

ASSEMBLY COMMITTEE SUBSTITUTE FOR  
ASSEMBLY, No. 2650

STATE OF NEW JERSEY

ADOPTED MAY 1, 1997

Sponsored by Assemblyman CORODEMUS

1 AN ACT concerning the remediation of contaminated sites,  
2 reappropriating moneys from the "Hazardous Discharge Fund of  
3 1986" that were appropriated pursuant to P.L.1993, c.348, and  
4 making an appropriation.

5

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

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9 1. a. There is appropriated from the special account in the General  
10 Fund created pursuant to Article VIII, Section II, paragraph 6 of the  
11 New Jersey Constitution, to the Department of Environmental  
12 Protection, the sum of \$14,800,000. This money shall be used by the  
13 department only for paying or financing the costs incurred by the State  
14 for the remediation of discharges of hazardous substances, including  
15 the cost of performing necessary operation and maintenance activities  
16 relating to remedial actions, and the cost of providing alternative  
17 sources of public or private water supplies when a water supply has  
18 been, or is suspected of being, contaminated by a discharge of a  
19 hazardous substance.

20 b. Of the moneys appropriated pursuant to subsection a. of this  
21 section, not more than \$2,700,000 may be expended by the  
22 Department of Environmental Protection for the direct program  
23 administrative costs relating to the purposes for which the money may  
24 be expended pursuant to subsection a. of this section. No moneys  
25 appropriated pursuant to subsection a. of this section may be expended  
26 for any indirect administrative costs of the department. The  
27 expenditure of moneys appropriated pursuant to this section is limited  
28 by the provisions of Article VIII, Section II, paragraph 6 of the New  
29 Jersey Constitution.

30 c. At the end of each fiscal year the State Treasurer shall submit  
31 a certification to the Legislature stating the revenues collected  
32 pursuant to the "Corporation Business Tax Act (1945)," P.L.1945,  
33 c.162 (C.54:10A-1 et seq.), for the previous fiscal year and the amount  
34 of money that has been credited in the previous fiscal year to the  
35 special account as required pursuant to Article VIII, Section II,  
36 paragraph 6 of the New Jersey Constitution. The State Treasurer shall

1 also certify the current balance of that special account.

2

3 2. a. The Department of Environmental Protection shall for each  
4 fiscal year develop a financial plan for the department's site  
5 remediation program. The financial plan shall be submitted to the  
6 Legislature on or before January 15 of 1998 and each year thereafter  
7 on a day when both Houses are meeting. The President of the Senate  
8 and the Speaker of the General Assembly shall cause the date of  
9 submission to be entered upon the Senate Journal and the Minutes of  
10 the General Assembly, respectively, and shall cause copies of the  
11 financial plan to be submitted to the relevant legislative committees for  
12 their consideration and review.

13 b. The financial plan shall contain a list of site remediation projects  
14 for which public funds are anticipated to be authorized and expended  
15 in the next fiscal year, including sites for which the State will provide  
16 the State match share for money provided by the federal government.  
17 The list shall include a site description of each project and its purpose,  
18 a summary of prior remedial activities performed on the site, the active  
19 phase of the project for which funding will be authorized, a summary  
20 of the funds, by funding source, that have been authorized to date for  
21 each project, and a total of funds, by source, for each project.

22 c. The financial plan shall also contain a summary of the revenue  
23 sources for the site remediation program within the Department of  
24 Environmental Protection and the proposed expenditure and allocation  
25 of funds from each of the revenue sources, including the amount from  
26 each revenue source to be used for the publicly funded program, the  
27 responsible party program, direct administrative costs, indirect  
28 administrative costs, fringe benefit costs, project expenditures,  
29 operation and maintenance, federal matches, and other costs incurred  
30 by the site remediation program.

31

32 3. a. Of the moneys from the "Hazardous Discharge Fund of  
33 1986," created pursuant to the "Hazardous Discharge Bond Act of  
34 1986," P.L.1986, c.113, as amended by P.L.1989, c.182, and  
35 appropriated to the Department of Environmental Protection pursuant  
36 to section 1 of P.L.1993, c.348, the sum of \$20,000,000 is  
37 reappropriated to the New Jersey Economic Development Authority  
38 for deposit into the Hazardous Discharge Site Remediation Fund,  
39 created pursuant to section 26 of P.L.1993, c.139 (C.58:10B-4) for  
40 the purposes of that fund.

41 b. The expenditure of the sum reappropriated by this section is  
42 subject to the provisions and conditions of P.L.1986, c.113 and  
43 P.L.1989, c.182.

