

ASSEMBLY, No. 507

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ROBERTS and Assemblywoman CRUZ-PEREZ

1 AN ACT concerning financial assistance to abate asbestos hazards,
2 supplementing chapter 27D of Title 52 of the Revised Statutes and
3 making an appropriation.

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

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8 1. The Legislature finds and declares that numerous structures in
9 the State, including homes and small businesses, contain asbestos
10 material in a hazardous condition; that the continued presence of the
11 friable asbestos may pose a serious threat to the occupants of these
12 buildings; that it is in the public interest that any hazard of this nature
13 be abated by competent personnel as promptly as possible; and that in
14 many cases financial assistance to the building owners is required to
15 assure the necessary asbestos removal or encapsulation.

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17 2. As used in this act:

18 "Asbestos" means the asbestiform varieties of chrysotile
19 (serpentine), crocidolite (riebeckite), amosite
20 (cummingtonitegrunerite), anthophyllite, tremolite, and actinolite;

21 "Department" means the Department of Community Affairs.

22 "Small business" means any business which is resident in this State,
23 independently owned and operated and not dominant in its field, and
24 which employs fewer than 100 full-time employees.

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26 3. a. The Home and Small Business Asbestos Hazard Abatement
27 Loan Fund, hereinafter referred to as the "fund," is established as a
28 nonlapsing revolving fund in the Department of Community Affairs.
29 The fund shall be administered by the Department of Community
30 Affairs, Division of Housing and shall be credited with all revenues
31 provided pursuant to section 6 of this act, all sums received as
32 repayment of principal on outstanding loans made from the fund and
33 all interest received from the investment of revenues held by the fund,
34 except as otherwise provided.

35 b. Moneys in the fund shall be used to provide loans to

1 homeowners and small business owners to cover all the costs
2 associated with the abatement of an asbestos hazard in their homes or
3 on their property, or on the premises of their small businesses.
4 Application for, and awarding of, loans shall be made in accordance
5 with procedures and criteria adopted by the commissioner of the
6 department by regulation. Each loan shall be in a sum not to exceed
7 \$50,000 and shall bear no interest. The department shall determine the
8 amount of the loan based on financial need. The department shall
9 prioritize loan applications according to such factors such as the
10 degree of hazard posed by the asbestos and financial need. The
11 department shall require applicants to use a State certified asbestos
12 abatement contractor.

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14 4. The department shall conduct a public information program to
15 inform homeowners and small business owners concerning the
16 availability of loans for asbestos abatement through this program. In
17 addition, the department shall provide information to municipalities
18 concerning this program.

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20 5. The department shall, within 120 days of the effective date of
21 this act and pursuant to the "Administrative Procedure Act," P.L.1968,
22 c.410 (C.52:14B-1 et seq.), adopt rules and regulations concerning
23 loan application procedures, criteria for the receipt of a loan, a
24 comprehensive list of eligible project costs which shall include the
25 costs for air monitoring and any necessary temporary dislocation of
26 residents associated with the abatement work, and any other matters
27 necessary for the implementation of this act.

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29 6. There is appropriated to the Department of Community Affairs
30 the sum of \$1,150,000, of which \$1,000,000 shall be deposited in the
31 fund created pursuant to section 3 of this act, of which \$100,000 shall
32 be used for the public awareness program pursuant to section 4 of this
33 act, and \$50,000 of which shall be dedicated to the costs of
34 implementing the loan program.

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36 7. This act shall take effect immediately.

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STATEMENT

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41 This bill establishes a loan program to assist homeowners and small
42 business owners with the cost of abating asbestos in a hazardous
43 condition. The Department of Community Affairs, Division of
44 Housing would administer the program. The department also would
45 be charged with conducting a public awareness program. The bill
46 would appropriate \$1,150,000, of which \$1,000,000 shall be for the

1 loan program, \$100,000 shall be for the public awareness program,
2 and \$50,000 shall be dedicated to the costs of implementing the loan
3 program.

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8 Establishes loan program to abate asbestos hazards in certain
9 buildings; appropriates \$1,150,000.