filled for the unexpired
7 term only.

8 (2) The term of appointment, as a member of the council, of an
9 elected local official appointed pursuant to paragraph 4 of
10 subsection a. of this section shall be the same as the term of office,
11 as an elected local official, that the person is serving at the time of
12 such appointment. In the event that a member of the council
13 appointed pursuant to that paragraph no longer serves as an elected
14 local official, the term of appointment for that member shall cease
15 and the Governor may, with the advice and consent of the Senate,
16 appoint a replacement to serve for the remainder of the unexpired
17 term. In the case of a person who, at the time of such appointment,
18 serves as an elected local official in two different offices, the term
19 of the person's appointment to the council shall be measured by the
20 longer of the terms as an elected local official. Nothing in this
21 paragraph shall preclude the reappointment as an elected local
22 official member of the council of a person whose term of office as
23 such elected local official has expired, but who has been reelected
24 to succeed himself in the same local office.

25 c. (Deleted by amendment, P.L.1991, c.280).

26 d. (Deleted by amendment, P.L.1991, c.280).

27 e. The members of the council shall serve without
28 compensation but shall be entitled to reimbursement for actual and
29 necessary expenses incurred in the performance of their duties as
30 members.

31 f. (Deleted by amendment, P.L.1991, c.280).

32 g. The council shall meet at the call of the chair and not less
33 than once every month.

34 h. Whenever, in any law, rule, regulation, order, contract,
35 document, judicial or administrative proceeding or otherwise,
36 reference is made to the New Jersey Tourism Advisory Council, the
37 same shall mean and refer to the New Jersey Tourism Policy
38 Council in the Division of Travel and Tourism.

39 (cf: P.L.2005, c.378, s.4)

40

41 10. Section 9 of P.L.1977, c.225 (C.34:1A-53) is amended to
42 read as follows:

43 9. In the pursuance and promotion of a State policy on tourism,
44 the division, at the direction of the **【Chief Executive Officer and**
45 **Secretary of the commission】** Secretary of State, shall:

46 a. Provide and promote adequate opportunities for county and
47 municipal participation, Federal agency participation, and private

- 1 citizens' involvement in the decision-making process of tourism
2 planning and policy formulation;
- 3 b. Encourage all State, county, and municipal governmental
4 and private agencies to do their utmost to assure the personal safety
5 of residents and tourists both within and without tourist destination
6 areas;
- 7 c. Take whatever administrative, litigable, and legislative steps
8 as are necessary to minimize the problems of tourists in not
9 receiving contracted services, including transportation, tours,
10 hotels;
- 11 d. Attempt to reconcile and balance the activities and
12 accommodations of the tourist with the daily pursuits and lifestyles
13 of the residents;
- 14 e. Develop an understanding among all citizens of the role of
15 tourism in New Jersey, both in terms of its economic and social
16 importance and the problems it presents, through appropriate formal
17 and informal learning experiences;
- 18 f. Cooperate with the Department of Education to promote
19 throughout the educational system of New Jersey an awareness of
20 New Jersey history and culture;
- 21 g. Ensure that the growth of the tourist industry is consistent
22 with the attainment of economic, social, physical, and
23 environmental objectives in any State plan and county plans that are
24 adopted;
- 25 h. Continuously monitor and evaluate the social costs of
26 growth of the tourist industry against the social benefits;
- 27 i. Emphasize in the State's tourism promotional efforts the
28 high quality of the State's natural and cultural features;
- 29 j. Promote the tourist industry through such activities as
30 Visitors Bureaus and similar county and municipal agencies, and
31 assure that the tourist industry contributes its fair share of the cost
32 of such promotion;
- 33 k. Request and receive from any department, division, board,
34 bureau, commission, or other agency of the State, or any political
35 subdivision or public authority thereof, such assistance and data as
36 may be necessary to enable the division to carry out its
37 responsibilities under this act;
- 38 l. In consultation with the council, review annually and, if
39 necessary, revise or update the 10-year master plan developed
40 pursuant to section 8 of P.L.1977, c.225 (C.34:1A-52), and submit a
41 report to the Governor and the Legislature containing an evaluation
42 of the preceding year's activities and developments in tourism and
43 the revisions recommended in the master plan;
- 44 m. At the direction of the council, operate the **【commission's】**
45 Travel and Tourism Cooperative Marketing Campaign Program;
46 and

1 n. Establish and operate the **【commission's】** Travel and
2 Tourism Advertising and Promotion Program.

3 (cf: P.L.2005, c.378, s.6)

4
5 11. Section 8 of P.L.2005, c.378 (C.34:1A-53.1) is amended to
6 read as follows:

7 8. In addition to the powers and duties of the division as
8 provided in section 9 of P.L.1977, c.225 (C.34:1A-53), the division
9 shall submit a report no later than January 31 and July 31 of every
10 year on the tourism marketing campaigns **【of the commission】** and
11 the expenditure of funds appropriated **【to the commission】** for
12 tourism promotion to the Governor, the President of the Senate, the
13 Speaker of the General Assembly, the Senate Wagering, Tourism
14 and Historic Preservation Committee and the Assembly Tourism
15 and Gaming Committee, or their successors. The report shall
16 include, but not be limited to, the following information:

17 a. A description of the efforts of the **【commission】** Department
18 of State to promote New Jersey tourism in the six-month period
19 ending on December 31 and June 30 preceding the respective dates
20 on which the report is due. The report shall list: (1) the type of each
21 promotion made, including but not limited to, promotions in the
22 form of print, radio, Internet or television advertisements, tourism
23 information or reference guides, tourism event calendars or the
24 attendance by commission employees at conferences relevant to
25 tourism promotion, (2) the content of each such advertisement,
26 guide, calendar or other promotional aid made, or conference
27 attended, (3) the dates and locations where tourism advertisements
28 were shown, when such guides, calendars or other promotional aids
29 were made available, or when such conferences took place, and (4)
30 the aggregate amount of money expended on each advertisement,
31 guide, calendar, promotional aid or conference listed;

32 b. A list of entities that received, in the six-month period
33 ending on December 31 and June 30 preceding the respective dates
34 on which the report is due, State matching funds under the
35 **【commission's】** Travel and Tourism Cooperative Marketing
36 Campaign Program and the **【commission's】** Advertising and
37 Promotion Program, the amount of funds each entity received from
38 either program, and the amount of each of the recipient entity's
39 expenditures made from the funds of either program; and

40 c. A general description of the potential tourism promotion
41 efforts the **【commission】** Department of State is considering for the
42 six-month period beginning on January 1 and July 1 preceding the
43 respective dates on which the report is due. Such description shall
44 be distributed to the members of the council. A member of the
45 public may receive a copy of such description upon request.

46 The report shall identify whether or not each of the efforts to
47 promote tourism listed in the report is consistent with the provisions

1 of the 10-year master plan developed pursuant to section 8 of
2 P.L.1977, c.225 (C.34:1A-52), identify the relevant provisions of
3 the master plan with which the effort to promote tourism is
4 consistent or inconsistent, and provide an explanation of the
5 consistency or inconsistency.
6 (cf: P.L.2005, c.378, s.8)

7
8 12. Section 10 of P.L.1977, c.225 (C.34:1A-54) is amended to
9 read as follows:

10 10. The council shall:

11 a. Aid the division in the formulation and updating of the 10-
12 year master plan developed pursuant to section 8 of P.L.1977, c.225
13 (C.34:1A-52) and the annual review thereof;

14 b. Consider all matters referred to it by the **【Chief Executive
15 Officer and Secretary of the commission】** Secretary of State;

16 c. Make recommendations to the division on any matter
17 relating to tourism and the tourist industry in New Jersey and to
18 those objectives and responsibilities specified in sections 8 and 9 of
19 P.L.1977, c.225 (C.34:1A-52 and C.34:1A-53);

20 d. Direct the division to review the spending of funds by the
21 regional tourism councils and provide comments and
22 recommendations to such councils on the spending of funds when
23 appropriate;

24 e. Direct the division to encourage the development of local
25 marketing organizations, including but not limited to destination
26 marketing organizations and convention and visitor bureaus;

27 f. Direct the division to ensure that a recipient of funding by
28 the **【commission】** Department of State for tourism promotion is in
29 compliance with all terms of the funding agreement, and that the
30 recipient's promotional message is consistent with the promotional
31 message for the State established by the **【Chief Executive Officer
32 and Secretary of the commission】** Secretary of State;

33 g. Direct the division on the operation of the **【commission's】**
34 Travel and Tourism Cooperative Marketing Campaign Program;

35 h. Commission the New Jersey Center for Hospitality and
36 Tourism at Richard Stockton College of New Jersey to conduct an
37 annual survey and analysis of New Jersey's tourism industry for the
38 purpose of providing data to improve the effectiveness of tourism
39 promotion. The council shall direct the division to make the survey
40 and analysis results available to tourism groups throughout the
41 State. In a year during which the New Jersey Center for Hospitality
42 and Tourism is unable or unavailable to conduct the survey and
43 analysis, the council shall choose another entity to conduct the
44 survey and analysis for that year; and

45 i. Perform other duties as assigned by the **【Chief Executive
46 Officer and Secretary of the commission】** Secretary of State.
47 (cf: P.L.2005, c.378, s.7)

1 13. Section 28 of P.L.2005, c.354 (C.34:1A-87) is amended to
2 read as follows:

3 28. The center shall be managed by a Steering Committee
4 comprised of the Commissioners of Community Affairs, Education,
5 Health and Senior Services, Human Services, and Labor and
6 Workforce Development; the Executive Directors of the
7 Commission on Higher Education and the State Employment and
8 Training Commission; the **【Secretary and Chief Executive Officer**
9 **of the New Jersey Commerce, Economic Growth and Tourism**
10 **Commission】** Secretary of State; the Director of the Division of
11 Vocational Rehabilitation Services; a director or member of a
12 Workforce Investment Board as designated by the Executive
13 Director of the State Employment and Training Commission; and a
14 One-Stop Career Center operator as designated by the
15 Commissioner of Labor and Workforce Development. The
16 committee shall set policy for the operation of the center and shall
17 have the authority to increase membership of the committee, as it
18 deems necessary, to carry out the purposes of sections 25 through
19 29 of P.L.2005, c.354 (C.34:1A-86 through C.34:1A-88).
20 (cf: P.L.2005, c.354, s.28)

21

22 14. Section 4 of P.L.1974, c.80 (C.34:1B-4) is amended to read
23 as follows:

24 4. a. There is hereby established in, but not of, the Department of
25 the Treasury a public body corporate and politic, with corporate
26 succession, to be known as the "New Jersey Economic
27 Development Authority." The authority is hereby constituted as an
28 instrumentality of the State exercising public and essential
29 governmental functions, and the exercise by the authority of the
30 powers conferred by the provisions of P.L.1974, c.80 (C.34:1B-1 et
31 seq.) or section 6 of P.L.2001, c.401 (C.34:1B-4.1) shall be deemed
32 and held to be an essential governmental function of the State.

33 b. The authority shall consist of the Commissioner of Banking
34 and Insurance**【**, the Chief Executive Officer and Secretary of the
35 New Jersey Commerce and Economic Growth Commission**】**, the
36 Commissioner of Labor and Workforce Development, the
37 Commissioner of Education, and the State Treasurer, who shall be
38 members ex officio, and eight public members appointed by the
39 Governor as follows: two public members (who shall not be
40 legislators) shall be appointed by the Governor upon
41 recommendation of the Senate President; two public members (who
42 shall not be legislators) shall be appointed by the Governor upon
43 recommendation of the Speaker of the General Assembly; and four
44 public members shall be appointed by the Governor, all for terms of
45 three years. In addition, a public member of the State Economic
46 Recovery Board established pursuant to section 36 of P.L.2002,
47 c.43 (C.52:27BBB-36) appointed by the board, shall serve as a non-

1 voting, ex officio member of the authority. Each member shall hold
2 office for the term of the member's appointment and until the
3 member's successor shall have been appointed and qualified. A
4 member shall be eligible for reappointment. Any vacancy in the
5 membership occurring other than by expiration of term shall be
6 filled in the same manner as the original appointment but for the
7 unexpired term only. In the event the authority shall by resolution
8 determine to accept the declaration of an urban growth zone by any
9 municipality, the mayor or other chief executive officer of such
10 municipality shall ex officio be a member of the authority for the
11 purpose of participating and voting on all matters pertaining to such
12 urban growth zone.

13 The Governor shall appoint three alternate members of the
14 authority, of which one alternate member (who shall not be a
15 legislator) shall be appointed by the Governor upon the
16 recommendation of the Senate President, and one alternate member
17 (who shall not be a legislator) shall be appointed by the Governor
18 upon the recommendation of the Speaker of the General Assembly;
19 and one alternate member shall be appointed by the Governor, all
20 for terms of three years. The chairperson may authorize an
21 alternate member, in order of appointment, to exercise all of the
22 powers, duties and responsibilities of such member, including, but
23 not limited to, the right to vote on matters before the authority.

24 Each alternate member shall hold office for the term of the
25 member's appointment and until the member's successor shall have
26 been appointed and qualified. An alternate member shall be eligible
27 for reappointment. Any vacancy in the alternate membership
28 occurring other than by the expiration of a term shall be filled in the
29 same manner as the original appointment but for the unexpired term
30 only. Any reference to a member of the authority in this act shall
31 be deemed to include alternate members unless the context indicates
32 otherwise.

33 The terms of office of the members and alternate members of the
34 authority appointed by the Governor who are serving on July 18,
35 2000 shall expire upon the appointment by the Governor of eight
36 public members and three alternate members. The initial
37 appointments of the eight public members shall be as follows: the
38 two members appointed upon the recommendation of the President
39 of the Senate and the two members appointed upon the
40 recommendation of the Speaker of the General Assembly shall
41 serve terms of three years; two members shall serve terms of two
42 years; and two members shall serve terms of one year. The initial
43 appointments of the alternate members shall be as follows: the
44 alternate member appointed upon the recommendation of the
45 President of the Senate shall serve a term of three years; the
46 alternate member appointed upon the recommendation of the
47 Speaker of the General Assembly shall serve a term of two years;

- 1 and one alternate member shall serve a term of one year. No
2 member shall be appointed who is holding elective office.
- 3 c. Each member appointed by the Governor may be removed
4 from office by the Governor, for cause, after a public hearing, and
5 may be suspended by the Governor pending the completion of such
6 hearing. Each member before entering upon his duties shall take
7 and subscribe an oath to perform the duties of the office faithfully,
8 impartially and justly to the best of his ability. A record of such
9 oaths shall be filed in the office of the Secretary of State.
- 10 d. A chairperson shall be appointed by the Governor from the
11 public members. The members of the authority shall elect from
12 their remaining number a vice chairperson and a treasurer thereof.
13 The authority shall employ an executive director who shall be its
14 secretary and chief executive officer. The powers of the authority
15 shall be vested in the members thereof in office from time to time
16 and seven members of the authority shall constitute a quorum at any
17 meeting thereof; provided, however, that the public member
18 designated by the State Economic Recovery Board pursuant to the
19 "Municipal Rehabilitation and Economic Recovery Act," P.L.2002,
20 c.43 (C.52:27BBB-1 et al.) shall not count toward the quorum.
21 Action may be taken and motions and resolutions adopted by the
22 authority at any meeting thereof by the affirmative vote of at least
23 seven members of the authority. No vacancy in the membership of
24 the authority shall impair the right of a quorum of the members to
25 exercise all the powers and perform all the duties of the authority.
- 26 e. Each member of the authority shall execute a bond to be
27 conditioned upon the faithful performance of the duties of such
28 member in such form and amount as may be prescribed by the
29 Director of the Division of Budget and Accounting in the
30 Department of the Treasury. Such bonds shall be filed in the office
31 of the Secretary of State. At all times thereafter the members and
32 treasurer of the authority shall maintain such bonds in full force and
33 effect. All costs of such bonds shall be borne by the authority.
- 34 f. The members of the authority shall serve without
35 compensation, but the authority shall reimburse its members for
36 actual expenses necessarily incurred in the discharge of their duties.
37 Notwithstanding the provisions of any other law, no officer or
38 employee of the State shall be deemed to have forfeited or shall
39 forfeit any office or employment or any benefits or emoluments
40 thereof by reason of the acceptance of the office of ex officio
41 member of the authority or any services therein.
- 42 g. Each ex officio member of the authority may designate an
43 officer or employee of the member's department to represent the
44 member at meetings of the authority, and each such designee may
45 lawfully vote and otherwise act on behalf of the member for whom
46 the person constitutes the designee. Any such designation shall be

1 in writing delivered to the authority and shall continue in effect
2 until revoked or amended by writing delivered to the authority.

3 h. The authority may be dissolved by act of the Legislature on
4 condition that the authority has no debts or obligations outstanding
5 or that provision has been made for the payment or retirement of
6 such debts or obligations. Upon any such dissolution of the
7 authority, all property, funds and assets thereof shall be vested in
8 the State.

9 i. A true copy of the minutes of every meeting of the authority
10 shall be forthwith delivered by and under the certification of the
11 secretary thereof to the Governor. No action taken at such meeting
12 by the authority shall have force or effect until 10 days, Saturdays,
13 Sundays, and public holidays excepted, after the copy of the
14 minutes shall have been so delivered, unless during such 10-day
15 period the Governor shall approve the same in which case such
16 action shall become effective upon such approval. If, in that 10-day
17 period, the Governor returns such copy of the minutes with veto of
18 any action taken by the authority or any member thereof at such
19 meeting, such action shall be null and void and of no effect. The
20 powers conferred in this subsection i. upon the Governor shall be
21 exercised with due regard for the rights of the holders of bonds and
22 notes of the authority at any time outstanding, and nothing in, or
23 done pursuant to, this subsection i. shall in any way limit, restrict or
24 alter the obligation or powers of the authority or any representative
25 or officer of the authority to carry out and perform in every detail
26 each and every covenant, agreement or contract at any time made or
27 entered into by or on behalf of the authority with respect to its
28 bonds or notes or for the benefit, protection or security of the
29 holders thereof.

30 j. On or before March 31 in each year, the authority shall make
31 an annual report of its activities for the preceding calendar year to
32 the Governor and the Legislature. Each such report shall set forth a
33 complete operating and financial statement covering the authority's
34 operations during the year. The authority shall cause an audit of its
35 books and accounts to be made at least once in each year by
36 certified public accountants and cause a copy thereof to be filed
37 with the Secretary of State and the Director of the Division of
38 Budget and Accounting in the Department of the Treasury.

39 k. The Director of the Division of Budget and Accounting in
40 the Department of the Treasury and the director's legally authorized
41 representatives are hereby authorized and empowered from time to
42 time to examine the accounts, books and records of the authority
43 including its receipts, disbursements, contracts, sinking funds,
44 investments and any other matters relating thereto and to its
45 financial standing.

46 l. No member, officer, employee or agent of the authority shall
47 be interested, either directly or indirectly, in any project or school

1 facilities project, or in any contract, sale, purchase, lease or transfer
2 of real or personal property to which the authority is a party.
3 (cf: P.L.2002, c.43, s.69)
4

5 15. Section 2 of P.L.1996, c.25 (C.34:1B-113) is amended to
6 read as follows:

7 2. As used in this act:

8 "Advanced computing" means a technology used in the
9 designing and developing of computing hardware and software,
10 including innovations in designing the full spectrum of hardware
11 from hand-held calculators to super computers, and peripheral
12 equipment;

13 "Advanced computing company" means a person with
14 headquarters or base of operations located in New Jersey and
15 engaged in the research, development, production, or provision of
16 advanced computing for the purpose of developing or providing
17 products or processes for specific commercial or public purposes;

18 "Advanced materials" means materials with engineered
19 properties created through the development of specialized
20 processing and synthesis technology, including ceramics, high
21 value-added metals, electronic materials, composites, polymers, and
22 biomaterials;

23 "Advanced materials company" means a person with
24 headquarters or base of operations located in New Jersey and
25 engaged in the research, development, production, or provision of
26 advanced materials for the purpose of developing or providing
27 products or processes for specific commercial or public purposes;

28 "Biotechnology" means the continually expanding body of
29 fundamental knowledge about the functioning of biological systems
30 from the macro level to the molecular and sub-atomic levels, as
31 well as novel products, services, technologies and sub-technologies
32 developed as a result of insights gained from research advances
33 which add to that body of fundamental knowledge;

34 "Biotechnology company" means a person with headquarters or
35 base of operations located in New Jersey and engaged in the
36 research, development, production, or provision or biotechnology
37 for the purpose of developing or providing products or processes for
38 specific commercial or public purposes, including, but not limited
39 to, medical, pharmaceutical, nutritional, and other health-related
40 purposes, agricultural purposes, and environmental purposes, or a
41 person with headquarters or base of operations located in New
42 Jersey and engaged in providing services or products necessary for
43 such research, development, production, or provision;

44 "Business retention or relocation grant of tax credits" or "grant of
45 tax credits" means a grant which consists of the value of
46 corporation business tax credits against the liability imposed
47 pursuant to section 5 of P.L.1945, c.162 (C.54:10A-5) or credits

1 against the taxes imposed on insurers pursuant to P.L.1945, c.132
2 (C.54:18A-1 et seq.), section 1 of P.L.1950, c.231 (C.17:32-15),
3 and N.J.S.17B:23-5, provided to fund a portion of retention and
4 relocation costs pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.);

5 **["Commissioner" means the Chief Executive Officer and**
6 **Secretary of the New Jersey Commerce and Economic Growth**
7 **Commission;]**

8 "Department" means the **[New Jersey Commerce and Economic**
9 **Growth Commission]** Department of the Treasury;

10 "Business" means an employer located in this State that has
11 operated continuously in the State, in whole or in part, in its current
12 form or as a predecessor entity for at least 10 years prior to filing an
13 application pursuant to P.L.1996, c.25 (C.34:1B-112 et seq.) and
14 which is subject to the provisions of R.S.43:21-1 et seq. and may
15 include a sole proprietorship, a partnership, or a corporation that
16 has made an election under Subchapter S of Chapter One of Subtitle
17 A of the Internal Revenue Code of 1986, or any other business
18 entity through which income flows as a distributive share to its
19 owners, limited liability company, nonprofit corporation, or any
20 other form of business organization located either within or outside
21 the State;

22 "Commitment duration" means five years from the date specified
23 in the project agreement entered into pursuant to section 5 of
24 P.L.1996, c.25 (C.34:1B-116);

25 "Designated industry" means a business engaged in the field of
26 biotechnology, pharmaceuticals, manufacturing, financial services
27 or transportation and logistics, advanced computing, advanced
28 materials, electronic device technology, environmental technology
29 or medical device technology;

30 "Designated urban center" means an urban center designated in
31 the State Development and Redevelopment Plan adopted by the
32 State Planning Commission;

33 "Electronic device technology" means a technology involving
34 microelectronics, semiconductors, electronic equipment, and
35 instrumentation, radio frequency, microwave, and millimeter
36 electronics, and optical and optic-related electrical devices, or data
37 and digital communications and imaging devices;

38 "Electronic device technology company" means a person with
39 headquarters or base of operations located in New Jersey and
40 engaged in the research, development, production, or provision of
41 electronic device technology for the purpose of developing or
42 providing products or processes for specific commercial or public
43 purposes;

44 "Eligible position" means a full-time position retained by a
45 business in this State for which a business provides employee health
46 benefits under a group health plan as defined under section 14 of
47 P.L.1997, c.146 (C.17B:27-54), a health benefits plan as defined

1 under section 1 of P.L.1992, c.162 (C.17B:27A-17), or a policy or
2 contract of health insurance covering more than one person issued
3 pursuant to Article 2 of Title 17B of the New Jersey Statutes;

4 "Full-time employee" means a person who is employed for
5 consideration for at least thirty-five hours a week, or who renders
6 any other standard of service generally accepted by custom or
7 practice as full-time employment, whose wages are subject to
8 withholding as provided in the "New Jersey Gross Income Tax
9 Act," N.J.S.54A:1-1 et seq., and who is determined by the
10 **[commissioner]** State Treasurer to be employed in a permanent
11 position according to criteria as the commissioner may prescribe.

12 "Full-time employee" shall not include any person who works as an
13 independent contractor or on a consulting basis for the business.

14 "Full-time employee" shall not include a child, grandchild, parent,
15 or spouse of an individual who has direct or indirect ownership of at
16 least 5% of the profits, capital, or value of the business;

17 "Headquarters" of a business means the single location that
18 serves as the national administrative center of the business, at which
19 the primary office of the chief executive officer or chief operating
20 officer of the business, as well as the offices of the management
21 officials responsible for key businesswide functions such as
22 finance, legal, marketing, and human resources, are located;

23 "High-technology business" means an advanced computing
24 company, advanced materials company, electronic device
25 technology company, environmental technology company or
26 medical device technology company;

27 "Medical device technology" means a technology involving any
28 medical equipment or product (other than a pharmaceutical product)
29 that has therapeutic value, diagnostic value, or both, and is
30 regulated by the federal Food and Drug Administration;

31 "Medical device technology company" means a person with
32 headquarters or base of operations located in New Jersey and
33 engaged in the research, development, production, or provision of
34 medical device technology for the purpose of developing or
35 providing products or processes for specific commercial or public
36 purposes;

37 "New business location" means the premises that the business
38 has either purchased or built or for which the business has entered
39 into a purchase agreement or a written lease for a period of no less
40 than eight years from the date of relocation;

41 "Manufacturing facility" means a business location at which
42 more than 50% of the business personal property that is housed in
43 the facility is eligible for the sales tax exemption pursuant to
44 subsection a. of section 25 of P.L.1980, c.105 (C.54:32B-8.13) for
45 machinery, apparatus or equipment used in the production of
46 tangible personal property;

1 "Program" means the Business Retention and Relocation
2 Assistance Grant Program created pursuant to P.L.1996, c.25
3 (C.34:1B-112 et seq.);

4 "Project agreement" means an agreement between a business and
5 the department that sets the forecasted schedule for completion and
6 occupancy of the project, the date the commitment duration shall
7 commence, the amount of the applicable grant of tax credits, and
8 other such provisions which further the purposes of P.L.1996, c.25
9 (C.34:1B-112 et seq.);

10 "Research and development facility" means a business location
11 at which more than 50% of the business personal property that is
12 purchased for the facility is eligible for the sales tax exemption
13 pursuant to section 26 of P.L.1980, c.105 (C.54:32B-8.14) for
14 property used in research and development;

15 "Retained full-time job" means an eligible position that currently
16 exists in New Jersey and is filled by a full-time employee but
17 which, because of a relocation by the business, is at risk of being
18 lost to another state or country. For the purposes of determining a
19 number of retained full-time jobs, the eligible positions of the
20 members of a "controlled group of corporations" as defined
21 pursuant to section 1563 of the federal Internal Revenue Code of
22 1986, 26 U.S.C. s.1563, shall be considered the eligible positions of
23 a single employer; and

24 "Total allowable relocation costs" means \$1,500 times the
25 number of retained full-time jobs. "Total allowable relocation
26 costs" does not include the amount of any bonus award authorized
27 pursuant to section 5 of P.L.2004, c.65 (C.34:1B-115.1).

28 (cf: P.L.2004, c.65, s.2)

29
30 16. Section 3 of P.L.1996, c.25 (C.34:1B-114) is amended to
31 read as follows:

32 3. The Business Retention and Relocation Assistance Grant
33 Program is hereby established as a program under the jurisdiction of
34 the **【New Jersey Commerce and Economic Growth Commission】**
35 Department of the Treasury and shall be administered by the **【Chief**
36 **Executive Officer and Secretary of the New Jersey Commerce and**
37 **Economic Growth Commission】** State Treasurer. The purpose of
38 the program is to encourage economic development and job creation
39 and to preserve jobs that currently exist in New Jersey but which
40 are in danger of being relocated to premises outside of the State. To
41 implement that purpose, and to the extent that funding for the
42 program is available, the program may provide grants of tax credits
43 but in no case shall the amount of an individual grant of tax credits
44 exceed 80% of the projected State tax revenues from the retained
45 full-time jobs covered by the project agreement of an applicant for a
46 grant of tax credits.

47 (cf: P.L.2004, c.65, s.3)

1 17. Section 19 of P.L.2004, c.65 (C.34:1B-185) is amended to
2 read as follows:

3 19. As used in sections 19 through 22 of P.L.2004, c.65
4 (C.34:1B-185 through C.34:1B-188) the following terms shall have
5 the following meanings:

6 "Eligible property" means machinery, equipment, furniture and
7 furnishings, fixtures, and building materials, but "eligible property"
8 shall not include "motor vehicles" as defined pursuant to section 2
9 of P.L.1966, c.30 (C.54:32B-2), parts with a useful life of one year
10 or less, or tools or supplies used in connection with the eligible
11 property;

12 "Headquarters" means the single location that serves as the
13 national administrative center of a business, at which the primary
14 office of the chief executive officer or chief operating officer of the
15 business, as well as the offices of the management officials
16 responsible for key businesswide functions such as finance, legal,
17 marketing, and human resources, are located;

18 "Life sciences business" means a business engaged principally in
19 the production of medical equipment, ophthalmic goods, medical or
20 dental instruments, diagnostic substances, biopharmaceutical
21 products; or physical and biological research; or biotechnology;

22 "Manufacturing facility" means a business location at which
23 more than 50% of the business personal property that is housed in
24 the facility is eligible for the sales tax exemption pursuant to
25 subsection a. of section 25 of P.L.1980, c.105 (C. 54:32B-8.13) for
26 machinery, apparatus or equipment used in the production of
27 tangible personal property;

28 "Research and development facility" means a business location
29 at which more than 50% of the business personal property that is
30 purchased for the facility is eligible for the sales tax exemption
31 pursuant to section 26 of P.L.1980, c.105 (C.54:32B-8.14) for
32 property used in research and development; and

33 **["Secretary" means the Chief Executive Officer and Secretary of
34 the New Jersey Commerce and Economic Growth Commission.]**

35 (cf: P.L.2004, c.65, s.19)

36

37 18. Section 20 of P.L.2004, c.65 (C.34:1B-186) is amended to
38 read as follows:

39 20. The **【secretary】** State Treasurer shall establish and
40 administer a program to approve the issuance of sales and use tax
41 exemption certificates to qualifying businesses as specified in
42 sections 19 through 22 of P.L.2004, c.65 (C.34:1B-185 through
43 C.34:1B-188). The receipts from the certificate holder's purchase
44 of eligible property located or placed at the business location
45 covered by the project approval within the period established
46 pursuant to the terms and conditions of the project approval for the
47 approved business location shall be exempt from the tax imposed

1 under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et
2 seq.).
3 (cf: P.L.2004, c.65, s.20)
4

5 19. Section 21 of P.L.2004, c.65 (C.34:1B-187) is amended to
6 read as follows:

7 21. a. A business seeking to participate in the sales and use tax
8 exemption certificate program established pursuant to sections 19
9 through 22 of P.L.2004, c.65 (C.34:1B-185 through C.34:1B-188)
10 shall submit a project application to the **【secretary】** State Treasurer
11 in such form as required by the **【secretary】** State Treasurer.

12 b. The location for the project shall be situated in designated
13 Planning Area 1 or 2, as defined in the State Development and
14 Redevelopment Plan adopted by the State Planning Commission;
15 provided however, that a business project involving the renovation
16 or expansion of an existing facility that is not located in designated
17 Planning Area 1 or 2 may be eligible to participate in the program,
18 at the determination of the secretary, if all other applicable criteria
19 are satisfied.

20 A business located in an urban enterprise zone designated
21 pursuant to the "New Jersey Urban Enterprise Zones Act,"
22 P.L.1983, c.303 (C.52:27H-60 et seq.) as of the effective date of
23 this section shall not be eligible to participate in this program if the
24 relocation project is from a facility within the urban enterprise zone
25 to a facility outside an urban enterprise zone; provided however,
26 that if the relocation is to a facility already owned or leased by the
27 same business and that business already employs at least the same
28 number of persons as those being relocated from the urban
29 enterprise zone, it may be eligible to apply.

30 c. To be eligible to apply for the sales and use tax exemption
31 certificate program, a business shall have operated continuously in
32 this State, in whole or in part, in its current form or as a predecessor
33 entity, for at least 10 years prior to filing an application and shall
34 satisfy at least one of the following criteria:

35 (1) the business has 1,000 or more full-time employees in the
36 State and the project involves relocating 500 or more full-time
37 employees into a new business location or locations;

38 (2) the business is a life sciences business or a manufacturing
39 facility and the project is: constructing one or more new research
40 and development facilities, constructing one or more new
41 manufacturing facilities in this State, or relocating to a new
42 headquarters in this State that will employ 250 or more full-time
43 employees;

44 (3) the business is a life sciences business or a manufacturing
45 business and the project is constructing a new, or substantially
46 rehabilitating a vacant, property that will separately or collectively:

47 (a) be predominately a new research and development facility;

1 (b) be predominately a new manufacturing facility;
2 (c) house the headquarters of the business; or
3 (d) separately or collectively be a combination of subparagraphs
4 (a), (b) and (c);
5 provided, that the new or substantially rehabilitated facility will
6 house a minimum of 250 full-time employees. For the purposes of
7 this subparagraph, "predominantly" means a majority of the
8 employees housed in the new facility are engaged in that activity, or
9 a majority of the square footage of the new facility is used in that
10 activity; or a majority of the total value of the investment made will
11 be employed in that activity; or other measures of activity as may
12 determined by the secretary that demonstrate that a critical
13 concentration of research and development, manufacturing, or both,
14 will occur at the new facility; or
15 (4) the business is, at the time of enactment of this section,
16 currently receiving a structured finance special guarantee pursuant
17 to N.J.A.C.19:31-2.1(c)3.ii(5) for the project.
18 d. For the purposes of determining a number of full-time
19 employees pursuant to subsection c. of this section, the full-time
20 employees of the members of a "controlled group of corporations"
21 as defined pursuant to section 1563 of the federal Internal Revenue
22 Code of 1986, 26 U.S.C. s.1563, shall be considered the employees
23 of a single employer.
24 e. A project may be completed in up to two phases provided
25 that it will be the national headquarters of a life sciences or
26 manufacturing company, and will include a significant research and
27 development, a significant manufacturing facility, or combination
28 thereof if : (1) the first completed phase will house at least 200 full-
29 time employees and the second phase will house at least 100
30 additional employees; and (2) the project is pre-approved for phases
31 and that all phases are completed within 30 months of project
32 approval.
33 f. Upon approval of a project, the **[secretary]** State Treasurer
34 shall notify the Director of the Division of Taxation in the
35 Department of the Treasury of the terms and conditions of the
36 project approval and the director shall issue a certificate of
37 exemption pursuant to the terms and conditions of the project
38 approval. In general, the sales and use tax exemption certificate
39 provided by sections 19 through 22 of P.L.2004, c.65 (C.34:1B-185
40 through C.34:1B-188) should not apply to purchases initiated by the
41 business after the date that the temporary certificate of occupancy is
42 issued, or in cases where no temporary certificate of occupancy is
43 issued should not apply to purchases initiated by the business more
44 than one year from the project commencement date; however, the
45 duration of the certificate of exemption shall be pursuant to the
46 terms and conditions of the project approval.
47 (cf: P.L.2004, c.65, s.21)

1 20. Section 22 of P.L.2004, c.65 (C.34:1B-188) is amended to
2 read as follows:

3 22. The **【secretary】** State Treasurer shall, after consultation with
4 the Director of the Division of Taxation in the Department of the
5 Treasury, adopt rules and regulations pursuant to the
6 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
7 seq.) necessary to govern the proper conduct and operation of the
8 program consistent with the provisions of sections 19 through 22 of
9 P.L.2004, c.65 (C.34:1B-185 through C.34:1B-188).
10 (cf: P.L.2004, c.65, s.22)

11
12 21. Section 9 of P.L.1989, c.293 (C.34:15C-6) is amended to
13 read as follows:

14 9. The commission shall:

15 a. Issue the New Jersey Unified Workforce Investment Plan
16 pursuant to the provisions of the Workforce Investment Act of
17 1998, Pub.L.105-220 (29 U.S.C. s.2801 et seq.) and section 10 of
18 this act;

19 b. Establish performance standards for workforce investment
20 programs pursuant to the Workforce Investment Act of 1998,
21 Pub.L.105-220 (29 U.S.C. s.2801 et seq.) and section 11 of this act;

22 c. Act to ensure the full participation of Workforce Investment
23 Boards in the planning and supervision of local workforce
24 investment systems. The commission shall be responsible to
25 oversee and develop appropriate standards to ensure Workforce
26 Investment Board compliance with State and federal law, the State
27 plan, and other relevant requirements regarding membership,
28 staffing, meetings, and functions;

29 d. Foster and coordinate initiatives of the Department of
30 Education and Commission on Higher Education to enhance the
31 contributions of public schools and institutions of higher education
32 to the implementation of the State workforce investment policy;

33 e. Examine federal and State laws and regulations to assess
34 whether those laws and regulations present barriers to achieving any
35 of the goals of this act. The commission shall, from time to time as
36 it deems appropriate, issue to the Governor and the Legislature
37 reports on its findings, including recommendations for changes in
38 State or federal laws or regulations concerning workforce
39 investment programs or services, including, when appropriate,
40 recommendations to merge other State advisory structures and
41 functions into the commission;

42 f. Perform the duties assigned to a State Workforce Investment
43 Board pursuant to subsection (d) of section 111 of the Workforce
44 Investment Act of 1998, Pub.L.105-220 (29 U.S.C. s.2821);

45 g. Have the authority to enter into agreements with the head of
46 each State department or commission which administers or funds
47 education, employment or training programs, including, but not

1 limited to, the Departments of Labor and Workforce Development,
2 Community Affairs, Education, and Human Services and the
3 Commission on Higher Education[, the New Jersey Commerce,
4 Economic Growth and Tourism Commission], and the Juvenile
5 Justice Commission, which agreements are for the purpose of
6 assigning planning, policy guidance and oversight functions to each
7 Workforce Investment Board with respect to any workforce
8 investment program funded or administered by the State department
9 or commission within the Workforce Investment Board's respective
10 labor market area or local area, as the case may be; and

11 h. Establish guidelines to be used by the Workforce Investment
12 Boards in performing the planning, policy guidance, and oversight
13 functions assigned to the boards under any agreement reached by
14 the commission with a department or commission pursuant to
15 subsection g. of this section. The commission shall approve all
16 local Workforce Investment Board plans that meet the criteria
17 established by the commission for the establishment of One-Stop
18 systems. The Department of Labor and Workforce Development
19 shall approve the operational portion of the plans for programs
20 administered by the department.

21 The commission shall have access to all files and records of
22 other State agencies and may require any officer or employee
23 therein to provide such information as it may deem necessary in the
24 performance of its functions.

25 Nothing in P.L.2005, c.354 (C.34:15C-7.1 et al.) shall be
26 construed as affecting the authority of the Commissioner of
27 Personnel to review and approve training programs for State
28 employees pursuant to N.J.S.11A:6-25.

29 (cf: P.L.2005, c.354, s.8)

30

31 22. Section 2 of P.L.1999, c.107 (C.34:15C-18) is amended to
32 read as follows:

33 2. a. There is created within the State Employment and Training
34 Commission, established pursuant to section 5 of P.L.1989, c.293
35 (C.34:15C-2) in the Department of Labor and Workforce
36 Development, a State Council for Adult Literacy Education
37 Services.

38 b. The 27-member council shall consist of the following ex
39 officio members: the Commissioners of Labor and Workforce
40 Development, Human Services, Education, Community Affairs and
41 Corrections, the [Secretary and Chief Executive Officer of the New
42 Jersey Commerce, Economic Growth and Tourism Commission]
43 State Treasurer, the Executive Director of the Commission on
44 Higher Education, and the Executive Director of the State
45 Employment and Training Commission. The council shall also
46 include one member of the Senate appointed by the President
47 thereof and one member of the General Assembly appointed by the

1 Speaker thereof, who shall serve during the two-year legislative
2 session in which the appointment is made and who shall not be of
3 the same political party; and 17 public members as follows: five
4 public members appointed by the Governor including a member of
5 a Workforce Investment Board literacy committee, a State or
6 national adult education expert and three representatives of the
7 business community, at least one of whom shall represent a small
8 business; six public members appointed by the President of the
9 Senate including a student or former student who received adult
10 literacy services and a representative from each of the following: a
11 county college, a four-year institution of higher education, the State
12 Library or a local library, a Department of Education-funded adult
13 education provider of adult basic education programs, general
14 educational development programs or English as a second language
15 programs and a community-based organization which is an adult
16 education provider; and six public members appointed by the
17 Speaker of the General Assembly including a representative from
18 each of the following: a vocational school providing adult academic
19 education programs, a trade union, the New Jersey Network, the
20 New Jersey Association of Lifelong Learning, the Literacy
21 Volunteers of America and the New Jersey Education Association.

22 c. The public members shall serve for terms of three years, but
23 of the public members first appointed, six shall serve a term of three
24 years, six shall serve a term of two years and five shall serve a term
25 of one year. Each member shall hold office for the term of
26 appointment and until his successor is appointed and qualified. A
27 member appointed to fill a vacancy occurring in the membership of
28 the board for any reason other than the expiration of the term shall
29 have a term of appointment for the unexpired term only. All
30 vacancies shall be filled in the same manner as the original
31 appointment. A member may be appointed for any number of
32 successive terms. A member may be removed from office by the
33 Governor, for cause, after a hearing and may be suspended by the
34 Governor pending the completion of the hearing.

35 d. The members shall select annually a chairperson and a vice-
36 chairperson, who shall be nongovernmental members of the council,
37 and shall appoint an executive director. The executive director
38 shall report to the chairperson of the council and be responsible for
39 administering the daily operations of the council. The executive
40 director shall serve in the State unclassified service. The council
41 may call to its assistance and avail itself of the services of the
42 employees of any State, county or municipal department, board,
43 bureau, commission or agency as it may require and as may be
44 available to it for its purposes.

45 e. Members of the council shall serve without compensation,
46 but may be reimbursed for necessary expenses incurred in the
47 performance of their duties as members, within the limits of funds

1 appropriated or otherwise made available to the council for its
2 purposes. Actions may be taken and motions and resolutions may
3 be adopted by the council by an affirmative vote of a majority of
4 the members.

5 (cf: P.L.2005, c.354, s.18)

6

7 23. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read
8 as follows:

9 2. The Council on Armed Forces and Veterans' Affairs
10 established in the Department of Commerce and Economic
11 Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is
12 hereby transferred to and established in the Department of Military
13 and Veterans' Affairs. The council shall consist of 22 members:
14 two to be appointed by the President of the Senate from the
15 members thereof, no more than one of whom shall be from the same
16 political party; two to be appointed by the Speaker of the General
17 Assembly from the members thereof, no more than one of whom
18 shall be from the same political party; the Adjutant General of the
19 Department of Military and Veterans' Affairs, the [Chief Executive
20 Officer and Secretary of the Commerce and Economic Growth
21 Commission] State Treasurer, the Commissioner of Education, the
22 Commissioner of Environmental Protection, the Commissioner of
23 Transportation, the State Treasurer, the Commissioner of
24 Community Affairs, the Commissioner of Labor and Workforce
25 Development, and the Chair of the New Jersey Commission on
26 Higher Education, or their designees; and nine public members to
27 be appointed by the Governor, with the advice and consent of the
28 Senate. Eight of the public members shall be representatives of the
29 community and business support groups for New Jersey's military
30 installations and the United States Coast Guard training center.
31 Each public member shall serve for a term of three years from the
32 date of the member's appointment and until the member's successor
33 is appointed and qualified. Vacancies resulting from causes other
34 than by expiration of term shall be filled for the unexpired term
35 only and shall be filled in the same manner as the original
36 appointments were made.

37 (cf: P.L.2005, c.40, s.1)

38

39 24. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to
40 read as follows:

41 1. Notwithstanding the provisions of the annual appropriations
42 act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the Governor
43 shall fix and establish the annual salary, not to exceed \$133,330 in
44 calendar year 2000, \$137,165 in calendar year 2001 and \$141,000
45 in calendar year 2002 and thereafter, for each of the following
46 officers:

- 1 Title
- 2 Agriculture Department
- 3 Secretary of Agriculture
- 4 Children and Families Department
- 5 Commissioner of Children and Families
- 6 Community Affairs Department
- 7 Commissioner of Community Affairs
- 8 Corrections Department
- 9 Commissioner of Corrections
- 10 Education Department
- 11 Commissioner of Education
- 12 Environmental Protection Department
- 13 Commissioner of Environmental Protection
- 14 Health and Senior Services Department
- 15 Commissioner of Health and Senior
- 16 Services
- 17 Human Services Department
- 18 Commissioner of Human Services
- 19 Banking and Insurance Department
- 20 Commissioner of Banking and Insurance
- 21 Labor and Workforce Development Department
- 22 Commissioner of Labor and Workforce Development
- 23 Law and Public Safety Department
- 24 Attorney General
- 25 Military and Veterans' Affairs Department
- 26 Adjutant General
- 27 **【Personnel Department**
- 28 **Commissioner of Personnel】**
- 29 State Department
- 30 Secretary of State
- 31 Transportation Department
- 32 Commissioner of Transportation
- 33 Treasury Department
- 34 State Treasurer
- 35 Members, Board of Public Utilities
- 36 Public Advocate Department
- 37 Public Advocate

38 **【Notwithstanding the provisions of this section to the contrary,**
39 **the Chief Executive Officer and Secretary of the New Jersey**
40 **Commerce and Economic Growth Commission shall receive such**
41 **salary as shall be fixed by the Governor pursuant to subsection b. of**
42 **section 8 of P.L.1998, c.44 (C.52:27C-68).】**
43 (cf: P.L.2006, c.47, s.189)

44
45 25. Section 2 of P.L.2005, c.47 (C.52:16A-91) is amended to
46 read as follows:

1 2. The New Jersey Black Cultural and Heritage Initiative
2 Foundation shall be governed by a board of trustees consisting of
3 the following 25 members:

4 a. the Secretary of State or designee;

5 b. Five State employees or special State officers, who shall be
6 selected from, and appointed by the Secretary of State to represent
7 any or all, of the following State partner organizations:

8 (1) New Jersey State Council on the Arts;

9 (2) New Jersey Historical Commission;

10 (3) New Jersey Council of the Humanities;

11 (4) New Jersey Public Broadcasting Commission;

12 (5) Martin Luther King Commemorative Commission;

13 (6) Amistad Commission;

14 (7) Department of Education;

15 (8) Office of Travel and Tourism, ~~【New Jersey Commerce and~~
16 ~~Economic Growth Commission】~~ Department of State;

17 (9) Department of Community Affairs;

18 (10) Department of Transportation;

19 (11) Department of State, Office of Faith-based Initiatives; and

20 (12) any other State agency or instrumentality partnering,
21 assisting or supporting the purposes of the foundation.

22 The State partner members of the board of trustees appointed
23 pursuant to this subsection shall serve at the pleasure of the
24 Secretary of State.

25 c. Nineteen public members shall be selected from a broad
26 cross-section of the views and interests of the community and the
27 member organizations of the foundation, including educators,
28 clergy, civic and business leaders; philanthropists; visual, creative
29 and performing artists; representatives of Black arts, history and
30 cultural organizations; and persons having knowledge of, expertise
31 in, or commitment to preserving New Jersey's Black cultural
32 heritage.

33 Five of the public members shall be appointed by the Secretary
34 of State upon formation and incorporation of the foundation.
35 Thereafter, at least four more public members shall be elected by
36 the nonprofit cultural organizations which become members of the
37 foundation, and the remaining public members shall be nominated
38 by a nominating committee of the board of trustees and appointed
39 by the board of trustees.

40 The term of office of each public member shall be three years,
41 with each member continuing to serve upon expiration of the term
42 until replaced. Three of the initial public members appointed by the
43 Secretary of State and two of the public members initially elected
44 by member organizations shall serve initial terms of two years.

45 Vacancies shall be filled and replacements made as provided in
46 the bylaws of the foundation.

47 (cf: P.L.2005, c.47, s.2)

1 26. Section 5 of P.L.1998, c.44 (C.52:27C-65) is amended to
2 read as follows:

3 5. All appropriations and other moneys available and to
4 become available to any department, division, bureau, board,
5 commission, or other entity or agency, the functions, powers and
6 duties of which have been assigned or transferred to the
7 **【Department of Commerce and Economic Development】** New
8 Jersey Commerce, Economic Growth and Tourism Commission, are
9 hereby continued in the **【commission】** Department of State or the
10 Department of the Treasury, as appropriate, except as herein
11 otherwise provided, and shall be available for the objects and
12 purposes for which such moneys are appropriated subject to any
13 terms, restrictions, limitations, or other requirements imposed by
14 State or federal law. Nothing herein shall alter the provisions of
15 section 4 of P.L.1983, c.190 (C.34:1B-39). Whenever, in any law,
16 rule, regulation, order, contract, document, judicial or
17 administrative proceeding or otherwise, reference is made to the
18 Department of Commerce and Economic Development **【or】**, the
19 New Jersey Commerce and Economic Growth Commission, **【the**
20 **same shall mean and refer to】** or the "New Jersey Commerce,
21 Economic Growth and Tourism Commission" **【in but not of】**, the
22 same shall mean and refer to the Department of State or the
23 Department of the Treasury, as appropriate.
24 (cf: P.L.2005, s.378. s.12)
25

26 27. Section 22 of P.L.1998, c.44 (C.52:27C-82) is amended to
27 read as follows:

28 22. a. The New Jersey Economic Development Authority,
29 established pursuant to P.L.1974, c.80 (C.34:1B-1 et seq.), is
30 transferred in but not of the Department of the Treasury, but,
31 notwithstanding this transfer, the New Jersey Economic
32 Development Authority shall be independent of any supervision and
33 control by the department or by any board or officer thereof.

34 b. Whenever, in any law, rule, regulation, order, contract,
35 document, judicial or administrative proceeding or otherwise,
36 reference is made to the New Jersey Economic Development
37 Authority, the same shall mean and refer to the New Jersey
38 Economic Development Authority in but not of the Department of
39 the Treasury. Notwithstanding the provisions of any law, rule,
40 regulation or order to the contrary, the **【Chief Executive Officer and**
41 **Secretary of the commission】** State Treasurer shall appoint the
42 executive director of the New Jersey Economic Development
43 Authority.

44 c. This transfer shall be subject to the provisions of the "State
45 Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

46 d. The New Jersey Economic Development Authority may
47 develop and promulgate such rules and regulations in accordance

1 with the "Administrative Procedure Act," P.L.1968, c.410
2 (C.52:14B-1 et seq.) as are necessary to implement the provisions
3 of this act and to effectuate the purposes of the New Jersey
4 Economic Development Authority as provided by law. Nothing
5 herein shall alter the provisions of section 1 of P.L.1979, c.303
6 (C.34-1B-5.1).

7 e. Regulations adopted by the New Jersey Economic
8 Development Authority shall continue with full force and effect
9 until amended or repealed pursuant to law.

10 (cf: P.L.1998, c.44, s.22)

11

12 28. Section 25 of P.L.1998, c.44 (C.52:27C-85) is amended to
13 read as follows:

14 25. a. The New Jersey Commission on Science and Technology,
15 established pursuant to P.L.1985, c.102 (C.52:9X-1 et seq.), is
16 transferred in but not of the Department of the Treasury, but
17 notwithstanding this transfer, the New Jersey Commission on
18 Science and Technology shall be independent of any supervision
19 and control by the department or by any board or officer thereof.
20 Notwithstanding the provisions of any law, rule, regulation or order
21 to the contrary, the **Chief Executive Officer and Secretary of the**
22 **commission** State Treasurer shall appoint the Executive Director
23 of the New Jersey Commission on Science and Technology.

24 b. Whenever, in any law, rule, regulation, order, contract,
25 document, judicial or administrative proceeding or otherwise,
26 reference is made to the New Jersey Commission on Science and
27 Technology, the same shall mean and refer to the New Jersey
28 Commission on Science and Technology in but not of the
29 Department of the Treasury.

30 c. This transfer shall be subject to the provisions of the "State
31 Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

32 d. The New Jersey Commission on Science and Technology
33 may, subject to the commission's approval, develop and promulgate
34 such rules and regulations in accordance with the "Administrative
35 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) as are
36 necessary to implement the provisions of this act and to effectuate
37 the purposes of the New Jersey Commission on Science and
38 Technology as provided by law.

39 e. Regulations adopted by the New Jersey Commission on
40 Science and Technology shall continue with full force and effect
41 until amended or repealed pursuant to law.

42 (cf: P.L.1998, c.44, s.25)

43

44 29. Section 26 of P.L.1998, c.44 (C.52:27C-86) is amended to
45 read as follows:

46 26. a. The Motion Picture and Television Development
47 Commission, established pursuant to P.L.1977, c.44 (C.34:1B-22 et

1 seq.), is transferred in but not of the Department of the Treasury,
2 but notwithstanding this transfer, the Motion Picture and Television
3 Development Commission shall be independent of any supervision
4 and control by the department or by any board or officer thereof.
5 Notwithstanding the provisions of any law, rule, regulation or order
6 to the contrary, the **【Chief Executive Officer and Secretary of the**
7 **commission】** State Treasurer shall appoint the Executive Director
8 of the Motion Picture and Television Development Commission.,

9 b. Whenever, in any law, rule, regulation, order, contract,
10 document, judicial or administrative proceeding or otherwise,
11 reference is made to the Motion Picture and Television
12 Development Commission, the same shall mean and refer to the
13 Motion Picture and Television Development Commission in but not
14 of the Department of the Treasury.

15 c. This transfer shall be subject to the provisions of the "State
16 Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

17 d. The Motion Picture and Television Development
18 Commission may, subject to the commission's approval, develop
19 and promulgate such rules and regulations in accordance with the
20 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
21 seq.) as are necessary to implement the provisions of this act and to
22 effectuate the purposes of the Motion Picture and Television
23 Development Commission as provided by law.

24 (cf: P.L.1998, c.44, s.26)

25

26 30. Section 1 of P.L.2004, c.141 (C.52:27C-94) is amended to
27 read as follows:

28 1. As used in this act:

29 **【"Commission" means the New Jersey Commerce and Economic**
30 **Growth Commission established pursuant to P.L.1998, c.44**
31 **(C.52:27C-61 et seq.).】**

32 "Division" means the Division of Development for Small
33 Businesses and Women's and Minority Businesses in the **【New**
34 **Jersey Commerce and Economic Growth Commission】** Department
35 of the Treasury when used in conjunction with the New Jersey
36 small business set-aside program.

37 "New Jersey set-aside program" or "set-aside program" means
38 the program established pursuant to the "Set-Aside Act for Small
39 Businesses, Female Businesses, and Minority Businesses,"
40 P.L.1983, c.482 (C.52:32-17 et seq.).

41 "Small business" means a business which has its principal place
42 of business in the State, is independently owned and operated and
43 meets all other qualifications as may be established in accordance
44 with P.L.1987, c.55 (C.52:27H-21.7 et seq.).

45 (cf: P.L.2004, c.141, s.1)

1 31. Section 1 of P.L.2005, c.373 (C.52:27C-96) is amended to
2 read as follows:

3 1. a. The **【New Jersey Commerce and Economic Growth**
4 **Commission】** Department of Treasury is authorized to establish a
5 nonprofit organization to be known as the Foundation for
6 Technology Advancement. The foundation shall be devoted to
7 developing and coordinating programs to support initiatives of the
8 advanced technology industry in New Jersey. The foundation shall
9 develop policies to improve the research, economic, and educational
10 needs important to the advanced technology industry in New Jersey
11 and increase awareness among advanced technology companies as
12 to governmental, community and private resources that may benefit
13 this industry as a whole. The foundation shall discuss the status of
14 the advanced technology industry and anticipate its needs for the
15 future with the purpose of preparing the industry and its workforce
16 to meet these needs. The foundation shall make policy
17 recommendations to the Governor and Legislature as well as
18 recommendations for local and State actions to follow up the
19 foundation's recommendations and consider such other matters
20 relating to advanced technology in New Jersey as the members of
21 the foundation may deem appropriate.

22 b. The foundation shall be incorporated as a New Jersey
23 nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et
24 seq.), and organized and operated in such manner as to be eligible
25 under applicable federal law for tax-exempt status and for the
26 receipt of tax-deductible contributions, and shall be authorized to
27 sue and to be sued as a legal entity separate from the State of New
28 Jersey.

29 (cf: P.L.2005, c.373, s.1)

30

31 32. Section 2 of P.L.2005, c.373 (C.52:27C-97) is amended to
32 read as follows:

33 2. The Foundation for Technology Advancement shall be
34 governed by a 23 member board of trustees who are appointed as
35 follows:

36 a. The **【Chief Executive Officer and Secretary of the New**
37 **Jersey Commerce and Economic Growth Commission】** State
38 Treasurer; the Executive Director of the New Jersey Economic
39 Development Authority; the Executive Director of the New Jersey
40 Commission on Science and Technology; and the Chief Technology
41 Officer in the Office of Information Technology; or their designees,
42 all of whom shall serve ex officio;

43 b. A faculty member appointed by the president of each of the
44 following academic institutions: The New Jersey Institute of
45 Technology; Rutgers, the State University; The University of
46 Medicine and Dentistry of New Jersey; and Princeton University,
47 all of whom shall serve ex officio; and

1 c. Fifteen public members appointed by the Governor as
2 follows: a representative of each of the following organizations: the
3 New Jersey Technology Council, the Biotechnology Council of
4 New Jersey, the Forum for Academicians, Scientists and
5 Technologists of New Jersey, the Strengthening the Mid-Atlantic
6 Region for Tomorrow States Organization, the New Jersey Business
7 and Industry Association, the Commerce and Industry Association
8 of New Jersey, the New Jersey State Chamber of Commerce, the
9 New Jersey Tooling and Manufacturing Association, the Research
10 and Development Council of New Jersey, the American Electronics
11 Association - New Jersey/Pennsylvania Council, and a
12 representative employed by a corporation from each of the
13 following industry sectors: pharmaceuticals, financial services,
14 advanced technology, information technology, and nanotechnology.

15 Of the public members first appointed, four shall serve for a term
16 of two years, four for a term of three years, four for a term of four
17 years, and three for a term of five years.

18 Members appointed thereafter shall serve five-year terms, and
19 any vacancy shall be filled by appointment for the unexpired term
20 only. A member is eligible for reappointment. Vacancies in the
21 membership of the foundation shall be filled in the same manner as
22 the original appointments were made.

23 The members shall elect a chair and vice chair from the
24 membership of the board of trustees.

25 (cf: P.L.2005, c.373, s.2)

26

27 33. Section 4 of P.L.2005, c.373 (C.52:27C-99) is amended to
28 read as follows:

29 4. The **[New Jersey Commerce and Economic Growth**
30 **Commission]** Department of Treasury shall be an incorporator of
31 the Foundation for Technology Advancement.

32 (cf: P.L.2005, c.373, s.4)

33

34 34. Section 5 of P.L.2001, c.238 (C.52:27D-456) is amended to
35 read as follows:

36 5. The Main Street New Jersey Advisory Board is established
37 for the purposes of providing guidance and advocacy in formulating
38 policy and assisting with the long-term planning and administration
39 of the "Main Street New Jersey" program. The Main Street New
40 Jersey Advisory Board shall consist of 23 members. Sixteen
41 members shall serve in a voluntary capacity, to be appointed
42 through a process to be determined by the commissioner and shall
43 include a representative of the New Jersey State League of
44 Municipalities. Each voluntary member shall have a demonstrated
45 commitment to the goals of the "Main Street New Jersey" program.
46 The voluntary members shall represent all geographic regions of the
47 State.

1 The remaining seven advisory board members shall serve ex
2 officio and shall be a representative of the Historic Preservation
3 Program in the Department of Environmental Protection, to be
4 appointed by the Commissioner of Environmental Protection, a
5 representative of the New Jersey Economic Development Authority
6 to be designated by the executive director, a representative of the
7 Neighborhood Preservation Program in the Department of
8 Community Affairs, to be appointed by the Commissioner of
9 Community Affairs, a representative of the Housing and Mortgage
10 Finance Agency, to be appointed by the executive director of that
11 agency, a representative of the **【New Jersey Commerce and
12 Economic Growth Commission】** Department of the Treasury, to be
13 appointed by the **【Chief Executive officer and Secretary of that
14 commission】** State Treasurer, a representative of the Department of
15 Transportation, to be appointed by the Commissioner of
16 Transportation, and a representative of the Office of State Planning,
17 to be appointed by the Director of the Office of State Planning.

18 The terms of the voluntary members so appointed, after the
19 initial appointments, shall be three years, and each member may be
20 reappointed. The terms of initial appointments of the voluntary
21 members shall be staggered so that the terms of 1/3 of the advisory
22 board's voluntary members shall expire annually. The advisory
23 board members who are not State employees shall be entitled to
24 reimbursement of their expenses incurred in connection with their
25 duties on the advisory board.

26 (cf: P.L.2005, c.284, s.1)

27

28 35. Section 4 of P.L.1983, c.303 (C.52:27H-63) is amended to
29 read as follows:

30 4. a. There is created the New Jersey Urban Enterprise Zone
31 Authority, which shall consist of:

32 (1) **【The Chief Executive Officer and Secretary of the New
33 Jersey Commerce and Economic Growth Commission, who shall be
34 chairman of the authority】** (Deleted by amendment, P.L. , c.)
35 (pending before the Legislature as this bill);

36 (2) The Commissioner of the Department of Community
37 Affairs;

38 (3) The Commissioner of the Department of Labor and
39 Workforce Development;

40 (4) The State Treasurer, who shall be chair of the authority; and

41 (5) Five public members not holding any other office, position
42 or employment in the State Government, nor any local elective
43 office, who shall be appointed by the Governor with the advice and
44 consent of the Senate, and who shall be qualified for their
45 appointments by training and experience in the areas of local
46 government finance, economic development and redevelopment, or
47 volunteer civic service and community organization. No more than

1 three public members shall be of the same political party. At least
2 one public member of the authority shall reside within an enterprise
3 zone; however, the provisions of this section shall apply only to
4 members appointed or reappointed after the effective date of
5 P.L.2001, c.347 (C.52:27H-66.2 et al.).

6 b. The public members of the authority shall serve for terms of
7 five years, except that of the members first appointed, one shall
8 serve for a term of one year, one shall serve for a term of two years,
9 one shall serve for a term of three years, one shall serve for a term
10 of four years, and one shall serve for a term of five years. Vacancies
11 in the public membership shall be filled in the manner of the
12 original appointments but for the unexpired terms.

13 c. An ex officio member of the authority may, from time to
14 time, designate in writing to the authority an official within his
15 respective department to attend and represent the department at the
16 meetings of the authority from which the ex officio member is
17 absent, and that designated representative shall be entitled to vote
18 and otherwise act for the ex officio member at those meetings.
19 (cf: P.L.2001, c.347, s.7)

20

21 36. Section 23 of P.L.2004, c.65 (C.52:27H-87.1) is amended to
22 read as follows:

23 23. a. Retail sales of energy and utility service to:

24 (1) a qualified business that employs at least 250 people within
25 an enterprise zone, at least 50% of whom are directly employed in a
26 manufacturing process, for the exclusive use or consumption of
27 such business within an enterprise zone, and

28 (2) a group of two or more persons: (a) each of which is a
29 qualified business that are all located within a single redevelopment
30 area adopted pursuant to the "Local Redevelopment and Housing
31 Law," P.L.1992, c.79 (C.40A:12A-1 et seq.); (b) that collectively
32 employ at least 250 people within an enterprise zone, at least 50%
33 of whom are directly employed in a manufacturing process; (c) are
34 each engaged in a vertically integrated business, evidenced by the
35 manufacture and distribution of a product or family of products
36 that, when taken together, are primarily used, packaged and sold as
37 a single product; and (d) collectively use the energy and utility
38 service for the exclusive use or consumption of each of the persons
39 that comprise a group within an enterprise zone; are exempt from
40 the taxes imposed under the "Sales and Use Tax Act," P.L.1966,
41 c.30 (C.54:32B-1 et seq.).

42 A qualified business will continue to be subject to applicable
43 Board of Public Utilities tariff regulations except that its bills from
44 utility companies and third party suppliers for energy and utility
45 service shall not include charges for sales and use tax.

46 b. A business that meets the requirements of subsection a. of
47 this section shall not be allowed the exemption granted pursuant to

1 this section until it has complied with such requirements for
2 obtaining the exemption as may be provided pursuant to P.L.1983,
3 c.303 (C.52:27H-60 et seq.) and P.L.1966, c.30 (C.54:32B-1 et
4 seq.). The **【Chief Executive Officer and Secretary of the**
5 **Commerce and Economic Growth Commission】** State Treasurer
6 shall provide prompt notice to the President of the Board of Public
7 Utilities and to the Director of the Division of Taxation in the
8 Department of the Treasury, of a qualified business that has
9 qualified for the exemption under this subsection, shall provide the
10 president and the director an annual list of all businesses that
11 qualify.

12 c. (1) Retail sales of energy and utility service to a business
13 facility located within a county that is designated for the 50% tax
14 exemption under section 1 of P.L.1993, c.373 (C.54:32B-8.45) are
15 exempt from the taxes imposed under the "Sales and Use Tax Act,"
16 P.L.1966, c.30 (C.54:32B-1 et seq.); provided that the business
17 certifies that it employs at least 50 people at that facility, at least
18 50% of whom are directly employed in a manufacturing process,
19 and provided that the energy and utility services are consumed
20 exclusively at that facility.

21 (2) A business facility that meets the requirements of paragraph
22 (1) of this subsection may file an application for the energy and
23 utility service sales tax exemption with the **【Chief Executive**
24 **Officer and Secretary of the Commerce, Economic Growth and**
25 **Tourism Commission】** State Treasurer, who shall promulgate
26 regulations and forms for that purpose. The **【Chief Executive**
27 **Officer and Secretary of the Commerce, Economic Growth and**
28 **Tourism Commission】** State Treasurer shall process an application
29 submitted under this paragraph within 20 business days of receipt
30 thereof. An exemption shall commence for a business upon notice
31 of approval of its application and shall expire for any year in which
32 the business fails to meet the requirements of paragraph (1) of this
33 subsection. Upon approval, the **【Chief Executive Officer and**
34 **Secretary of the Commerce, Economic Growth and Tourism**
35 **Commission】** State Treasurer shall provide prompt notice to the
36 applicant and also shall provide prompt notice to the President of
37 the Board of Public Utilities and to the Director of the Division of
38 Taxation in the Department of the Treasury. The **【Chief Executive**
39 **Officer and Secretary of the Commerce, Economic Growth and**
40 **Tourism Commission】** State Treasurer also shall provide the
41 president and the director with an annual list of all businesses that
42 have been approved under this subsection.

43 (cf: P.L.2005, c.374, s.1)

44

45 37. Section 6 of P.L.2006, c.16 (C.52:27I-6) is amended to read
46 as follows:

1 6. a. The authority shall consist of ten members to be appointed
2 and qualified as follows:

3 (1) Four members appointed by the Governor with the advice
4 and consent of the Senate, for terms of four years, two of whom
5 shall be representatives of the private sector with relevant business
6 experience or background; one of whom shall be an individual who
7 is knowledgeable in environmental protection, conservation and
8 land use issues and one of whom shall be a labor representative
9 with appropriate experience in workforce development and job
10 training. Preference shall be given to professionals with a
11 background in technology, finance, or real estate. At least two of
12 the members shall be residents of Monmouth County. Not more
13 than two of the members appointed by the Governor shall be
14 members of the same political party;

15 (2) The **【Chief Executive Officer and Secretary of the New**
16 **Jersey Commerce, Economic Growth and Tourism Commission】**
17 **State Treasurer**, ex officio and voting;

18 (3) One member, who shall be a resident of Monmouth County,
19 to be appointed by the Monmouth County Board of Chosen
20 Freeholders for a term of four years, who shall be either:

21 (a) a member of the board, or

22 (b) a qualified person, who shall be nominated by the board,
23 with relevant business experience or background;

24 (4) The mayors of Eatontown, Oceanport, and Tinton Falls, ex
25 officio and voting; and

26 (5) A representative of Fort Monmouth, to be appointed by the
27 Secretary of the United States Department of Defense, who shall be
28 a non-voting member.

29 Each member appointed by the Governor and the member
30 appointed by the Board of Chosen Freeholders shall hold office for
31 the term of that member's appointment and until a successor shall
32 have been appointed and qualified. A member shall be eligible for
33 reappointment. Any vacancy in the membership occurring other
34 than by expiration of term shall be filled in the same manner as the
35 original appointment but for the unexpired term only.

36 b. Except for those members designated pursuant to paragraph
37 (4) of subsection a. of this section, each ex officio member of the
38 authority may designate an employee of the member's department
39 or office to represent the member at meetings of the authority. The
40 designee of an ex officio member may act on behalf of the member.
41 The designation shall be in writing and shall be delivered to the
42 authority and shall be effective until revoked or amended in writing
43 to the authority.

44 c. Each member appointed by the Governor may be removed
45 from office by the Governor for cause, after a public hearing, and
46 may be suspended by the Governor pending the completion of that
47 hearing. Each such member, before entering the duties of

1 membership, shall take and subscribe an oath to perform those
2 duties faithfully, impartially, and justly to the best of the person's
3 ability. A record of those oaths shall be filed in the office of the
4 Secretary of State.

5 d. The members of the authority shall elect a chairperson and
6 vice-chairperson from among their members. The chairperson shall
7 appoint a secretary and treasurer. The powers of the authority shall
8 be vested in the voting members thereof in office from time to time;
9 five voting members of the authority shall constitute a quorum, and
10 the affirmative vote of five members shall be necessary for any
11 action taken by the authority, except as provided under sections 7
12 and 14 of P.L.2006, c.16 (C.52:27I-7 and 52:27I-14), or unless the
13 bylaws of the authority shall require a larger number. No vacancy
14 in the membership of the authority shall impair the right of a
15 quorum to exercise all the rights and perform all the duties of the
16 authority.

17 e. The members of the authority shall serve without
18 compensation, but the authority may, within the limits of funds
19 appropriated or otherwise made available for such purposes,
20 reimburse its members for necessary expenses incurred in the
21 discharge of their official duties.

22 f. No member, officer, employee or agent of the Fort
23 Monmouth Economic Revitalization Planning Authority shall have
24 an interest, either directly or indirectly, in any project, employment
25 agreement or any contract, sale, purchase, lease, or transfer of real
26 or personal property to which the Fort Monmouth Economic
27 Revitalization Planning Authority is a party.

28 g. The authority may be dissolved by act of the Legislature on
29 condition that the authority has no debts or obligations outstanding
30 or provision has been made for the payment, retirement,
31 termination, or assumption of its debts and obligations. Upon
32 dissolution of the authority, all property, funds, and assets thereof
33 shall be vested in the State.

34 h. A true copy of the minutes of every meeting of the authority
35 shall be forthwith delivered by and under the certification of the
36 secretary thereof to the Governor. No action taken at such meeting
37 by the authority shall have force or effect until 10 days, Saturdays,
38 Sundays, and public holidays excepted, after the copy of the
39 minutes shall have been so delivered, unless during such 10-day
40 period the Governor shall approve the same, in which case such
41 action shall become effective upon such approval. If, in that 10-day
42 period, the Governor returns such copy of the minutes with veto of
43 any action taken by the authority or any member thereof at such
44 meeting, such action shall be void.

45 i. Any and all proceedings, hearings or meetings of the
46 authority or any advisory committees established by the authority

1 shall be conducted in conformance with the "Open Public Meetings
2 Act," P.L.1975, c.231 (C. 10:4-6 et seq.).

3 j. Records of minutes, accounts, bills, vouchers, contracts or
4 other papers connected with or used or filed with the authority or
5 with any officer or employee acting for or in its behalf are declared
6 to be public records, and shall be open to public inspection in
7 accordance with P.L.1963, c. 73 (C. 47:1A-1 et seq.).
8 (cf: P.L.2006, c.16, s.6)
9

10 38. Section 2 of P.L.1997, c.97 (C.12:6B-2) is amended to read
11 as follows:

12 2. "Containment facility" means an upland or in-water confined
13 disposal facility which shall consist of an artificially constructed
14 island, a diked extension of an existing island, or a diked extension
15 attached to land, and which is used solely for the disposal of
16 dredged materials;

17 "Decontamination" means a process by which contaminants are
18 removed or reduced from dredged materials, or by which dredged
19 materials are otherwise made acceptable for use;

20 "Dredge" or "dredging" means the removal of sand, silt, mud,
21 and other materials from the bottom of a waterway in order to
22 deepen navigation channels and ship berths;

23 "Dredged material" means material removed by dredging that is,
24 in the determination of the federal Environmental Protection
25 Agency, either unsuitable for ocean disposal or suitable for ocean
26 disposal only with capping;

27 "Port region" means the geographic area created by Article II of
28 the Compact of April 30, 1921, creating the bi-state agency, now
29 known as the Port Authority of New York and New Jersey, and
30 which is commonly referred to as the Port of New York District ;

31 "Project" means any work relating to the construction of a
32 containment facility or facilities and subaqueous pits for the
33 disposal of dredged material from the port region; the
34 decontamination of dredged material; the dredging of the Kill Van
35 Kull, the Arthur Kill and other navigation channels located in the
36 port region; the dredging of navigation channels not located in the
37 port region; or the purchase of real or personal property, equipment,
38 and any building, construction, and miscellaneous site
39 improvements associated with an economic development site; and

40 **["Task force" means the Dredging Project Facilitation Task
41 Force established pursuant to section 3 of this act.]**

42 (cf: P.L.1997, c.97, s.2)
43

44 39. Section 3 of P.L.1997, c.97 (C.12:6B-4) is amended to read
45 as follows:

46 3. a. It shall be the duty of the Office of Maritime Resources in
47 the Department of Transportation to establish, from time to time, a

1 project priority list for dredging, dredged material disposal projects
2 and decontamination projects based primarily on the maintenance of
3 the viability of the Port of New Jersey and New York as a deep
4 water port accessible to international commerce, on the
5 maintenance of the viability of navigation channels not located in
6 the port region to promote commerce, recreation and tourism, and
7 on the prospects for the creation and retention of jobs in New
8 Jersey. In developing a project priority list, the office shall consult
9 with [the task force and] the Department of Environmental
10 Protection, and shall review and consider the plan developed
11 pursuant to subsection a. of section 5 of P.L.1997, c.97 (C.12:6B-
12 5). The office, in consultation with [the task force and] the
13 Department of Environmental Protection, shall identify in the
14 project priority lists developed pursuant to this subsection, not less
15 than a total of \$5 million for decontamination projects. [Upon the
16 development of a project priority list, the office shall submit the list
17 to the task force for its approval. The task force is authorized to
18 approve, disapprove, or approve in part, a project priority list.]

19 b. [Upon approval of a] A project priority list for projects
20 authorized to receive funding pursuant to sections 5 and 7 of
21 P.L.1996, c.70[, or upon the failure of the task force to approve or
22 disapprove a project priority list within 60 days of receipt of the list
23 from the office, the task force shall submit the list] shall be
24 submitted by the office to the President of the Senate and the
25 Speaker of the General Assembly, who shall cause the project
26 priority list to be introduced in each House in the form of legislative
27 appropriations bills.

28 c. The Legislature shall consider, and may amend or
29 supplement, the appropriations bills containing the project priority
30 list. Any bill introduced pursuant to subsection b. of this section
31 and approved by the Legislature shall appropriate monies from the
32 "1996 Dredging and Containment Facility Fund," established
33 pursuant to section 18 of P.L.1996, c.70, only for the projects
34 authorized pursuant to sections 5 and 7 of P.L.1996, c.70, and shall
35 identify the specific projects, including the individual amounts
36 therefor, for which monies are appropriated.

37 d. No monies appropriated pursuant to subsection c. of this
38 section shall be expended for any project unless the expenditure is
39 authorized pursuant to the project priority list contained in the
40 legislation approved in accordance with the provisions of
41 subsection c. of this section.

42 e. Nothing in this section shall preclude the Legislature from
43 developing a project priority list and making appropriations
44 therefor.

45 (cf: P.L.2001, c.429, s.13)

46

47 40. Section 5 of P.L.1997, c.97 (C.12:6B-5) is amended to read

1 as follows:

2 5. a. The Office of Maritime Resources in the Department of
3 Transportation shall, in consultation with the Department of
4 Environmental Protection [and the task force established pursuant
5 to section 3 of P.L.1997, c.97 (C.12:6B-3)], develop, implement
6 and maintain a comprehensive dredging and dredged material
7 management and disposal plan, including dredged material
8 decontamination, for the navigable waters of the State.

9 b. The Department of Environmental Protection and the
10 Department of Transportation shall be authorized, in accordance
11 with the rules, regulations and procedures of the General Services
12 Administration, to enter into agreements with public or private
13 entities to establish ownership, lease provisions and other related
14 real and personal property interests. The departments may also, in
15 accordance with the rules, regulations and procedures of the
16 General Services Administration, enter into agreements with regard
17 to:

18 (1) the development, operation and management of dredging
19 projects including, but not necessarily limited to, any cost sharing,
20 right of way or easement provisions involved;

21 (2) the development, operation, management, closure and
22 monitoring of dredged material disposal, treatment and processing
23 facilities; and

24 (3) the development, evaluation, certification and
25 implementation of demonstration dredged material decontamination
26 and treatment technologies that are cost-effective, environmentally
27 sound and that create a usable end product.

28 c. The departments shall be authorized to acquire by purchase,
29 lease, grant or otherwise, any land, real or personal property which,
30 in the determination of the departments, is reasonably necessary to
31 effectuate the purposes of this act.

32 d. all contracts and agreements necessary to plan, design,
33 construct, equip, operate, finance, improve or maintain
34 demonstration projects for dredging, dredged material disposal and
35 dredged material decontamination projects.

36 e. The departments shall be authorized to charge and collect fees
37 or charges for dredging and for the use of a dredged material
38 disposal facility at such rates necessary to compensate for the costs
39 to dredge, and to plan, design, construct, equip, operate, improve,
40 maintain, close or replace the dredged material disposal facility and
41 to ensure continued availability of dredging and dredged material
42 disposal.

43 (cf: P.L.2001, c.429, s.14)

44

45 41. Section 10 of P.L.1997, c.97 (C.12:6B-6) is amended to read
46 as follows:

47 10. The Department of Transportation and the Department of

1 Environmental Protection shall establish[, in consultation with the
2 Dredging Project Facilitation Task Force,] the criteria for the
3 content of final requests for proposals for any studies, assessments,
4 demonstration projects and dredging, and all phases in the
5 development and construction of a dredged material disposal
6 facility. The State may include in a request for proposals developed
7 pursuant to this act, on a case-by-case basis, a provision for the
8 indemnification of the State by the contract holder. The
9 Department of Transportation or the Department of Environmental
10 Protection, as appropriate[, in consultation with the task force,]
11 shall solicit requests for proposals and negotiate contracts.

12 (cf: P.L.2001, c.429, s.15)

13

14 42. Section 64 of P.L.2000, c.72 (C.18A:7G-38) is amended to
15 read as follows:

16 64. a. The Commissioner of Education, in conjunction with the
17 Commissioner of Labor, shall establish a program to provide
18 additional funding for apprenticeship programs registered by the
19 federal Bureau of Apprenticeship and Training in the United States
20 Department of Labor. There shall be appropriated annually in fiscal
21 year 2001 through fiscal year 2005 the sum of \$3,000,000 to
22 accomplish this purpose.

23 b. [The Apprenticeship Committee shall be established in the
24 Department of Education to assist in administering the program.
25 The committee shall be comprised of the following members
26 appointed by the Governor: one public member appointed upon the
27 recommendation of the Speaker of the General Assembly; one
28 public member appointed upon the recommendation of the
29 President of the Senate; a representative from the Department of
30 Labor; a representative from the Department of Education; a county
31 apprenticeship coordinator; a union representative; and a
32 representative from management. The Commissioner of Education
33 shall request the participation of a representative of the federal
34 Bureau of Apprenticeship and Training in the United States
35 Department of Labor as a member of the committee.]

36 The commissioners of the Department of Education and the
37 Department of Labor [, in consultation with the committee] shall
38 establish guidelines for the distribution of funds under the program,
39 including a provision that requires a majority of the funding to
40 assist apprenticeship programs in urban areas. The guidelines shall
41 also include a list of those types of entities eligible for funding
42 including, but not limited to, county colleges, county vocational
43 schools, unions and other sponsors of apprenticeship programs
44 deemed appropriate. Eligible entities shall be permitted to use the
45 funding provided pursuant to the program to fund student grants.
46 Pursuant to established guidelines, the commissioners of the
47 Department of Education and the Department of Labor [, in

1 consultation with the committee] shall be responsible for the
2 distribution of funds under the program.

3 (cf: P.L.2000, c.72, s.64)

4

5 43. Section 8 of P.L.1991, c.90 (C.26:6A-8) is amended to read
6 as follows:

7 8. [a.] Pursuant to the "Administrative Procedure Act,"
8 P.L.1968, c.410 (C.52:14B-1 et seq.) the Department of Health shall
9 establish rules, regulations, policies and practices as may be
10 necessary to collect annual reports from health care institutions, to
11 gather additional data as is reasonably necessary, to oversee and
12 evaluate the implementation of this act. The department shall seek
13 to minimize the burdens of record-keeping imposed by these rules,
14 regulations, policies and practices, and shall seek to assure the
15 appropriate confidentiality of patient records.

16 [b. The Department of Health, the Board of Medical Examiners,
17 and the New Jersey Commission on Legal and Ethical Problems in
18 the Delivery of Health Care shall jointly evaluate the
19 implementation of this act and report to the Legislature, including
20 recommendations for any changes deemed necessary, within five
21 years from the effective date of this act.]

22 (cf: P.L.1991, c.90, s.8)

23

24 44. Section 4 of P.L.1995, c.209 (C.34:1B-96) is amended to
25 read as follows:

26 4. The authority is authorized, notwithstanding any law to the
27 contrary, to invest such moneys from the "Economic Recovery
28 Fund," established pursuant to section 3 of P.L.1992, c.16
29 (C.34:1B-7.12), or from other export or business assistance
30 programs administered by the authority, as may be available and
31 which the authority deems appropriate for the purposes of this act,
32 in an export financing company, hereinafter "the company," to be
33 incorporated or organized pursuant to the provisions of this act,
34 which, together with those investments which may be made in the
35 stock or interest of the company by other public entities involved in
36 international export markets that may include, but not necessarily
37 be limited to, the Delaware River Port Authority and the Port
38 Authority of New York and New Jersey, shall be at a minimum
39 amount to be determined by the [Export Finance Company
40 Advisory Council established pursuant to section 7 of this act]
41 authority. The moneys shall be used for the purchase of stock or an
42 interest in the company, provided that the class of stock or interest
43 purchased by the authority and other public entities shall be of such
44 type and character as to require the company to repay the
45 investment of funds from the authority and other public entities
46 prior to the repayment of funds from private sources, but in no
47 event shall the amount of such stock or interest purchased by the

1 authority and other public entities exceed 49% of the total
2 outstanding stock or total shared interest of the company. The
3 authority is authorized in its discretion to sell or otherwise dispose
4 of the stock or interest purchased by the authority as shall be in the
5 interest of the authority but the authority shall sell or otherwise
6 dispose of the stock or interest no later than three years after the
7 date of purchase.

8 Nothing in this act shall be construed to preclude the company
9 from being organized as a limited liability company or to preclude
10 the authority and other public entities involved in international
11 export markets from purchasing an interest in such a limited
12 liability company provided that the interest purchased by the
13 authority and other public entities shall not exceed 49 percent of the
14 total shared interest of the company, and provided that the operating
15 agreement of the company grants the authority and any other public
16 entity the right to resign and receive a distribution, representing the
17 fair value of the authority's or public entity's interest in the
18 company, prior to the resignation of and distribution to any private
19 members.

20 (cf: P.L.1999, c.38, s.3)

21

22 45. Section 8 of P.L.1955, c.64 (C.34:16-27) is amended to read
23 as follows:

24 8. The commission shall be authorized to:

25 (a) Adopt and promulgate such rules and regulations as may be
26 necessary to carry out the provisions of this act.

27 (b) Provide vocational rehabilitation and independent living
28 rehabilitation services, directly or through public or private
29 instrumentalities to eligible handicapped individuals without
30 discrimination as to sex, race, color, creed or national origin, except
31 that the commission shall not duplicate services provided for blind
32 persons under the care of the State commission to ameliorate the
33 condition of the blind[,] and deaf persons under the care of the
34 Marie H. Katzenbach School for the Deaf [and children under the
35 care of the Crippled Children's Program], nor shall the commission
36 provide services for persons who in its judgment are not feasible for
37 rehabilitation. In case vocational rehabilitation and independent
38 living rehabilitation services cannot be provided to all eligible
39 handicapped persons who apply for such services, the commission
40 shall provide, by regulation, the order to be followed in selecting
41 those to whom such services will be provided.

42 (c) Construct or establish and operate rehabilitation facilities and
43 workshops, which may include residential accommodations related
44 to the rehabilitation of handicapped individuals and make grants to
45 public and other nonprofit organizations for such purposes.

46 (d) Establish and supervise the operation of vending stands and
47 other small businesses established pursuant to this act to be

1 conducted by severely handicapped individuals.

2 (e) Make studies, investigations, demonstrations, and reports,
3 and provide training and instruction (including the establishment
4 and maintenance of such research fellowships and traineeships with
5 such stipends and allowances as may be deemed necessary) in
6 matters relating to vocational rehabilitation and independent living
7 rehabilitation.

8 (f) Enter into reciprocal agreements with other States to provide
9 for the vocational rehabilitation and independent living
10 rehabilitation of residents of the States concerned.

11 (g) Accept and use gifts made, by will or otherwise, for carrying
12 out the purposes of this chapter. Gifts made under such conditions
13 as in the judgment of the commission are proper and consistent with
14 the provisions of this chapter, may be accepted, held, invested,
15 reinvested, or used in accordance with the conditions, if any, of the
16 gift.

17 (h) Take such action as it deems necessary or appropriate to
18 carry out the purposes of this act.

19 (cf: P.L.1969, c.91, s.2)

20

21 46. Section 2 of P.L.1989, c.202 (C.39:3-33.9) is amended to
22 read as follows:

23 2. a. The Director of the Division of Motor Vehicles shall
24 implement a phase-in program for the issuance of reflectorized
25 motor vehicle registration plates in this State, the planning of which
26 shall begin immediately for the issuance which shall begin on the
27 first day of the seventh month following the report of the
28 Reflectorized License Plate Selection Commission established
29 pursuant to this section of this 1989 amendatory and supplementary
30 act, P.L.1989, c.202 (C.39:3-33.9), except that the division shall
31 first use any existing supplies of nonreflectorized plates which it
32 orders prior to the commencement of the issuance. The purpose of
33 the issuance shall be to change the color scheme and style of the
34 registration plates in use prior to the beginning of the issuance in
35 order to provide for greater contrast between the background of the
36 plate and the lettering and to ensure that all plates are fully treated
37 with a reflectorized material designed to increase their nighttime
38 visibility and legibility. The color scheme and style of the new
39 plates shall be selected by the Reflectorized License Plate Selection
40 Commission [hereby created]. The commission shall consist of five
41 members, three appointed by the Governor, one by the President of
42 the Senate, and one by the Speaker of the General Assembly. The
43 commission shall select the color scheme and design of the new
44 reflectorized license plate after considering the needs of law
45 enforcement and highway safety, aesthetics, cost and the continued
46 ability of the corrections system to manufacture the plate. The
47 commission will first meet within 60 days of the effective date of
48 this act and shall report its choice to the Director of the Division of

1 Motor Vehicles within 180 days of this act becoming effective.】
2 The markings on the plates shall be in accordance with
3 specifications prescribed by the director.

4 For a period of six years commencing on the first day of the
5 seventh month following enactment of this 1989 amendatory and
6 supplementary act, P.L.1989, c.202 (C.39:3-33.9 et al.), the division
7 may charge in addition to an annual motor vehicle registration fee,
8 an additional annual fee not to exceed \$0.40 for the costs of the
9 issuance of reflectorized motor vehicle registration plates in this
10 State.

11 b. The Director of the Division of Motor Vehicles shall
12 promulgate rules and regulations pursuant to the "Administrative
13 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) in order to
14 effectuate the purposes of this act.

15 c. The director shall submit an annual progress report on the
16 planning and implementation of the reflectorized motor vehicle
17 registration plate phase-in program to the Governor and members of
18 the Legislature with the first report to be submitted one year after
19 enactment of this 1989 amendatory and supplementary act. The
20 annual report submitted after the fourth year of implementation
21 shall contain a recommendation as to the advisability and feasibility
22 of a general recall of all plates of an earlier design that are still in
23 use at the completion of the phase-in program. This report shall
24 also contain the director's recommendation of a funding source for
25 the ongoing costs associated with the continued issuance of
26 reflectorized plates. The last report shall be submitted after the
27 completion of the phase-in program.

28 (cf: P.L.1989, c.202, s.2)

29

30 47. Section 3 of P.L.1961, c.49 (C.52:14-17.27) is amended to
31 read as follows:

32 3. There is hereby created a State Health Benefits Commission,
33 consisting of five members: the State Treasurer; the Commissioner
34 of Banking and Insurance; the **【Commissioner of Personnel】** Chair
35 of the Merit System Board; a State employees' representative
36 chosen by the Public Employees' Committee of the AFL-CIO; and a
37 representative chosen by the New Jersey Education Association,
38 which represents the largest number of employees of employers
39 other than the State participating in the State Health Benefits
40 Program.

41 The treasurer shall be chairman of the commission and the health
42 benefits program authorized by P.L.1961, c.49 shall be administered
43 in the Treasury Department. The Director of the Division of
44 Pensions and Benefits shall be the secretary of the commission.
45 The commission shall establish a health benefits program for the
46 employees of the State, the cost of which shall be paid as specified
47 in section 6 of P.L.1961, c.49. The commission shall establish rules

1 and regulations as may be deemed reasonable and necessary for the
2 administration of P.L.1961, c.49.

3 The Attorney General shall be the legal advisor of the
4 commission.

5 The members of the commission shall serve without
6 compensation but shall be reimbursed for any necessary
7 expenditures. The public employee members shall not suffer loss of
8 salary or wages during service on the commission.

9 The commission shall publish annually a report showing the
10 fiscal transactions of the program for the preceding year and stating
11 other facts pertaining to the plan. The commission shall submit the
12 report to the Governor and furnish a copy to every employer for
13 use of the participants and the public.

14 (cf: P.L.2003, c.71, s.1)

15

16 48. Section 3 of P.L.1983, c.467 (C.52:17B-9.8) is amended to
17 read as follows:

18 3. In addition to any other powers and duties vested in it by law
19 or by the Attorney General, the unit shall:

20 a. Coordinate, file and investigate all missing persons cases in
21 this State, and cooperate with local law enforcement officials and
22 federal law enforcement officials in the creation of a centralized
23 office on missing persons in this State;

24 b. **【Provide staff support for the work of the Commission on**
25 **Missing Persons】 Deleted by amendment, P.L. _____, c. (pending**
26 **before the Legislature as this bill);**

27 c. Collect and maintain data on missing persons and unidentified
28 bodies in this State and throughout the United States;

29 d. Coordinate efforts with other states and with the federal
30 government in the investigation of cases involving missing persons
31 or unidentified bodies;

32 e. Provide specialized training to law enforcement officers and
33 medical examiners in this State, in conjunction with the Police
34 Training Commission, which would enable them to more efficiently
35 handle the tracing of missing persons and unidentified bodies on the
36 local level;

37 f. Employ the services of local law enforcement agencies or
38 other social or governmental agencies.

39 (cf: P.L.1983, c.467, s.3)

40

41 49. Section 11 of P.L. 1983, c.467 (C.52:17B-9.16) is amended
42 to read as follows:

43 11. A monetary donation made available to the State through the
44 Missing Persons Unit **【or the Commission on Missing Persons】**
45 which specifies the purchase of items or materials to be used for
46 the purposes of this act or any donation of items or materials which
47 meet the requirements of the Division of State Police, shall be

1 accepted by the Attorney General on behalf of the State and
2 distributed or appropriated for law enforcement and specifically
3 used for the purposes of this act. A monetary donation shall be
4 included in the annual appropriation bill and distributed in the
5 same manner as other appropriations.
6 (cf: P.L.1983, c.467, s.11)

7
8 50. Section 2 of P.L.1978, c.176 (C.52:17B-143) is amended to
9 read as follows:

10 2. The State Law Enforcement Planning Agency created
11 pursuant to Executive Order No. 45, dated August 13, 1968, is
12 continued and constituted as the State Law Enforcement Planning
13 Agency (hereinafter "agency"). For the purposes of complying
14 with the provisions of Article V, Section IV, paragraph 1 of the
15 New Jersey Constitution, the agency is allocated to the Department
16 of Law and Public Safety, but, notwithstanding said allocation, the
17 agency shall be independent of any supervision or control by the
18 department or by any board or officer thereof. The agency shall be
19 responsible to the Governor.

20 (cf: P.L.1978, c.176, s.2)

21

22 51. Section 6 of P.L.1978, c.176 (C.52:17B-147) is amended to
23 read as follows:

24 6. The agency shall:

25 a. Serve as the State planning agency pursuant to the Federal
26 Omnibus Crime Control and Safe Streets Act of 1968 and the
27 Juvenile Justice and Delinquency Prevention Act of 1974, as
28 amended, and other related Federal or State acts;

29 b. **【Be under the general oversight of the governing board which**
30 **shall review, evaluate and approve the law enforcement**
31 **improvement activities of the executive director and staff】 Deleted**
32 **by amendment, P.L. , c. (pending before the Legislature as this**
33 **bill);**

34 c. Advise and assist the Governor in developing policies, plans,
35 programs and budgets for improving the coordination,
36 administration and effectiveness of the criminal justice system in
37 the State;

38 d. Prepare a State comprehensive criminal justice plan on behalf
39 of the Governor, which plan, and any substantial modifications
40 thereto, shall be submitted to the Legislature for an advisory review
41 of goals, priorities and policies contained therein, and shall be
42 periodically updated and based on an analysis of the State's criminal
43 justice needs and problems;

44 e. Establish goals, priorities and standards for the reduction of
45 crime and the improvement of the administration of justice in the
46 State;

47 f. Recommend legislation concerning criminal justice matters to

- 1 the Governor and Legislature;
- 2 g. Encourage local and regional comprehensive criminal justice
3 planning efforts;
- 4 h. Monitor and evaluate programs and projects, funded in whole
5 or in part by or through the State Government, aimed at reducing
6 crime and delinquency and improving the administration of justice;
- 7 i. Cooperate with and render technical assistance to State
8 agencies, units of county and local government and public or
9 private agencies relating to the criminal justice system;
- 10 j. Apply for, contract for, receive and expend for its purposes
11 any appropriations or grants from the State, its political
12 subdivisions, the Federal Government or any other source, public or
13 private;
- 14 k. Have the authority to collect from any State, county or local
15 governmental entity information, data, reports, statistics or such
16 other material which is necessary to carry out the agency's
17 functions; and
- 18 l. Perform such other duties as may be necessary to carry out the
19 purposes of this act.
20 (cf: P.L.1978, c.176, s.6)

21
22 52. Section 9 of P.L.1993, c.220 (C.52:17B-167) is amended to
23 read as follows:

24 9. a. **【**There is hereby created the Safe and Secure Communities
25 Selection Panel. The panel shall consist of eight members selected
26 as follows: three members of the Senate appointed by the President
27 of the Senate, no more than two of whom shall be of the same
28 political party; three members of the General Assembly appointed
29 by the Speaker of the General Assembly, no more than two of
30 whom shall be of the same political party; and the Attorney General
31 and the Commissioner of Community Affairs, who shall serve ex
32 officio. Appointed members shall serve the duration of the current
33 legislative term.

34 **】** b. **【**The Attorney General **【**on or before September 1 and March
35 1 of each year shall forward to the panel his recommendations for
36 the award of program grants pursuant to subsection b. of section 10
37 of this act.

38 c. **【**The panel**】** shall **【**review applications for program grants and,
39 after considering the recommendations of the Attorney General and
40 the criteria established by this act,**】** select grant recipients.

41 **】** d. **【**b. No more than 50% of the total dollar amount of grants
42 awarded from the fund shall be allocated to municipalities eligible
43 to receive state aid pursuant to subsections a., b. and c. of section 1
44 of P.L.1985, c.170 (C.52:27D-118.11).

45 **【**e. No municipality shall receive a grant exceeding
46 \$200,000 for a project or \$50,000 for equipment. However, if
47 funding remains after all approved projects and law enforcement

1 equipment grants have been funded in any program year, funding in
2 excess of the amount specified in this subsection may be awarded to
3 grantees [upon recommendation of] by the Attorney General [and
4 approval by the Safe and Secure Communities Selection Panel].

5 [f. Initial grants under this program will be awarded only during
6 the first two program years following the effective date of this act.

7 g.] d. A municipality which receives a grant for a project under
8 this act may receive funding in subsequent years to continue that
9 project. Approval of a continuation grant shall be contingent upon
10 certification by the Attorney General that the project is effectively
11 meeting the objectives of this act. A municipality that is eligible to
12 receive an initial grant under this act shall be eligible to receive
13 continuation funding.

14 (cf: P.L.1993, c.220, s.9)

15

16 53. Section 4 of P.L.1990, c. 83 (C.52:27D-43.28) is amended to
17 read as follows:

18 4. The division shall establish not less than two but not more
19 than five Hispanic women's demonstration resource centers; one in
20 conjunction with an existing facility in southern New Jersey and the
21 other in conjunction with an existing facility in northern New
22 Jersey. The centers shall be established in locations serving
23 populations of Hispanic women in northern and southern New
24 Jersey through the issuance of grants to public or private nonprofit
25 organizations servicing either women or Hispanic populations. In
26 reviewing grant applications under this act, the division shall give
27 due consideration to the needs of the Hispanic women in the
28 municipality in which the applicant is located and surrounding area.

29 [There is created the Advisory Board for the Hispanic Women's
30 Demonstration Resource Centers which shall consist of nine public
31 members, two of whom shall be appointed by the Speaker of the
32 General Assembly, not more than one of whom shall be from the
33 same political party, two of whom shall be appointed by the
34 President of the Senate, not more than one of whom shall be from
35 the same political party, and five of whom shall be appointed by the
36 Governor with no more than three from the same political party.
37 When making these appointments the appointing authorities shall
38 give due consideration to individuals having expertise in Hispanic
39 women's affairs and being members of organized Hispanic groups,
40 including the Hispanic Women's Task Force. The advisory board
41 shall be appointed within 60 days of the enactment of this act.
42 Vacancies in the membership of the advisory board shall be filled in
43 the same manner as the original appointments were made.] The
44 division shall develop comprehensive guidelines for the
45 establishment, goals and operation of the centers. In carrying out
46 the purpose of this act, the director shall consult with the Office of
47 Hispanic Affairs [and the Advisory Board for the Hispanic

1 Women's Demonstration Resource Centers】.

2 (cf: P.L.1990, c.83, s.4)

3

4 54. Section 2 of P.L.1986, c.103 (C.52:27D-331) is amended to
5 read as follows:

6 2. The Legislature finds and declares that: continuing care
7 retirement communities are becoming an important and increasingly
8 preferred alternative for the long-term residential, social and health
9 care needs of New Jersey's senior citizens; because senior citizens
10 often expend a significant portion of their savings in order to
11 purchase care in the retirement community and thereby expect to
12 receive care at the retirement community for the rest of their lives,
13 tragic consequences can result to senior citizens when a continuing
14 care provider becomes insolvent or unable to provide responsible
15 care; and there is a need for full disclosure concerning the terms of
16 agreements made between prospective residents and the continuing
17 care providers and the operations of the providers; therefore, it is
18 the policy of this State that providers of continuing care shall
19 register with and be monitored by the State Department of
20 Community Affairs 【and that a Continuing Care Advisory Council
21 be established to advise and assist the Commissioner of Community
22 Affairs in the monitoring of these providers and the regulation of
23 continuing care retirement facilities】.

24 (cf: P.L.1986, c.103, s.2)

25

26 55. The following are repealed:

27 N.J.S.11A:2-1

28 N.J.S.11A:2-8

29 N.J.S.11A:2-9

30 N.J.S.11A:2-10

31 R.S.9:13-1 through R.S.9:13-6, inclusive

32 Sections 18 and 19 of P.L.1948, c.444 (C.26:1A-82 and 26:1A-83)

33 Sections 1 through 6 of P.L.1966, c.28 (C.40A:1A-2 through
34 40A:1A-7), inclusive

35 Section 3 of P.L.1978, c.176 (C.52:17B-144)

36 Section 5 of P.L.1978, c.176 (C.52:17B-146)

37 Section 35 of P.L.1983, c.65 (C.17:30E-23)

38 Sections 1 through 7 and section 10 of P.L.1983, c.333
39 (C.52:17B-151 through 52:17B-158), inclusive

40 Sections 1 through 6 of P.L.1983, c.352 (C.26:2M-1 through
41 26:2M-6), inclusive

42 Sections 4 through 10 of P.L.1983, c.467 (C.52:17B-9.9 through
43 52:17B-9.15), inclusive

44 Sections 1 through 6 of P.L.1985, c.363 (C.52:9Y-1 through
45 52:9Y-6), inclusive

46 Section 28 of P.L.1986, c.103 (C.52:27D-357)

47 Section 3 of P.L.1988, c.139 (C.52:27D-29.25)

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1 Sections 2 and 9 through 11 of P.L.1991, c.165 (C.40A:1A-1,
2 40A:1A-8 through 40A:1A-10), inclusive
3 Section 20 of P.L.1991, c.201 (C.26:2H-72)
4 Sections 1 through 5 of P.L.1991, c.450 (C.13:1DD-1
5 through 13:1DD-5), inclusive
6 Sections 1 through 7 of Joint Resolution No. 2 of 1991
7 (C.52:9DD-1 through 52:9DD-7), inclusive
8 Sections 7 and 8 of P.L.1995, c.209 (C.34:1B-99 and 34:1B-100)
9 Section 3 of P.L.1997, c.97 (C.12:6B-3)
10 Section 17 of P.L.1998, c.43 (C.26:2H-7.9)
11 Section 30 of P.L.1998, c.44 (C.52:27C-90)
12 Section 33 of P.L.1998, c.44 (C.52:27C-93)
13 Section 1 of P.L.1998, c.154 (C.52:27C-61);
14 Section 3 of P.L.1998, c.154 (C.52:27C-63);
15 Section 7 of P.L.1998, c.154 (C.52:27C-67);
16 Section 8 of P.L.1998, c.154 (C.52:27C-68);
17 Section 9 of P.L.1998, c.154 (C.52:27C-69);
18 Section 10 of P.L.1998, c.154 (C.52:27C-70);
19 Section 11 of P.L.1998, c.154 (C.52:27C-71);
20 Section 12 of P.L.1998, c.154 (C.52:27C-72);
21 Section 13 of P.L.1998, c.154 (C.52:27C-73);
22 Section 14 of P.L.1998, c.154 (C.52:27C-74);
23 Section 15 of P.L.1998, c.154 (C.52:27C-75);
24 Section 16 of P.L.1998, c.154 (C.52:27C-76);
25 Section 17 of P.L.1998, c.154 (C.52:27C-77);
26 Section 18 of P.L.1998, c.154 (C.52:27C-78);
27 Section 19 of P.L.1998, c.154 (C.52:27C-79); and
28 Section 20 of P.L.1998, c.44 (C.52:27C-80).
29 Sections 1 through 4 of Joint Resolution No. 1 of 1999 (C.52:14-
30 15.111 through 52:14-15.114), inclusive
31 Section 7 of P.L.2001, c.167 (C.2C:7-18)
32 Section 1 through 9 of P.L.2001, c.192 (C.52:9YY-1 through
33 52:9YY-9), inclusive
34 Section 1 through 17 of P.L.2001, c.262 (C.18A:71B-64 through
35 18A:71B-80), inclusive
36
37 56. This act shall take effect immediately.
38
39

40 STATEMENT
41

42 This bill abolishes the Department of Personnel and the office of
43 the Commissioner of Personnel. The Merit System Board and the
44 functions, powers and duties of the department and commissioner
45 are transferred to the Department of the Treasury to be the
46 responsibility of the State Treasurer. The bill repeals four
47 provisions of law concerning the establishment of the department
48 and appointment of the commissioner.

1 This bill abolishes the New Jersey Commerce, Economic Growth
2 and Tourism Commission, the office of Chief Executive Officer and
3 Secretary of the commission, and the Board of Directors and
4 transfers the functions, powers, and duties of the commission, as
5 well as offices and departments in the commission to the
6 Department of State or the Department of Treasury.

7 The bill repeals several provisions of law concerning the
8 establishment of the commission and the appointment and
9 administrative functions of the Chief Executive Officer and
10 Secretary and the Board of Directors of the commission that will no
11 longer be necessary and that are not relevant to the functions,
12 powers, and duties otherwise being transferred by this bill to other
13 State departments.

14 In addition, this bill eliminates the following inactive
15 commissions,

16 committees, councils and boards:

17

18 Alzheimer's Disease Study Commission
19 Advisory Board for the Hispanic Women's Demonstration
20 Resource Centers
21 Apprenticeship Committee
22 Certificate of Need Study Commission
23 Commission on Missing Persons
24 Commission on Racism, Racial Violence and Religious Violence
25 Continuing Care Advisory Council
26 Crippled Children's Commission
27 Dredging Project Facilitation Task Force
28 Export Finance Company Advisory Council
29 Internet Registry Advisory Council
30 New Jersey Council on Environmental Quality
31 New Jersey Commission on Legal and Ethical Problems in the
32 Delivery of Health Care
33 New Jersey Commission to Deter Criminal Activity
34 New Jersey Health Data Commission
35 Policy Center on Aging Advisory Committee
36 Prepaid Higher Education Expense Board and Program
37 Public Officers Salary Review Commission
38 Reflectorized License Plate Selection Commission
39 Safe and Secure Communities Selection Panel
40 State Commission on County and Municipal Government
41 State Law Enforcement Planning Agency Governing Board
42 Study Commission to Evaluate the Implementation and Effects
43 of the New Jersey Automobile Insurance Reform Act of 1982
44 and New Jersey Automobile Full Insurance Availability Act

45

46 Predominately dating from the late 1970's, 1980's, 1990's and
47 early 2000's (except for Crippled Children's Commission which
48 dates from the late 1930's), these commissions, committees,

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- 1 councils and boards have served their purpose, been inactive for
- 2 years, or no longer have a role to fulfill or were never organized.