

P.L.2004, c.71  
 FY 2005 Appropriations Act  
 FINAL LANGUAGE CHANGES  
 from  
 GOVERNER'S ORIGINAL RECOMMENDATIONS

AGRICULTURE - DIRECT STATE SERVICES

Shift Agriculture Promotion/Market Development Account Carryforward Language to DSS from Grants:

AGR40#49D:

The unexpended balances as of June 30, 2004 in the Promotion/Market Development account are appropriated for the same purpose.

Language transferring bond funds to State Agriculture Development Committee for administrative costs of Transfer Development Rights program:

AGR40#49D:

Notwithstanding any other law to the contrary, an amount not to exceed \$200,000 shall be transferred from the appropriate funds established in the Open Space Preservation Bond Act of 1989, P.L.1989, c.183, to the State Transfer of Development Bank account and is appropriated to the State Agriculture Development Committee for Transfer of Development Rights administrative costs.

AGRICULTURE - GRANTS-IN-AID

Conservation Assistance Program Administrative Expenses Allocation Language:

AGR40#49G:

Of the amounts appropriated hereinabove for the Conservation Assistance Program, an amount not to exceed \$750,000 is allocated for the administrative expenses of the Conservation Assistance Program, subject to the approval of the Director of the Division of Budget and Accounting.

Shift Agriculture Promotion/Market Development Account Carryforward Language from Grants to DSS:

AGR40#49G:

**[The unexpended balances as of June 30, 2004 in the Promotion/Market Development account are appropriated for the same purpose.]**

## BANKING AND INSURANCE - DIRECT STATE SERVICES

Language Appropriation for New Jersey Medical Care Access and Responsibility and Patients First Act:

BIN50#52D:

Notwithstanding the provisions of any other law to the contrary, such sums as the Director of the Division of Budget and Accounting determines are necessary for the administrative costs associated with the "New Jersey Medical Care Access and Responsibility and Patients First Act," P.L.2004, c.17 are appropriated from the Medical Malpractice Liability Insurance Premium Assistance Fund [subject to the approval of the Joint Budget Oversight Committee] . Such other sums as the Director of the Division of Budget and Accounting shall determine as necessary on behalf of State employees are appropriated to the Inter-Departmental Accounts, Unemployment Insurance Liability account for deposit in the Medical Malpractice Liability Insurance Premium Assistance Fund. If annual receipts deposited in the Medical Malpractice Liability Insurance Premium Assistance Fund are higher or lower than the amounts projected for specific spending categories in the "New Jersey Medical Care Access and Responsibility and Patients First Act," the difference shall be pro-rated among those categories in the same proportion as established in P.L.2004, c.17.

(ADDED BY BILL and DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

## COMMUNITY AFFAIRS - GRANTS-IN-AID

Language Allowing Use of Revolving Housing Development and Demonstration Grant Fund for Support of Loans and Grants for Economic Development and Historic Preservation:

CMA40#41G:

Notwithstanding any law to the contrary, Revolving Housing Development and Demonstration Grant funds may be used to support loans and grants to non-profit entities for the purpose of economic development and historic preservation.

Lead Hazard Control Assistance Fund:

CMA50#55G:

In addition to the amount hereinabove for the Lead Hazard Control Assistance Fund, after program expenditures reach \$7,000,000, there are appropriated such sums as are required not to exceed \$4,000,000 in accordance with the provisions of the "Lead Hazard Control Assistance Act," P.L.2003, c.311 (C.52:27D-437.1 et seq.), subject to approval of the Director of the Division of Budget and Accounting.

Boys and Girls Clubs of New Jersey:

CMA50#55G:

Of the amount appropriated hereinabove for Boys and Girls Clubs of New Jersey, not less than \$250,000 shall be awarded to clubs that were not recipients from this account in the prior fiscal year.

Local Library Grants program Carryforward Language:

CMA70#75G:

The unexpended balance as of June 30, 2004 in the Local Library Grants program account is appropriated subject to the approval of the Director of the Division of Budget and Accounting.

#### COMMUNITY AFFAIRS - STATE AID

Regional Efficiency Development Incentive Grant Program Carryforward Language:

CMA70#75S:

The unexpended balance as of June 30, 2004 in the Regional Efficiency Development Incentive Grant Program account is appropriated subject to the approval of the Director of the Division of Budget and Accounting.

#### COMMUNITY AFFAIRS - DIRECT STATE SERVICES

Language Allowing Government Records Council to Hire Council:

CMA70#76D:

Notwithstanding any provision of law to the contrary, from the amount appropriated hereinabove for the Government Records Council, the Council shall expend such amount as is necessary to employ staff legal counsel other than counsel provided by the Office of the Attorney General.

#### CORRECTIONS - DIRECT STATE SERVICES

Division of Parole Carryforward for Computer System Programing for the Parole Supervision for Life law:

COR10#17D:

The unexpended balances as of June 30, 2004 in the Division of Parole's accounts, not to exceed \$700,000, are appropriated to the Administration and Support Services accounts, for the purpose of modifying the automated algorithm used to calculate parole eligibility and maximum sentence dates, subject to the approval of the Director of the Division of Budget and Accounting.

Delete Carryforward language for Halfway Back program and Day Reporting program:

COR10#17D:

**[The unexpended balances as of June 30, 2004 in the Division of Parole's accounts, not to exceed \$1,500,000 shall be appropriated to the Halfway Back Program and Day Reporting Program accounts, subject to the approval of the Director of the Division of Budget and Accounting.]**

#### EDUCATION - STATE AID

Language conforming to transfer of Adult Literacy from Department of Education:

EDU30#31S:

Of the amount hereinabove in the High School Equivalency[and the Adult Literacy accounts] account, such sums as are necessary may be transferred to an applicant State department.

Nonpublic Capital Projects Aid Language:

EDU30#31S:

The amount appropriated hereinabove for Nonpublic Capital Projects Aid shall be distributed by the Commissioner of Education as grants to nonpublic high schools for capital projects, including capital projects completed during the 2003-2004 school year. Grants shall be awarded in accordance with criteria established by the commissioner which shall include but not be limited to: that the nonpublic high school have a significant minority or low-income student enrollment, and that the capital project be used for a secular purpose. A grant shall be awarded upon submission of an application by the nonpublic school to the commissioner and the commissioner's approval of that application. The amount of a grant shall not exceed \$500,000.

Above Average Enrollment Growth:

EDU30#31PTRFS

**[The amount appropriated hereinabove for Above Average Enrollment Growth aid shall be distributed to school districts experiencing enrollment growth substantially greater than the State average enrollment growth rate according to a formula to be developed and administered by the Commissioner of Education. Notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall be authorized to develop the criteria for distributing this aid and shall adopt regulations that shall be deemed adopted and effective immediately upon filing with the Office of Administrative Law.]**

The amount hereinabove for Above Average Enrollment Growth Aid shall be distributed to school districts [, other than county vocational school districts,] whose projected enrollment for the 2004-05 school year exceeds its enrollment for the 2003-04 school year by at least 3.5 percent, as determined by the commissioner. Each such school district shall receive an amount equal to \$765 multiplied by its projected increase in enrollment if its projected increase is less than 7.5 percent, and an amount equal to \$1,600 multiplied by its projected increase in enrollment if its projected increase is equal to or greater than 7.5 percent. Any amount remaining in this account after distribution is made pursuant to these criteria shall be distributed by the commissioner to school districts meeting substantially similar circumstances.

(ADDED BY BILL and DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

County Special Services Restoration Aid:

EDU30#31 PS:

Of the amount appropriated hereinabove for County Special Services Restoration Aid, \$15,000 shall be distributed to each of the eight County Special Services Districts.

High Expectations for Learning Proficiency:  
EDU30#31PTRFS:

The amount appropriated hereinabove for High Expectations for Learning Proficiency aid shall be distributed to "non-Abbott" school districts requiring additional resources to improve student achievement. Economic factors, such as the low-income concentration rate, equalized property valuation per pupil and measures of academic performance, including performance on Statewide assessments, graduation rates and dropout rates may be among the criteria used to qualify districts for this award. Notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Education shall be authorized to develop the criteria for distributing this aid and shall adopt regulations that shall be deemed adopted and effective immediately upon filing with the Office of Administrative Law.]

Of the amount hereinabove for High Expectation for Learning Proficiency Aid, \$15,000,000 shall be distributed to school districts, other than those designated as Abbott districts as of June 21, 2004, that are not county-based or non-operating as determined by the commissioner, and that are either (a) in district factor group A or B and whose equalized valuation per pupil is less than \$380,000; (b) in district factor group A, B, CD or DE, and has a concentration of low income pupils that is greater than or equal to 14 percent and has an equalized valuation per pupil that is less than \$1,100,000 per pupil, and either has a general fund tax levy per pupil that exceeds \$9,000 or a concentration of low income pupils that exceeds 30 percent; or (c) contiguous to a designated Abbott school district, have at least one school with a concentration of low income pupils equal to or greater than 20 percent and have not received Early Childhood Program Aid in the 2003-04 school year. Each such district shall receive the same proportion of \$15,000,000 as its October 2003 resident enrollment bears to the total October 2003 resident enrollment of all such districts. As used hereinabove, "district factor group" shall be as determined by the commissioner using 2000 federal decennial census data; "equalized valuation per pupil" and "general fund tax levy per pupil" shall be as determined by the commissioner for the school year 2003-04; and "concentration of low income pupils" shall be as defined in section 3 of P.L.1996, c.138 (C.18A:7F-3), except that the ASSA data shall be as of October 2003. Any amount remaining in this account after distribution is made pursuant to these criteria shall be distributed by the commissioner to school districts meeting substantially similar circumstances.

Language conditioning receipt of discretionary Education Opportunity Aid by "Abbott districts" on certain cost-saving efforts:

EDU30#31PS:

Notwithstanding any other law to the contrary, as a condition of receiving discretionary Education Opportunity Aid (PTRF), an "Abbott district" shall examine all available group options for every insurance policy held by the district, including any self-insurance plan administered by the New Jersey School Boards Association Insurance Group on behalf of districts, and shall participate in the most cost effective plans. As a further condition, all "Abbott districts" shall take steps to maximize the district's participation in the federal Universal Service Program (E-rate) and the ACT telecommunications program offered through the New Jersey Association of School Business Administrators, shall participate in the ACES energy program offered through the New Jersey School Boards Association unless a district can demonstrate that it receives the goods or services at a cost less than or equal to the cost achieved by participants, and shall take appropriate steps to maximize the district's participation in the Special Education Medicaid Initiative (SEMI) program, with maximum participation defined by the Commissioner of Education and shall refinance all outstanding debt for which a three percent net present value savings threshold is achievable. An "Abbott district" that fails to meet any of these requirements may have its award of discretionary Education Opportunity Aid (PTRF) reduced by the approximate amount of potential savings and/or increased federal funding as determined by the Commissioner of Education. The commissioner is authorized to establish any additional condition on the disbursement of discretionary Education Opportunity Aid (PTRF) that the commissioner deems appropriate to ensure the effective and efficient spending in the "Abbott districts."

Language Allocating \$1 Million of Additional Formula Aid to certain "non-Abbott" School District:

EDU30#31PS:

Notwithstanding any provision of law to the contrary, of the amount appropriated hereinabove for Additional Formula Aid (PTRF), \$1,000,000 shall be allocated to any "non-Abbott" school district that enrolled less than 50 percent of the district's resident school aged population as measured in the 2000 Decennial Census and whose local share calculated pursuant to section 14 of P.L.1996, c.138 (C.18A:7F:14) for fiscal 2002 is greater than 80 percent and whose low income concentration rate for fiscal 2002 exceeds 45 percent.

#### EDUCATION - DIRECT STATE SERVICES

Language Allocation from Literacy Initiative for Learning Through Listening program at the New Jersey Unit of the Recording for the Blind and Dyslexic:

EDU30#34D:

From the amount appropriated hereinabove for the Governor's Literacy Initiative, there is allocated \$300,000 for a grant for the Learning Through Listening program at the New Jersey Unit of the Recording for the Blind and Dyslexic.

Language Allocation from Literacy Initiative for Literacy Volunteers:

EDU30#34D:

From the amount appropriated hereinabove for the Governor's Literacy Initiative, there is allocated \$150,000 for a grant for Literacy Volunteers.

#### EDUCATION - GRANTS-IN-AID

Governor's School for Business Education:

EDU30#34G

The amount appropriated hereinabove for the Governor's School is payable to the [six] seven Governor's Schools: The College of New Jersey - Governor's School of the Arts, The Richard Stockton College of New Jersey - Governor's School on the Environment, Monmouth University - Governor's School of Public Issues, Drew University - Governor's School in the Sciences, Ramapo College of New Jersey - Governor's School of International Studies, Rutgers, The State University, Camden - Governor's School for Business Education and Rutgers, The State University - Governor's School of Engineering and Technology.

New Jersey After 3 (shift to Grants-In-Aid from State Aid):

EDU30#34G:

The sums provided hereinabove for New Jersey After 3 shall be conditioned upon the State Treasurer and the grant recipient entering into a grant agreement; shall be available for grants and reasonable administrative costs of New Jersey After 3, Inc. and shall be available for funding programs, activities, functions and facilities consistent with recommendations and proposals of the New Jersey After 3 Advisory Committee.

#### EDUCATION - STATE AID

New Jersey After 3 (shift from State Aid to Grants-In-Aid):

EDU30#34S:

**[The sums provided hereinabove for New Jersey After 3 shall be conditioned upon the State Treasurer and the grant recipient entering into a grant agreement; shall be available for grants and reasonable administrative costs of New Jersey After 3, Inc. and shall be available for funding programs, activities, functions and facilities consistent with recommendations and proposals of the New Jersey After 3 Advisory Committee.]**

State Employee Contribution Deferral Language for TPAF:

EDU30#34S:

Notwithstanding the provisions of N.J.S.18A:66-18, amounts hereinabove appropriated in the Teachers Pension and Annuity Assistance program classification, exclusive of amounts appropriated for Social Security Tax, are subject to the condition that the rate for member contributions of State employees in the Teachers' Pension and Annuity Fund shall be 3% for the period of July 1, 2004 through December 31, 2004.

Charter School Aid (PTRF):

EDU30#34PS:

Notwithstanding [the provisions of section 2 of P.L.1999, c.385] any law to the contrary, amounts appropriated hereinabove for Charter School aid shall be used to distribute aid to any charter school which operates a full-day kindergarten program and which is located in an "Abbott district" in accordance with the formula contained in section 1 of P.L.1999, c.385, except that "KPP" which is defined therein as the amount paid by the district to the charter school for each kindergarten pupil pursuant to section 12 of P.L.1995, c.426 (C.18A:36A-12), shall be the sum of the amount paid by the district and the State to the charter school for each kindergarten pupil; when a charter school's district of residence is an "Abbott district," to distribute an amount equal to the difference between the per pupil T&E amount for a given grade level and the program budget of an "Abbott district" when that "Abbott district's" program budget is below the T&E amount; to distribute \$40 for each student enrolled in the charter school; and to distribute aid to charter schools pursuant to the provisions of subsection d. of section 12 of P.L.1995, c.426 (C.18A:36A-12).

[Notwithstanding the provisions of section 2 of P.L.1999, c.385, in addition to the amounts hereinabove for Charter School aid, there are appropriated such sums as are necessary to distribute an amount equal to the difference between the per pupil T&E amount for a given grade level and the program budget of an "Abbott district" when that "Abbott district's" program budget is below the T&E amount, subject to the approval of the Director of the Division of Budget and Accounting.]

Line-Item Veto of Language Capping Per Pupil Nonpublic School Transportation Aid:

EDU30#34PS:

[Notwithstanding the provisions of section 2 of P.L.1981, c.57 (C.18A:39-1a) and any other law or provision to the contrary, the maximum amount of nonpublic school transportation costs per pupil provided for in N.J.S.18A:39-1 shall equal \$751.]

(DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

#### ENVIRONMENTAL PROTECTION - CAPITAL CONSTRUCTION

Department of Environmental Protection Parks Improvement Language:

ENV40#42C:

In addition to the amount appropriated hereinabove for Parks Improvement there is appropriated \$2,000,000 from the Division of Fish and Wildlife property sales revenue.



Carryforward Language for Dam Repairs:

ENV40#42C:

The unexpended balance as of June 30, 2004 for public and private dam repair, made available through a transfer to the Department of Environmental Protection from the unexpended balances in accounts established pursuant to the "Emergency Disaster Relief Act of 1999," P.L.1999, c.262, and from the Emergency Services Fund allocation for Hurricane Floyd, is appropriated. Further, the department shall transfer an amount not to exceed \$1,500,000 for the replacement of Aids to Navigation equipment which shall include the replacement of the buoy tender and work boat and facility upgrades. The department also may transfer an amount not to exceed \$300,000 for an agreement with the New Jersey State Council on the Arts for the design competition costs related to the State's urban park initiative. The department also may transfer an amount not to exceed \$1,800,000 for the replacement of the Division of Parks and Forestry's vehicles and forest fire equipment.

#### ENVIRONMENTAL PROTECTION - DIRECT STATE SERVICES

Language Appropriating the Balance from the 1981 Water Supply Bond Act:

ENV40#43D:

The unexpended balance as of June 30, 2004 in the Water Supply Fund established in section 14 of the "Water Supply Bond Act of 1981," P.L.1981, c.261, not to exceed \$35,080,000, is appropriated to the Department of Environmental Protection to be used for water supply demonstration projects consistent with the "Water Supply Bond Act of 1981," P.L.1981, c.261.

Language Appropriation of Title V Operating Permits Fees and Receipts:

ENV40#45D:

Receipts in excess of the amount anticipated from fees and permit receipts from the Title V Operating Permits are appropriated.

#### ENVIRONMENTAL PROTECTION - STATE AID

Mosquito Control, Research, Administration and Operations Carryforward Language:

ENV40#46S:

The unexpended balance as of June 30, 2004 in the Mosquito Control, Research, Administration and Operations aid account is appropriated subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION - DIRECT STATE SERVICES

Language Appropriation for Highlands Council Activities Costs:

ENV40#47D:

In addition to the amounts hereinabove, there is appropriated an amount not to exceed \$2,166,000, which shall be charged first to any fees authorized by the "Highlands Water Protection and Planning Act," P.L.2004, c. (now pending before the Legislature as Senate Bill, No.1), for the coordination of the Highlands Water Protection and Planning Council activities as they relate to water supply, water quality, land use management and open space preservation, and any Highlands Preservation Area approvals issued under the regulatory authorities of the Department of Environmental Protection, subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION - DEPARTMENT WIDE

Underground Storage Tank Inspection Program Carryforward Language:

ENVTOT:

Of the amount hereinabove for the Hazardous Substance Discharge Remediation Loans and Grants - Constitutional Dedication account, an amount not to exceed \$2,000,000 shall be allocated for costs associated with the State Underground Storage Tank Inspection Program, pursuant to the amendments effective December 4, 2003, to Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance as of June 30, 2004 in the Underground Storage Tank Inspection Program account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

HEALTH AND SENIOR SERVICES - DIRECT STATE SERVICES

Transfers Division of Addiction Services Language Provisions from Department of Health and Senior Services to Department of Human Services:

HEA20#21D:

**[The Division of Addiction Services is authorized to bill a patient, a patient's estate, the person chargeable for a patient's support or the county of residence for institutional, residential and outpatient support of patients treated for alcoholism or drug abuse, or both. Receipts derived from billings or fees and unexpended balances, as of June 30, 2004, from these billings and fees are appropriated to the Department of Health and Senior Services, Division of Addiction Services for the support of the alcohol and drug abuse programs, subject to the approval of the Director of the Division of Budget and Accounting.]**

**[There are appropriated from the Alcohol Education, Rehabilitation and Enforcement Fund such sums as may be necessary to carry out the provisions of P.L.1983, c.531 (C.26:2B-32 et al.).]**

[There is transferred from the “Drug Enforcement and Demand Reduction Fund” \$350,000 to carry out the provisions of P.L.1995, c.318 (C.26:2B-36 et seq.) to establish an “Alcohol and Drug Abuse Program for the Deaf, Hard of Hearing and Disabled” in the Department of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting.]

[There is appropriated \$700,000 from the “Drug Enforcement and Demand Reduction Fund,” established pursuant to N.J.S.2C:35-15, to the Department of Health and Senior Services for a grant to Partnership for a Drug-Free New Jersey.]

#### HEALTH AND SENIOR SERVICES - GRANTS-IN-AID

Transfers Division of Addiction Services Language Provisions from Department of Health and Senior Services to Department of Human Services:

HEA20#21G:

[The unexpended balance of appropriations, as of June 30, 2004, made to the Department of Health and Senior Services by section 20 of P.L.1989, c.51 for State-licensed or approved drug abuse prevention and treatment programs is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.]

[In addition to the amount hereinabove for Community Based Substance Abuse Treatment and Prevention - State Share program, there is appropriated \$1,700,000 from the "Drug Enforcement and Demand Reduction Fund" for the same purpose.]

[Notwithstanding the provisions of any other law to the contrary, there is transferred \$1,000,000 to the Department of Health and Senior Services from the “Drug Enforcement and Demand Reduction Fund” for drug abuse services.]

[Notwithstanding the provisions of any law to the contrary, there is transferred \$500,000 to the Department of Health and Senior Services from the “Drug Enforcement and Demand Reduction Fund” for the Sub-Acute Residential Detoxification Program.]

[An amount, not to exceed \$600,000, collected by the Casino Control Commission is payable to the General Fund pursuant to section 145 of P.L.1977, c.110 (C.5:12-145).]

[In addition to the amount hereinabove for Compulsive Gambling, an amount not to exceed \$200,000 is appropriated from the annual assessment against permit holders to the Department of Health and Senior Services for prevention, education and treatment programs for compulsive gambling pursuant to the provisions of section 34 of P.L.2001, c.199 (C.5:5-159), subject to the approval of the Director of the Division of Budget and Accounting.]

**[There is appropriated \$420,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Local Alcoholism Authorities - Expansion account.]**

**[Notwithstanding the provisions of P.L.1983, c.531 (C.26:2B-32 et al.) or any other law to the contrary, the unexpended balance in the Alcohol Education, Rehabilitation and Enforcement Fund, as of June 30, 2004, is appropriated and shall be distributed to counties for the treatment of alcohol and drug abusers and for education purposes.]**

Language Permitting Grant to Coriell Institute for Medical Research:

HEA20#21G:

Such sums as are necessary for a grant, loan or loans to the Coriell Institute for Medical Research - New Jersey Cord Blood Resource Center are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. The Commissioner of Health and Senior Services shall issue such a grant or loans upon the Coriell Institute's execution of an agreement with any qualified New Jersey-based entities as determined appropriate by the Commissioner for the purpose of establishing a Statewide New Jersey Allogenic Cord Blood Bank. **[Loan] Grant or loan** funds shall be used solely for the collection and long-term storage of cord blood samples and for research directed at the growth of stem cells in such samples. The collection and storage of cord blood samples shall occur in New Jersey and shall be done on a not-for-profit basis. Funds loaned pursuant to this appropriation shall be loaned on an interest-free basis and shall be repaid under terms to be determined by the Commissioner.

Language allocation for Cancer Institute of New Jersey

HEA20#21G:

From the amount appropriated hereinabove for the Cancer Institute of New Jersey, \$250,000 shall be provided to the Ovarian Cancer Research Fund, \$9,000,000 shall be provided to the Cancer Institute of New Jersey, South Jersey Program to be used by Cooper University Hospital, an affiliate of the Cancer Institute of New Jersey, to develop a cancer treatment program for southern New Jersey to be located in Voorhees, with the participation of the UMDNJ - Robert Wood Johnson Medical School - Camden and the UMDNJ - School of Osteopathic Medicine-Stratford, and \$9,000,000 shall be provided to the UMDNJ in Newark for its cancer program.

Language deletion reflecting funding shift for Cancer Institute, South Jersey Program.

HEA20#21G:

**[The amount appropriated hereinabove for the Cancer Institute of New Jersey, South Jersey Program shall be used by Cooper University Hospital, an affiliate of the Cancer Institute of New Jersey, to develop a cancer treatment program for southern New Jersey to be located in Voorhees, with the participation of the UMDNJ - Robert Wood Johnson Medical School - Camden and the UMDNJ - School of Osteopathic Medicine-Stratford.]**

AIDS Drug Distribution Program Language:

HEA20#21G:

Notwithstanding any law to the contrary, the Commissioner of the Department of Health and Senior Services shall establish guidelines to develop a formulary for the AIDS Drug Distribution Program [ . Furthermore, each prescription shall require a \$5.00 co-payment. Both provisions are ] subject to the requirements of the federal Ryan White Care Act and its amendments.

(ADDED BY BILL and DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

Language Allowing Transfer of \$2 million in AIDS Grants to Direct State Services for Media Campaign to Promote HIV/AIDS Awareness:

HEA20#21G:

Of the amount appropriated hereinabove for AIDS Grants, an amount not to exceed \$2,000,000, may be transferred to Direct State Services in the Department of Health and Senior Services to provide education and public awareness of HIV and AIDS prevention and treatment programs, subject to the approval of the Director of the Division of Budget and Accounting.

#### HEALTH AND SENIOR SERVICES - GRANTS-IN-AID

Language Deleting Hospital Funding Charge to Cigarette Tax Revenue:

HEA20#22G:

Notwithstanding the provisions of any law to the contrary, the amounts appropriated hereinabove for Health Care Subsidy Fund Payments [ , ] and Hospital Assistance Grants [and Hospital Funding] shall be charged to the proceeds of the increase in the cigarette tax, pursuant to the passage of enabling legislation, and to the proceeds of the Second Referral Debt Collection-Hospitals revenue item.

Hospital Assistance Fund Allocation Language:

HEA20#22G:

**[The amount appropriated hereinabove for Hospital Funding shall be allocated in one or more of the following existing hospital allocation formulas: Charity Care, Supplemental Charity Care, Hospital Relief Subsidies and Mental Health Subsidies, as determined by the Commissioner of Health and Senior Services.]**

**[Notwithstanding the provisions of any law to the contrary, the Commissioner of Health and Senior Services shall establish rules and guidelines to allocate the funding provided in the Hospital Assistance Grants account.]**

The amount appropriated hereinabove for the Hospital Assistance Fund shall be distributed as grants as follows: Saint Mary's Hospital, Hoboken, \$500,000; Palisades General Hospital, \$3,750,000; Cooper University Hospital, \$3,000,000; Hackensack University Medical Center, \$1,000,000; Cathedral Health Care System, \$1,000,000; Saint Barnabas Health Care System, \$3,000,000; East Orange General Hospital, \$2,000,000, Solaris Hospital System, \$4,000,000, Our Lady of Lourdes, Willingboro, \$750,000, CentraState Health Care System, \$1,000,000.

Health Care Subsidy Fund Payments:

HEA20#22G:

[Notwithstanding the provisions of any other law to the contrary, up to \$25,000,000, representing increased payments for hospital charity care, are appropriated from the Health Care Subsidy Fund, subject to the approval of the Director of the Division of Budget and Accounting.]

[Notwithstanding the provisions of any other law to the contrary, there is established a Supplemental Charity Care Fund account for disbursement of additional charity care funding to hospitals with documented charity care in calendar year 2003. The total amount to be disbursed from the Supplemental Charity Care Fund shall not exceed the amount appropriated. Hospitals, which have not received payments under the Charity Care Subsidy pursuant to P.L.1996, c.28 equal to at least \$0.30 per dollar of charity care provided, shall be eligible to receive payments from the Supplemental Charity Care Fund pursuant to a methodology established by the Commissioner of Health and Senior Services. These payments will be prorated so that payments to all hospitals from Supplemental Charity Care do not exceed the amount appropriated.]

Notwithstanding any provision of law to the contrary, in fiscal year 2005 reimbursed documented charity care shall be priced at the Medicaid rate for calendar year 2002 as published by the Department of Health and Senior Services in September 2003; except that the total amount distributed in fiscal year 2005 shall not exceed \$583,400,000, and if the charity care payments to hospitals pursuant to P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (now pending before the Legislature as Senate Bill No.1214 or Assembly Bill No.2406 of 2004) result in any remainder, the Commissioner of Health and Senior Services shall prorate and distribute the remainder in accordance with the methodology provided pursuant to P.L. \_\_\_\_\_, c. (C. \_\_\_\_\_) (now pending before the Legislature as Senate Bill No.1214 or Assembly Bill No.2406 of 2004).

HEALTH AND SENIOR SERVICES - GRANTS-IN-AID

Medical Day Care Services Prior Authorization Language:

HEA20#26G:

Notwithstanding the provisions of any law to the contrary, effective January 1, 2005, no payment for Medicaid Adult or Pediatric Medical Day Care services, as appropriated hereinabove in the Medical Day Care Services account, shall be provided unless the services are prior authorized by professional staff designated by the Department of Health and Senior Services.

Payments for Medical Assistance Recipients - Nursing Homes:

HEA20#26G:

Notwithstanding the provisions of any other law to the contrary, effective July 1, 2004, reimbursement for nursing facility services, which are funded hereinabove in the Payments for Medical Assistance Recipients - Nursing Homes account, shall be [50%] 90% of the per diem rate when a Medicaid beneficiary is hospitalized. These payments shall be limited to the first 10 days of the hospitalization. Medicaid reimbursement for nursing facility services shall be discontinued beyond the 10th day of the hospitalization.

[Notwithstanding the provisions of any law to the contrary, effective July 1, 2004, reimbursement for nursing facility services, including Special Care Nursing Facility (SCNF) Rates, as appropriated hereinabove in the Payments for Medical Assistance Recipients - Nursing Homes account, shall be limited to the base rates established during FY 2004.]

[Contingent upon federal approval for the nursing home provider assessment, the first \$31.5 million of funds received from the assessment shall be used by the Commissioner of Health and Senior Services (DHSS) to rebase nursing home rates and provide for industry-wide inflation adjustments, and the next \$15.2 million of funds received from the assessment shall increase the reasonableness limit for total nursing home care up to 120% of the median costs in the Medicaid nursing home rate-setting system and increase the reimbursement for bedhold days from 50% to 90%, subject to the approval of the Director of the Division of Budget and Accounting.]

From the amount appropriated hereinabove for Payments for Medical Assistance Recipients - Nursing Homes, the Commissioner of Health and Senior Services shall increase the reasonableness limit for total nursing care up to 120% of the median costs in the Medicaid nursing home rate-setting system during State fiscal year 2005.

Language Changing Quarterly Coordination of Benefits Match to Monthly and Adding Match for Transitional Assistance Program with the Temporary Medicare Drug Discount Cards:  
HUM20#24#7540D:

Notwithstanding any State law to the contrary, any third party as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), writing health, casualty, workers' compensation or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Division of Medical Assistance and Health Services to permit and assist the matching no less frequently than on a [quarterly] monthly basis of the Medicaid, Charity Care, and Work First New Jersey General Assistance eligibility files and/or adjudicated claims files against that third party's eligibility file, including indication of Transitional Assistance Program coverage from the Medicare Prescription Drug Discount Card Program, and/or adjudicated claims file for the purpose of the coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.

#### HUMAN SERVICES - GRANTS-IN-AID

Third Party Liability projects language affecting inpatient hospital reimbursement for Medical Assistance Recipients Services:

HUM20#24#7540G:

Notwithstanding the provisions of any other law to the contrary, effective January 1, 2005, inpatient hospital reimbursements for Medical Assistance services for dually eligible individuals shall exclude Medicare Part A crossover payments and shall be based upon the Medicare exhausted days, according to a plan designed by the Commissioner of Human Services and approved by the Director of the Division of Budget and Accounting.

Payments for Medical Assistance Recipients - Prescription Drugs (Eliminate Proposed Co-Pay)

HUM20#24#7540G:

**[Notwithstanding the provisions of any law or regulation to the contrary, effective October 1, 2004, or at the earliest date thereafter consistent with the notice provisions of 42 CFR 447.205 where applicable, any prescription filled as appropriated hereinabove in the Payments for Medicaid Recipients-Prescription Drugs program, in the Managed Care Initiative, in the NJ FamilyCare -Affordable and Accessible Health Coverage Benefits program, and in the General Assistance Medical Services program is subject to a \$2.00 copayment for Division of Medical Assistance and Health Services' beneficiaries, except pregnant women and children, consistent with 42 CFR 447.53. Beneficiary contributions will be capped at \$10.00 per month.]**



Personal Care Medicaid Provider Cost Reporting Language (Division of Medical Assistance and Health Services):

HUM20#24#7540G:

No funds appropriated for personal care assistant or other personal care services shall be expended for payment after January 1, 2005 to a health care services firm for personal care services, as those terms are defined in P.L.2002, c.126 (C.34:8-45.1) unless the provider agrees to file the following cost reports with the Department of Human Services. The department shall develop annual calendar year cost reports, beginning with the calendar year 2005 report, which shall contain information on costs and revenues in comparable detail as that required of other providers that submit cost reports to the Medicaid program. The reports shall be filed on an annual basis using a format as shall be specified by the department.

Medicaid MedicalTransportation Services Language:

HUM20#24#7540G:

Notwithstanding the provisions of N.J.A.C.10:49-7.3 et seq. to the contrary and subject to approval by the federal government, the Division of Medical Assistance and Health Services shall increase reimbursement for ambulance services, including BLS emergency and nonemergency ambulance services and specialty care transport services, provided to Medicaid recipients who are also Medicare eligible to the applicable Medicare rate.

#### HUMAN SERVICES - GRANTS-IN-AID

Personal Care Medicaid Provider Cost Reporting Language (Division of Disability Services):

HUM20#24#7545G:

HUM20#24#7545CRG:

No funds appropriated for personal care assistant or other personal care services shall be expended for payment after January 1, 2005 to a health care services firm for personal care services, as those terms are defined in P.L.2002, c.126 (C.34:8-45.1) unless the provider agrees to file the following cost reports with the Department of Human Services. The department shall develop annual calendar year cost reports, beginning with the calendar year 2005 report, which shall contain information on costs and revenues in comparable detail as that required of other providers that submit cost reports to the Medicaid program. The reports shall be filed on an annual basis using a format as shall be specified by the department.

Language Clarifying Relationship of the Joint Human Services and Labor departments' Vocational Rehabilitation/Extended Employment Program from the Community Care Waiver:  
HUM30#32#7601G:

The amount appropriated for Vocational Rehabilitation Services/Extended Employment Program from the Community Care Waiver will become available pending approval from the Center for Medicare and Medicaid Services (CMS), completion of necessary systems and program changes, in accordance with a Memorandum of Understanding between the Commissioners of the Department of Human Services and Labor.

#### HUMAN SERVICES - GRANTS-IN-AID

Transfer Language Appropriations for WorkFirst New Jersey Work Activity and Training Related Expenses from the NJ WorkFirst Development Partnership Fund to Dept. of Labor: HUM50#53#7550G:

[Notwithstanding any law to the contrary, in addition to the amounts hereinabove for the Work First New Jersey-Work Activities and Work First New Jersey-Training Related Expenses accounts, an amount not to exceed \$25,500,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.]

[Notwithstanding any law to the contrary, of the amounts hereinabove for Work First New Jersey-Work Activities and Work First New Jersey-Training Related Expenses, \$8,190,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.]

Language Deleting TANF Expansion Co-Pay Requirement:  
HUM50#53#7550G:

[Notwithstanding any law or regulation to the contrary, beginning September 1, 2004, payments of TANF Abbott Expansion funds to a community provider or school district providing wrap around programs for three and four year olds will be contingent on the assessment of a copayment consistent with a schedule to be adopted by the Department of Human Services.]

#### HUMAN SERVICES - DIRECT STATE SERVICES

Transfers Division of Addiction Services Language Provisions to Department of Human Services from Department of Health and Senior Services:  
HUM50#55#7555D:

The Division of Addiction Services is authorized to bill a patient, a patient's estate, the person chargeable for a patient's support or the county of residence for institutional, residential and outpatient support of patients treated for alcoholism or drug abuse, or both. Receipts derived from billings or fees and unexpended balances, as of June 30, 2004, from these billings and fees are appropriated to the Department of Human Services, Division of Addiction Services for the support of the alcohol and drug abuse programs, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the Alcohol Education, Rehabilitation and Enforcement Fund such sums as may be necessary to carry out the provisions of P.L.1983, c.531 (C.26:2B-32 et al.).

There is transferred from the "Drug Enforcement and Demand Reduction Fund" \$350,000 to carry out the provisions of P.L.1995, c.318 (C.26:2B-36 et seq.) to establish an "Alcohol and Drug Abuse Program for the Deaf, Hard of Hearing and Disabled" in the Department of Human Services, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated \$700,000 from the "Drug Enforcement and Demand Reduction Fund," established pursuant to N.J.S.2C:35-15, to the Department of Human Services for a grant to Partnership for a Drug-Free New Jersey.

#### HUMAN SERVICES - GRANTS-IN-AID

Transfers Division of Addiction Services Language Provisions to Department of Human Services from Department of Health and Senior Services:  
HUM50#55#7555G:

The unexpended balance of appropriations, as of June 30, 2004, made to the Department of Human Services by section 20 of P.L.1989, c.51 for State-licensed or approved drug abuse prevention and treatment programs is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the amount hereinabove for Community Based Substance Abuse Treatment and Prevention - State Share program, there is appropriated \$1,700,000 from the "Drug Enforcement and Demand Reduction Fund" for the same purpose.

Notwithstanding the provisions of any other law to the contrary, there is transferred \$1,000,000 to the Department of Human Services from the "Drug Enforcement and Demand Reduction Fund" for drug abuse services.

Notwithstanding the provisions of any law to the contrary, there is transferred \$500,000 to the Department of Human Services from the "Drug Enforcement and Demand Reduction Fund" for the Sub-Acute Residential Detoxification Program.

An amount, not to exceed \$600,000, collected by the Casino Control Commission is payable to the General Fund pursuant to section 145 of P.L.1977, c.110 (C.5:12-145).

In addition to the amount hereinabove for Compulsive Gambling, an amount not to exceed \$200,000 is appropriated from the annual assessment against permit holders to the Department of Human Services for prevention, education and treatment programs for compulsive gambling pursuant to the provisions of section 34 of P.L.2001, c.199 (C.5:5-159), subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated \$420,000 from the Alcohol Education, Rehabilitation and Enforcement Fund to fund the Local Alcoholism Authorities - Expansion account.

Notwithstanding the provisions of P.L.1983, c.531 (C.26:2B-32 et al.) or any other law to the contrary, the unexpended balance in the Alcohol Education, Rehabilitation and Enforcement Fund, as of June 30, 2004, is appropriated and shall be distributed to counties for the treatment of alcohol and drug abusers and for education purposes.

HUMAN SERVICES - DIRECT STATE SERVICES

Child Welfare Reform Language Allocation for Court Appointed Special Advocate Program:  
HUM50#55#7570D:

Of the amount appropriated hereinabove for the Child Welfare Reform account, **[\$300,000]** \$500,000 shall be allocated to the Court Appointed Special Advocate Program.

Language Concerning Use of Child Welfare Reform Money for Homeless Youth Act:  
HUM50#55#7570D:

Of the amount appropriated hereinabove for Child Welfare Reform, \$1,000,000 is allocated for the programs administered under the "New Jersey Homeless Youth Act," P.L.1999, c.224 (C.9:12A-2 et seq.), and the Division of Youth and Family Services shall prioritize the expenditure of this allocation to address transitional living services in the division's region that is experiencing the most severe over-capacity problem [in its transitional living center] .

(ADDED BY BILL and DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

Deletion of Child Welfare Reform Carryforward Language:  
HUM50#55#7570D:

**[The unexpended balances as of June 30, 2004 for Child Welfare Reform are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.]**

Language Concerning Use of Child Welfare Reform Money for Homeless Youth Act:  
HUM50#55#7570D:

Of the amount appropriated hereinabove for Child Welfare Reform, \$1,000,000 is allocated for the programs administered under the "New Jersey Homeless Youth Act," P.L.1999, c.224 (C.9:12A-2 et seq.), and the Division of Youth and Family Services shall prioritize the expenditure of this allocation to address transitional living services in the division's region that is experiencing the most severe over-capacity problem in its transitional living center.

HUMAN SERVICES - DIRECT STATE SERVICES

Department of Human Services Savings from Department-Wide Reduction in Consultants:  
HUM70#76#7500D:

Funds made available from savings realized from reductions in use of consultants throughout the department may be reallocated in an amount not to exceed \$1,000,000 to the Division of Management and Budget in the department.

Savings from Efficiencies in Human Services:

HUM70#76#7500D:

Funds made available from savings realized from efficiencies throughout the department may be reallocated, subject to the approval of the Director of the Division of Budget and Accounting, in an amount not to exceed \$18,600,000 to the Division of Management and Budget in the department.

#### HUMAN SERVICES - GRANTS-IN-AID

Delete Language Appropriation for New Jersey Youth Corps from the NJ WorkFirst Development Partnership Fund (Shift to Dept. of Labor)

HUM70#76#7500G:

[Notwithstanding any law to the contrary, of the amount hereinabove for New Jersey Youth Corps, \$1,850,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9).]

Savings from Contract Efficiencies in Department of Human Services:

HUM70#76#7500G:

Funds made available from savings realized from contract efficiencies throughout the department may be reallocated in an amount not to exceed \$1,000,000 to the Division of Management and Budget in the department.

#### LABOR - DIRECT STATE SERVICES

Language clarifying Scope of Cost-Sharing Agreements at One-Stop Centers:

LAB50#54D:

From the appropriation provided hereinabove in support of office leases, and notwithstanding the provisions of N.J.S.A.52:18A-191.1 et seq, the State Treasurer in consultation with the Commissioner of Labor, is hereby authorized to enter into cost-sharing agreements with any authorized non-State partner that offers programs and activities supported primarily by federal funds from the United States Departments of Labor and Education in the State's one-stop centers, for the purpose of co-locating such partner in an office with the Department of Labor providing rent costs shall be equitably shared in accordance with a cost allocation plan approved by the Commissioner of Labor.

#### LABOR - GRANTS-IN-AID

---

Transfer Language Appropriations for WorkFirst New Jersey Work Activity and Training Related Expenses from the NJ WorkFirst Development Partnership Fund in Dept. of Human Services; Adds Language for Administrative Cost Allocation:

LAB50#54G:

Notwithstanding any law to the contrary, in addition to the amounts hereinabove for the Work First New Jersey-Work Activities and Work First New Jersey-Training Related Expenses accounts, an amount not to exceed \$25,500,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding any law to the contrary, of the amounts hereinabove for Work First New Jersey-Work Activities and Work First New Jersey-Training Related Expenses, \$8,190,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

Of the amounts hereinabove appropriated for Work First New Jersey - Work Activities, an amount not to exceed 3% shall be made available for administrative costs incurred by the Department of Labor.

Transfer Language Appropriation for New Jersey Youth Corps from the NJ WorkFirst Development Partnership Fund from Dept. of Human Services; Adds Language Concerning Administrative Costs:

LAB50#54G:

Notwithstanding any law to the contrary, of the amount hereinabove for New Jersey Youth Corps, \$1,850,000 is appropriated from the New Jersey Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9).

Of the amounts hereinabove appropriated for New Jersey Youth Corps, an amount not to exceed 10% from all funds shall be made available for administrative costs incurred by the Department of Labor.

In addition to the amounts hereinabove appropriated to the Department of Labor there are also appropriated such additional sums as necessary to carry out the WorkFirst New Jersey and Adult Education activities not to exceed \$1,000,000, subject to the approval of the Director of the Division of Budget and Accounting.

#### LABOR - STATE AID

Language conforming to transfer of Adult Literacy to Department of Labor:

LAB50#54S:

Of the amount hereinabove in the Adult Literacy account, such sums as are necessary may be transferred to the applicant State department.

#### LAW AND PUBLIC SAFETY - DIRECT STATE SERVICES

Language Adding Other Receipts to the Fines, Penalties and Cost Recoveries Appropriation Language for Division of Consumer Affairs:

LPS80#82D:

Receipts derived from the assessment and recovery of costs, fines, and penalties as well as other receipts received pursuant to the consumer fraud act, P.L.1960, c.39 (C.56:8-1 et seq.), are appropriated for additional operational costs of the Division of Consumer Affairs, subject to the approval of the Director of the Division of Budget and Accounting.

#### MILITARY AND VETERANS' AFFAIRS - DIRECT STATE SERVICES

Language Not Appropriating Reforestation or "In Lieu of" Payments for Doyle Veterans' Memorial Cemetery:

MVA80#83D:

Notwithstanding the provisions of any other law or regulation to the contrary, effective July 1, 2004, no State funds are appropriated to the Department of Military and Veterans' Affairs for the purpose of reforestation or "in lieu of" payments under the P.L.1993, c.106 (C.13:1L-14.1 et seq.) in conjunction with the current or future operation, maintenance and construction of the Brigadier General William C. Doyle Veterans' Memorial Cemetery in North Hanover Township, Burlington County, New Jersey.

#### STATE - GRANTS-IN-AID

Nursing Camp Grant:

STA30#36G:

From the amount appropriated hereinabove for Nursing Camp Grants the Commission on Higher Education shall allocated four grants equal to \$90,000 each, one of which shall be allocated to Monmouth University.

Tuition Aid Grants:

STA30#36#2405G:

Notwithstanding the provisions of any law to the contrary, the Higher Education Student Assistance Authority shall provide to students enrolled in public institutions of higher education who are eligible for maximum awards under the Tuition Aid Grant program appropriated hereinabove an increase above the fiscal year 2004 award amount equal to the difference between the in-state undergraduate [2002-2003] 2003-2004 tuition rate for the institution and the institution's in-state undergraduate 2001-2002 tuition rate. The award amounts for students eligible for maximum awards under the Tuition Aid Grant program who are enrolled in independent institutions of higher education and all other award amounts provided under the Tuition Aid Grant program shall be based on the same parameters as used by the Higher Education Student Assistance Authority in fiscal year 2004. Reappropriated balances in the Tuition Aid Grants account shall be held as a contingency for unanticipated increases in the number of applicants qualifying for full-time Tuition Aid Grant awards or to fund shifts in the distribution of awards that result in an increase in total program costs.

Tuition Aid Grants:

STA30#36#2405G:

[Each public institution of Higher Education participating in the Tuition Aid Grant program appropriated hereinabove shall provide institutional grants to students eligible for the maximum Tuition Aid Grant (TAG) award for that institution in an amount not less than the difference between the maximum 2003-04 tuition rate for the institution and the institution's actual 2002-2003 tuition rate.]

Language Concerning Tuition Aid Grants:

STA30#36#2405G:

Notwithstanding the provisions of any law to the contrary, the Higher Education Student Assistance Authority shall provide to students enrolled in public institutions of higher education who are eligible for maximum awards under the Tuition Aid Grant program appropriated hereinabove an increase above the fiscal year 2004 award amount equal to the difference between the in-state undergraduate 2002-2003 tuition rate for the institution and the institution's in-state undergraduate 2001-2002 tuition rate with comparable increases provided to students eligible for maximum awards enrolled at independent institutions. [The award amounts for students eligible for maximum awards under the Tuition Aid Grant program who are enrolled in independent institutions of higher education and all] All other award amounts provided under the Tuition Aid Grant program shall be based on the same parameters as used by the Higher Education Student Assistance Authority in fiscal year 2004. Reappropriated balances shall be held as a contingency for unanticipated increases in the number of applicants qualifying for full-time Tuition Aid Grant awards [or] , to fund shifts in the distribution of awards that result in an increase in total program costs, or to offset any shortfalls in the federal Leveraging Educational Assistance Partnership (LEAP) program.

#### STATE - GRANTS-IN-AID

Rutgers EcoComplex and E3CO, Inc. Allocation Language:

STA30#36#2410G:

Of the sums hereinabove appropriated for Rutgers, The State University, there is \$180,000 for the Masters in Government Accounting Program, \$105,000 for the Tomato Technology Transfer Program, \$95,000 for the Haskin Shellfish Research Laboratory, \$200,000 for the Camden Law School Clinical Legal Programs for the Poor, \$200,000 for the Newark Law School Clinical Legal Programs for the Poor, \$740,000 for the Civic-Square Project - Debt Service, \$75,000 for the Walter Rand Institute for Public Affairs, \$700,000 for In Lieu of Taxes to New Brunswick, \$135,000 for E3CO, Inc. and [~~\$300,000~~] \$515,000 for the New Jersey EcoComplex, Burlington County. These accounts shall be considered special purpose appropriations for accounting and reporting purposes.



Rutgers University Allocation Language for the Division of Intercollegiate Athletic facilities at New Brunswick:

STA30#36#2410G:

Of the sums hereinabove appropriated for Rutgers, The State University, there is \$180,000 for the Masters in Government Accounting Program, \$105,000 for the Tomato Technology Transfer Program, \$95,000 for the Haskin Shellfish Research Laboratory, \$200,000 for the Camden Law School Clinical Legal Programs for the Poor, \$200,000 for the Newark Law School Clinical Legal Programs for the Poor, \$740,000 for the Civic-Square Project - Debt Service, \$75,000 for the Walter Rand Institute for Public Affairs, \$700,000 for In Lieu of Taxes to New Brunswick, \$500,000 for capital projects or maintenance for Division of Intercollegiate Athletic facilities at Rutgers, New Brunswick, and \$300,000 for the New Jersey EcoComplex, Burlington County. These accounts shall be considered special purpose appropriations for accounting and reporting purposes.

#### STATE - GRANTS-IN-AID

UMDNJ - \$4,000,000 Language Allocation for Debt Service for Robert Wood Johnson Medical School, Camden:

STA30#36#2420G:

Of the sums hereinabove appropriated for the University of Medicine and Dentistry of New Jersey, there is \$100,000 for the Inflammatory Bowel Disease Center, \$800,000 for Emergency Medical Service-Camden, \$975,000 for the Regional Health Education Center-Physical Plant, \$750,000 for the Violence Institute of NJ at UMDNJ, \$525,000 for the Regional Health Education Center-Educational Units, \$290,000 for the New Jersey Area Health Education Program, \$4,000,000 for Debt Service-Robert Wood Johnson Medical School, Camden, and \$2,700,000 for Debt Service-School of Osteopathic Medicine Academic Center, Stratford. These accounts shall be considered special purpose appropriations for accounting and reporting purposes.

#### STATE - GRANTS-IN-AID

Language for Thomas Edison State College Increase:

STA30#6#2440G:

For the purpose of implementing the fiscal year 2005 appropriations act, the number of State-funded positions at Thomas A. Edison State College shall be [171] 239.

#### STATE - HIGHER EDUCATIONAL SERVICES

Language Limiting Senior Public Colleges Tuition Increases to 8%:

STA#HigherEdServices:

Notwithstanding any provision of law to the contrary, the amount appropriated hereinabove for any Senior Public College or University shall be reduced by an amount equal to twice the revenue derived by that institution by that portion of the average undergraduate 2004-2005 tuition that exceeds an 8% growth above its average undergraduate 2003-2004 tuition.

#### STATE - GRANTS-IN-AID

Remove Language Allocation for Battleship New Jersey from Cultural Projects Appropriation: STA30#37G:

[Notwithstanding the provision of any other law to the contrary, of the amount appropriated for Cultural Projects, \$1,500,000 shall be awarded to the Battleship New Jersey Museum; provided further, however, that of that amount, the first \$500,000 shall be paid to the Economic Development Authority on behalf of the Battleship New Jersey Museum, subject to the approval of the Director of the Division of Budget and Accounting.]

Battleship New Jersey Museum Language for EDA Allocation and Capital and Maintenance Expenses:

STA30#37G:

From the amount appropriated for the Battleship New Jersey Museum, \$500,000 shall be paid to the Economic Development Authority on behalf of the Battleship New Jersey Museum and \$1,000,000 shall be allocated for capital and maintenance expenses of the Battleship New Jersey Museum.

#### TRANSPORTATION - CAPITAL CONSTRUCTION

##### TRANSPORTATION TRUST FUND:

Deappropriation of Prior Years' New Jersey Transit Transportation Trust Fund projects for FY'05 \$87.6 million additional projects:

TRA60#61C:

After NJT's TTF Projects:

Notwithstanding any other provisions of law, funds made available in prior years from the New Jersey State Transportation Trust Fund Authority for the specific projects and the specific amounts identified are deappropriated and made available to support NJ Transit's proposed \$606,597,000 FY 2005 capital project list:

<u>Project:</u>	<u>Fiscal Year</u>	<u>Amount</u>
<u>Advanced Public Transportation</u>	<u>FY2000</u>	<u>380,000.00</u>
<u>Advanced Public Transportation</u>	<u>FY2001</u>	<u>600,000.00</u>
<u>Atlantic City Facility</u>	<u>FY1990</u>	<u>17,263.00</u>
<u>Bombardier Lease</u>	<u>FY1992</u>	<u>21,021.00</u>
<u>Bombardier Lease</u>	<u>FY1997</u>	<u>2,374.00</u>
<u>Boonton Montclair FEIS</u>	<u>FY1992</u>	<u>2,078.00</u>
<u>Building Capital Leases</u>	<u>FY1994</u>	<u>13,769.00</u>
<u>Building Capital Leases</u>	<u>FY1995</u>	<u>17,948.00</u>
<u>Building Capital Leases</u>	<u>FY1997</u>	<u>27,377.00</u>
<u>Building Capital Leases</u>	<u>FY1999</u>	<u>20,000.00</u>
<u>Bus Acquisitions</u>	<u>FY2002</u>	<u>11,734,000.00</u>

<u>Bus Maintenance Facilities</u>	<u>FY2000</u>	<u>3,110,000.00</u>
<u>Bus Maintenance Facilities</u>	<u>FY2002</u>	<u>8,000,000.00</u>
<u>Bus Maintenance Facilities</u>	<u>FY2003</u>	<u>800,000.00</u>
<u>Bus Maintenance Facilities</u>	<u>FY2004</u>	<u>3,650,000.00</u>
<u>Bus Support Facilities &amp; Equipment</u>	<u>FY1992</u>	<u>2,264.00</u>
<u>Bus Support Facilities &amp; Equipment</u>	<u>FY1996</u>	<u>969,439.00</u>
<u>Bus Support Facilities &amp; Equipment</u>	<u>FY1998</u>	<u>1,443,511.00</u>
<u>Bus Support Facilities &amp; Equipment</u>	<u>FY2000</u>	<u>275,224.00</u>
<u>Capital Program Implementation</u>	<u>FY1991</u>	<u>15,744.00</u>
<u>Capital Program Implementation</u>	<u>FY2001</u>	<u>9,876.00</u>
<u>Capital Program Implementation</u>	<u>FY2002</u>	<u>334,920.00</u>
<u>Claims Support</u>	<u>FY1997</u>	<u>217,947.00</u>
<u>Claims Support</u>	<u>FY2001</u>	<u>1,434,022.00</u>
<u>Claims Support</u>	<u>FY2002</u>	<u>2,000,000.00</u>
<u>Clean Air</u>	<u>FY2001</u>	<u>161,395.00</u>
<u>Communications &amp; Revenue</u>	<u>FY1995</u>	<u>33,731.00</u>
<u>Eagle Bus Rehabilitation</u>	<u>FY1998</u>	<u>88,437.00</u>
<u>FY 88 Capital Program</u>	<u>FY1988</u>	<u>98,157.75</u>
<u>Hoboken Terminal\Yard- Long Slip</u>	<u>FY2001</u>	<u>12,000,000.00</u>
<u>Hoboken Terminal\Yard- Long Slip</u>	<u>FY2002</u>	<u>3,500,000.00</u>
<u>Hunter Connection</u>	<u>FY1992</u>	<u>19,900.00</u>
<u>Hunter Connection</u>	<u>FY1997</u>	<u>50,585.00</u>
<u>Hunter Connection</u>	<u>FY1998</u>	<u>1,322,324.00</u>
<u>Kearny Connection</u>	<u>FY1992</u>	<u>18,737.00</u>
<u>Kearny Connection</u>	<u>FY1995</u>	<u>123,704.00</u>
<u>Miscellaneous</u>	<u>FY2002</u>	<u>32,773.25</u>
<u>Miscellaneous</u>	<u>FY2003</u>	<u>577,778.00</u>
<u>Newark City Subway</u>	<u>FY1995</u>	<u>42,700.00</u>

<u>Newark City Subway</u>	<u>FY2001</u>	<u>939,891.00</u>
<u>Rail Associated Capital Maintenance</u>	<u>FY2002</u>	<u>3,600,000.00</u>
<u>Rail Associated Capital Maintenance</u>	<u>FY2003</u>	<u>533,000.00</u>
<u>Rail Fleet Overhaul</u>	<u>FY2002</u>	<u>3,000,000.00</u>
<u>Rail Rolling Stock Procurement</u>	<u>FY2002</u>	<u>25,270,000.00</u>
<u>Rail Support Facilities</u>	<u>FY1990</u>	<u>2,960.00</u>
<u>Rail Support Facilities</u>	<u>FY1995</u>	<u>4,137.00</u>
<u>Rail Support Facilities</u>	<u>FY2001</u>	<u>600,000.00</u>
<u>S&amp;C Electric Traction</u>	<u>FY1995</u>	<u>83,859.00</u>
<u>Subway Car Replacement</u>	<u>FY2000</u>	<u>218,851.00</u>
<u>Union Graw Interlocking</u>	<u>FY1993</u>	<u>175,303.00</u>
	<u>Total</u>	<u>\$87,597,000.00</u>

Transportation Trust Fund Allocation Language for Private Carrier Equipment Program:  
After TRATTF:

From the amounts appropriated from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for fiscal year 2005 transportation capital program, the Commissioner of Transportation shall allocate \$4,000,000 of the amount listed for the Private Carrier Equipment Program to NJ Transit's Private Carrier Capital Improvement Program (PCCIP). The amount provided herein shall be allocated to the private motorbus carriers consistent with the formula used to administer the PCCIP and shall be restricted to those carriers that currently qualify for participation in the PCCIP. These funds may be used for the procurement of any goods or services currently approved under NJ Transit's PCCIP, as well as: facility improvements, vehicle procurement, and capital maintenance that comports with subsection r. of section 3 of P.L.1984, c.73 (C.27:1B-3). Such maintenance and equipment procurements shall apply to vehicles owned by the private motorbus carriers and used in public transportation service, as well as to NJ Transit owned vehicles. Private motorbus carriers receiving an allocation of such funds shall be required to submit to NJ Transit a full accounting for all expenditures, demonstrating that the funds were used to increase or maintain the current level of public transportation service provided by the carrier or to improve revenue vehicle maintenance. Under no circumstances shall these funds be used to provide compensation of any office holder or owner or a private motorbus carrier.

Transportation Trust Fund Language authorizing New Jersey Transit Projects funds to be transferred to any Federal Transit Administration funded Projects and returned to those funds when federal funds are available:

TRA60#61C:

Notwithstanding any other provisions of law, the Commissioner of Transportation, upon approval of the Director of the Division of Budget and Accounting, may transfer funds made available from the New Jersey Transportation Trust Fund Authority for public transportation projects under the program headings "New Jersey Transit Corporation" to the line-item under that same program heading entitled "Federal Transit Administration Projects" for any federally funded public transportation project shown in this act or any previous appropriation acts until such time as federal funds become available for the projects. Subject to the receipt of federal funds, the Transportation Trust Fund shall be reimbursed for all the monies that were transferred to advance Federal Transit Administration projects. Any transfer of funds which returns funds from the line-item "Federal Transit Administration Projects" to the account of origin shall be deemed approved.

#### TREASURY - GRANTS-IN-AID

Revise Language Concerning 1/24th Deferral of Funds for Independent Colleges and Universities:

TRE30#36G:

From the amount appropriated hereinabove for Aid to Independent Colleges and Universities, the State Treasurer is authorized to pay the final 1/24th of fiscal year 2004 Aid to Independent Colleges and Universities payments in July 2004 less any amounts appropriated to these colleges and universities in a supplemental appropriation for the fiscal year ending June 30, 2004.

Language Appropriation for Higher Education Debt Service Pending Enabling Enactment:

TRE30#36G:

In addition to the amount appropriated hereinabove, there is appropriated an amount not to exceed \$10,000,000, to pay for debt service on higher education facilities bonds as may be lawfully issued during this fiscal year subject to enabling legislation, subject to the approval of the Director of the Division of Budget and Accounting.

New Jersey Stem Cell Research Institute:

TRE30#36G:

The amount appropriated hereinabove for the New Jersey Stem Cell Research Institute shall be expended subject to the approval of the State Treasurer in consultation with the New Jersey Commission on Science and Technology.

TREASURY - STATE AID

Revise Language Concerning 1/24th Deferral of Funds for County College Operational Costs:  
TRE30#36S:

From the amount appropriated hereinabove for county college Operational Costs aid, the State Treasurer is authorized to pay the final 1/24th of fiscal year 2004 county college Operational Costs aid payments in July 2004 less any amounts appropriated to these colleges in a supplemental appropriation for the fiscal year ending June 30, 2004.

TREASURY - GRANTS-IN-AID

Small Business Development Centers Language Allocation From Commerce Commission Appropriation:

TRE50#52#2041G:

Of the sum hereinabove appropriated for the New Jersey Commerce and Economic Growth Commission, there is no less than \$12,760,000 for Advertising and Promotion, from which \$50,000 shall be allocated to each of the six regional tourism councils for regional tourism promotion; \$2,853,000 for Business Retention, Expansion and Attraction of which ~~[\$500,000]~~ \$700,000 is for New Jersey Small Business Development Centers; \$130,000 for the New Jersey Israel Commission; and \$1,850,000 for the Travel and Tourism Cooperative Marketing Program; except that any amount for the Cooperative Marketing Program is available for expenditure only to the extent that an amount equal to 25% of the State funds are expended from funds raised by the Commerce Commission, pursuant to subsection j. of section 9 of P.L.1977, c.225 (C.34:1A-53), through contributions from private tourism industry concerns and non-State public entities as determined by the Director of the Division of Budget and Accounting. These accounts shall be considered special purpose appropriations for accounting and reporting purposes.

TREASURY - GRANTS-IN-AID

New Jersey Commission on Science and Technology - Additional Administrative Funding (Conference Costs):

TRE50#51#2042G:

Of the amount appropriated hereinabove for Science and Technology Grants, an amount not to exceed ~~[\$500,000]~~ \$550,000 is allocated for the administrative expenses of the New Jersey Commission on Science and Technology, subject to the approval of the Director of the Division of Budget and Accounting.

New Jersey Commission on Science and Technology (Manufacturing Extension Program):

TRE50#51#2042G:

From the amount appropriated hereinabove for Science and Technology Grants, there is allocated ~~[\$1,000,000]~~ \$1,600,000 for the Manufacturing Extension Program.

Commission on Science and Technology Carryforward Language:

TRE50#51#2042G:

The unexpended balance as of June 30, 2004 in the New Jersey Commission on Science and Technology Grants-In-Aid account is appropriated for the same purpose.

---

TREASURY - DIRECT STATE SERVICES

Language Allocating Office of Administrative Law Rule-Making Costs Among Departments:  
TRE70#74#2026D:

In addition to the amount hereinabove, such sums as may be received or receivable from any department or non-State fund source for administrative hearing costs or rule-making costs by the Office of Administrative Law and the unexpended balance as of June 30, 2004 of such sums are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

TREASURY - GRANTS-IN-AID

Senior and Disabled Citizens' Property Tax Freeze (PTRF):

TRE70#75PG:

[The amount hereinabove for Homestead Property Tax Reimbursement (Senior and Disabled Citizens' Property Tax Freeze) is available to claimants eligible pursuant to provisions of P.L.1997, c.348, as amended by P.L.2001, c.251 (C:54:4-8.67 et seq.), only for Homestead Property Tax Reimbursements for property tax increases between a claimant's base year and tax year 2002.]

Delete NJ SAVER Language Provisions:

TRE70#75PG:

[In addition to the amount appropriated hereinabove, there is appropriated from the Property Tax Relief Fund such additional sums as may be required for payments to homeowners and tenants qualifying for direct school tax relief, subject to the limitations and conditions provided in the "New Jersey School Assessment Valuation Exemption Relief and Homestead Property Tax Rebate Act," P.L.1999, c.63 (C.54:4-8.57 et al.), subject to the approval of the Director of the Division of Budget and Accounting.]

[From the amount appropriated hereinabove for the NJ SAVER program, there are appropriated such sums as may be necessary for the administration of the "New Jersey School Assessment Valuation Exemption Relief and Homestead Property Tax Rebate Act," P.L.1999, c.63 (C.54:4-8.57 et al.), subject to the approval of the Director of the Division of Budget and Accounting.]

Delete NJ SAVER Language Provisions:

TRE70#75PG:

[Notwithstanding the provisions of section 4 of P.L.1999, c.63 (C.54:4-8.58b) to the contrary, no amount appropriated hereinabove for the NJ SAVER Program (PTRF) shall be used to pay a NJ SAVER rebate for claimants in a municipality which exceeds the NJ SAVER rebate amount paid for the 2002 tax year for claimants in that municipality, or to pay a NJ SAVER rebate amount to any individual or married couple with gross income pursuant to N.J.S.54A:1-1 et seq. in excess of \$200,000 for the 2003 taxable year. Provided however, that nothing herein shall limit the payment of an increased NJ SAVER rebate amount to a resident of a "qualified municipality," who has gross income not in excess of \$200,000, as that increased NJ SAVER rebate amount may be provided for in section 20 of P.L.2002, c.43 (C:52:27BBB-20).]

Delete Language Capping Homestead Rebates at \$775 and Include Language Appropriation for Administrative Costs:

TRE70#75PG:

[Notwithstanding the provisions of P.L.1990, c.61 (C.54:4-8.59 et seq.) to the contrary, of the amount appropriated hereinabove for the Homestead Property Tax Rebates for Homeowners and Tenants, no rebate issued for the 2003 tax year shall exceed \$775.]

From the amount appropriated hereinabove for the Homestead Property Tax Rebates for Homeowners and Homestead Property Tax Rebates for Tenants programs, there are appropriated such sums as may be necessary for the administration of those programs, subject to the approval of the Director of the Division of Budget and Accounting.

Line-Item Veto of Language Suggesting Limits or Conditions upon Homestead Property Tax Rebates:

TRE70#75PG:

In addition to the amount hereinabove, there are appropriated from the Property Tax Relief Fund such additional sums as may be required for payments to homeowners and tenants qualifying for homestead property tax rebates [, subject to the limitations and conditions provided in this act ].

(DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

TREASURY - GRANTS-IN-AID



Solid Waste Management - County Environmental Investment Debt Service Aid Carryforward Language:

TRE70#75S:

Such additional sums as may be necessary are appropriated to subsidize county and county authority debt service payments for environmental investments incurred pursuant to the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.) and the "Solid Waste Utility Control Act," P.L.1970, c.40 (C.48:13A-1 et seq.) as determined by the State Treasurer based upon the need for such financial assistance after taking into account all financial resources available or attainable to pay such debt service. Such sums shall be subject to the approval of the Director of the Division of Budget and Accounting and shall be provided upon such terms and conditions as the State Treasurer may determine. The unexpended balance as of June 30, 2004 in the Solid Waste Management - County Environmental Investment Debt Service Aid account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Highlands Protection Fund Language for Payment from Realty Transfer Fee:

TRE70#75S:

The amounts hereinabove for Highlands Protection Fund appropriations are payable from the receipts of the portion of the realty transfer fee directed to be credited to the Highlands Protection Fund. Further, the Department of the Treasury may transfer funds as necessary between the Highlands Protection Fund - Incentive Planning Aid account and the Highlands Protection Fund - Regional Master Plan Compliance Aid account, subject to the approval of the Director of the Division of Budget and Accounting.

#### INTER-DEPARTMENTAL ACCOUNTS - DIRECT STATE SERVICES

Division of Property Management Lease Renegotiation for Cost Savings Language:

IDA70#74D:

Notwithstanding any law to the contrary, the Division of Property Management and Construction is empowered to renegotiate lease terms, provided that such renegotiations result in cost savings to the State for State fiscal year 2005 and for the term of the lease. Any lease amendments made as a result of these renegotiations are subject to the review and approval of the State Leasing and Space Utilization Committee.

Language Appropriation to pay for State's share of Enhanced 911 surcharge:

IDA70#74D:

Notwithstanding the provisions of any other law to the contrary, such additional sums as may be required to pay for the State's share of the Enhanced 911 surcharge, as the Director of the Division of Budget and Accounting shall determine, are appropriated to the Emergency Preparedness and 911 System Trust Fund account.

#### INTER-DEPARTMENTAL ACCOUNTS - GRANTS-IN-AID

Language Authorizing Supplemental Appropriation for Camden Aquarium L.L.C.:  
IDA70#74G:

The amount hereinabove appropriated for the [Camden Aquarium Management Agreement] Camden Aquarium L.L.C. shall be subject to the execution of an agreement between the State Treasurer and the operator of the Camden Aquarium to effectuate the development and expansion of the Aquarium. In addition to the amounts appropriated hereinabove for the Camden Aquarium L.L.C. there are appropriated such additional sums as may be necessary, subject to the approval of the Director of the Division of Budget and Accounting.

#### INTER-DEPARTMENTAL ACCOUNTS - CAPITAL CONSTRUCTION

Carryforward Language for "1996 Economic Development Site Fund":  
IDA70#74C:

The unexpended balances as of June 30, 2004 of appropriations from the "1996 Economic Development Site Fund," established pursuant to section 20 of the "Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Development Bond Act of 1996," P.L.1996, c.70 are appropriated.

#### INTER-DEPARTMENTAL ACCOUNTS - DIRECT STATE SERVICES

Language to Reallocate \$4 million in Statewide Office of Information Technology Reduction:  
IDA70#74#9410D:

The Director of the Division of Budget and Accounting shall transfer from departmental operating appropriations Statewide that are available for payments for services provided by the Office of Information Technology amounts not to exceed \$4,000,000 which are appropriated for the Employee Benefits program classification.

State Health Benefits Program Co-Pay Increase Language:

IDA70#74#9410D:

Notwithstanding the provisions of any other law to the contrary, amounts hereinabove appropriated for the State Health Benefits Program are subject to the condition that: (i) increases in co-payments for the prescription drug plan, the co-payment for office visits in the managed care plans, and the deductible for the Traditional Plan agreed to by bargaining units representing State employees and employees of State authorities, State commissions, State colleges and State universities shall be implemented by the State Health Benefits Commission as expeditiously as is administratively feasible; and (ii) the following co-payments shall be implemented by the State Health Benefits Commission as expeditiously as is administratively feasible for (a) employees paid through the State centralized payroll for whom there is no majority representative for collective negotiations purposes; and (b) employees of State authorities, State commissions, State colleges and State universities for whom there is no majority representative for collective negotiations purposes who receive health benefits through the State Health Benefits Program and such health benefits are funded in whole or in part by State appropriations: a \$10 co-payment for NJ PLUS and HMO primary care physician and specialist office visits; co-payments for the Employee Prescription Drug: Retail Pharmacy -\$3 generic and \$10 brand name for up to a 30-day supply, and Mail Order Pharmacy -\$5 generic and \$15 brand name for up to a 90 day supply; and a Traditional Plan deductible of \$250.

State Employee Contribution Deferral Language for TPAF:

IDA70#74#9410D:

Notwithstanding the provisions of N.J.S.18A:66-18, amounts hereinabove appropriated for the Employee Benefits program classification are subject to the condition that the rate for member contributions of State employees in the Teachers' Pension and Annuity Fund shall be 3% for the period of July 1, 2004 through December 31, 2004.

INTER-DEPARTMENTAL ACCOUNTS - GRANTS-IN-AID

State Health Benefits Program Co-Pay Increase Language:

IDA70#74#9410G:

Notwithstanding the provisions of any other law to the contrary, amounts hereinabove appropriated for the State Health Benefits Program are subject to the condition that: (i) increases in co-payments for the prescription drug plan, the co-payment for office visits in the managed care plans, and the deductible for the Traditional Plan agreed to by bargaining units representing State employees and employees of State authorities, State commissions, State colleges and State universities shall be implemented by the State Health Benefits Commission as expeditiously as is administratively feasible; and (ii) the following increases shall be implemented by the State Health Benefits Commission as expeditiously as is administratively feasible for (a) employees paid through the State centralized payroll for whom there is no majority representative for collective negotiations purposes; and (b) employees of State authorities, State commissions, State colleges and State universities for whom there is no majority representative for collective negotiations purposes who receive health benefits through the State Health Benefits Program and such health benefits are funded in whole or in part by State appropriations: a \$10 co-payment for NJ PLUS and HMO primary care physician and specialist office visits; co-payments for the Employee Prescription Drug: Retail Pharmacy -\$3 generic and \$10 brand name for up to a 30-day supply, and Mail Order Pharmacy -\$5 generic and \$15 brand name for up to a 90 day supply; and a Traditional Plan deductible of \$250.

State College and University Employee Contribution Deferral Language for TPAF:

IDA70#74#9410G:

Notwithstanding the provisions of N.J.S.18A:66-18, amounts hereinabove appropriated for the Employee Benefits program classification are subject to the condition that the rate for member contributions of employees of State colleges and universities in the Teachers' Pension and Annuity Fund shall be 3% for the period of July 1, 2004 through December 31, 2004.

INTER-DEPARTMENTAL ACCOUNTS - DIRECT STATE SERVICES

Carryforward Language for Payment of Military Leave Benefits:

IDA70#74#9420D:

The unexpended balance as of June 30, 2004 in Payment of Military Leave Benefits is appropriated for the same purpose.

INTER-DEPARTMENTAL ACCOUNTS - GRANTS-IN-AID

Property Tax Assistance and Community Development Grants:

IDA70#74#9420G:

From the amount appropriated hereinabove for Property Tax Assistance and Community Development Grants, the State Treasurer shall provide State assistance to municipalities, school districts and counties for their local purposes as the State Treasurer shall determine, and for the payment of Grants-In-Aid awards to non-governmental entities for health, welfare, educational, or other purposes as the State Treasurer shall determine, subject to the approval of the Director of the Division of Budget and Accounting and review and approval by the Joint Budget Oversight Committee. The committee shall be provided periodically with a list of grantees approved by the director to review and shall approve the list or disapprove the list as provided within 10 working days or the list of grantees shall be deemed approved by the committee. No recipient of State assistance or a grant shall receive more than \$5,000,000 from this appropriation. The amount distributed to a municipality, school district or county from this appropriation may be expended by the recipient notwithstanding any law to the contrary.

Cost of Living Increase for Community Care Providers:

IDA70#74#9420G:

From the amount appropriated hereinabove for Cost of Living Increase for Community Care Providers, there shall be allocated to those departments with line-item appropriations made within those departments for such Cost of Living Increases, such amounts as shall be in proportion to those departmental appropriations, as shall be determined by the Director of the Division of Budget and Accounting.

#### INTER-DEPARTMENTAL ACCOUNTS - DIRECT STATE SERVICES

Salary Increases and Other Benefits (Public Sector Managers Increase):

IDA70#74#9430D:

Notwithstanding the provisions of any other law, including R.S.34:15-49 and section 1 of P.L.1981, c.353 (C.34:15-49.1), the State Treasurer, the Commissioner of Personnel, and the Director of the Division of Budget and Accounting shall establish directives governing salary ranges and rates of pay, and salary increases including a ~~[2.9%]~~ 3.9% cost of living adjustment for public sector managers. The implementation of such directives shall be made effective at the first full pay period of Fiscal Year 2005 as determined by such directives, with timely notification of such directives to the Joint Budget Oversight Committee or its successor. Such directives shall not be considered an "administrative rule" or "rule" within the meaning of subsection (e) of section 2 of P.L.1968, c.410 (C.52:14B-2), but shall be considered exempt under paragraphs (1) and (2) of subsection (e) of section 2 of P.L.1968, c.410 (C.52:14B-2), and shall not be subject to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.). Nothing herein shall be construed as applicable to the Presidents of the State Colleges, Rutgers, The State University, the University of Medicine and Dentistry of New Jersey and the New Jersey Institute of Technology

#### THE JUDICIARY - DIRECT STATE SERVICES

Language Allocation for Drug Court Operations from Carryforward:

JUD10#15D:

The unexpended balances as of June 30, 2004 not to exceed \$3,000,000 in these respective accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting provided that \$1,000,000 is allocated for Drug Court Operations.

#### FEDERAL FUNDS

Revised Federal Funds Language for Homeland Security Procurement:

FEDFUNDS:

Notwithstanding the provisions of any law [or] a regulation or Executive Order to the contrary, any purchase by [a] the State or by a State agency or local [entity of federally approved homeland security equipment] government unit of equipment, goods or services related to homeland security and domestic preparedness, that is paid for or reimbursed by federal funds awarded by the U.S. Department of Homeland Security or other federal agency, appropriated in this fiscal year, may be made through the receipt of public bids or as an alternative to public bidding and subject to the provisions of this paragraph, through direct purchase [.] without advertising for bids [from the Combat Support and Logistics Equipment/NBC, Marine Corps Systems Command prime vendor list, the Defense Logistics Agency, Defense Supply Center Philadelphia prime vendor list or any other vendor list or other procurement program that has been established by a federal department or agency on the basis of federal procurement principles and has] or rejecting bids already received but not awarded. The equipment, goods or services purchased by a local government unit shall be referred to in the grant agreement issued by the State administrative agency administering such funds and shall be authorized by resolution of the governing body of the local government unit entering into the grant agreement. Such resolution may, without subsequent action of the local governing body, simultaneously accept the grant from the State administrative agency, authorize the insertion of the revenue and offsetting appropriation in the budget of the local government unit, and authorize the contracting agent of the local government unit to procure the equipment, goods or services. A copy of such resolution shall be filed with the chief financial officer of the local government unit, the State Administrative agency and the Division of Local Government Services in the Department of Community Affairs. Purchases made without public bidding shall be from vendors that shall either (1) be holders of a current State contract for the equipment, goods or services sought, or (2) be participating in a federal procurement program established by a federal department or agency, or (3) have been approved by the State Treasurer [and the Attorney General] in consultation with the New Jersey Domestic Security Preparedness Task Force. [Any such purchases shall be subject to conditions as established by the Attorney General in consultation with the Domestic Security Preparedness Task Force.] All homeland security purchases herein shall continue to be subject to all grant requirements and conditions approved by the State administrative agency. The Director of the Division of Purchase and Property may enter into or participate in purchasing agreements with one or more other states, or political subdivisions or compact agencies thereof, for the purchase of such equipment, goods or services, using monies appropriated under this act, to meet the domestic preparedness and homeland security needs of this State. Such purchasing agreement may provide for the sharing of costs and the methods of payments relating to such purchases.

#### GENERAL PROVISIONS

Language Transferring \$3 Million from Lead Hazard Control Assistance Fund to the Catastrophic Illness in Children Relief Fund:

66. Notwithstanding any other provisions of this act or the provisions of any other law to the contrary, an amount not to exceed \$3,000,000 as shall be determined by the Director of the Division of Budget and Accounting is transferred from the Lead Hazard Control Assistance Fund to the Catastrophic Illness in Children Relief Fund to reimburse the Catastrophic Illness in Children Relief Fund for the appropriations made from the fund in the "Lead Hazard Control Assistance Act," P.L.2003, c.311.

Language authorizing Local Governments to use New Jersey Domestic Security Preparedness Task Force Best Practices:

67. Monies appropriated pursuant to this act to counties, municipalities or school districts as State grants or State Aid may, in addition to the uses specifically provided under this act, be used for purposes of implementing best practices adopted by the New Jersey Domestic Security Preparedness Task Force.

Language Governing Certain Grant Programs:

68. Amounts appropriated throughout the departments for Statewide Livable Communities, Social Services Emergency Grants, Statewide Local Domestic Preparedness Equipment Grant Program, and Local Library Grants may be transferred among those accounts subject to the approval of the Director of the Division of Budget and Accounting. No grant from any of these accounts shall exceed \$200,000 except in the case of grants awarded to two or more cooperating recipients, in which case the maximum grant shall not exceed \$200,000 per recipient.

Community Care Provider COLA Condition Language:

69. For nonprofit community care providers that provide at least 50% of the cost of employees' health benefits, 50% of the Cost of Living Increase shall be dedicated to salaries of employees who work for the nonprofit. The remaining 50% shall be available for the nonprofit to use as it determines. For nonprofit community care providers that provide less than 50% of the cost of employees' health benefits, 70% of the Cost of Living Increase shall be dedicated to salaries of employees who work for the nonprofit. The remaining 30% shall be available for the nonprofit to use as it determines. [Under no circumstances shall any of these moneys be used to increase the salary of an employee who earns an annual salary in excess of \$75,000.] Departments with appropriations for cost of living increases for nonprofit community care providers may transfer funds available from other appropriations made to those departments, subject to the approval of the Director of the Division of Budget and Accounting, to provide an additional 1/2% cost of living increase to those providers which shall also be subject to other provisions of this section.

(ADDED BY BILL and DELETED BY GOVERNOR'S LINE ITEM VETO OF 6/30/04)

Language Concerning Suspension of Statutory Funding Requirements:

70. If any law requires annual State funding, and if the amount of the funding in this act is insufficient to meet the requirement, the statutory requirement shall be deemed to be suspended for this fiscal year to the extent that the funding is insufficient.

Language concerning mobile telecommunications service and telephone exchange service fee revenue allocations:

71. The Director of the Division of Budget and Accounting shall submit to the Joint Budget Oversight Committee on or before October 1, 2004 the allocation of the mobile telecommunications service and telephone exchange service fee revenue to support appropriations in this act that are eligible for funding from this source pursuant to P.L.2004, c. (C. ) (now pending before the Legislature as Senate Bill No.1716 of 2004 or Assembly Bill No.3112 of 2004). This shall include appropriations identified throughout this act as being chargeable to receipts derived from the wireless communication and cell tower assessment.

Mutual Workers' Compensation Security Fund, language transferring \$5,000,000 to General Fund:

72. There is appropriated \$5,000,000 from the Mutual Workers' Compensation Security Fund for transfer to the General Fund as State revenue, and there is appropriated from the General Fund such amounts not to exceed \$5,000,000 for deposit to the Mutual Workers' Compensation Security Fund, subject to the approval of the Director of the Division of Budget and Accounting, in order to maintain the Mutual Workers' Compensation Security Fund's annual assessment at its current level.

Language to Implement Through Transfers Information Systems Changes or Changes to Fees, Fines or Other Revenue Enhancements, or for Cost Savings and Budget Efficiencies:

73. Such sums as may be required to initiate the implementation of information systems development or modification during the fiscal year ending June 30, 2005 to support fees, fines or other revenue enhancements, or to initiate cost savings or budget efficiencies that are to be implemented during the fiscal year ending June 30, 2006 and that are proposed in the Governor's Budget Recommendation Document for the fiscal year ending June 30, 2006, shall be transferred between appropriate accounts subject to the approval of the Director of the Division of Budget and Accounting.

Language Appropriation to Implement Streamlined Permitting in Smart Growth Areas:  
GenProv:

74. To the extent that receipts collected pursuant to fee provisions in P.L.2004, c. , (now pending before the Legislature as Senate Bill No.1368 of 2004) do not total \$20,000,000, there is appropriated from the General Fund additional funds, which together with such receipts shall not exceed \$20,000,000, for costs associated with P.L.2004, c. (now pending before the Legislature as Senate Bill No.1368 of 2004), of the Department of Community Affairs, the Department of Environmental Protection, the Department of Transportation, and the Office of Administrative Law, subject to the approval of the Director of the Division of Budget and Accounting.