

§§ 1-7
C. 13:1E-116.1
To
13:1E-116.7

P.L. 1996, CHAPTER 124, *approved November 6, 1996*
Senate No. 294 (*First Reprint*)

1 AN ACT concerning the ¹closure,¹ remediation and redevelopment of
2 municipal landfill sites, and revising parts of the statutory law.

3

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

6

7 1. (New section) This act shall be known and may be cited as the
8 "Municipal Landfill Site ¹Closure,¹ Remediation and Redevelopment
9 Act."

10

11 2. (New section) As used in this act:

12 ¹["Closing costs" or "closure"] Closure¹ means all activities ¹[
13 and costs]¹ associated with the design, purchase, construction or
14 maintenance of all measures required by the department, pursuant to
15 law, in order to ¹[remediate,]¹ prevent, minimize or monitor pollution
16 or health hazards resulting from municipal solid waste landfills
17 subsequent to the termination of operations at any portion thereof,
18 including, but not necessarily limited to, the ¹[costs of the]¹ placement
19 of final earthen or vegetative cover, ¹[groundwater remediation,]¹ the
20 installation of methane gas vents or monitors and leachate monitoring
21 wells or collection systems, and long-term operations and
22 maintenance, at the site of any municipal solid waste landfill ¹[that
23 ceased operations prior to January 1, 1982 and]¹ that is not listed on
24 the National Priorities List pursuant to the "Comprehensive
25 Environmental Response, Compensation, and Liability Act of 1980,"
26 at 42 U.S.C. §9605. ¹[Any activity necessary to remediate ground or

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SEN committee amendments adopted May 2, 1996.

1 surface water contamination caused by a municipal solid waste landfill
2 shall be considered a closure activity. As appropriate, closure activities
3 shall be conducted in accordance with the remediation standards
4 developed by the department pursuant to section 35 of P.L.1993,
5 c.139 (C.58:10B-12).]

6 "Closure and remediation costs" means all reasonable costs
7 associated with the closure and remediation of a municipal solid waste
8 landfill except that "closure and remediation costs" shall not include
9 any costs incurred in financing the closure or remediation.¹

10 "Commercial solid waste" means any nonhazardous solid waste
11 derived from wholesale, retail or service establishments, including
12 stores, markets, theaters, offices, restaurants, warehouses, or from
13 other non-manufacturing commercial activities.

14 "Developer" means any person that enters or proposes to enter into
15 a redevelopment agreement with the State pursuant to the provisions
16 of section 3 of P.L. , c. (C.)(pending in the Legislature as
17 this bill).

18 "Director" means the Director of the Division of Taxation in the
19 Department of the Treasury.

20 "Household solid waste" means any solid waste derived from
21 households, including but not limited to single and multiple residences,
22 hotels and motels, bunkhouses, ranger stations, crew quarters,
23 campgrounds, picnic grounds and day use recreation areas, except that
24 "household solid waste" shall not include septic waste as defined in
25 section 3 of P.L.1970, c.40 (C.48:13A-3).

26 "Industrial solid waste" means any solid waste derived from
27 manufacturing, industrial and research and development processes and
28 operations that is not a hazardous waste as defined in section 1 of
29 P.L.1976, c.99 (C.13:1E-38), except that "industrial solid waste" shall
30 not include mining waste, oil waste, gas waste, or cement kiln dust
31 waste.

32 "Municipal solid waste landfill" means a landfill that ¹ceased
33 operations prior to January 1, 1982 and¹ received for disposal
34 household solid waste and at least one of the following: (1)
35 commercial solid waste; (2) industrial solid waste; or (3) waste
36 material that was received for disposal prior to October 21, 1976 and
37 that is included within the definition of hazardous waste adopted by
38 the federal government pursuant to the "Resource Conservation and
39 Recovery Act," at 42 U.S.C. §6921; except that "municipal solid waste
40 landfill" shall not include any landfill that is approved for disposal of
41 hazardous waste and regulated pursuant to Subchapter III of the
42 "Resource Conservation and Recovery Act," 42 U.S.C. §6921 et seq.

43 "Project" or "redevelopment project" means a specific work or
44 improvement, including lands, buildings, improvements, real and
45 personal property or any interest therein, including lands under water,
46 riparian rights, space rights and air rights, acquired, owned, developed

1 or redeveloped, constructed, reconstructed, rehabilitated or improved,
 2 undertaken by a developer within an area of land whereon a municipal
 3 solid waste landfill is or has been located ¹, ¹ under a redevelopment
 4 agreement with the State pursuant to section 3 of P.L. , c. (C.)
 5 (pending in the Legislature as this bill).

6 "Redevelopment agreement" means ¹[a contract] an agreement ¹
 7 between the State and a developer ¹[for] under which the developer
 8 agrees to perform ¹ any work or undertaking ¹necessary ¹ for the
 9 ¹[remediation or] ¹ environmentally sound and proper closure [.] and
 10 remediation of the municipal solid waste landfill located at the site of
 11 the redevelopment project, and for the ¹ clearance, development or
 12 redevelopment, construction or rehabilitation of any structure or
 13 improvement of commercial, industrial or public structures or
 14 improvements ¹[that provide a public benefit] ¹ within an area of land
 15 whereon a municipal solid waste landfill is or has been located
 16 pursuant to section 3 of P.L. , c. (C.) (pending in the
 17 Legislature as this bill) ¹, and the State agrees that the developer shall
 18 be eligible for the reimbursement of 75% of the costs of closure and
 19 remediation of the municipal solid waste landfill from the fund
 20 established pursuant to section 6 of P.L. c. (C.) (pending in the
 21 Legislature as this bill) as authorized pursuant to section 4 of P.L. ,
 22 c. (C.) (pending in the Legislature as this bill).

23 "Remediation" or "remediate" means all necessary actions to
 24 investigate and clean up any known, suspected, or threatened
 25 discharge of contaminants, including, as necessary, the preliminary
 26 assessment, site investigation, remedial investigation, and remedial
 27 action, as those terms are defined in section 23 of P.L.1993, c.139
 28 (C.58:10B-1). ¹

29
 30 3. (New section) a. The provisions of any other law, or rule or
 31 regulation adopted pursuant thereto, to the contrary notwithstanding,
 32 any developer may enter into a redevelopment agreement with the
 33 State pursuant to the provisions of this section.

34 The Commissioner of the Department of Commerce and Economic
 35 Development ¹in consultation with the State Treasurer ¹ shall negotiate
 36 the terms and conditions of any redevelopment agreement on behalf of
 37 the State.

38 b. In negotiating a redevelopment agreement with a developer, the
 39 commissioner shall consider the following factors:

40 (1) the economic feasibility of the redevelopment project;

41 ¹[(2) the funding source or sources for the closure element of the
 42 redevelopment project;

43 (3) the projected closing costs of the closure element of the
 44 redevelopment project, as certified by the Commissioner of
 45 Environmental Protection pursuant to section 4 of P.L. , c.

46 (C.) (pending in the Legislature as this bill);

1 (4)] (2)¹ the extent of economic and related social distress in the
2 municipality and the area to be affected by the redevelopment project;
3 ¹[(5)] (3)¹ the degree to which the redevelopment project will
4 advance State, regional and local development strategies;
5 ¹[(6)] (4)¹ the likelihood that the redevelopment project shall upon
6 completion be capable of repaying ¹[all or part of any financing] the
7 closure and remediation¹ costs incurred;
8 ¹[(7)] (5)¹ the relationship of the redevelopment project to a
9 comprehensive local development strategy, including other major
10 projects undertaken within the municipality; and
11 ¹[(8)] (6)¹ the degree to which the redevelopment project enhances
12 and promotes job creation and economic development.

13
14 4. (New section) a. The provisions of any other law, or rule or
15 regulation adopted pursuant thereto, to the contrary notwithstanding,
16 any developer that ¹[commences] enters into a redevelopment
17 agreement pursuant to section 3 of P.L. , c. (C.) (pending in the
18 Legislature as this bill), may be eligible for reimbursement of 75% of
19 the costs of the closure and remediation of the municipal solid waste
20 landfill pursuant to the provisions of this section upon the
21 commencement of ¹ a business operation within a redevelopment
22 project, the sales receipts of which are subject to the tax imposed
23 under the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et
24 seq.)¹, may be eligible for a reduction in the tax otherwise due and
25 payable under P.L.1966, c.30 pursuant to the provisions of this
26 section]¹.

27 b. To be eligible for ¹[a reduction in the tax otherwise due and
28 payable under P.L.1966, c.30] reimbursement of 75% of the costs of
29 closure and remediation¹, a developer shall submit an application, in
30 writing, to the director for review and certification of the ¹[reduction]
31 reimbursement¹. The director shall review the request for the
32 ¹[reduction] reimbursement¹ upon receipt of an application therefor,
33 and shall approve or deny the application for certification on a timely
34 basis.

35 The director ¹[may] shall¹ certify a developer to be eligible for the
36 ¹[reduction] reimbursement¹ if the director shall find that:

37 (1) ¹[the developer owns or operates]¹ a place of business ¹is¹
38 located in the area subject to the redevelopment agreement for the
39 purpose of making retail sales;

40 (2) non-exempt items are regularly exhibited and offered for retail
41 sale at that location;

42 (3) the place of business is not utilized primarily for the purpose of
43 catalogue or mail order sales; and

44 (4) the developer has ¹[obtained the approval from] entered into a
45 memorandum of agreement with¹ the Commissioner of Environmental
46 Protection ¹[of a financial plan]¹ for the ¹environmentally sound and

1 proper¹ closure and remediation¹ of the municipal solid waste landfill
2 located on the site of the redevelopment project pursuant to section 5
3 of P.L. , c. (C.) (pending in the Legislature as this bill) ¹and
4 is in compliance with the memorandum of agreement¹.

5 ¹c. When filing an application for certification for a reimbursement
6 pursuant to this section, the developer shall submit to the director a
7 certification of the total closure and remediation costs incurred by the
8 developer for the closure and remediation of the municipal solid waste
9 landfill located at the site of the redevelopment project as provided in
10 the redevelopment agreement.¹

11
12 5. (New section) a. To qualify for the ¹[reduction in the tax
13 otherwise due and payable under P.L.1966, c.30] certification of
14 reimbursement of 75% of the closure and remediation costs¹
15 authorized pursuant to section ¹[6] ⁴ of P.L. , c. (C.)
16 (pending in the Legislature as this bill), a developer shall ¹[submit to
17 and receive the approval of] enter into a memorandum of agreement
18 with¹ the Commissioner of Environmental Protection ¹[of a financial
19 plan]¹ for the ¹environmentally sound and proper¹ closure ¹or
20 remediation¹ of the municipal solid waste landfill located on the site
21 of the redevelopment project.

22 b. ¹[The financial plan for closure required to be submitted
23 pursuant to this section shall include an inventory of all specific
24 closure activities or closing costs associated with environmental or
25 health measures required by the Department of Environmental
26 Protection, pursuant to law, to be undertaken by the developer or the
27 governing body of the municipality within which the municipal solid
28 waste landfill is or has been located, in the case of delegated closure
29 responsibilities pursuant to section 7 of P.L. , c. (C.
30)(pending in the Legislature as this bill), at the landfill site and an
31 estimate of the total closing costs likely to be incurred by the
32 developer in undertaking these activities.] Under the memorandum of
33 agreement, the developer shall agree to perform and complete any
34 closure activity or remediation as may be required by the Department
35 of Environmental Protection, pursuant to law, to ensure the
36 environmentally sound and proper closure and remediation of the
37 municipal solid waste landfill located at the site of the redevelopment
38 project.¹ Any activity necessary to remediate ground or surface water
39 contamination caused by a municipal solid waste landfill shall be
40 ¹[considered a closure activity] undertaken in compliance with the
41 remediation standards adopted by the Department of Environmental
42 Protection pursuant to P.L.1993, c.139 (C.58:10B-1 et al.)¹.

43 c. ¹[The] After the developer has entered into a memorandum of
44 agreement with the¹ Commissioner of Environmental Protection ¹[shall
45 have 30 days from the date of receipt to approve or reject a financial
46 plan for closure submitted by a developer pursuant to this section.

1 Upon approval]¹, the commissioner shall submit a copy thereof [,
2 including a statement of the projected closing costs of the municipal
3 solid waste landfill located at the site of the redevelopment project,]¹
4 to the developer, ¹the clerk of the municipality in which the municipal
5 solid waste landfill is located.¹ the Commissioner of the Department
6 of Commerce and Economic Development, and the director.

7
8 ¹[6. (New section) a. Upon approval of certification of the
9 reduction by the director pursuant to section 4 of P.L. , c.
10 (C.) (pending in the Legislature as this bill), the taxpayer shall
11 impose and collect the full amount of the tax due under section 3 of
12 P.L.1966, c.30 (C.54:32B-3), but shall be entitled to a reduction in the
13 tax otherwise due and payable to the State with each return filed
14 pursuant to section 18 of P.L.1966, c.30 (C.54:32B-18) in an amount
15 equal to \$0.03 of the amount of tax collected on each \$1.00 of
16 non-exempt sales.

17 b. The reduction authorized pursuant to this section shall remain in
18 effect until such time as the aggregate dollar amount of the reductions
19 indicated on the tax returns equal the dollar amount of the closing
20 costs incurred by the developer, as certified by the Commissioner of
21 the Department of Environmental Protection, pursuant to the
22 redevelopment agreement.

23 c. When filing a tax return that includes an initial claim for a
24 reduction pursuant to this section, the developer shall include a copy
25 of the certification and a statement that the claim is based on a
26 redevelopment agreement entered into with the State pursuant to the
27 provisions of section 3 of P.L. , c. (C.) (pending in the
28 Legislature as this bill).]¹

29
30 ¹[7. (New section) Upon application by the governing body of a
31 municipality within which a municipal solid waste landfill is or has
32 been located, or as a predicate to a developer entering into a
33 redevelopment agreement with the State pursuant to the provisions of
34 section 3 of P.L. , c. (C.)(pending in the Legislature as this
35 bill), the Commissioner of Environmental Protection may delegate to
36 the municipal governing body the closure responsibilities that would
37 otherwise be required of the developer pursuant to the provisions of
38 section 5 of P.L. , c. (C.)(pending in the Legislature as this
39 bill), upon a finding that the municipality is capable of administering
40 those responsibilities. This delegation shall be in accordance with rules
41 and regulations adopted by the department pursuant to law.]¹

1 ¹[8. (New section) a. Any municipality proposing to undertake the
2 environmentally sound closure of a municipal solid waste landfill
3 pursuant to section 7 of P.L. , c. (C.)](pending in the
4 Legislature as this bill) shall submit to and receive the approval of the
5 Commissioner of Environmental Protection of a financial plan for the
6 closure of the municipal solid waste landfill located on the site of the
7 proposed redevelopment project.

8 b. The department shall make available moneys from the Sanitary
9 Landfill Facility Contingency Fund established pursuant to section 6
10 of P.L.1981, c.306 (C.13:1E-105) for loans to municipalities within
11 which municipal solid waste landfills are or have been located to
12 undertake municipal solid waste landfill closure projects.

13 c. The department may make a loan from the Sanitary Landfill
14 Facility Contingency Fund to a municipality to which closure
15 responsibility has been delegated sufficient to cover the closing costs
16 of the delegated closure responsibilities.

17 d. Any loan made by the department to a municipality pursuant to
18 this section shall be repaid to the Sanitary Landfill Facility
19 Contingency Fund out of moneys received by the municipality from the
20 developer pursuant to section 9 of P.L. , c. (C.)](pending in
21 the Legislature as this bill).]¹

22

23 ¹[9. (New section) In the case of delegated closure responsibilities
24 pursuant to section 7 of P.L. , c. (C.)] (pending in the
25 Legislature as this bill), the developer shall make payments to the chief
26 fiscal officer of the municipality to which closure responsibility has
27 been delegated utilizing moneys derived from the reduction authorized
28 pursuant to section 6 of P.L. , c. (C.)](pending in the
29 Legislature as this bill) until such time as the aggregate dollar amount
30 of the payments equal the dollar amount of the closing costs incurred
31 by the municipality.]¹

32

33 ¹[10. Section 9 of P.L.1981, c.306 (C.13:1E-108) is amended to
34 read as follows:

35 9. Moneys in the fund shall be disbursed by the department for the
36 following purposes and no others:

37 a. Administrative costs incurred by the department pursuant to
38 section 6 of P.L.1981, c.306 (C.13:1E-105)[;].

39 b. Damages as provided in section 7 of P.L.1981, c.306
40 (C.13:1E-106)[;].

41 c. Grants for landfill mining demonstration projects as provided in
42 section 1 of P.L.1994, c.99 (C.13:1E-34.1)[; and].

43 d. Loans for municipal solid waste landfill closure projects as
44 provided in section 8 of P.L. , c. (C.)](pending in the
45 Legislature as this bill).

46 e. Administrative costs incurred by the Attorney General, the

1 department or any other State agency to implement the provisions of
2 P.L.1983, c.392 (C.13:1E-126 et seq.), as amended and supplemented
3 by P.L.1991, c.269 (C.13:1E-128.1 et al.), on a timely basis, except
4 that the amounts used for this purpose shall not exceed \$5,000,000.00.
5 Any moneys disbursed by the department from the fund for this
6 purpose shall be repaid to the fund in equal amounts from the fees
7 collected by the department pursuant to section 3 of P.L.1971, c.461
8 (C.13:1E-18), in annual installments beginning July 1, 1990 and
9 annually thereafter until the full amount is repaid according to a
10 schedule of repayments determined by the State Treasurer. For the
11 purposes of this subsection, "State agency" means any State
12 department, division, agency, commission or authority.
13 (cf: P.L.1994, c.99, s.2)]¹

14
15 ^{16.} (New section) a. There is created in the Department of
16 Treasury a special fund to be known as the Municipal Landfill Closure
17 and Remediation Fund. Moneys in the fund shall be dedicated to the
18 purpose of reimbursing a developer who enters into a redevelopment
19 agreement pursuant to section 3 of P.L. c. (C.) (pending in the
20 Legislature as this bill) and is certified for reimbursement pursuant to
21 section 4 of P.L. c. (C.) (pending in the Legislature as this bill)
22 in an amount equal to 75% of the closure and remediation costs of the
23 municipal solid waste landfill. A special account within the fund shall
24 be created for each developer upon approval of a certification pursuant
25 to section 4 of P.L. , c. (C.) (pending in the Legislature as this
26 bill). The Legislature shall annually appropriate the entire balance of
27 the fund for the purposes of reimbursement of closure and remediation
28 costs as provided in section 7 of P.L. , c. (C.) (pending in the
29 Legislature as this bill).

30 b. The fund shall be credited with one half of all taxes due and
31 payable pursuant to the "Sales and Use Tax Act," P.L.1966, c.30
32 (C.54:32B-1 et seq.) by any person required to collect the tax at the
33 site of a redevelopment project which is the subject of a
34 redevelopment agreement with the State pursuant to section 3 of
35 P.L. , c. (C.) (pending in the Legislature as this bill) until the
36 amount credited equals 75% of the dollar amount of the closure and
37 remediation costs actually and reasonably incurred by the developer,
38 as certified to the director by the developer.¹

39
40 ^{17.} (New section) a. The State Treasurer shall reimburse the
41 developer for 75% of the closure and remediation costs of the
42 municipal solid waste landfill from the Municipal Landfill Closure and
43 Remediation Fund upon approval of certification of the reimbursement
44 pursuant to section 4 of P.L. , c. (C.) (pending in the
45 Legislature as this bill). The developer shall be entitled to periodic
46 payments from the fund in an amount equal to one half of the taxes

1 due and payable pursuant to the "Sales and Use Tax Act," P.L.1966,
2 c.30 (C.54:32B-1 et seq.) from any person required to collect the tax
3 at the site of a redevelopment project which is subject to a
4 redevelopment agreement between the developer and the State
5 pursuant to section 3 of P.L. c. (C.) (pending in the Legislature
6 as this bill). Payments from the fund shall be made to a developer at
7 the same frequency in which the payments are made to the State from
8 the persons required to collect the tax. Payments to the developer
9 shall be made within 15 days of receipt by the State of the taxes.

10 b. A developer shall submit to the director updated closure and
11 remediation costs actually incurred by the developer for the closure or
12 remediation of the municipal solid waste landfill located at the site of
13 the redevelopment project as provided in the redevelopment
14 agreement. The reimbursement authorized pursuant to this section
15 shall continue until such time as the aggregate dollar amount of the
16 reimbursement equals 75% of the dollar amount of the closure and
17 remediation costs actually incurred by the developer, as certified to
18 the director by the developer. To remain entitled to the reimbursement
19 authorized pursuant to this section, the developer shall perform and
20 complete all closure and remediation activities during the closure and
21 post-closure periods as may be required pursuant to the memorandum
22 of agreement entered into with the Commissioner of Environmental
23 Protection pursuant to section 5 of P.L. , c. (C.)(pending in
24 the Legislature as this bill). The Department of Environmental
25 Protection may review the closure and remediation costs incurred by
26 the developer to determine if they are reasonable.¹

27
28 ¹8. Section 21 of P.L.1983, c.303 (C.52:27H-80) is amended to
29 read as follows:

30 21. Receipts of retail sales, except retail sales of motor vehicles, of
31 alcoholic beverages as defined in the "Alcoholic Beverage Tax Law,"
32 R.S.54:41-1 et seq., cigarettes as defined in the "Cigarette Tax Act,"
33 P.L.1948, c.65 (C.54:40A-1 et seq.) and of manufacturing machinery,
34 equipment or apparatus, made by a certified vendor from a place of
35 business owned or leased and regularly operated by the vendor for the
36 purpose of making retail sales, and located in a designated enterprise
37 zone established pursuant to the "New Jersey Urban Enterprise Zones
38 Act," P.L.1983, c.303 (C.52:27H-60 et al.), are exempt to the extent
39 of 50% of the tax imposed under the "Sales and Use Tax Act,"
40 P.L.1966, c.30 (C.54:32B-1 et seq.).

41 Any vendor, which is a qualified business having a place of business
42 located in a designated enterprise zone, may apply to the Director of
43 the Division of Taxation in the Department of the Treasury for
44 certification pursuant to this section. The director shall certify a
45 vendor if he shall find that the vendor owns or leases and regularly
46 operates a place of business located in the designated enterprise zone

1 for the purpose of making retail sales, that items are regularly
2 exhibited and offered for retail sale at that location, and that the place
3 of business is not utilized primarily for the purpose of catalogue or
4 mail order sales. The certification under this section shall remain in
5 effect during the time the business retains its status as a qualified
6 business meeting the eligibility criteria of section 27 of P.L.1983,
7 c.303 (C.52:27H-86). However, the director may at any time revoke
8 a certification granted pursuant to this section if he shall determine
9 that the vendor no longer complies with the provisions of this section.

10 Notwithstanding the provisions of this act to the contrary, except
11 as may otherwise be provided by section 7 of P.L.1983, c.303
12 (C.52:27H-66), the authority may, in its discretion, determine whether
13 or not the provisions of this section shall apply to any enterprise zone
14 designated after the effective date of P.L.1985, c.142 (C.52:27H-66
15 et al.); provided, however, that the authority may make such a
16 determination only where the authority finds that the award of an
17 exemption of 50 percent of the tax imposed under the "Sales and Use
18 Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) will not have any
19 adverse economic impact upon any other urban enterprise zone.

20 Notwithstanding any other provisions of law to the contrary, except
21 as provided in subsection b. of section 6 of P.L. , c. (C.)
22 (pending in the Legislature as this bill), after first depositing 10
23 percent of the gross amount of all revenues received from the taxation
24 of retail sales made by certified vendors from business locations in
25 designated enterprise zones to which this exemption shall apply into
26 the account created in the name of the authority in the enterprise zone
27 assistance fund pursuant to section 29 of P.L.1983, c.303
28 (C.52:27H-88), the remaining 90 percent shall be deposited
29 immediately upon collection by the Department of the Treasury, as
30 follows:

31 a. In the first five year period during which the State shall have
32 collected reduced rate revenues within an enterprise zone, all such
33 revenues shall be deposited in the enterprise zone assistance fund
34 created pursuant to section 29 of P.L.1983, c.303 (C.52:27H-88);

35 b. In the second five year period during which the State shall have
36 collected reduced rate revenues within an enterprise zone, 66 2/3% of
37 all those revenues shall be deposited in the enterprise zone assistance
38 fund, and 33 1/3% shall be deposited in the General Fund;

39 c. In the third five year period during which the State shall have
40 collected reduced rate revenues within an enterprise zone, 33 1/3% of
41 all those revenues shall be deposited in the enterprise zone assistance
42 fund, and 66 2/3% shall be deposited in the General Fund;

43 d. In the final five year period during which the State shall have
44 collected reduced rate revenues within an enterprise zone, but not to
45 exceed the life of the enterprise zone, all those revenues shall be
46 deposited in the General Fund.

1 Commencing on the effective date of P.L.1993, c.144, all revenues
2 in any enterprise zone to which the provisions of this section have
3 been extended prior to the enactment of P.L.1993, c.144 shall be
4 deposited into the enterprise zone assistance fund until there shall have
5 been deposited all revenues into that fund for a total of five full years,
6 as set forth in subsection a. of this section. The State Treasurer then
7 shall proceed to deposit funds into the enterprise zone assistance fund
8 according to the schedule set forth in subsections b. through d. of this
9 section, beginning at the point where the enterprise zone was located
10 on that schedule on the effective date of P.L.1993, c.144. No
11 enterprise zone shall receive the deposit benefit granted by any one
12 subsection of this section for more than five cumulative years.

13 The revenues required to be deposited in the enterprise zone
14 assistance fund under this section shall be used for the purposes of that
15 fund and for the uses prescribed in section 29 of P.L.1983, c.303
16 (C.52:27H-88), subject to annual appropriations being made for those
17 purposes and uses.¹

18 (cf: P.L.1993, c.367, s.6)

19

20 ¹[11.] 9.¹ This act shall take effect immediately.

21

22

23

24

25 "Municipal Landfill Site Closure, Remediation and Redevelopment
26 Act."