

58:11B-3 et. al
LEGISLATIVE HISTORY CHECKLIST
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LAWS OF: 2017 **CHAPTER:** 144

NJSA: 58:11B-3 et. al (Clarifies procedures for approval of environmental and transportation infrastructure projects.)

BILL NO: S3242 (Substituted for A4997)

SPONSOR(S) Gordon and others

DATE INTRODUCED: 5/25/2017

COMMITTEE: **ASSEMBLY:** ---

SENATE: Environment & Energy

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 6/29/2017

SENATE: 6/19/2017

DATE OF APPROVAL: 7/21/2017

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted) Yes

S3242

SPONSOR'S STATEMENT: (Begins on page 30 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4997

SPONSOR'S STATEMENT: (Begins on page 30 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes Environment & Solid Waste
Budget

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

RWH/JA

P.L.2017, CHAPTER 144, *approved July 21, 2017*

Senate, No. 3242

1 AN ACT concerning infrastructure projects, amending P.L.1985,
2 c.334, P.L.2013, c.93, P.L.1997, c.224, and P.L.2016, c.56.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 3 of P.L. 1985, c.334 (C.58:11B-3) is amended to
8 read as follows:

9 3. As used in sections 1 through 27 of P.L.1985, c.334
10 (C.58:11B-1 through C.58:11B-27), sections 23 through 27 of
11 P.L.1997, c.224 (C.58:11B-10.1 et al.), and sections 22 and 34
12 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
13 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4):

14 "Bonds" means bonds issued by the trust pursuant to P.L.1985,
15 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et
16 al.);

17 "Combined sewer overflow" means the discharge of untreated or
18 partially treated stormwater runoff and wastewater from a combined
19 sewer system into a body of water;

20 "Combined sewer system" means a sewer system designed to
21 carry sanitary wastewater at all times, which is also designed to
22 collect and transport stormwater runoff from streets and other
23 sources, thereby serving a combined purpose;

24 "Commissioner" means the Commissioner of the Department of
25 Environmental Protection;

26 "Cost" means the cost of all labor, materials, machinery and
27 equipment, lands, property, rights and easements, financing
28 charges, interest on bonds, notes or other obligations, plans and
29 specifications, surveys or estimates of costs and revenues,
30 engineering and legal services, and all other expenses necessary or
31 incident to all or part of an environmental infrastructure project;

32 "Department" means the Department of Environmental
33 Protection;

34 "Environmental infrastructure project" means the acquisition,
35 construction, improvement, repair or reconstruction of all or part of
36 any structure, facility or equipment, or real or personal property
37 necessary for or ancillary to any: (1) wastewater treatment system
38 project, including any stormwater management or combined sewer
39 overflow abatement projects; or (2) water supply project, as
40 authorized pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) or
41 P.L.1997, c.224 (C.58:11B-10.1 et al.), including any water
42 resources project, as authorized pursuant to P.L.2003, c.162;

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

Matter underlined thus is new matter.

1 "Federal infrastructure bank program" means the United States
2 Department of Transportation State Infrastructure Bank Program
3 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
4 amended or superseded;

5 "Local government unit" means (1) a State authority, county,
6 municipality, municipal, county or regional sewerage or utility
7 authority, municipal sewerage district, joint meeting, improvement
8 authority, or any other political subdivision of the State authorized
9 to construct, operate, and maintain wastewater treatment systems;
10 (2) a State authority, district water supply commission, county,
11 municipality, municipal, county or regional utilities authority,
12 municipal water district, joint meeting, or any other political
13 subdivision of the State authorized pursuant to law to operate or
14 maintain a public water supply system or to construct, rehabilitate,
15 operate, or maintain water supply facilities or otherwise provide
16 water for human consumption; or (3) a county, municipality,
17 municipal, county or regional transportation authority, or any other
18 political subdivision of the State authorized to construct, operate,
19 and maintain public highways or transportation projects as defined
20 pursuant to this section;

21 "New Jersey Environmental Infrastructure Financing Program"
22 means the financing program to fund environmental infrastructure
23 projects.

24 "New Jersey Transportation Infrastructure Financing Program"
25 means the financing program to fund transportation infrastructure
26 projects.

27 "Notes" means notes issued by the trust pursuant to P.L.1985,
28 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
29 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
30 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
31 C.58:11B-22.4);

32 "Onsite septic system ordinance or regulation" means an
33 ordinance adopted by a municipality or county or regulation
34 adopted by a regional planning agency establishing the
35 requirements for construction, maintenance and repair of onsite
36 wastewater treatment and disposal systems;

37 "Onsite wastewater treatment and disposal system" means an on-
38 site system designed to treat and dispose of domestic sewage;

39 "Other assistance" means forms of financial assistance, in
40 addition to loans, authorized by the New Jersey Infrastructure Bank
41 from the State Transportation Infrastructure Bank Fund, including,
42 but not limited to, use of funds to: provide credit enhancements;
43 serve as a capital reserve for bond or other debt instrument
44 financing; subsidize interest rates; ensure the issuance of letters of
45 credit and credit instruments; finance purchase and lease
46 agreements with respect to transit projects; and provide bond or
47 other debt financing instrument security;

1 "Project" means the acquisition, construction, improvement,
2 repair or reconstruction of all or part of any structure, facility, or
3 equipment, or real or personal property necessary for or ancillary to
4 any: (1) wastewater treatment system project, including any
5 stormwater management or combined sewer overflow abatement
6 projects; (2) water supply project, as authorized pursuant to
7 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
8 10.1 et al.), including any water resources project, as authorized
9 pursuant to P.L.2003, c.162; or (3) transportation project authorized
10 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
11 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
12 22.3, and C.58:11B-22.4);

13 "Public highway" means public roads, streets, expressways,
14 freeways, parkways, motorways and boulevards, including bridges,
15 tunnels, overpasses, underpasses, interchanges, express bus
16 roadways, bus pullouts and turnarounds, park-ride facilities, traffic
17 circles, grade separations, traffic control devices, the elimination or
18 improvement of crossings of railroads and highways, whether at-
19 grade or not at-grade, bicycle and pedestrian pathways and
20 pedestrian and bicycle bridges, and any property, rights of way,
21 easements and interests therein needed for the construction,
22 improvement, and maintenance of highways;

23 "Public water utility" means any investor-owned water company
24 or small water company;

25 "Small water company" means any company, purveyor or entity,
26 other than a governmental agency, that provides water for human
27 consumption and which regularly serves less than 1,000 customer
28 connections, including nonprofit, noncommunity water systems
29 owned or operated by a nonprofit group or organization;

30 "Stormwater management system" means any equipment, plants,
31 structures, machinery, apparatus, management practices, or land, or
32 any combination thereof, acquired, used, constructed, implemented
33 or operated to prevent nonpoint source pollution, abate improper
34 cross-connections and interconnections between stormwater and
35 sewer systems, minimize stormwater runoff, reduce soil erosion, or
36 induce groundwater recharge, or any combination thereof;

37 "Transportation project" means capital projects for public
38 highways, approach roadways and other necessary land-side
39 improvements, ramps, signal systems, roadbeds, transit lanes or
40 rights of way, pedestrian walkways and bridges connecting to
41 passenger stations and servicing facilities, bridges, and grade
42 crossings;

43 "Trust" means the New Jersey Infrastructure Bank created
44 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4);

45 "Wastewater" means residential, commercial, industrial, or
46 agricultural liquid waste, sewage, septage, stormwater runoff, or
47 any combination thereof, or other liquid residue discharged or

1 collected into a sewer system or stormwater management system, or
2 any combination thereof;

3 "Wastewater treatment system" means any equipment, plants,
4 structures, machinery, apparatus, or land, or any combination
5 thereof, acquired, used, constructed or operated by, or on behalf of,
6 a local government unit for the storage, collection, reduction,
7 recycling, reclamation, disposal, separation, or other treatment of
8 wastewater or sewage sludge, or for the collection or treatment, or
9 both, of stormwater runoff and wastewater, or for the final disposal
10 of residues resulting from the treatment of wastewater, including,
11 but not limited to, pumping and ventilating stations, treatment
12 plants and works, connections, outfall sewers, interceptors, trunk
13 lines, stormwater management systems, and other personal property
14 and appurtenances necessary for their use or operation; "wastewater
15 treatment system" shall include a stormwater management system
16 or a combined sewer system;

17 "Wastewater treatment system project" means any work relating
18 to the acquisition, construction, improvement, repair or
19 reconstruction of all or part of any structure, facility or equipment,
20 or real or personal property necessary for or ancillary to any
21 wastewater treatment system that meets the requirements set forth
22 in sections 20, 21, and 22 of P.L.1985, c.334 (C.58:11B-20,
23 C.58:11B-21, and C.58:11B-22); or any work relating to any of the
24 stormwater management or combined sewer overflow abatement
25 projects identified in the stormwater management and combined
26 sewer overflow abatement project priority list adopted by the
27 commissioner pursuant to section 28 of P.L.1989, c.181; or any
28 work relating to the purposes set forth in section 6 of P.L.2003,
29 c.162; or any work relating to any other project eligible for
30 financing under the "Federal Water Pollution Control Act
31 Amendments of 1972" (33 U.S.C. s.1251 et seq.), or any
32 amendatory or supplementary acts thereto;

33 "Water resources project" means any work related to transferring
34 water between public water systems during a state of water
35 emergency, to avert a drought emergency in all or any part of the
36 State, to plan, design or construct interconnections of existing water
37 supplies, or to extend water supplies to areas with contaminated
38 ground water supplies;

39 "Water supply facilities" means and refers to the real property
40 and the plants, structures, interconnections between existing water
41 supply facilities, machinery and equipment and other property, real,
42 personal and mixed, acquired, constructed or operated, or to be
43 acquired, constructed or operated, in whole or in part, by or on
44 behalf of a public water utility, or by or on behalf of the State or a
45 local government unit, for the purpose of augmenting the natural
46 water resources of the State and making available an increased
47 supply of water for all uses, or of conserving existing water
48 resources, and any and all appurtenances necessary, useful or

1 convenient for the collecting, impounding, storing, improving,
2 treating, filtering, conserving or transmitting of water, and for the
3 preservation and protection of these resources and facilities,
4 whether in public or private ownership, and providing for the
5 conservation and development of future water supply resources, and
6 facilitating incidental recreational uses thereof;

7 "Water supply project" means any work relating to the
8 acquisition, construction, improvement, repair or reconstruction of
9 all or part of any structure, facility or equipment, or real or personal
10 property necessary for or ancillary to water supply facilities that
11 meets the requirements set forth in sections 24, 25, and 26 of
12 P.L.1997, c.224 (C.58:11B-20.1, C.58:11B-21.1, and C.58:11B-
13 22.1); or any work relating to the purposes set forth in section 4 of
14 P.L.1981, c.261; or any work relating to the purposes set forth in
15 section 6 of P.L.2003, c.162; or any work relating to any other
16 project eligible for funding pursuant to the federal "Safe Drinking
17 Water Act Amendments of 1996," Pub.L.104-182, and any
18 amendatory and supplementary acts thereto.

19 (cf: P.L.2016, c.56, s.12)

20

21 2. Section 5 of P.L.1985, c.334 (C.58:11B-5) is amended to read
22 as follows:

23 5. Except as otherwise limited by the provisions of P.L.1985,
24 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
25 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
26 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
27 C.58:11B-22.4), the trust may:

28 a. Make and alter bylaws for its organization and internal
29 management and, subject to agreements with holders of its bonds,
30 notes or other obligations, make rules and regulations with respect
31 to its operations, properties and facilities;

32 b. Adopt an official seal and alter it;

33 c. Sue and be sued;

34 d. Make and enter into all contracts, leases and agreements
35 necessary or incidental to the performance of its duties and the
36 exercise of its powers under the provisions of P.L.1985, c.334
37 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
38 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
39 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
40 C.58:11B-22.4), and subject to any agreement with the holders of
41 the trust's bonds, notes or other obligations, consent to any
42 modification, amendment or revision of any contract, lease or
43 agreement to which the trust is a party;

44 e. Enter into agreements or other transactions with and accept,
45 subject to the provisions of section 23 of P.L.1985, c.334
46 (C.58:11B-23), grants, appropriations and the cooperation of the
47 State, or any State agency, in furtherance of the purposes of
48 P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-

- 1 10.1 et al.), or sections 22 and 34 through 38 of P.L.2016, c.56
2 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
3 22.3, and C.58:11B-22.4), and do anything necessary in order to
4 avail itself of that aid and cooperation;
- 5 f. Receive and accept aid or contributions from any source of
6 money, property, labor or other things of value, to be held, used and
7 applied to carry out the purposes of P.L.1985, c.334 (C.58:11B-1 et
8 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
9 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
10 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), subject
11 to the conditions upon which that aid and those contributions may
12 be made, including, but not limited to, gifts or grants from any
13 department or agency of the State, or any State agency, for any
14 purpose consistent with the provisions of P.L.1985, c.334
15 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
16 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
17 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
18 C.58:11B-22.4), subject to the provisions of section 23 of P.L.1985,
19 c.334 (C.58:11B-23);
- 20 g. Acquire, own, hold, construct, improve, rehabilitate,
21 renovate, operate, maintain, sell, assign, exchange, lease, mortgage
22 or otherwise dispose of real and personal property, or any interest
23 therein, in the exercise of its powers and the performance of its
24 duties under the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.),
25 P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
26 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
27 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);
- 28 h. Appoint and employ an executive director and any other
29 officers or employees as it may require for the performance of its
30 duties, without regard to the provisions of Title 11A of the New
31 Jersey Statutes;
- 32 i. Borrow money and issue bonds, notes and other obligations,
33 and secure the same, and provide for the rights of the holders
34 thereof as provided in the provisions of P.L.1985, c.334 (C.58:11B-
35 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
36 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
37 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);
- 38 j. Subject to any agreement with holders of its bonds, notes or
39 other obligations, invest moneys of the trust not required for
40 immediate use, including proceeds from the sale of any bonds, notes
41 or other obligations, in any obligations, securities and other
42 investments in accordance with the rules and regulations of the
43 State Investment Council or as may otherwise be approved by the
44 Director of the Division of Investment in the Department of the
45 Treasury upon a finding that such investments are consistent with
46 the corporate purposes of the trust;
- 47 k. Procure insurance to secure the payment of its bonds, notes
48 or other obligations or the payment of any guarantees or loans made

1 by it in accordance with the provisions of P.L.1985, c.334
2 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
3 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
4 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
5 C.58:11B-22.4), or against any loss in connection with its property
6 and other assets and operations, in any amounts and from any
7 insurers as it deems desirable;

8 l. Engage the services of attorneys, accountants, engineers, and
9 financial experts and any other advisors, consultants, experts and
10 agents as may be necessary in its judgment and fix their
11 compensation;

12 m. (1) Make and contract to make loans to local government
13 units, or to a local government unit on behalf of another local
14 government unit, to finance the cost of wastewater treatment system
15 projects or water supply projects and acquire and contract to acquire
16 notes, bonds or other obligations issued or to be issued by any local
17 government units to evidence the loans, all in accordance with the
18 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
19 c.224 (C.58:11B-10.1 et al.);

20 (2) Make and contract to make loans to public water utilities, or
21 to any other person or local government unit on behalf of a public
22 water utility, to finance the cost of water supply projects in
23 accordance with the provisions of P.L.1985, c.334 (C.58:11B-1 et
24 seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.);

25 (3) Make and contract to make loans to private persons other
26 than local government units, or to any other person or local
27 government unit on behalf of a private person, to finance the cost of
28 onsite wastewater treatment and disposal systems or stormwater
29 management systems in accordance with the provisions of
30 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
31 10.1 et al.);

32 (4) Make and contract to make loans and provide other
33 assistance to one or more local government units or consortia
34 thereof to finance the cost of transportation projects in accordance
35 with the provisions of the federal infrastructure bank program and
36 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
37 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
38 22.3, and C.58:11B-22.4);

39 n. Subject to any agreement with holders of its bonds, notes or
40 other obligations, purchase bonds, notes and other obligations of the
41 trust and hold the same for resale or provide for the cancellation
42 thereof, all in accordance with the provisions of P.L.1985, c.334
43 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
44 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
45 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
46 C.58:11B-22.4);

47 o. (1) Charge to and collect from local government units,
48 private persons or public water utilities any fees and charges in

1 connection with the trust's loans, guarantees or other services,
2 including, but not limited to, fees and charges sufficient to
3 reimburse the trust for all reasonable costs necessarily incurred by it
4 in connection with its financings and the establishment and
5 maintenance of reserve or other funds, as the trust may determine to
6 be reasonable. The fees and charges shall be in accordance with a
7 uniform schedule published by the trust for the purpose of
8 providing actual cost reimbursement for the services rendered;

9 (2) Any fees and charges collected by the trust pursuant to this
10 subsection may be deposited and maintained in a special fund
11 separate from any other funds held by the trust pursuant to section
12 10 of P.L.1985, c.334 (C.58:11B-10) or section 23 of P.L.1997,
13 c.224 (C.58:11B-10.1), **including the Emergency Loan Fund**
14 **established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-**
15 **9.1),** and shall be available for any corporate purposes of the trust
16 **including the Emergency Financing Program pursuant to section**
17 **4 of P.L.2007, c.138 (C.58:11B-9.1)];**

18 p. Subject to any agreement with holders of its bonds, notes or
19 other obligations, obtain as security or to provide liquidity for
20 payment of all or any part of the principal of and interest and
21 premium on the bonds, notes and other obligations of the trust or
22 for the purchase upon tender or otherwise of the bonds, notes or
23 other obligations, lines of credit, letters of credit and other security
24 agreements or instruments in any amounts and upon any terms as
25 the trust may determine, and pay any fees and expenses required in
26 connection therewith;

27 q. Provide to local government units any financial and credit
28 advice as these local government units may request;

29 r. Make payments to the State from any moneys of the trust
30 available therefor as may be required pursuant to any agreement
31 with the State or act appropriating moneys to the trust; and

32 s. Take any action necessary or convenient to the exercise of
33 the foregoing powers or reasonably implied therefrom.

34 (cf: P.L.2016, c.56, s.14)

35
36 3. Section 9 of P.L.1985, c.334 (C.58:11B-9) is amended to read
37 as follows:

38 9. a. (1) The trust may make and contract to make loans to
39 local government units, or to a local government unit on behalf of
40 another local government unit, in accordance with and subject to the
41 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
42 c.224 (C.58:11B-10.1 et al.) to finance the cost of any wastewater
43 treatment system project or water supply project, which the local
44 government unit may lawfully undertake or acquire and for which
45 the local government unit is authorized by law to borrow money.

46 (2) The trust may make and contract to make loans to public
47 water utilities, or to any other person or local government unit on
48 behalf of a public water utility, in accordance with and subject to

1 the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
2 c.224 (C.58:11B-10.1 et al.) to finance the cost of any water supply
3 project, which the public water utility may lawfully undertake or
4 acquire.

5 (3) The trust may make and contract to make loans to private
6 persons other than local government units, or to any other person or
7 local government unit on behalf of a private person, in accordance
8 with and subject to the provisions of P.L.1985, c.334 (C.58:11B-1
9 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to finance the cost
10 of stormwater management systems.

11 (4) The trust may make and contract to make loans and provide
12 other assistance to a local government unit or consortia thereof to
13 finance the cost of transportation projects pursuant to sections 22
14 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through
15 C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-
16 22.4), and provided that the federally-funded subaccount is operated
17 in accordance with the provisions of the federal infrastructure bank
18 program.

19 The loans may be made subject to those terms and conditions as
20 the trust shall determine to be consistent with the purposes thereof.
21 Each loan by the trust and the terms and conditions thereof shall be
22 subject to approval by the State Treasurer, and the trust shall make
23 available to the State Treasurer all information, statistical data and
24 reports of independent consultants or experts as the State Treasurer
25 shall deem necessary in order to evaluate the loan. Each loan to a
26 local government unit, public water utility or any other person shall
27 be evidenced by notes, bonds or other obligations thereof issued to
28 the trust. In the case of each local government unit, notes and
29 bonds to be issued to the trust and, if applicable, the State, acting by
30 and through the Department of Environmental Protection, by the
31 local government unit (1) shall be authorized and issued as provided
32 by law for the issuance of notes and bonds by the local government
33 unit, (2) notwithstanding any provisions of the "Local Authorities
34 Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) to the
35 contrary, shall be approved by the Director of the Division of Local
36 Government Services in the Department of Community Affairs, and
37 (3) notwithstanding the provisions of N.J.S.40A:2-27, N.J.S.40A:2-
38 28 and N.J.S.40A:2-29 or any other provisions of law to the
39 contrary, may be sold at private sale to the trust or the State, as the
40 case may be, at any price, whether or not less than par value, and
41 shall be subject to redemption prior to maturity at any times and at
42 any prices as the trust or the State, as the case may be, and local
43 government units may agree. Each loan to a local government unit,
44 public water utility or any other person and the notes, bonds or
45 other obligations thereby issued shall bear interest at a rate or rates
46 per annum as the trust or the State, as the case may be, and the local
47 government unit, public water utility or any other person, as the
48 case may be, may agree.

1 b. The trust is authorized to guarantee or contract to guarantee
2 the payment of all or any portion of the principal and interest on
3 bonds, notes or other obligations issued by a local government unit
4 to finance the cost of any wastewater treatment system project,
5 water supply project, or transportation project which the local
6 government unit may lawfully undertake or acquire and for which
7 the local government unit is authorized by law to borrow money,
8 and the guarantee shall constitute an obligation of the trust for the
9 purposes of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
10 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
11 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
12 20.2, C.58:11B-22.3, and C.58:11B-22.4). Each guarantee by the
13 trust and the terms and conditions thereof shall be subject to
14 approval by the State Treasurer, and the trust shall make available
15 to the State Treasurer all information, statistical data and reports of
16 independent consultants or experts as the State Treasurer shall deem
17 necessary in order to evaluate the guarantee.

18 c. The trust shall not make or contract to make any loans or
19 guarantees to local government units, public water utilities or any
20 other person, or otherwise incur any additional indebtedness, on or
21 after June 30, 2033.

22 d. Notwithstanding any provision of P.L.1985, c.334
23 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to
24 the contrary, the trust may receive funds from any source including,
25 without limitation, any funds drawn by the trust from a revolving
26 line of credit or other similar financial vehicle that may be procured
27 by the trust, either through a competitive or negotiated process,
28 pursuant to section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit
29 into the Interim Environmental Financing Program Fund or the trust
30 may issue its bonds, notes or other obligations, including
31 commercial paper issued through a competitive or negotiated
32 process, in any principal amounts, in either case, as in the judgment
33 of the trust shall be necessary to provide sufficient funds to finance
34 or refinance short-term or temporary loans to local government
35 units, public water utilities or private persons for any wastewater
36 treatment system projects included on the Department of
37 Environmental Protection project priority list and eligible for
38 approval pursuant to section 20 of P.L.1985, c.334 (C.58:11B-20)
39 or water supply projects included on the Department of
40 Environmental Protection project priority list and eligible for
41 approval pursuant to section 24 of P.L.1997, c.224 (C.58:11B-20.1),
42 as applicable, without regard to any other provisions of P.L.1985,
43 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et
44 al.), including, without limitation, any administrative or legislative
45 approvals.

46 The trust shall create and establish a special fund to be known as
47 the "Interim Environmental Financing Program Fund" for the short-
48 term or temporary loan financing or refinancing program to be

1 known as the "Interim Environmental Financing Program". The
2 monies in the fund shall be used for short-term or temporary loans
3 for clean water and drinking water projects pursuant to the New
4 Jersey Environmental Infrastructure Financing Program.

5 Except as provided in section 1 of P.L.2013, c.93 (C.58:11B-
6 9.5), any short-term or temporary loans made by the trust pursuant
7 to this subsection may only be made in advance of the anticipated
8 loans the trust may make and contract to make under the provisions
9 of subsection a. of this section from any source of funds anticipated
10 to be received by the trust. Any such short-term or temporary loan
11 made pursuant to the Interim Environmental Financing Program
12 shall mature no later than the last day of the third succeeding fiscal
13 year following the closing date on which the short-term or
14 temporary loan was made by the trust to the project sponsor; except
15 a short-term or temporary loan made pursuant to this subsection for
16 environmental planning and engineering design costs associated
17 with long-term control plans for combined sewer overflow projects
18 shall mature no later than the last day of the 10th succeeding fiscal
19 year following the closing date on which the short-term or
20 temporary loan was made by the trust to the project sponsor. The
21 trust may make short-term or temporary loans pursuant to the
22 Interim Environmental Financing Program to any one or more of
23 the project sponsors, for the respective projects thereof, identified in
24 the interim financing project priority list to be known as the
25 "Interim Environmental Financing Program Project Priority List" in
26 the form provided to the Legislature by the Commissioner of
27 Environmental Protection.

28 The Interim Environmental Financing Program Project Priority
29 List, including any revision thereof or supplement thereto, shall be
30 submitted to the Legislature pursuant to section 2 of P.L.1991,
31 c.164 (C.52:14-19.1) at least once in each fiscal year as provided in
32 section 20 of P.L.1985, c.334 (C.58:11B-20) and section 24 of
33 P.L.1997, c.224 (C.58:11B-20.1). The Secretary and the Clerk shall
34 cause the date of submission to be entered upon the Senate Journal
35 and the Minutes of the General Assembly, respectively. The trust
36 may revise or supplement the Interim Environmental Financing
37 Program Project Priority List no more than **【three】** four times
38 during the fiscal year and shall submit the revised list to the
39 Legislature when the revisions are made. Any environmental
40 infrastructure project or the project sponsor thereof not identified in
41 the Interim Environmental Financing Program Project Priority List
42 shall not be eligible for a short-term or temporary loan from the
43 Interim **【Financing】** Environmental **【Project Priority】** Financing
44 Program Fund. The trust may issue short-term or temporary loans
45 pursuant to this subsection only if a project is listed on an Interim
46 Environmental Financing Program Project Priority List submitted to
47 the Legislature. No funds may be disbursed pursuant to this section
48 for project activities prior to a determination and certification, in

1 writing, from the Department of Environmental Protection, that the
2 project activities satisfy the provision of P.L.1985, c.332
3 (C.58:11B-1 et seq.).

4 e. Notwithstanding any provisions of the "Local Bond Law"
5 (N.J.S.40A:2-1 et seq.), the "sewerage authorities law," P.L.1946,
6 c.138 (C.40:14A-1 et seq.), or the "municipal and county utilities
7 authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to the
8 contrary, short-term or temporary loans made by the trust pursuant
9 to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1 of
10 P.L.2013, c.93 (C.58:11B-9.5), and the obligations issued by project
11 sponsors to evidence such loans, may, at the discretion of the trust
12 and upon application by the project sponsor, bear interest at a
13 variable rate determined pursuant to a methodology as may be
14 established by the trust from time to time.

15 Further, notwithstanding any provisions of the "Local Bond
16 Law" (N.J.S.40A:2-1 et seq.), the "sewerage authorities law,"
17 P.L.1946, c.138 (C.40:14A-1 et seq.), or the "municipal and county
18 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to
19 the contrary, any short-term or temporary loans made by the trust
20 pursuant to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1
21 of P.L.2013, c.93 (C.58:11B-9.5), and any notes or other
22 obligations issued by project sponsors to evidence such short-term
23 or temporary loans, except for loans for environmental planning and
24 engineering design costs associated with long-term control plans for
25 combined sewer overflow projects as provided in subsection d. of
26 this section, shall mature no later than the last day of the third
27 succeeding fiscal year following the date of issuance of such notes
28 or other obligations, without payment by project sponsors of any
29 portion of the principal thereof prior to maturity.

30 f. Any balances remaining in the Emergency Loan fund
31 established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-9.1),
32 the Planning and Design Fund established pursuant to section 1 of
33 P.L.2009, c.59 (C.58:11B-9.2), the Onsite Wastewater Disposal
34 Loan Fund established pursuant to section 5 of P.L.2009, c.103
35 (C.58:11B-9.3), the Supplemental Loan Fund established pursuant
36 to section 2 of P.L.2011, c.94 (C.58:11B-9.4), and the Equipment
37 Loan Fund established pursuant to section 1 of P.L.2014, c.28
38 (C.58:11B-9.6) after the date of enactment of P.L.2016, c.30 shall
39 be transferred to the Interim Environmental Financing Program
40 Fund, and any loan repayments to the trust of principal and interest
41 or premium on loans made from those funds shall be credited to the
42 Interim Environmental Financing Program Fund.

43 g. The trust shall create and establish a special fund to be
44 known as the "Interim Transportation Financing Program Fund" for
45 the short-term or temporary loan financing or refinancing program
46 to be known as the "Interim Transportation Financing Program."

47 Notwithstanding any provision of P.L.1985, c.334 (C.58:11B-1
48 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to the contrary,

1 the trust may receive funds from any source including, without
2 limitation, any funds drawn by the trust from a revolving line of
3 credit or other similar financial vehicle that may be procured by the
4 trust, either through a competitive or negotiated process, pursuant to
5 section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit into the
6 Interim Transportation Financing Program Fund or the trust may
7 issue its bonds, notes or other obligations in any principal amounts,
8 in either case, as in the judgment of the trust shall be necessary to
9 provide sufficient funds to finance or refinance short-term or
10 temporary loans to local government units or private persons for
11 any transportation project included on the Department of
12 Transportation Interim Transportation Financing Program Project
13 **【Eligibility】 Priority** List for the ensuing fiscal year and eligible for
14 approval pursuant to sections 22 and 34 through 38 of P.L.2016,
15 c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2,
16 C.58:11B-22.3, and C.58:11B-22.4), without regard to any other
17 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
18 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
19 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
20 20.2, C.58:11B-22.3, and C.58:11B-22.4), including, without
21 limitation, any administrative or legislative approvals.

22 Any short-term or temporary loans made by the trust pursuant to
23 this subsection may only be made in advance of the anticipated
24 loans the trust may make and contract to make under the provisions
25 of subsection a. of this section from any source of funds anticipated
26 to be received by the trust. Any such short-term or temporary loan
27 made pursuant to the Interim Transportation Financing Program
28 shall mature no later than the last day of the third succeeding fiscal
29 year following the closing date on which the short-term or
30 temporary loan was made by the trust to the project sponsor. The
31 trust may make short-term or temporary loans pursuant to the
32 Interim Transportation Financing Program to any one or more of the
33 project sponsors, for the respective projects thereof, only if a
34 project is identified in the Department of Transportation Interim
35 Transportation Financing Program Project **【Eligibility】 Priority** List
36 to be known as the "Interim Transportation Financing Program
37 Project **【Eligibility】 Priority** List" in the form provided to the
38 Legislature by the Commissioner of Transportation.

39 The Interim Transportation Financing Program Project
40 **【Eligibility】 Priority** List, including any revision thereof or
41 supplement thereto, shall be submitted to the Secretary of the
42 Senate and the Clerk of the General Assembly on or before July 1
43 of each year. The Interim Transportation Financing Program
44 Project **【Eligibility】 Priority** List shall be submitted to the
45 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
46 at least once in each fiscal year. The Secretary and the Clerk shall
47 cause the date of submission to be entered upon the Senate Journal

1 and the Minutes of the General Assembly, respectively. Any
2 transportation infrastructure project or the project sponsor thereof
3 not identified in the Interim Transportation Financing Program
4 Project **Eligibility** Priority List shall not be eligible for a short-
5 term or temporary loan from the Interim Transportation Financing
6 Program Fund. The trust may revise or supplement the Interim
7 Transportation Financing Program Project Eligibility List no more
8 than **three** four times during the fiscal year, and shall submit the
9 revised list to the Legislature when the revisions are made.

10 No funds may be disbursed pursuant to this **section** subsection
11 for project activities prior to the determination and certification in
12 writing, from the Department of Transportation, that the project
13 activities satisfy the provisions of P.L.1985, c.334 (C.58:11B-1 et
14 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
15 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
16 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4).
17 (cf: P.L.2016, c.56, s.17)

18

19 4. Section 1 of P.L.2013, c.93 (C.58:11B-9.5) is amended to
20 read as follows:

21 1. a. The trust shall create and establish a special fund to be
22 known as the "Disaster Relief Emergency Financing Program Fund"
23 for the disaster relief emergency short-term or temporary loan
24 program of the trust to be known as the "Disaster Relief Emergency
25 Financing Program."

26 The Disaster Relief Emergency Financing Program Fund shall be
27 credited with:

28 (1) moneys deposited in the fund as administrative fees received
29 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
30 (C.58:11B-5);

31 (2) moneys received by the trust as repayment of the principal
32 of and the interest or premium on loans made from the fund;

33 (3) any interest earnings received on the moneys in the fund;

34 (4) such other moneys as the Legislature may appropriate to the
35 trust for deposit into the fund at any time to finance or refinance
36 emergency short-term or temporary loans pursuant to the Disaster
37 Relief Emergency Financing Program;

38 (5) the proceeds of any bonds, notes or other obligations that
39 may be issued by the trust from time to time in any principal
40 amounts as in the judgment of the trust shall be necessary or
41 appropriate to provide sufficient funds for deposit into the fund to
42 finance or refinance emergency short-term or temporary loans
43 pursuant to the Disaster Relief Emergency Financing Program; and

44 (6) any other source of available funds that may be deemed by
45 the trust to be necessary or appropriate to provide sufficient funds
46 for deposit into the fund to finance or refinance emergency short-
47 term or temporary loans pursuant to the Disaster Relief Emergency
48 Financing Program, including, without limitation, any funds drawn

1 by the trust from (i) a revolving line of credit or other similar
2 financial vehicle, or (ii) a commercial paper financing program,
3 either through a competitive or negotiated process, that may be
4 procured by the trust pursuant to the provisions of section 5 of
5 P.L.1985, c.334 (C.58:11B-5), for deposit into the fund to finance
6 or refinance emergency short-term or temporary loans pursuant to
7 the Disaster Relief Emergency Financing Program.

8 b. Notwithstanding any provision of P.L.1985, c.334
9 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
10 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
11 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
12 C.58:11B-22.4) to the contrary, the trust may make emergency
13 short-term or temporary Disaster Relief Emergency Financing
14 Program loans to: (1) local government units to finance or refinance
15 the costs incurred in the environmental planning and design
16 associated with such wastewater treatment system projects, and
17 wastewater treatment system projects, as applicable; or (2) local
18 government units, public water utilities, or private persons to
19 finance or refinance the costs incurred in the environmental
20 planning and design of water supply projects, and water supply
21 projects, as applicable.

22 **【Emergency】** Funds may only be disbursed for emergency short-
23 term or temporary loans **【may be made】** upon the determination
24 and certification in writing by the department that any such project
25 **【is】** costs are necessary and appropriate to: repair damages to a
26 wastewater treatment system or water supply facility directly
27 arising from an act of terrorism, seismic activity, or weather
28 conditions that occurred within the three fiscal years after a
29 declaration by the Governor of a state of emergency, provided the
30 wastewater treatment system or water supply facility is located in a
31 county included in the Governor's state of emergency declaration;
32 or mitigate the risk of future damage to a wastewater treatment
33 system or water supply facility from an act of terrorism, seismic
34 activity, or weather conditions comparable in scope and severity to
35 the act of terrorism, seismic activity, or weather conditions that
36 occurred within the three fiscal years after a declaration by the
37 Governor of a state of emergency, provided the wastewater
38 treatment system or water supply facility is located in a county
39 included in the Governor's state of emergency declaration, without
40 regard to any other provisions of P.L.1985, c.334 (C.58:11B-1 et
41 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
42 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
43 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4),
44 including, without limitation, the provisions of section 20 of
45 P.L.1985, c.334 (C.58:11B-20), section 24 of P.L.1997, c.224
46 (C.58:11B-20.1), the Interim Environmental Financing Program
47 Project Priority List pursuant to subsection d. of section 9 of
48 P.L.1985, c.334 (C.58:11B-9), or any administrative or legislative

1 approvals. A project shall be eligible for emergency short-term or
2 temporary loans pursuant to this section if it is identified on a
3 Disaster Relief Emergency Financing Program Project Priority List
4 no more than three years after the conditions that gave rise to a
5 declaration by the Governor of a state of emergency. Any such
6 short-term or temporary loan pursuant to the Disaster Relief
7 Emergency Financing Program shall mature no later than the last
8 day of the third succeeding fiscal year following the closing date on
9 which the short-term or temporary loan was made by the trust to the
10 project sponsor.

11 c. The trust may make short-term or temporary loans pursuant
12 to the Disaster Relief Emergency Financing Program to one or more
13 of the project sponsors, for the respective projects thereof, provided
14 that the project is identified on the Disaster Relief Emergency
15 Financing Program project priority list to be known as the "Disaster
16 Relief Emergency Financing Program Project Priority List" no later
17 than three years after the date of the declaration by the Governor of
18 a state of emergency in the form provided to the Legislature by the
19 Commissioner of Environmental Protection. However, a project
20 may be eligible for funding pursuant to this section more than three
21 years after the date of the declaration by the Governor of a state of
22 emergency if the project was first included on a Disaster Relief
23 Emergency Financing Program Project Priority List within three
24 years after the date of the declaration by the Governor of a state of
25 emergency and continues to be identified on the Disaster Relief
26 Emergency Financing Program Project Priority List in the fiscal
27 year in which the funding is issued. The Disaster Relief Emergency
28 Financing Program Project Priority List shall be submitted to the
29 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
30 at least once in each fiscal year. An environmental infrastructure
31 project or a project sponsor thereof not identified on the Disaster
32 Relief Emergency Financing Program Project Priority List
33 submitted to the Legislature shall not be eligible for a short-term or
34 temporary loan from the Disaster Relief Emergency Financing
35 Program Fund.

36 d. The trust shall submit a report on the Disaster Emergency
37 Financing Program to the Legislature pursuant to section 2 of
38 P.L.1991, c.164 (C.54:14-19.1) on or before January 15 of each
39 year. The Secretary of the Senate and the Clerk of the General
40 Assembly shall cause the date of submission to be entered upon the
41 Senate Journal and the Minutes of the General Assembly,
42 respectively. The report shall identify the wastewater treatment
43 system and water supply projects financed during the prior fiscal
44 year through the program including a project description, the
45 amount of the Disaster Relief Emergency Financing Program loan
46 provided for each project, and the duration of each loan.
47 (cf: P.L.2016, c.56, s.18)

1 5. Section 10 of P.L.1985, c.334 (C.58:11B-10) is amended to
2 read as follows:

3 10. The trust shall create and establish a special fund to be
4 known as the "wastewater treatment system general loan fund." The
5 monies in the fund shall only be used for projects funded by the
6 New Jersey Environmental Infrastructure Financing Program.

7 Subject to the provisions of the legislation appropriating moneys
8 to the trust, subject to any other provision of P.L.1985, c.334
9 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
10 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
11 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
12 C.58:11B-22.4) providing otherwise, and subject to agreements
13 with the holders of bonds, notes and other obligations of the trust,
14 the trust shall deposit into the wastewater treatment system general
15 loan fund all revenues and receipts of the trust, including moneys
16 received by the trust as payment of the principal of and the interest
17 or premium on loans made from moneys in any wastewater
18 treatment system fund or account held by the trust under P.L.1985,
19 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
20 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
21 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
22 C.58:11B-22.4), and the earnings on the moneys in any wastewater
23 treatment system fund or account of the trust, and all grants,
24 appropriations, other than those referred to in section 11 of
25 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
26 from any source, available for the making of loans to local
27 government units. The amounts in the wastewater treatment system
28 general loan fund shall be available for application by the trust for
29 loans to local government units for the cost of wastewater treatment
30 system projects, and for other corporate purposes of the trust related
31 to wastewater treatment systems, subject to agreements with the
32 holders of bonds, notes or other obligations of the trust.

33 (cf: P.L.2016, c.56, s.19)

34

35 6. Section 23 of P.L.1997, c.224 (C.58:11B-10.1) is amended to
36 read as follows:

37 23. The trust shall create and establish a special fund to be
38 known as the "water supply facilities general loan fund." The
39 monies in the fund shall only be used for projects funded by the
40 New Jersey Environmental Infrastructure Financing Program.

41 Subject to the provisions of the legislation appropriating moneys
42 to the trust, subject to any other provision of P.L.1985, c.334
43 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
44 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
45 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
46 C.58:11B-22.4) providing otherwise, and subject to agreements
47 with the holders of bonds, notes and other obligations of the trust,
48 the trust shall deposit into the water supply facilities general loan

1 fund all revenues and receipts of the trust, including moneys
2 received by the trust as payment of the principal of and the interest
3 or premium on loans made from moneys in any fund or account
4 held by the trust under the provisions of P.L.1985, c.334 (C.58:11B-
5 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
6 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
7 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), and the
8 earnings on the moneys in any fund or account of the trust, and all
9 grants, appropriations, other than those referred to in section 11 of
10 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
11 from any source, available for the making of loans to local
12 government units, public water utilities, or to any other person or
13 local government unit on behalf of a public water utility, for water
14 supply projects. The amounts in the water supply facilities general
15 loan fund shall be available for application by the trust for loans to
16 local government units, public water utilities or any other person for
17 the cost of water supply projects, and for other corporate purposes
18 of the trust, subject to agreements with the holders of bonds, notes
19 or other obligations of the trust.

20 (cf: P.L.2016, c.56, s.20)

21

22 7. Section 34 of P.L.2016, c.56 (C.58:11B-10.4) is amended to
23 read as follows:

24 34. a. There is established in the New Jersey Infrastructure
25 Bank a special fund to be known as the State Transportation
26 Infrastructure Bank Fund. The monies in the fund shall only be
27 used for projects funded by the New Jersey Transportation
28 Infrastructure Financing Program. There shall be established within
29 the fund, two subaccounts: (1) a federally-funded subaccount that
30 shall be approved to receive federal funds and related State
31 matching funds pursuant to the federal infrastructure bank program
32 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
33 amended or superseded, and (2) a State-funded subaccount that
34 shall be approved to receive only State funds in excess of those
35 required to be deposited in the federally-funded subaccount. The
36 State-funded subaccount shall be ineligible to receive any federal
37 funds. However, funds in the State-funded subaccount shall be
38 eligible for transfer into the federally-funded subaccount in the
39 discretion of the trust for the purpose of related match funding of
40 the federally-funded subaccount.

41 The State Transportation Infrastructure Bank Fund shall be
42 credited with:

43 (1) (a) State and federal funds appropriated to a federal
44 subaccount of the State Transportation Infrastructure Bank Fund
45 pursuant to the federal infrastructure bank program provided for in
46 section 350 of Pub.L.104-59 and Pub.L.102-240 as amended or
47 superseded, and

- 1 (b) State funds in excess of any minimum State match required
2 under the federal infrastructure bank program, appropriated to the
3 State-funded subaccount of the State Transportation Infrastructure
4 Bank Fund;
- 5 (2) monetary donations made available to the State to support
6 the State Transportation Infrastructure Bank Fund;
- 7 (3) moneys received as repayment of the principal of and the
8 interest or premium on loans made from the State Transportation
9 Infrastructure Bank Fund;
- 10 (4) any interest earnings received on the moneys in the State
11 Transportation Infrastructure Bank Fund; and
- 12 (5) such other moneys as the Legislature may appropriate to the
13 trust for deposit into the State Transportation Infrastructure Bank
14 Fund at any time to finance or refinance transportation loans issued
15 from the State Transportation Infrastructure Bank Fund.
- 16 b. Notwithstanding any provision of P.L.1985, c.334
17 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
18 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
19 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
20 C.58:11B-22.4) to the contrary, all moneys placed into the State
21 Transportation Infrastructure Bank Fund shall be held separate from
22 other funds of the trust, and no transportation funds shall be
23 combined or comingled with any funds that finance (1) wastewater
24 treatment system projects, (2) water supply projects, or (3) other
25 environmental infrastructure projects, that are not transportation
26 projects.
- 27 c. All moneys placed into the State-funded subaccount of the
28 State Transportation Infrastructure Bank Fund shall be held separate
29 from any federal funds provided for the federally-funded
30 subaccount of the State Transportation Infrastructure Bank Fund.
- 31 d. Notwithstanding any provision of P.L.1985, c.334
32 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
33 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
34 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
35 C.58:11B-22.4) to the contrary, the trust may provide loans or other
36 assistance to one or more local government units or consortia
37 thereof for the purpose of financing all or a portion of the costs
38 incurred for the planning, acquisition, engineering, construction,
39 reconstruction, repair, and rehabilitation of a transportation project,
40 provided that monies from the federally-funded subaccount are
41 limited to the purposes permitted under the federal infrastructure
42 bank program.
- 43 e. In addition to the financing described in subsection d. of this
44 section, a portion, not to exceed 10 percent, of the assistance
45 provided from the State-funded sub-account of the State
46 Transportation Infrastructure Bank Fund may be issued in the form
47 of grants.

1 f. Loans or other assistance granted pursuant to this section
2 shall be considered an investment or reinvestment by the State
3 Transportation Infrastructure Bank Fund, provided that monies from
4 the federally-funded subaccount are limited to the purposes
5 permitted under the federal infrastructure bank program, and not a
6 loan within the meaning of section 12 of P.L.1995, c.108 (C.27:1B-
7 21.5).

8 g. The refinancing of debt relating to an existing transportation
9 project shall not be an eligible form of assistance from the State
10 Transportation Infrastructure Bank Fund, and a loan shall not be
11 granted unless the applicant can demonstrate to the satisfaction of
12 the trust that the assistance being sought is not for the refinancing
13 of debt relating to an existing transportation project.

14 h. Any project, the use or purpose of which is private and for
15 which no public benefit is created, shall not be eligible for financial
16 assistance from the trust.

17 i. The trust shall consider the following factors when setting an
18 interest rate on a loan provided pursuant to this section: (1) the
19 current market rates for comparable obligations; (2) the nature of
20 the project; (3) the financing structure of the project; (4) the
21 creditworthiness of the borrower; and (5) the term of the proposed
22 obligation.

23 j. The long term loan repayment schedule for each project
24 shall require: (1) the repayment of the loan commencing six months
25 after construction completion, the date the facility has opened to
26 traffic, or three years after execution of the long term financing
27 obligation, whichever is first, however, in the case of a highway
28 project, it shall be whichever is later; and (2) a final maturity date
29 of not more than 35 years following the completion of the project.

30 k. The trust may establish or direct the establishment of federal
31 and State accounts or subaccounts as may be necessary to meet any
32 applicable federal law requirements or desirable for the efficient
33 administration of the trust.

34 (cf: P.L.2016, c.56, s.34)

35
36 8. Section 20 of P.L.1985, c.334 (C.58:11B-20) is amended to
37 read as follows:

38 20. a. (1) The Commissioner of Environmental Protection shall
39 for each fiscal year develop a priority system for wastewater
40 treatment systems and shall establish the ranking criteria and
41 funding policies for the clean water projects **【therefor】** to be
42 financed by the New Jersey Environmental Infrastructure Financing
43 Program. The commissioner shall set forth an Interim Clean Water
44 Financing Program Project Priority List, hereinafter referred to as
45 the "clean water project priority list," for funding by the trust for
46 each fiscal year and shall include the aggregate amount of funds of
47 the trust to be authorized for these purposes. The clean water
48 project priority list may include any stormwater management or

1 combined sewer overflow abatement project identified in the
2 stormwater management and combined sewer overflow abatement
3 project priority list adopted by the commissioner pursuant to section
4 28 of P.L.1989, c.181.

5 The clean water project priority list, which shall include for each
6 wastewater treatment system the date each project is scheduled to
7 be certified as ready for funding, shall be in conformance with
8 applicable provisions of the "Federal Water Pollution Control Act
9 Amendments of 1972," Pub.L.92-500 (33 U.S.C. s.1251 et al.), and
10 any amendatory or supplementary acts thereto, and State law, or in
11 the case of a wastewater treatment system project for the reduction
12 of lead in a publicly-owned facility, conformance with requirements
13 established by the Department of Environmental Protection for
14 those projects. The clean water project priority list shall include a
15 description of each project and its purpose, impact, cost, and
16 construction schedule, and an explanation of the manner in which
17 priorities were established. The priority system and clean water
18 project priority list for the ensuing fiscal year shall be submitted to
19 the Secretary of the Senate and the Clerk of the General Assembly
20 on or before January 15 of each year. The Secretary and the Clerk
21 shall cause the date of submission to be entered upon the Senate
22 Journal and the Minutes of the General Assembly, respectively.
23 Incremental revisions or supplements to the clean water project
24 priority list may be submitted to the Legislature as provided in
25 subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9).

26 (2) The commissioner shall set forth a clean water project
27 eligibility list for long-term funding by the trust and shall include
28 the aggregate amount of funds to be authorized for these purposes.
29 The clean water project eligibility list shall consist of clean water
30 project priority list projects certified by the department that have
31 commenced construction and demonstrated a high likelihood of
32 construction completion on or before the end of the ensuing fiscal
33 year. On or before May 15 of each year, the trust shall submit the
34 clean water project eligibility list for the ensuing fiscal year,
35 including any revision thereof or supplement thereto, to be
36 introduced in each House in the form of legislative appropriations
37 bills, which shall be referred to the Senate Environment and Energy
38 Committee and the Assembly Environment and Solid Waste
39 Committee, or their successors, for their respective consideration.
40 On or before October 15 of each year the trust may submit an
41 additional clean water project eligibility list, to be introduced in
42 each House in the form of legislative appropriations bills, which
43 shall be referred to the Senate Environment and Energy Committee
44 and the Assembly Environment and Solid Waste Committee, or
45 their successors, for their respective consideration.

46 b. The Senate Environment and Energy Committee and the
47 Assembly Environment and Solid Waste Committee shall, either
48 individually or jointly, consider the legislation containing the clean

1 water project eligibility list, and shall report the legislation, together
2 with any modifications, out of committee for consideration by each
3 House of the Legislature. On or before July 1 of each year, the
4 Legislature shall approve an appropriations act containing the clean
5 water project eligibility list, including any amendatory or
6 supplementary provisions thereto, which act shall include the
7 authorization of an aggregate amount of funds of the trust to be
8 expended for long-term loans and guarantees for the specific
9 projects, including the individual amounts therefor, on the list.

10 c. The trust shall not expend any money for a long-term loan or
11 guarantee during a fiscal year for any wastewater treatment system
12 project unless the expenditure is authorized pursuant to an
13 appropriations act as provided in the provisions of this section, or as
14 otherwise set forth in an appropriations act.

15 d. The trust shall submit to the Secretary of the Senate and the
16 Clerk of the General Assembly on or before January 15 of each year
17 a report which shall identify the wastewater treatment system
18 projects financed during the prior fiscal year, including a project
19 description, the amount of the loan provided for each project, and
20 the duration of each loan.

21 (cf: P.L.2016, c.30, s.3)

22

23 9. Section 24 of P.L.1997, c.224 (C.58:11B-20.1) is amended to
24 read as follows:

25 24. a. (1) The Commissioner of Environmental Protection shall
26 for each fiscal year develop a priority system for water supply
27 projects and shall establish the ranking criteria and funding policies
28 **【therefor】** for the water supply projects to be financed by the New
29 Jersey Environmental Infrastructure Financing Program. The
30 commissioner shall set forth an Interim Drinking Water Financing
31 Program Project Priority List, hereinafter referred to as the
32 "drinking water project priority list," for funding by the trust for
33 each fiscal year and shall include the aggregate amount of funds of
34 the trust to be authorized for these purposes. The commissioner
35 may include a water supply project on the drinking water project
36 priority list if it meets the eligibility requirements for funding
37 pursuant to the federal "Safe Drinking Water Act Amendments of
38 1996," Pub.L.104-182, or in the case of a water supply project for
39 the reduction of lead in a publicly-owned facility, the project meets
40 the eligibility requirements established by the Department of
41 Environmental Protection for those projects. The drinking water
42 project priority list shall include a description of each project and an
43 explanation of the manner in which priorities were established. The
44 priority system and drinking water project priority list for the
45 ensuing fiscal year shall be submitted to the Secretary of the Senate
46 and the Clerk of the General Assembly on or before January 15 of
47 each year. The Secretary and the Clerk shall cause the date of
48 submission to be entered upon the Senate Journal and the Minutes

1 of the General Assembly, respectively. Incremental revisions or
2 supplements to the drinking water project priority list may be
3 submitted to the Legislature as provided in subsection d. of section
4 9 of P.L.1985, c.334 (C.58:11B-9).

5 (2) The commissioner shall set forth a drinking water project
6 eligibility list for long-term funding by the trust and shall include
7 the aggregate amount of funds to be authorized for these purposes.
8 The drinking water project eligibility list shall consist of drinking
9 water project priority list projects certified by the department that
10 have commenced construction and demonstrated a high likelihood
11 of construction completion on or before the end of the ensuing
12 fiscal year. On or before May 15 of each year, the trust shall submit
13 the drinking water project eligibility list for the ensuing fiscal year,
14 including any revision thereof or supplement thereto, to be
15 introduced in each House in the form of legislative appropriations
16 bills, which shall be referred to the Senate Environment and Energy
17 Committee and the Assembly Environment and Solid Waste
18 Committee, or their successors, for their respective consideration.
19 On or before October 15 of each year the trust may submit an
20 additional drinking water project eligibility list, to be introduced in
21 each House in the form of legislative appropriations bills, which
22 shall be referred to the Senate Environment and Energy Committee
23 and the Assembly Environment and Solid Waste Committee, or
24 their successors, for their respective consideration.

25 b. The Senate Environment and Energy Committee and the
26 Assembly Environment and Solid Waste Committee shall, either
27 individually or jointly, consider the legislation containing the
28 drinking water project eligibility list, and shall report the
29 legislation, together with any modifications, out of committee for
30 consideration by each House of the Legislature. On or before July 1
31 of each year, the Legislature shall approve an appropriations act
32 containing the drinking water project eligibility list, including any
33 amendatory or supplementary provisions thereto, which act shall
34 include the authorization of an aggregate amount of funds of the
35 trust to be expended for long-term loans and guarantees for the
36 specific water supply projects, including the individual amounts
37 therefor, on the list.

38 c. The trust shall not expend any money for a long-term loan or
39 guarantee during a fiscal year for any water supply project unless
40 the expenditure is authorized pursuant to an appropriations act as
41 provided in the provisions of this section, or as otherwise set forth
42 in an appropriations act.

43 d. The trust shall submit to the Secretary of the Senate and the
44 Clerk of the General Assembly on or before January 15 of each year
45 a report which shall identify the water supply projects financed
46 during the prior fiscal year, including a project description, the
47 amount of the loan provided for each project, and the duration of

1 each loan.

2 (cf: P.L.2016, c.30, s.4)

3

4 10. Section 36 of P.L.2016, c.56 (C.58:11B-20.2) is amended to
5 read as follows:

6 36. a. The Commissioner of Transportation shall, for each fiscal
7 year, develop a priority system for transportation projects. The
8 Commissioner of Transportation shall set forth a Transportation
9 Financing Program Project Priority List, hereinafter referred to as
10 the "transportation project priority list," for **【long-term】** funding
11 by the trust for each fiscal year and shall include the aggregate
12 amount of funds of the trust to be authorized for these purposes.
13 The Commissioner of Transportation may include a transportation
14 project on the **【Transportation Financing Program Project Priority**
15 **List】** transportation project priority list if it meets the eligibility
16 requirements for funding pursuant to Pub.L.114-94, the "Fixing
17 America's Transportation Act," or any successor legislation. The
18 **【Transportation Financing Program Project Priority List】**
19 transportation project priority list shall include a description of each
20 project and an explanation of the manner in which projects are
21 ranked. The **【Transportation Financing Program Project Priority**
22 **List】** transportation project priority list for the ensuing fiscal year
23 shall be submitted to the Legislature on or before January 15 of
24 each year. The Secretary and the Clerk shall cause the date of
25 submission to be entered upon the Senate Journal and the Minutes
26 of the General Assembly, respectively. Incremental revisions or
27 supplements to the transportation project priority list may be
28 submitted to the Legislature as provided in subsection g. of section
29 9 of P.L.1985, c.334 (C.58:11B-9).

30 b. The Commissioner of Transportation shall set forth **【an**
31 **Interim】** a Transportation Financing Program Project Eligibility
32 List for **【short-term】** long-term funding by the trust and shall
33 include the aggregate amount of funds to be authorized for these
34 purposes. The **【Interim】** Transportation Financing Program Project
35 Eligibility List shall consist of Transportation Financing Program
36 Project Priority List projects certified by the Department of
37 Transportation that have commenced construction and demonstrated
38 to the department a high likelihood of construction completion on
39 or before the end of the ensuing fiscal year. The **【Interim】**
40 Transportation Financing Program Project Eligibility List
41 established pursuant to this subsection shall be considered by the
42 budget committees of each House of the Legislature for inclusion in
43 the annual appropriations act. On or before June 30 of each year,
44 the Legislature shall include the **【Interim】** Transportation Financing
45 Program Project Eligibility List with any modifications in the
46 annual appropriations act, including any amendatory or
47 supplementary provisions thereto, which act shall include the

1 authorization of an aggregate amount of funds of the trust to be
2 expended for loans and guarantees for the specific transportation
3 projects, including the individual amounts therefor, on the list. The
4 initial **【Interim】** Transportation Financing Program Project
5 Eligibility List for the ensuing fiscal year shall be submitted to the
6 Legislature on or before **【July 1】** May 15 of each year. The
7 Secretary and the Clerk shall cause the date of submission to be
8 entered upon the Senate Journal and the Minutes of the General
9 Assembly, respectively. **【Incremental revisions or supplements to
10 the Interim Transportation Financing Program Project Eligibility
11 List may be submitted to the Legislature as provided in subsection
12 d. of section 9 of P.L.1985, c.334 (C.58:11B-9).】**

13 c. On or before October 15 of each year, the trust may submit
14 an amended Interim Transportation Financing Program Project
15 Eligibility List to be introduced in each House in the form of
16 legislative appropriations bills for approval by the Legislature on or
17 before January 15 of the following calendar year in the manner set
18 forth in subsection a. and subsection b. of this section.

19 d. The trust shall not expend any money for a long-term loan or
20 guarantee during a fiscal year for any transportation project unless
21 the expenditure is authorized pursuant to a State annual
22 appropriations act of the current or three immediate preceding fiscal
23 years as provided in the provisions of this section, or as otherwise
24 set forth in the State's annual appropriations act.

25 e. The trust shall submit to the Secretary of the Senate and the
26 Clerk of the General Assembly on or before January 15 of each year
27 a report which shall identify the transportation projects financed
28 during the prior fiscal year, including a project description, the
29 amount of the loan provided for each project, and the duration of
30 each loan.

31 f. The source of projects for the Transportation Financing
32 Program Project Priority List and the **【Interim】** Transportation
33 Financing Program Project Eligibility List shall be: (1) applications
34 made by counties and municipalities seeking aid through the State
35 Transportation Infrastructure Bank Fund in accordance with section
36 25 of P.L.1984, c.73 (C.27:1B-25) and the procedures established
37 therein for the allocation of State aid to counties and municipalities
38 through the local aid program, and (2) eligible projects within the
39 most recent 10-year Statewide Transportation Improvement
40 Program as issued by the Department of Transportation. Projects
41 deriving from either of these sources shall identify a consistent
42 source of revenue that will be utilized to repay any loan financing
43 provided by the trust either from the project itself or from the
44 sponsoring local government unit or consortia thereof that will be
45 receiving assistance.

46 (cf: P.L.2016, c.56, s.36)

1 11. Section 21 of P.L.1985, c.334 (C.58:11B-21) is amended to
2 read as follows:

3 21. On or before May 15 of each year, the trust shall submit to
4 the Legislature a financial plan designed to implement the financing
5 of the wastewater treatment system projects either on the Interim
6 Clean Water Financing Program Project Priority List, hereinafter
7 referred to as the "clean water project priority list," or the clean
8 water project eligibility list, approved pursuant to section 20 of
9 P.L.1985, c.334 (C.58:11B-20) or as otherwise approved by the
10 Legislature. The financial plan shall contain an enumeration of the
11 bonds, notes or other obligations of the trust which the trust intends
12 to issue, including the amounts thereof and the terms and conditions
13 thereof, a list of loans to be made to local government units or
14 private persons, including the terms and conditions thereof and the
15 anticipated rate of interest per annum and repayment schedule
16 therefor, and a list of loan guarantees or contracts to guarantee the
17 payment of all or a portion of the principal and interest on bonds,
18 notes or other obligations issued by a local government unit to
19 finance the cost of a wastewater treatment system project, and the
20 terms and conditions thereof.

21 The financial plan shall also set forth a complete operating and
22 financial statement covering its proposed operations during the
23 forthcoming fiscal year, including amounts of income from all
24 sources, and the uniform schedule of fees and charges established
25 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
26 (C.58:11B-5), and the amounts to be derived therefrom, and shall
27 summarize the status of each wastewater treatment system project
28 for which loans or guarantees have been made by the trust, and shall
29 describe major impediments to the accomplishment of the planned
30 wastewater treatment system projects.

31 The financial plan shall identify the wastewater treatment system
32 projects financed during the prior fiscal year through the Disaster
33 Relief Emergency Financing Program established pursuant to
34 section 1 of P.L.2013, c.93 (C.58:11B-9.5), including a project
35 description, the amount of the Disaster Relief Emergency Financing
36 Program loan for each project, and the duration of such Disaster
37 Relief Emergency Financing Program loan.

38 The financial plan shall also identify the wastewater treatment
39 system projects financed during the prior fiscal year by the Interim
40 Financing Program established pursuant to subsection d. of section
41 9 of P.L.1985, c.224 (C.58:11B-9) including a project description,
42 the amount of the loan provided for each project, and the duration
43 of each loan.

44 (cf: P.L.2016, c.30, s.5)

45

46 12. Section 25 of P.L.1997, c.224 (C.58:11B-21.1) is amended
47 to read as follows:

1 25. On or before May 15 of each year, the trust shall submit to
2 the Legislature a financial plan designed to implement the financing
3 of the water supply projects either on the Interim Drinking Water
4 Financing Program Project Priority List, hereinafter referred to as
5 the "drinking water project priority list," or the drinking water
6 project eligibility list, approved pursuant to section 24 of P.L.1997,
7 c.224 (C.58:11B-20.1) or as otherwise approved by the Legislature.
8 The financial plan shall contain an enumeration of the bonds, notes
9 or other obligations of the trust which the trust intends to issue,
10 including the amounts thereof and the terms and conditions thereof,
11 a list of loans to be made to local government units, public water
12 utilities, or to any other person or local government unit on behalf
13 of a public water utility, including the terms and conditions thereof
14 and the anticipated rate of interest per annum and repayment
15 schedule therefor, and a list of loan guarantees or contracts to
16 guarantee the payment of all or a portion of the principal and
17 interest on bonds, notes or other obligations issued by a local
18 government unit to finance the cost of a water supply project, and
19 the terms and conditions thereof.

20 The financial plan shall also set forth a complete operating and
21 financial statement covering its proposed operations during the
22 forthcoming fiscal year, including amounts of income from all
23 sources, and the uniform schedule of fees and charges established
24 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
25 (C.58:11B-5), and the amounts to be derived therefrom, and shall
26 summarize the status of each water supply project for which loans
27 or guarantees have been made by the trust, and shall describe major
28 impediments to the accomplishment of the planned water supply
29 projects.

30 The financial plan shall identify the water supply projects
31 financed during the prior fiscal year through the Disaster Relief
32 Emergency Financing Program established pursuant to section 1 of
33 P.L.2013, c.93 (C.58:11B-9.5), including a project description, the
34 amount of the Disaster Relief Emergency Financing Program loan
35 for each project, and the duration of such Disaster Relief
36 Emergency Financing Program loan.

37 The financial plan shall also identify the water supply projects
38 financed during the prior fiscal year by the Interim Financing
39 Program established pursuant to subsection d. of section 9 of
40 P.L.1985, c.224 (C.58:11B-9) including a project description, the
41 amount of the loan provided for each project, and the duration of
42 each loan.

43 (cf: P.L.2016, c.30, s.6)

44

45 13. Section 27 of P.L.1997, c.224 (C.58:11B-22.2) is amended
46 to read as follows:

47 27. As an alternative to the individual annual submissions
48 required by the provisions of sections 21 and 22 of P.L.1985, c.334

1 (C.58:11B-21 and 58:11B-22), sections 25 and 26 of P.L.1997,
2 c.224 (C.58:11B-21.1 and C.58:11B-22.1) and subsection d. of
3 section 9 of P.L.1985, c.334 (C.58:11B-9), the trust may develop
4 and submit to the Legislature a consolidated financial plan designed
5 to implement the financing of the wastewater treatment system
6 projects on the clean water project priority list and clean water
7 project eligibility list approved pursuant to section 20 of P.L.1985,
8 c.334 (C.58:11B-20), the water supply projects on the drinking
9 water project priority list and drinking water project eligibility list
10 approved pursuant to section 24 of P.L.1997, c.224 (C.58:11B-
11 20.1), the water resources projects and wastewater treatment system
12 projects on the water resources project and wastewater treatment
13 system project priority list and project eligibility list developed
14 pursuant to section 31 of P.L.2003, c.162 and any other
15 environmental infrastructure projects approved by the Legislature.
16 (cf: P.L.2016, c.30, s.7)

17

18 14. Section 37 of P.L.2016, c.56 (C.58:11B-22.3) is amended to
19 read as follows:

20 37. a. On or before May 15 of each year, the trust shall submit
21 to the Speaker of the General Assembly and the President of the
22 Senate a financial plan designed to implement the financing of the
23 transportation projects either on the Interim Transportation
24 Financing Program Project Priority List or the **[Interim]**
25 Transportation Financing Program Project Eligibility List approved
26 pursuant to P.L.2016, c.56 (C.27:1B-22.5 et al.) or as otherwise
27 approved by the Legislature. The financial plan shall list the bonds,
28 notes or other obligations of the trust which the trust intends to
29 issue, including the amounts thereof and the terms and conditions
30 thereof, a list of loans to be made to local government units or
31 private persons, including the terms and conditions thereof and the
32 anticipated rate of interest per annum and repayment schedule
33 therefor, and a list of loan guarantees or contracts to guarantee the
34 payment of all or a portion of the principal and interest on bonds,
35 notes or other obligations issued by a local government unit to
36 finance the cost of a transportation project, and the terms and
37 conditions thereof.

38 The financial plan shall also set forth a complete operating and
39 financial statement covering proposed operations through the fund
40 during the forthcoming fiscal year, including amounts of income
41 from all sources, and the uniform schedule of fees and charges
42 established by the trust pursuant to subsection o. of section 5 of
43 P.L.1985, c.334 (C.58:11B-5), and the amounts to be derived
44 therefrom, and shall summarize the status of each transportation
45 project for which loans or guarantees have been made by the trust,
46 and shall describe major impediments to the accomplishment of the
47 planned transportation projects.

1 b. On or before June 30 of each year the Legislature may reject
2 the financial plan through the adoption by both houses of a
3 concurrent resolution. If the Legislature rejects the financial plan,
4 the project list shall be removed from the annual appropriations act
5 and the trust shall not undertake any of the proposed activities
6 contained therein. If the Legislature takes no action on or before
7 June 30, the financial plan shall be deemed approved.

8 c. The financial plan for the State Transportation Infrastructure
9 Bank Fund shall not be eligible for inclusion in a consolidated
10 financial plan as established in section 27 of P.L.1997, c.224
11 (C.58:11B-22.2).

12 (cf: P.L.2016, c.56, s.37)

13

14 15. This act shall take effect immediately.

15

16

17

STATEMENT

18

19 This bill would make certain changes to the law to make the use
20 of terms consistent in the environmental financing program and the
21 transportation financing program administered by the New Jersey
22 Infrastructure Trust, clarify procedures, and assure that all funding
23 is used for its intended purposes. The bill would also make certain
24 technical and clarifying corrections to the law.

25

26

27

28

29 Clarifies procedures for approval of environmental and
30 transportation infrastructure projects.

SENATE, No. 3242

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED MAY 25, 2017

Sponsored by:

Senator ROBERT M. GORDON

District 38 (Bergen and Passaic)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblymen Chiaravalloti and Caputo

SYNOPSIS

Clarifies procedures for approval of environmental and transportation infrastructure projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2017)

S3242 GORDON, OROHO

2

1 AN ACT concerning infrastructure projects, amending P.L.1985,
2 c.334, P.L.2013, c.93, P.L.1997, c.224, and P.L.2016, c.56.

3

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

6

7 1. Section 3 of P.L. 1985, c.334 (C.58:11B-3) is amended to
8 read as follows:

9 3. As used in sections 1 through 27 of P.L.1985, c.334
10 (C.58:11B-1 through C.58:11B-27), sections 23 through 27 of
11 P.L.1997, c.224 (C.58:11B-10.1 et al.), and sections 22 and 34
12 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
13 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4):

14 "Bonds" means bonds issued by the trust pursuant to P.L.1985,
15 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et
16 al.);

17 "Combined sewer overflow" means the discharge of untreated or
18 partially treated stormwater runoff and wastewater from a combined
19 sewer system into a body of water;

20 "Combined sewer system" means a sewer system designed to
21 carry sanitary wastewater at all times, which is also designed to
22 collect and transport stormwater runoff from streets and other
23 sources, thereby serving a combined purpose;

24 "Commissioner" means the Commissioner of the Department of
25 Environmental Protection;

26 "Cost" means the cost of all labor, materials, machinery and
27 equipment, lands, property, rights and easements, financing
28 charges, interest on bonds, notes or other obligations, plans and
29 specifications, surveys or estimates of costs and revenues,
30 engineering and legal services, and all other expenses necessary or
31 incident to all or part of an environmental infrastructure project;

32 "Department" means the Department of Environmental
33 Protection;

34 "Environmental infrastructure project" means the acquisition,
35 construction, improvement, repair or reconstruction of all or part of
36 any structure, facility or equipment, or real or personal property
37 necessary for or ancillary to any: (1) wastewater treatment system
38 project, including any stormwater management or combined sewer
39 overflow abatement projects; or (2) water supply project, as
40 authorized pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) or
41 P.L.1997, c.224 (C.58:11B-10.1 et al.), including any water
42 resources project, as authorized pursuant to P.L.2003, c.162;

43 "Federal infrastructure bank program" means the United States
44 Department of Transportation State Infrastructure Bank Program

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

Matter underlined thus is new matter.

1 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
2 amended or superseded;

3 "Local government unit" means (1) a State authority, county,
4 municipality, municipal, county or regional sewerage or utility
5 authority, municipal sewerage district, joint meeting, improvement
6 authority, or any other political subdivision of the State authorized
7 to construct, operate, and maintain wastewater treatment systems;
8 (2) a State authority, district water supply commission, county,
9 municipality, municipal, county or regional utilities authority,
10 municipal water district, joint meeting, or any other political
11 subdivision of the State authorized pursuant to law to operate or
12 maintain a public water supply system or to construct, rehabilitate,
13 operate, or maintain water supply facilities or otherwise provide
14 water for human consumption; or (3) a county, municipality,
15 municipal, county or regional transportation authority, or any other
16 political subdivision of the State authorized to construct, operate,
17 and maintain public highways or transportation projects as defined
18 pursuant to this section;

19 "New Jersey Environmental Infrastructure Financing Program"
20 means the financing program to fund environmental infrastructure
21 projects.

22 "New Jersey Transportation Infrastructure Financing Program"
23 means the financing program to fund transportation infrastructure
24 projects.

25 "Notes" means notes issued by the trust pursuant to P.L.1985,
26 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
27 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
28 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
29 C.58:11B-22.4);

30 "Onsite septic system ordinance or regulation" means an
31 ordinance adopted by a municipality or county or regulation
32 adopted by a regional planning agency establishing the
33 requirements for construction, maintenance and repair of onsite
34 wastewater treatment and disposal systems;

35 "Onsite wastewater treatment and disposal system" means an on-
36 site system designed to treat and dispose of domestic sewage;

37 "Other assistance" means forms of financial assistance, in
38 addition to loans, authorized by the New Jersey Infrastructure Bank
39 from the State Transportation Infrastructure Bank Fund, including,
40 but not limited to, use of funds to: provide credit enhancements;
41 serve as a capital reserve for bond or other debt instrument
42 financing; subsidize interest rates; ensure the issuance of letters of
43 credit and credit instruments; finance purchase and lease
44 agreements with respect to transit projects; and provide bond or
45 other debt financing instrument security;

46 "Project" means the acquisition, construction, improvement,
47 repair or reconstruction of all or part of any structure, facility, or
48 equipment, or real or personal property necessary for or ancillary to

1 any: (1) wastewater treatment system project, including any
2 stormwater management or combined sewer overflow abatement
3 projects; (2) water supply project, as authorized pursuant to
4 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
5 10.1 et al.), including any water resources project, as authorized
6 pursuant to P.L.2003, c.162; or (3) transportation project authorized
7 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
8 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
9 22.3, and C.58:11B-22.4);

10 "Public highway" means public roads, streets, expressways,
11 freeways, parkways, motorways and boulevards, including bridges,
12 tunnels, overpasses, underpasses, interchanges, express bus
13 roadways, bus pullouts and turnarounds, park-ride facilities, traffic
14 circles, grade separations, traffic control devices, the elimination or
15 improvement of crossings of railroads and highways, whether at-
16 grade or not at-grade, bicycle and pedestrian pathways and
17 pedestrian and bicycle bridges, and any property, rights of way,
18 easements and interests therein needed for the construction,
19 improvement, and maintenance of highways;

20 "Public water utility" means any investor-owned water company
21 or small water company;

22 "Small water company" means any company, purveyor or entity,
23 other than a governmental agency, that provides water for human
24 consumption and which regularly serves less than 1,000 customer
25 connections, including nonprofit, noncommunity water systems
26 owned or operated by a nonprofit group or organization;

27 "Stormwater management system" means any equipment, plants,
28 structures, machinery, apparatus, management practices, or land, or
29 any combination thereof, acquired, used, constructed, implemented
30 or operated to prevent nonpoint source pollution, abate improper
31 cross-connections and interconnections between stormwater and
32 sewer systems, minimize stormwater runoff, reduce soil erosion, or
33 induce groundwater recharge, or any combination thereof;

34 "Transportation project" means capital projects for public
35 highways, approach roadways and other necessary land-side
36 improvements, ramps, signal systems, roadbeds, transit lanes or
37 rights of way, pedestrian walkways and bridges connecting to
38 passenger stations and servicing facilities, bridges, and grade
39 crossings;

40 "Trust" means the New Jersey Infrastructure Bank created
41 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4);

42 "Wastewater" means residential, commercial, industrial, or
43 agricultural liquid waste, sewage, septage, stormwater runoff, or
44 any combination thereof, or other liquid residue discharged or
45 collected into a sewer system or stormwater management system, or
46 any combination thereof;

47 "Wastewater treatment system" means any equipment, plants,
48 structures, machinery, apparatus, or land, or any combination

1 thereof, acquired, used, constructed or operated by, or on behalf of,
2 a local government unit for the storage, collection, reduction,
3 recycling, reclamation, disposal, separation, or other treatment of
4 wastewater or sewage sludge, or for the collection or treatment, or
5 both, of stormwater runoff and wastewater, or for the final disposal
6 of residues resulting from the treatment of wastewater, including,
7 but not limited to, pumping and ventilating stations, treatment
8 plants and works, connections, outfall sewers, interceptors, trunk
9 lines, stormwater management systems, and other personal property
10 and appurtenances necessary for their use or operation; "wastewater
11 treatment system" shall include a stormwater management system
12 or a combined sewer system;

13 "Wastewater treatment system project" means any work relating
14 to the acquisition, construction, improvement, repair or
15 reconstruction of all or part of any structure, facility or equipment,
16 or real or personal property necessary for or ancillary to any
17 wastewater treatment system that meets the requirements set forth
18 in sections 20, 21, and 22 of P.L.1985, c.334 (C.58:11B-20,
19 C.58:11B-21, and C.58:11B-22); or any work relating to any of the
20 stormwater management or combined sewer overflow abatement
21 projects identified in the stormwater management and combined
22 sewer overflow abatement project priority list adopted by the
23 commissioner pursuant to section 28 of P.L.1989, c.181; or any
24 work relating to the purposes set forth in section 6 of P.L.2003,
25 c.162; or any work relating to any other project eligible for
26 financing under the "Federal Water Pollution Control Act
27 Amendments of 1972" (33 U.S.C. s.1251 et seq.), or any
28 amendatory or supplementary acts thereto;

29 "Water resources project" means any work related to transferring
30 water between public water systems during a state of water
31 emergency, to avert a drought emergency in all or any part of the
32 State, to plan, design or construct interconnections of existing water
33 supplies, or to extend water supplies to areas with contaminated
34 ground water supplies;

35 "Water supply facilities" means and refers to the real property
36 and the plants, structures, interconnections between existing water
37 supply facilities, machinery and equipment and other property, real,
38 personal and mixed, acquired, constructed or operated, or to be
39 acquired, constructed or operated, in whole or in part, by or on
40 behalf of a public water utility, or by or on behalf of the State or a
41 local government unit, for the purpose of augmenting the natural
42 water resources of the State and making available an increased
43 supply of water for all uses, or of conserving existing water
44 resources, and any and all appurtenances necessary, useful or
45 convenient for the collecting, impounding, storing, improving,
46 treating, filtering, conserving or transmitting of water, and for the
47 preservation and protection of these resources and facilities,
48 whether in public or private ownership, and providing for the

1 conservation and development of future water supply resources, and
2 facilitating incidental recreational uses thereof;

3 "Water supply project" means any work relating to the
4 acquisition, construction, improvement, repair or reconstruction of
5 all or part of any structure, facility or equipment, or real or personal
6 property necessary for or ancillary to water supply facilities that
7 meets the requirements set forth in sections 24, 25, and 26 of
8 P.L.1997, c.224 (C.58:11B-20.1, C.58:11B-21.1, and C.58:11B-
9 22.1); or any work relating to the purposes set forth in section 4 of
10 P.L.1981, c.261; or any work relating to the purposes set forth in
11 section 6 of P.L.2003, c.162; or any work relating to any other
12 project eligible for funding pursuant to the federal "Safe Drinking
13 Water Act Amendments of 1996," Pub.L.104-182, and any
14 amendatory and supplementary acts thereto.
15 (cf: P.L.2016, c.56, s.12)

16

17 2. Section 5 of P.L.1985, c.334 (C.58:11B-5) is amended to read
18 as follows:

19 5. Except as otherwise limited by the provisions of P.L.1985,
20 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
21 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
22 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
23 C.58:11B-22.4), the trust may:

24 a. Make and alter bylaws for its organization and internal
25 management and, subject to agreements with holders of its bonds,
26 notes or other obligations, make rules and regulations with respect
27 to its operations, properties and facilities;

28 b. Adopt an official seal and alter it;

29 c. Sue and be sued;

30 d. Make and enter into all contracts, leases and agreements
31 necessary or incidental to the performance of its duties and the
32 exercise of its powers under the provisions of P.L.1985, c.334
33 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
34 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
35 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
36 C.58:11B-22.4), and subject to any agreement with the holders of
37 the trust's bonds, notes or other obligations, consent to any
38 modification, amendment or revision of any contract, lease or
39 agreement to which the trust is a party;

40 e. Enter into agreements or other transactions with and accept,
41 subject to the provisions of section 23 of P.L.1985, c.334
42 (C.58:11B-23), grants, appropriations and the cooperation of the
43 State, or any State agency, in furtherance of the purposes of
44 P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-
45 10.1 et al.), or sections 22 and 34 through 38 of P.L.2016, c.56
46 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
47 22.3, and C.58:11B-22.4), and do anything necessary in order to
48 avail itself of that aid and cooperation;

1 f. Receive and accept aid or contributions from any source of
2 money, property, labor or other things of value, to be held, used and
3 applied to carry out the purposes of P.L.1985, c.334 (C.58:11B-1 et
4 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
5 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
6 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), subject
7 to the conditions upon which that aid and those contributions may
8 be made, including, but not limited to, gifts or grants from any
9 department or agency of the State, or any State agency, for any
10 purpose consistent with the provisions of P.L.1985, c.334
11 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
12 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
13 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
14 C.58:11B-22.4), subject to the provisions of section 23 of P.L.1985,
15 c.334 (C.58:11B-23);

16 g. Acquire, own, hold, construct, improve, rehabilitate,
17 renovate, operate, maintain, sell, assign, exchange, lease, mortgage
18 or otherwise dispose of real and personal property, or any interest
19 therein, in the exercise of its powers and the performance of its
20 duties under the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.),
21 P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
22 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
23 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);

24 h. Appoint and employ an executive director and any other
25 officers or employees as it may require for the performance of its
26 duties, without regard to the provisions of Title 11A of the New
27 Jersey Statutes;

28 i. Borrow money and issue bonds, notes and other obligations,
29 and secure the same, and provide for the rights of the holders
30 thereof as provided in the provisions of P.L.1985, c.334 (C.58:11B-
31 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
32 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
33 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);

34 j. Subject to any agreement with holders of its bonds, notes or
35 other obligations, invest moneys of the trust not required for
36 immediate use, including proceeds from the sale of any bonds, notes
37 or other obligations, in any obligations, securities and other
38 investments in accordance with the rules and regulations of the
39 State Investment Council or as may otherwise be approved by the
40 Director of the Division of Investment in the Department of the
41 Treasury upon a finding that such investments are consistent with
42 the corporate purposes of the trust;

43 k. Procure insurance to secure the payment of its bonds, notes
44 or other obligations or the payment of any guarantees or loans made
45 by it in accordance with the provisions of P.L.1985, c.334
46 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
47 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
48 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and

1 C.58:11B-22.4), or against any loss in connection with its property
2 and other assets and operations, in any amounts and from any
3 insurers as it deems desirable;

4 l. Engage the services of attorneys, accountants, engineers, and
5 financial experts and any other advisors, consultants, experts and
6 agents as may be necessary in its judgment and fix their
7 compensation;

8 m. (1) Make and contract to make loans to local government
9 units, or to a local government unit on behalf of another local
10 government unit, to finance the cost of wastewater treatment system
11 projects or water supply projects and acquire and contract to acquire
12 notes, bonds or other obligations issued or to be issued by any local
13 government units to evidence the loans, all in accordance with the
14 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
15 c.224 (C.58:11B-10.1 et al.);

16 (2) Make and contract to make loans to public water utilities, or
17 to any other person or local government unit on behalf of a public
18 water utility, to finance the cost of water supply projects in
19 accordance with the provisions of P.L.1985, c.334 (C.58:11B-1 et
20 seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.);

21 (3) Make and contract to make loans to private persons other
22 than local government units, or to any other person or local
23 government unit on behalf of a private person, to finance the cost of
24 onsite wastewater treatment and disposal systems or stormwater
25 management systems in accordance with the provisions of
26 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
27 10.1 et al.);

28 (4) Make and contract to make loans and provide other
29 assistance to one or more local government units or consortia
30 thereof to finance the cost of transportation projects in accordance
31 with the provisions of the federal infrastructure bank program and
32 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
33 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
34 22.3, and C.58:11B-22.4);

35 n. Subject to any agreement with holders of its bonds, notes or
36 other obligations, purchase bonds, notes and other obligations of the
37 trust and hold the same for resale or provide for the cancellation
38 thereof, all in accordance with the provisions of P.L.1985, c.334
39 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
40 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
41 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
42 C.58:11B-22.4);

43 o. (1) Charge to and collect from local government units,
44 private persons or public water utilities any fees and charges in
45 connection with the trust's loans, guarantees or other services,
46 including, but not limited to, fees and charges sufficient to
47 reimburse the trust for all reasonable costs necessarily incurred by it
48 in connection with its financings and the establishment and

1 maintenance of reserve or other funds, as the trust may determine to
2 be reasonable. The fees and charges shall be in accordance with a
3 uniform schedule published by the trust for the purpose of
4 providing actual cost reimbursement for the services rendered;

5 (2) Any fees and charges collected by the trust pursuant to this
6 subsection may be deposited and maintained in a special fund
7 separate from any other funds held by the trust pursuant to section
8 10 of P.L.1985, c.334 (C.58:11B-10) or section 23 of P.L.1997,
9 c.224 (C.58:11B-10.1), **including the Emergency Loan Fund**
10 **established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-**
11 **9.1),** and shall be available for any corporate purposes of the trust
12 **including the Emergency Financing Program pursuant to section**
13 **4 of P.L.2007, c.138 (C.58:11B-9.1)];**

14 p. Subject to any agreement with holders of its bonds, notes or
15 other obligations, obtain as security or to provide liquidity for
16 payment of all or any part of the principal of and interest and
17 premium on the bonds, notes and other obligations of the trust or
18 for the purchase upon tender or otherwise of the bonds, notes or
19 other obligations, lines of credit, letters of credit and other security
20 agreements or instruments in any amounts and upon any terms as
21 the trust may determine, and pay any fees and expenses required in
22 connection therewith;

23 q. Provide to local government units any financial and credit
24 advice as these local government units may request;

25 r. Make payments to the State from any moneys of the trust
26 available therefor as may be required pursuant to any agreement
27 with the State or act appropriating moneys to the trust; and

28 s. Take any action necessary or convenient to the exercise of
29 the foregoing powers or reasonably implied therefrom.

30 (cf: P.L.2016, c.56, s.14)

31

32 3. Section 9 of P.L.1985, c.334 (C.58:11B-9) is amended to read
33 as follows:

34 9. a. (1) The trust may make and contract to make loans to
35 local government units, or to a local government unit on behalf of
36 another local government unit, in accordance with and subject to the
37 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
38 c.224 (C.58:11B-10.1 et al.) to finance the cost of any wastewater
39 treatment system project or water supply project, which the local
40 government unit may lawfully undertake or acquire and for which
41 the local government unit is authorized by law to borrow money.

42 (2) The trust may make and contract to make loans to public
43 water utilities, or to any other person or local government unit on
44 behalf of a public water utility, in accordance with and subject to
45 the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
46 c.224 (C.58:11B-10.1 et al.) to finance the cost of any water supply
47 project, which the public water utility may lawfully undertake or
48 acquire.

1 (3) The trust may make and contract to make loans to private
2 persons other than local government units, or to any other person or
3 local government unit on behalf of a private person, in accordance
4 with and subject to the provisions of P.L.1985, c.334 (C.58:11B-1
5 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to finance the cost
6 of stormwater management systems.

7 (4) The trust may make and contract to make loans and provide
8 other assistance to a local government unit or consortia thereof to
9 finance the cost of transportation projects pursuant to sections 22
10 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through
11 C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-
12 22.4), and provided that the federally-funded subaccount is operated
13 in accordance with the provisions of the federal infrastructure bank
14 program.

15 The loans may be made subject to those terms and conditions as
16 the trust shall determine to be consistent with the purposes thereof.
17 Each loan by the trust and the terms and conditions thereof shall be
18 subject to approval by the State Treasurer, and the trust shall make
19 available to the State Treasurer all information, statistical data and
20 reports of independent consultants or experts as the State Treasurer
21 shall deem necessary in order to evaluate the loan. Each loan to a
22 local government unit, public water utility or any other person shall
23 be evidenced by notes, bonds or other obligations thereof issued to
24 the trust. In the case of each local government unit, notes and
25 bonds to be issued to the trust and, if applicable, the State, acting by
26 and through the Department of Environmental Protection, by the
27 local government unit (1) shall be authorized and issued as provided
28 by law for the issuance of notes and bonds by the local government
29 unit, (2) notwithstanding any provisions of the "Local Authorities
30 Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) to the
31 contrary, shall be approved by the Director of the Division of Local
32 Government Services in the Department of Community Affairs, and
33 (3) notwithstanding the provisions of N.J.S.40A:2-27, N.J.S.40A:2-
34 28 and N.J.S.40A:2-29 or any other provisions of law to the
35 contrary, may be sold at private sale to the trust or the State, as the
36 case may be, at any price, whether or not less than par value, and
37 shall be subject to redemption prior to maturity at any times and at
38 any prices as the trust or the State, as the case may be, and local
39 government units may agree. Each loan to a local government unit,
40 public water utility or any other person and the notes, bonds or
41 other obligations thereby issued shall bear interest at a rate or rates
42 per annum as the trust or the State, as the case may be, and the local
43 government unit, public water utility or any other person, as the
44 case may be, may agree.

45 b. The trust is authorized to guarantee or contract to guarantee
46 the payment of all or any portion of the principal and interest on
47 bonds, notes or other obligations issued by a local government unit
48 to finance the cost of any wastewater treatment system project,

1 water supply project, or transportation project which the local
2 government unit may lawfully undertake or acquire and for which
3 the local government unit is authorized by law to borrow money,
4 and the guarantee shall constitute an obligation of the trust for the
5 purposes of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
6 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
7 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
8 20.2, C.58:11B-22.3, and C.58:11B-22.4). Each guarantee by the
9 trust and the terms and conditions thereof shall be subject to
10 approval by the State Treasurer, and the trust shall make available
11 to the State Treasurer all information, statistical data and reports of
12 independent consultants or experts as the State Treasurer shall deem
13 necessary in order to evaluate the guarantee.

14 c. The trust shall not make or contract to make any loans or
15 guarantees to local government units, public water utilities or any
16 other person, or otherwise incur any additional indebtedness, on or
17 after June 30, 2033.

18 d. Notwithstanding any provision of P.L.1985, c.334
19 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to
20 the contrary, the trust may receive funds from any source including,
21 without limitation, any funds drawn by the trust from a revolving
22 line of credit or other similar financial vehicle that may be procured
23 by the trust, either through a competitive or negotiated process,
24 pursuant to section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit
25 into the Interim Environmental Financing Program Fund or the trust
26 may issue its bonds, notes or other obligations, including
27 commercial paper issued through a competitive or negotiated
28 process, in any principal amounts, in either case, as in the judgment
29 of the trust shall be necessary to provide sufficient funds to finance
30 or refinance short-term or temporary loans to local government
31 units, public water utilities or private persons for any wastewater
32 treatment system projects included on the Department of
33 Environmental Protection project priority list and eligible for
34 approval pursuant to section 20 of P.L.1985, c.334 (C.58:11B-20)
35 or water supply projects included on the Department of
36 Environmental Protection project priority list and eligible for
37 approval pursuant to section 24 of P.L.1997, c.224 (C.58:11B-20.1),
38 as applicable, without regard to any other provisions of P.L.1985,
39 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et
40 al.), including, without limitation, any administrative or legislative
41 approvals.

42 The trust shall create and establish a special fund to be known as
43 the "Interim Environmental Financing Program Fund" for the short-
44 term or temporary loan financing or refinancing program to be
45 known as the "Interim Environmental Financing Program". The
46 monies in the fund shall be used for short-term or temporary loans
47 for clean water and drinking water projects pursuant to the New
48 Jersey Environmental Infrastructure Financing Program.

1 Except as provided in section 1 of P.L.2013, c.93 (C.58:11B-
2 9.5), any short-term or temporary loans made by the trust pursuant
3 to this subsection may only be made in advance of the anticipated
4 loans the trust may make and contract to make under the provisions
5 of subsection a. of this section from any source of funds anticipated
6 to be received by the trust. Any such short-term or temporary loan
7 made pursuant to the Interim Environmental Financing Program
8 shall mature no later than the last day of the third succeeding fiscal
9 year following the closing date on which the short-term or
10 temporary loan was made by the trust to the project sponsor; except
11 a short-term or temporary loan made pursuant to this subsection for
12 environmental planning and engineering design costs associated
13 with long-term control plans for combined sewer overflow projects
14 shall mature no later than the last day of the 10th succeeding fiscal
15 year following the closing date on which the short-term or
16 temporary loan was made by the trust to the project sponsor. The
17 trust may make short-term or temporary loans pursuant to the
18 Interim Environmental Financing Program to any one or more of
19 the project sponsors, for the respective projects thereof, identified in
20 the interim financing project priority list to be known as the
21 "Interim Environmental Financing Program Project Priority List" in
22 the form provided to the Legislature by the Commissioner of
23 Environmental Protection.

24 The Interim Environmental Financing Program Project Priority
25 List, including any revision thereof or supplement thereto, shall be
26 submitted to the Legislature pursuant to section 2 of P.L.1991,
27 c.164 (C.52:14-19.1) at least once in each fiscal year as provided in
28 section 20 of P.L.1985, c.334 (C.58:11B-20) and section 24 of
29 P.L.1997, c.224 (C.58:11B-20.1). The Secretary and the Clerk shall
30 cause the date of submission to be entered upon the Senate Journal
31 and the Minutes of the General Assembly, respectively. The trust
32 may revise or supplement the Interim Environmental Financing
33 Program Project Priority List no more than **【three】** four times
34 during the fiscal year and shall submit the revised list to the
35 Legislature when the revisions are made. Any environmental
36 infrastructure project or the project sponsor thereof not identified in
37 the Interim Environmental Financing Program Project Priority List
38 shall not be eligible for a short-term or temporary loan from the
39 Interim **【Financing】** Environmental **【Project Priority】** Financing
40 Program Fund. The trust may issue short-term or temporary loans
41 pursuant to this subsection only if a project is listed on an Interim
42 Environmental Financing Program Project Priority List submitted to
43 the Legislature. No funds may be disbursed pursuant to this section
44 for project activities prior to a determination and certification, in
45 writing, from the Department of Environmental Protection, that the
46 project activities satisfy the provision of P.L.1985, c.332
47 (C.58:11B-1 et seq.).

1 e. Notwithstanding any provisions of the "Local Bond Law"
2 (N.J.S.40A:2-1 et seq.), the "sewerage authorities law," P.L.1946,
3 c.138 (C.40:14A-1 et seq.), or the "municipal and county utilities
4 authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to the
5 contrary, short-term or temporary loans made by the trust pursuant
6 to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1 of
7 P.L.2013, c.93 (C.58:11B-9.5), and the obligations issued by project
8 sponsors to evidence such loans, may, at the discretion of the trust
9 and upon application by the project sponsor, bear interest at a
10 variable rate determined pursuant to a methodology as may be
11 established by the trust from time to time.

12 Further, notwithstanding any provisions of the "Local Bond
13 Law" (N.J.S.40A:2-1 et seq.), the "sewerage authorities law,"
14 P.L.1946, c.138 (C.40:14A-1 et seq.), or the "municipal and county
15 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to
16 the contrary, any short-term or temporary loans made by the trust
17 pursuant to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1
18 of P.L.2013, c.93 (C.58:11B-9.5), and any notes or other
19 obligations issued by project sponsors to evidence such short-term
20 or temporary loans, except for loans for environmental planning and
21 engineering design costs associated with long-term control plans for
22 combined sewer overflow projects as provided in subsection d. of
23 this section, shall mature no later than the last day of the third
24 succeeding fiscal year following the date of issuance of such notes
25 or other obligations, without payment by project sponsors of any
26 portion of the principal thereof prior to maturity.

27 f. Any balances remaining in the Emergency Loan fund
28 established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-9.1),
29 the Planning and Design Fund established pursuant to section 1 of
30 P.L.2009, c.59 (C.58:11B-9.2), the Onsite Wastewater Disposal
31 Loan Fund established pursuant to section 5 of P.L.2009, c.103
32 (C.58:11B-9.3), the Supplemental Loan Fund established pursuant
33 to section 2 of P.L.2011, c.94 (C.58:11B-9.4), and the Equipment
34 Loan Fund established pursuant to section 1 of P.L.2014, c.28
35 (C.58:11B-9.6) after the date of enactment of P.L.2016, c.30 shall
36 be transferred to the Interim Environmental Financing Program
37 Fund, and any loan repayments to the trust of principal and interest
38 or premium on loans made from those funds shall be credited to the
39 Interim Environmental Financing Program Fund.

40 g. The trust shall create and establish a special fund to be
41 known as the "Interim Transportation Financing Program Fund" for
42 the short-term or temporary loan financing or refinancing program
43 to be known as the "Interim Transportation Financing Program."

44 Notwithstanding any provision of P.L.1985, c.334 (C.58:11B-1
45 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to the contrary,
46 the trust may receive funds from any source including, without
47 limitation, any funds drawn by the trust from a revolving line of
48 credit or other similar financial vehicle that may be procured by the

1 trust, either through a competitive or negotiated process, pursuant to
2 section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit into the
3 Interim Transportation Financing Program Fund or the trust may
4 issue its bonds, notes or other obligations in any principal amounts,
5 in either case, as in the judgment of the trust shall be necessary to
6 provide sufficient funds to finance or refinance short-term or
7 temporary loans to local government units or private persons for
8 any transportation project included on the Department of
9 Transportation Interim Transportation Financing Program Project
10 **【Eligibility】 Priority List** for the ensuing fiscal year and eligible for
11 approval pursuant to sections 22 and 34 through 38 of P.L.2016,
12 c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2,
13 C.58:11B-22.3, and C.58:11B-22.4), without regard to any other
14 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
15 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
16 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
17 20.2, C.58:11B-22.3, and C.58:11B-22.4), including, without
18 limitation, any administrative or legislative approvals.

19 Any short-term or temporary loans made by the trust pursuant to
20 this subsection may only be made in advance of the anticipated
21 loans the trust may make and contract to make under the provisions
22 of subsection a. of this section from any source of funds anticipated
23 to be received by the trust. Any such short-term or temporary loan
24 made pursuant to the Interim Transportation Financing Program
25 shall mature no later than the last day of the third succeeding fiscal
26 year following the closing date on which the short-term or
27 temporary loan was made by the trust to the project sponsor. The
28 trust may make short-term or temporary loans pursuant to the
29 Interim Transportation Financing Program to any one or more of the
30 project sponsors, for the respective projects thereof, only if a
31 project is identified in the Department of Transportation Interim
32 Transportation Financing Program Project **【Eligibility】 Priority List**
33 to be known as the "Interim Transportation Financing Program
34 Project **【Eligibility】 Priority List**" in the form provided to the
35 Legislature by the Commissioner of Transportation.

36 The Interim Transportation Financing Program Project
37 **【Eligibility】 Priority List**, including any revision thereof or
38 supplement thereto, shall be submitted to the Secretary of the
39 Senate and the Clerk of the General Assembly on or before July 1
40 of each year. The Interim Transportation Financing Program
41 Project **【Eligibility】 Priority List** shall be submitted to the
42 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
43 at least once in each fiscal year. The Secretary and the Clerk shall
44 cause the date of submission to be entered upon the Senate Journal
45 and the Minutes of the General Assembly, respectively. Any
46 transportation infrastructure project or the project sponsor thereof
47 not identified in the Interim Transportation Financing Program

1 Project **【Eligibility】** Priority List shall not be eligible for a short-
2 term or temporary loan from the Interim Transportation Financing
3 Program Fund. The trust may revise or supplement the Interim
4 Transportation Financing Program Project Eligibility List no more
5 than **【three】** four times during the fiscal year, and shall submit the
6 revised list to the Legislature when the revisions are made.

7 No funds may be disbursed pursuant to this **【section】** subsection
8 for project activities prior to the determination and certification in
9 writing, from the Department of Transportation, that the project
10 activities satisfy the provisions of P.L.1985, c.334 (C.58:11B-1 et
11 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
12 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
13 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4).
14 (cf: P.L.2016, c.56, s.17)
15

16 4. Section 1 of P.L.2013, c.93 (C.58:11B-9.5) is amended to
17 read as follows:

18 1. a. The trust shall create and establish a special fund to be
19 known as the "Disaster Relief Emergency Financing Program Fund"
20 for the disaster relief emergency short-term or temporary loan
21 program of the trust to be known as the "Disaster Relief Emergency
22 Financing Program."

23 The Disaster Relief Emergency Financing Program Fund shall be
24 credited with:

25 (1) moneys deposited in the fund as administrative fees received
26 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
27 (C.58:11B-5);

28 (2) moneys received by the trust as repayment of the principal
29 of and the interest or premium on loans made from the fund;

30 (3) any interest earnings received on the moneys in the fund;

31 (4) such other moneys as the Legislature may appropriate to the
32 trust for deposit into the fund at any time to finance or refinance
33 emergency short-term or temporary loans pursuant to the Disaster
34 Relief Emergency Financing Program;

35 (5) the proceeds of any bonds, notes or other obligations that
36 may be issued by the trust from time to time in any principal
37 amounts as in the judgment of the trust shall be necessary or
38 appropriate to provide sufficient funds for deposit into the fund to
39 finance or refinance emergency short-term or temporary loans
40 pursuant to the Disaster Relief Emergency Financing Program; and

41 (6) any other source of available funds that may be deemed by
42 the trust to be necessary or appropriate to provide sufficient funds
43 for deposit into the fund to finance or refinance emergency short-
44 term or temporary loans pursuant to the Disaster Relief Emergency
45 Financing Program, including, without limitation, any funds drawn
46 by the trust from (i) a revolving line of credit or other similar
47 financial vehicle, or (ii) a commercial paper financing program,
48 either through a competitive or negotiated process, that may be

1 procured by the trust pursuant to the provisions of section 5 of
2 P.L.1985, c.334 (C.58:11B-5), for deposit into the fund to finance
3 or refinance emergency short-term or temporary loans pursuant to
4 the Disaster Relief Emergency Financing Program.

5 b. Notwithstanding any provision of P.L.1985, c.334
6 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
7 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
8 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
9 C.58:11B-22.4) to the contrary, the trust may make emergency
10 short-term or temporary Disaster Relief Emergency Financing
11 Program loans to: (1) local government units to finance or refinance
12 the costs incurred in the environmental planning and design
13 associated with such wastewater treatment system projects, and
14 wastewater treatment system projects, as applicable; or (2) local
15 government units, public water utilities, or private persons to
16 finance or refinance the costs incurred in the environmental
17 planning and design of water supply projects, and water supply
18 projects, as applicable.

19 **【Emergency】** Funds may only be disbursed for emergency short-
20 term or temporary loans **【may be made】** upon the determination
21 and certification in writing by the department that any such project
22 **【is】** costs are necessary and appropriate to: repair damages to a
23 wastewater treatment system or water supply facility directly
24 arising from an act of terrorism, seismic activity, or weather
25 conditions that occurred within the three fiscal years after a
26 declaration by the Governor of a state of emergency, provided the
27 wastewater treatment system or water supply facility is located in a
28 county included in the Governor's state of emergency declaration;
29 or mitigate the risk of future damage to a wastewater treatment
30 system or water supply facility from an act of terrorism, seismic
31 activity, or weather conditions comparable in scope and severity to
32 the act of terrorism, seismic activity, or weather conditions that
33 occurred within the three fiscal years after a declaration by the
34 Governor of a state of emergency, provided the wastewater
35 treatment system or water supply facility is located in a county
36 included in the Governor's state of emergency declaration, without
37 regard to any other provisions of P.L.1985, c.334 (C.58:11B-1 et
38 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
39 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
40 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4),
41 including, without limitation, the provisions of section 20 of
42 P.L.1985, c.334 (C.58:11B-20), section 24 of P.L.1997, c.224
43 (C.58:11B-20.1), the Interim Environmental Financing Program
44 Project Priority List pursuant to subsection d. of section 9 of
45 P.L.1985, c.334 (C.58:11B-9), or any administrative or legislative
46 approvals. A project shall be eligible for emergency short-term or
47 temporary loans pursuant to this section if it is identified on a
48 Disaster Relief Emergency Financing Program Project Priority List

1 no more than three years after the conditions that gave rise to a
2 declaration by the Governor of a state of emergency. Any such
3 short-term or temporary loan pursuant to the Disaster Relief
4 Emergency Financing Program shall mature no later than the last
5 day of the third succeeding fiscal year following the closing date on
6 which the short-term or temporary loan was made by the trust to the
7 project sponsor.

8 c. The trust may make short-term or temporary loans pursuant
9 to the Disaster Relief Emergency Financing Program to one or more
10 of the project sponsors, for the respective projects thereof, provided
11 that the project is identified on the Disaster Relief Emergency
12 Financing Program project priority list to be known as the "Disaster
13 Relief Emergency Financing Program Project Priority List" no later
14 than three years after the date of the declaration by the Governor of
15 a state of emergency in the form provided to the Legislature by the
16 Commissioner of Environmental Protection. However, a project
17 may be eligible for funding pursuant to this section more than three
18 years after the date of the declaration by the Governor of a state of
19 emergency if the project was first included on a Disaster Relief
20 Emergency Financing Program Project Priority List within three
21 years after the date of the declaration by the Governor of a state of
22 emergency and continues to be identified on the Disaster Relief
23 Emergency Financing Program Project Priority List in the fiscal
24 year in which the funding is issued. The Disaster Relief Emergency
25 Financing Program Project Priority List shall be submitted to the
26 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
27 at least once in each fiscal year. An environmental infrastructure
28 project or a project sponsor thereof not identified on the Disaster
29 Relief Emergency Financing Program Project Priority List
30 submitted to the Legislature shall not be eligible for a short-term or
31 temporary loan from the Disaster Relief Emergency Financing
32 Program Fund.

33 d. The trust shall submit a report on the Disaster Emergency
34 Financing Program to the Legislature pursuant to section 2 of
35 P.L.1991, c.164 (C.54:14-19.1) on or before January 15 of each
36 year. The Secretary of the Senate and the Clerk of the General
37 Assembly shall cause the date of submission to be entered upon the
38 Senate Journal and the Minutes of the General Assembly,
39 respectively. The report shall identify the wastewater treatment
40 system and water supply projects financed during the prior fiscal
41 year through the program including a project description, the
42 amount of the Disaster Relief Emergency Financing Program loan
43 provided for each project, and the duration of each loan.
44 (cf: P.L.2016, c.56, s.18)

45
46 5. Section 10 of P.L.1985, c.334 (C.58:11B-10) is amended to
47 read as follows:

1 10. The trust shall create and establish a special fund to be
2 known as the "wastewater treatment system general loan fund." The
3 monies in the fund shall only be used for projects funded by the
4 New Jersey Environmental Infrastructure Financing Program.

5 Subject to the provisions of the legislation appropriating moneys
6 to the trust, subject to any other provision of P.L.1985, c.334
7 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
8 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
9 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
10 C.58:11B-22.4) providing otherwise, and subject to agreements
11 with the holders of bonds, notes and other obligations of the trust,
12 the trust shall deposit into the wastewater treatment system general
13 loan fund all revenues and receipts of the trust, including moneys
14 received by the trust as payment of the principal of and the interest
15 or premium on loans made from moneys in any wastewater
16 treatment system fund or account held by the trust under P.L.1985,
17 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
18 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
19 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
20 C.58:11B-22.4), and the earnings on the moneys in any wastewater
21 treatment system fund or account of the trust, and all grants,
22 appropriations, other than those referred to in section 11 of
23 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
24 from any source, available for the making of loans to local
25 government units. The amounts in the wastewater treatment system
26 general loan fund shall be available for application by the trust for
27 loans to local government units for the cost of wastewater treatment
28 system projects, and for other corporate purposes of the trust related
29 to wastewater treatment systems, subject to agreements with the
30 holders of bonds, notes or other obligations of the trust.

31 (cf: P.L.2016, c.56, s.19)

32
33 6. Section 23 of P.L.1997, c.224 (C.58:11B-10.1) is amended to
34 read as follows:

35 23. The trust shall create and establish a special fund to be
36 known as the "water supply facilities general loan fund." The
37 monies in the fund shall only be used for projects funded by the
38 New Jersey Environmental Infrastructure Financing Program.

39 Subject to the provisions of the legislation appropriating moneys
40 to the trust, subject to any other provision of P.L.1985, c.334
41 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
42 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
43 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
44 C.58:11B-22.4) providing otherwise, and subject to agreements
45 with the holders of bonds, notes and other obligations of the trust,
46 the trust shall deposit into the water supply facilities general loan
47 fund all revenues and receipts of the trust, including moneys
48 received by the trust as payment of the principal of and the interest

1 or premium on loans made from moneys in any fund or account
2 held by the trust under the provisions of P.L.1985, c.334 (C.58:11B-
3 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
4 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
5 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), and the
6 earnings on the moneys in any fund or account of the trust, and all
7 grants, appropriations, other than those referred to in section 11 of
8 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
9 from any source, available for the making of loans to local
10 government units, public water utilities, or to any other person or
11 local government unit on behalf of a public water utility, for water
12 supply projects. The amounts in the water supply facilities general
13 loan fund shall be available for application by the trust for loans to
14 local government units, public water utilities or any other person for
15 the cost of water supply projects, and for other corporate purposes
16 of the trust, subject to agreements with the holders of bonds, notes
17 or other obligations of the trust.

18 (cf: P.L.2016, c.56, s.20)

19

20 7. Section 34 of P.L.2016, c.56 (C.58:11B-10.4) is amended to
21 read as follows:

22 34. a. There is established in the New Jersey Infrastructure
23 Bank a special fund to be known as the State Transportation
24 Infrastructure Bank Fund. The monies in the fund shall only be
25 used for projects funded by the New Jersey Transportation
26 Infrastructure Financing Program. There shall be established within
27 the fund, two subaccounts: (1) a federally-funded subaccount that
28 shall be approved to receive federal funds and related State
29 matching funds pursuant to the federal infrastructure bank program
30 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
31 amended or superseded, and (2) a State-funded subaccount that
32 shall be approved to receive only State funds in excess of those
33 required to be deposited in the federally-funded subaccount. The
34 State-funded subaccount shall be ineligible to receive any federal
35 funds. However, funds in the State-funded subaccount shall be
36 eligible for transfer into the federally-funded subaccount in the
37 discretion of the trust for the purpose of related match funding of
38 the federally-funded subaccount.

39 The State Transportation Infrastructure Bank Fund shall be
40 credited with:

41 (1) (a) State and federal funds appropriated to a federal
42 subaccount of the State Transportation Infrastructure Bank Fund
43 pursuant to the federal infrastructure bank program provided for in
44 section 350 of Pub.L.104-59 and Pub.L.102-240 as amended or
45 superseded, and

46 (b) State funds in excess of any minimum State match required
47 under the federal infrastructure bank program, appropriated to the

1 State-funded subaccount of the State Transportation Infrastructure
2 Bank Fund;

3 (2) monetary donations made available to the State to support
4 the State Transportation Infrastructure Bank Fund;

5 (3) moneys received as repayment of the principal of and the
6 interest or premium on loans made from the State Transportation
7 Infrastructure Bank Fund;

8 (4) any interest earnings received on the moneys in the State
9 Transportation Infrastructure Bank Fund; and

10 (5) such other moneys as the Legislature may appropriate to the
11 trust for deposit into the State Transportation Infrastructure Bank
12 Fund at any time to finance or refinance transportation loans issued
13 from the State Transportation Infrastructure Bank Fund.

14 b. Notwithstanding any provision of P.L.1985, c.334
15 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
16 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
17 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
18 C.58:11B-22.4) to the contrary, all moneys placed into the State
19 Transportation Infrastructure Bank Fund shall be held separate from
20 other funds of the trust, and no transportation funds shall be
21 combined or comingled with any funds that finance (1) wastewater
22 treatment system projects, (2) water supply projects, or (3) other
23 environmental infrastructure projects, that are not transportation
24 projects.

25 c. All moneys placed into the State-funded subaccount of the
26 State Transportation Infrastructure Bank Fund shall be held separate
27 from any federal funds provided for the federally-funded
28 subaccount of the State Transportation Infrastructure Bank Fund.

29 d. Notwithstanding any provision of P.L.1985, c.334
30 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
31 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
32 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
33 C.58:11B-22.4) to the contrary, the trust may provide loans or other
34 assistance to one or more local government units or consortia
35 thereof for the purpose of financing all or a portion of the costs
36 incurred for the planning, acquisition, engineering, construction,
37 reconstruction, repair, and rehabilitation of a transportation project,
38 provided that monies from the federally-funded subaccount are
39 limited to the purposes permitted under the federal infrastructure
40 bank program.

41 e. In addition to the financing described in subsection d. of this
42 section, a portion, not to exceed 10 percent, of the assistance
43 provided from the State-funded sub-account of the State
44 Transportation Infrastructure Bank Fund may be issued in the form
45 of grants.

46 f. Loans or other assistance granted pursuant to this section
47 shall be considered an investment or reinvestment by the State
48 Transportation Infrastructure Bank Fund, provided that monies from

1 the federally-funded subaccount are limited to the purposes
2 permitted under the federal infrastructure bank program, and not a
3 loan within the meaning of section 12 of P.L.1995, c.108 (C.27:1B-
4 21.5).

5 g. The refinancing of debt relating to an existing transportation
6 project shall not be an eligible form of assistance from the State
7 Transportation Infrastructure Bank Fund, and a loan shall not be
8 granted unless the applicant can demonstrate to the satisfaction of
9 the trust that the assistance being sought is not for the refinancing
10 of debt relating to an existing transportation project.

11 h. Any project, the use or purpose of which is private and for
12 which no public benefit is created, shall not be eligible for financial
13 assistance from the trust.

14 i. The trust shall consider the following factors when setting an
15 interest rate on a loan provided pursuant to this section: (1) the
16 current market rates for comparable obligations; (2) the nature of
17 the project; (3) the financing structure of the project; (4) the
18 creditworthiness of the borrower; and (5) the term of the proposed
19 obligation.

20 j. The long term loan repayment schedule for each project
21 shall require: (1) the repayment of the loan commencing six months
22 after construction completion, the date the facility has opened to
23 traffic, or three years after execution of the long term financing
24 obligation, whichever is first, however, in the case of a highway
25 project, it shall be whichever is later; and (2) a final maturity date
26 of not more than 35 years following the completion of the project.

27 k. The trust may establish or direct the establishment of federal
28 and State accounts or subaccounts as may be necessary to meet any
29 applicable federal law requirements or desirable for the efficient
30 administration of the trust.

31 (cf: P.L.2016, c.56, s.34)

32

33 8. Section 20 of P.L.1985, c.334 (C.58:11B-20) is amended to
34 read as follows:

35 20. a. (1) The Commissioner of Environmental Protection shall
36 for each fiscal year develop a priority system for wastewater
37 treatment systems and shall establish the ranking criteria and
38 funding policies for the clean water projects **【therefor】** to be
39 financed by the New Jersey Environmental Infrastructure Financing
40 Program. The commissioner shall set forth an Interim Clean Water
41 Financing Program Project Priority List, hereinafter referred to as
42 the "clean water project priority list," for funding by the trust for
43 each fiscal year and shall include the aggregate amount of funds of
44 the trust to be authorized for these purposes. The clean water
45 project priority list may include any stormwater management or
46 combined sewer overflow abatement project identified in the
47 stormwater management and combined sewer overflow abatement

1 project priority list adopted by the commissioner pursuant to section
2 28 of P.L.1989, c.181.

3 The clean water project priority list, which shall include for each
4 wastewater treatment system the date each project is scheduled to
5 be certified as ready for funding, shall be in conformance with
6 applicable provisions of the "Federal Water Pollution Control Act
7 Amendments of 1972," Pub.L.92-500 (33 U.S.C. s.1251 et al.), and
8 any amendatory or supplementary acts thereto, and State law, or in
9 the case of a wastewater treatment system project for the reduction
10 of lead in a publicly-owned facility, conformance with requirements
11 established by the Department of Environmental Protection for
12 those projects. The clean water project priority list shall include a
13 description of each project and its purpose, impact, cost, and
14 construction schedule, and an explanation of the manner in which
15 priorities were established. The priority system and clean water
16 project priority list for the ensuing fiscal year shall be submitted to
17 the Secretary of the Senate and the Clerk of the General Assembly
18 on or before January 15 of each year. The Secretary and the Clerk
19 shall cause the date of submission to be entered upon the Senate
20 Journal and the Minutes of the General Assembly, respectively.
21 Incremental revisions or supplements to the clean water project
22 priority list may be submitted to the Legislature as provided in
23 subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9).

24 (2) The commissioner shall set forth a clean water project
25 eligibility list for long-term funding by the trust and shall include
26 the aggregate amount of funds to be authorized for these purposes.
27 The clean water project eligibility list shall consist of clean water
28 project priority list projects certified by the department that have
29 commenced construction and demonstrated a high likelihood of
30 construction completion on or before the end of the ensuing fiscal
31 year. On or before May 15 of each year, the trust shall submit the
32 clean water project eligibility list for the ensuing fiscal year,
33 including any revision thereof or supplement thereto, to be
34 introduced in each House in the form of legislative appropriations
35 bills, which shall be referred to the Senate Environment and Energy
36 Committee and the Assembly Environment and Solid Waste
37 Committee, or their successors, for their respective consideration.
38 On or before October 15 of each year the trust may submit an
39 additional clean water project eligibility list, to be introduced in
40 each House in the form of legislative appropriations bills, which
41 shall be referred to the Senate Environment and Energy Committee
42 and the Assembly Environment and Solid Waste Committee, or
43 their successors, for their respective consideration.

44 b. The Senate Environment and Energy Committee and the
45 Assembly Environment and Solid Waste Committee shall, either
46 individually or jointly, consider the legislation containing the clean
47 water project eligibility list, and shall report the legislation, together
48 with any modifications, out of committee for consideration by each

1 House of the Legislature. On or before July 1 of each year, the
2 Legislature shall approve an appropriations act containing the clean
3 water project eligibility list, including any amendatory or
4 supplementary provisions thereto, which act shall include the
5 authorization of an aggregate amount of funds of the trust to be
6 expended for long-term loans and guarantees for the specific
7 projects, including the individual amounts therefor, on the list.

8 c. The trust shall not expend any money for a long-term loan or
9 guarantee during a fiscal year for any wastewater treatment system
10 project unless the expenditure is authorized pursuant to an
11 appropriations act as provided in the provisions of this section, or as
12 otherwise set forth in an appropriations act.

13 d. The trust shall submit to the Secretary of the Senate and the
14 Clerk of the General Assembly on or before January 15 of each year
15 a report which shall identify the wastewater treatment system
16 projects financed during the prior fiscal year, including a project
17 description, the amount of the loan provided for each project, and
18 the duration of each loan.

19 (cf: P.L.2016, c.30, s.3)

20

21 9. Section 24 of P.L.1997, c.224 (C.58:11B-20.1) is amended to
22 read as follows:

23 24. a. (1) The Commissioner of Environmental Protection shall
24 for each fiscal year develop a priority system for water supply
25 projects and shall establish the ranking criteria and funding policies
26 **【therefor】** for the water supply projects to be financed by the New
27 Jersey Environmental Infrastructure Financing Program. The
28 commissioner shall set forth an Interim Drinking Water Financing
29 Program Project Priority List, hereinafter referred to as the
30 "drinking water project priority list," for funding by the trust for
31 each fiscal year and shall include the aggregate amount of funds of
32 the trust to be authorized for these purposes. The commissioner
33 may include a water supply project on the drinking water project
34 priority list if it meets the eligibility requirements for funding
35 pursuant to the federal "Safe Drinking Water Act Amendments of
36 1996," Pub.L.104-182, or in the case of a water supply project for
37 the reduction of lead in a publicly-owned facility, the project meets
38 the eligibility requirements established by the Department of
39 Environmental Protection for those projects. The drinking water
40 project priority list shall include a description of each project and an
41 explanation of the manner in which priorities were established. The
42 priority system and drinking water project priority list for the
43 ensuing fiscal year shall be submitted to the Secretary of the Senate
44 and the Clerk of the General Assembly on or before January 15 of
45 each year. The Secretary and the Clerk shall cause the date of
46 submission to be entered upon the Senate Journal and the Minutes
47 of the General Assembly, respectively. Incremental revisions or
48 supplements to the drinking water project priority list may be

1 submitted to the Legislature as provided in subsection d. of section
2 9 of P.L.1985, c.334 (C.58:11B-9).

3 (2) The commissioner shall set forth a drinking water project
4 eligibility list for long-term funding by the trust and shall include
5 the aggregate amount of funds to be authorized for these purposes.
6 The drinking water project eligibility list shall consist of drinking
7 water project priority list projects certified by the department that
8 have commenced construction and demonstrated a high likelihood
9 of construction completion on or before the end of the ensuing
10 fiscal year. On or before May 15 of each year, the trust shall submit
11 the drinking water project eligibility list for the ensuing fiscal year,
12 including any revision thereof or supplement thereto, to be
13 introduced in each House in the form of legislative appropriations
14 bills, which shall be referred to the Senate Environment and Energy
15 Committee and the Assembly Environment and Solid Waste
16 Committee, or their successors, for their respective consideration.
17 On or before October 15 of each year the trust may submit an
18 additional drinking water project eligibility list, to be introduced in
19 each House in the form of legislative appropriations bills, which
20 shall be referred to the Senate Environment and Energy Committee
21 and the Assembly Environment and Solid Waste Committee, or
22 their successors, for their respective consideration.

23 b. The Senate Environment and Energy Committee and the
24 Assembly Environment and Solid Waste Committee shall, either
25 individually or jointly, consider the legislation containing the
26 drinking water project eligibility list, and shall report the
27 legislation, together with any modifications, out of committee for
28 consideration by each House of the Legislature. On or before July 1
29 of each year, the Legislature shall approve an appropriations act
30 containing the drinking water project eligibility list, including any
31 amendatory or supplementary provisions thereto, which act shall
32 include the authorization of an aggregate amount of funds of the
33 trust to be expended for long-term loans and guarantees for the
34 specific water supply projects, including the individual amounts
35 therefor, on the list.

36 c. The trust shall not expend any money for a long-term loan or
37 guarantee during a fiscal year for any water supply project unless
38 the expenditure is authorized pursuant to an appropriations act as
39 provided in the provisions of this section, or as otherwise set forth
40 in an appropriations act.

41 d. The trust shall submit to the Secretary of the Senate and the
42 Clerk of the General Assembly on or before January 15 of each year
43 a report which shall identify the water supply projects financed
44 during the prior fiscal year, including a project description, the
45 amount of the loan provided for each project, and the duration of
46 each loan.

47 (cf: P.L.2016, c.30, s.4)

1 10. Section 36 of P.L.2016, c.56 (C.58:11B-20.2) is amended to
2 read as follows:

3 36. a. The Commissioner of Transportation shall, for each fiscal
4 year, develop a priority system for transportation projects. The
5 Commissioner of Transportation shall set forth a Transportation
6 Financing Program Project Priority List, hereinafter referred to as
7 the "transportation project priority list," for **long-term** funding
8 by the trust for each fiscal year and shall include the aggregate
9 amount of funds of the trust to be authorized for these purposes.
10 The Commissioner of Transportation may include a transportation
11 project on the **Transportation Financing Program Project Priority**
12 **List** transportation project priority list if it meets the eligibility
13 requirements for funding pursuant to Pub.L.114-94, the "Fixing
14 America's Transportation Act," or any successor legislation. The
15 **Transportation Financing Program Project Priority List**
16 transportation project priority list shall include a description of each
17 project and an explanation of the manner in which projects are
18 ranked. The **Transportation Financing Program Project Priority**
19 **List** transportation project priority list for the ensuing fiscal year
20 shall be submitted to the Legislature on or before January 15 of
21 each year. The Secretary and the Clerk shall cause the date of
22 submission to be entered upon the Senate Journal and the Minutes
23 of the General Assembly, respectively. Incremental revisions or
24 supplements to the transportation project priority list may be
25 submitted to the Legislature as provided in subsection g. of section
26 9 of P.L.1985, c.334 (C.58:11B-9).

27 b. The Commissioner of Transportation shall set forth **an**
28 **Interim** a Transportation Financing Program Project Eligibility
29 List for **short-term** long-term funding by the trust and shall
30 include the aggregate amount of funds to be authorized for these
31 purposes. The **Interim** Transportation Financing Program Project
32 Eligibility List shall consist of Transportation Financing Program
33 Project Priority List projects certified by the Department of
34 Transportation that have commenced construction and demonstrated
35 to the department a high likelihood of construction completion on
36 or before the end of the ensuing fiscal year. The **Interim**
37 Transportation Financing Program Project Eligibility List
38 established pursuant to this subsection shall be considered by the
39 budget committees of each House of the Legislature for inclusion in
40 the annual appropriations act. On or before June 30 of each year,
41 the Legislature shall include the **Interim** Transportation Financing
42 Program Project Eligibility List with any modifications in the
43 annual appropriations act, including any amendatory or
44 supplementary provisions thereto, which act shall include the
45 authorization of an aggregate amount of funds of the trust to be
46 expended for loans and guarantees for the specific transportation
47 projects, including the individual amounts therefor, on the list. The

1 initial **【Interim】** Transportation Financing Program Project
2 Eligibility List for the ensuing fiscal year shall be submitted to the
3 Legislature on or before **【July 1】** May 15 of each year. The
4 Secretary and the Clerk shall cause the date of submission to be
5 entered upon the Senate Journal and the Minutes of the General
6 Assembly, respectively. **【Incremental revisions or supplements to**
7 **the Interim Transportation Financing Program Project Eligibility**
8 **List may be submitted to the Legislature as provided in subsection**
9 **d. of section 9 of P.L.1985, c.334 (C.58:11B-9).】**

10 c. On or before October 15 of each year, the trust may submit
11 an amended Interim Transportation Financing Program Project
12 Eligibility List to be introduced in each House in the form of
13 legislative appropriations bills for approval by the Legislature on or
14 before January 15 of the following calendar year in the manner set
15 forth in subsection a. and subsection b. of this section.

16 d. The trust shall not expend any money for a long-term loan or
17 guarantee during a fiscal year for any transportation project unless
18 the expenditure is authorized pursuant to a State annual
19 appropriations act of the current or three immediate preceding fiscal
20 years as provided in the provisions of this section, or as otherwise
21 set forth in the State's annual appropriations act.

22 e. The trust shall submit to the Secretary of the Senate and the
23 Clerk of the General Assembly on or before January 15 of each year
24 a report which shall identify the transportation projects financed
25 during the prior fiscal year, including a project description, the
26 amount of the loan provided for each project, and the duration of
27 each loan.

28 f. The source of projects for the Transportation Financing
29 Program Project Priority List and the **【Interim】** Transportation
30 Financing Program Project Eligibility List shall be: (1) applications
31 made by counties and municipalities seeking aid through the State
32 Transportation Infrastructure Bank Fund in accordance with section
33 25 of P.L.1984, c.73 (C.27:1B-25) and the procedures established
34 therein for the allocation of State aid to counties and municipalities
35 through the local aid program, and (2) eligible projects within the
36 most recent 10-year Statewide Transportation Improvement
37 Program as issued by the Department of Transportation. Projects
38 deriving from either of these sources shall identify a consistent
39 source of revenue that will be utilized to repay any loan financing
40 provided by the trust either from the project itself or from the
41 sponsoring local government unit or consortia thereof that will be
42 receiving assistance.

43 (cf: P.L.2016, c.56, s.36)

44

45 11. Section 21 of P.L.1985, c.334 (C.58:11B-21) is amended to
46 read as follows:

1 21. On or before May 15 of each year, the trust shall submit to
2 the Legislature a financial plan designed to implement the financing
3 of the wastewater treatment system projects either on the Interim
4 Clean Water Financing Program Project Priority List, hereinafter
5 referred to as the "clean water project priority list," or the clean
6 water project eligibility list, approved pursuant to section 20 of
7 P.L.1985, c.334 (C.58:11B-20) or as otherwise approved by the
8 Legislature. The financial plan shall contain an enumeration of the
9 bonds, notes or other obligations of the trust which the trust intends
10 to issue, including the amounts thereof and the terms and conditions
11 thereof, a list of loans to be made to local government units or
12 private persons, including the terms and conditions thereof and the
13 anticipated rate of interest per annum and repayment schedule
14 therefor, and a list of loan guarantees or contracts to guarantee the
15 payment of all or a portion of the principal and interest on bonds,
16 notes or other obligations issued by a local government unit to
17 finance the cost of a wastewater treatment system project, and the
18 terms and conditions thereof.

19 The financial plan shall also set forth a complete operating and
20 financial statement covering its proposed operations during the
21 forthcoming fiscal year, including amounts of income from all
22 sources, and the uniform schedule of fees and charges established
23 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
24 (C.58:11B-5), and the amounts to be derived therefrom, and shall
25 summarize the status of each wastewater treatment system project
26 for which loans or guarantees have been made by the trust, and shall
27 describe major impediments to the accomplishment of the planned
28 wastewater treatment system projects.

29 The financial plan shall identify the wastewater treatment system
30 projects financed during the prior fiscal year through the Disaster
31 Relief Emergency Financing Program established pursuant to
32 section 1 of P.L.2013, c.93 (C.58:11B-9.5), including a project
33 description, the amount of the Disaster Relief Emergency Financing
34 Program loan for each project, and the duration of such Disaster
35 Relief Emergency Financing Program loan.

36 The financial plan shall also identify the wastewater treatment
37 system projects financed during the prior fiscal year by the Interim
38 Financing Program established pursuant to subsection d. of section
39 9 of P.L.1985, c.224 (C.58:11B-9) including a project description,
40 the amount of the loan provided for each project, and the duration
41 of each loan.

42 (cf: P.L.2016, c.30, s.5)

43
44 12. Section 25 of P.L.1997, c.224 (C.58:11B-21.1) is amended
45 to read as follows:

46 25. On or before May 15 of each year, the trust shall submit to
47 the Legislature a financial plan designed to implement the financing
48 of the water supply projects either on the Interim Drinking Water

1 Financing Program Project Priority List, hereinafter referred to as
2 the "drinking water project priority list," or the drinking water
3 project eligibility list, approved pursuant to section 24 of P.L.1997,
4 c.224 (C.58:11B-20.1) or as otherwise approved by the Legislature.
5 The financial plan shall contain an enumeration of the bonds, notes
6 or other obligations of the trust which the trust intends to issue,
7 including the amounts thereof and the terms and conditions thereof,
8 a list of loans to be made to local government units, public water
9 utilities, or to any other person or local government unit on behalf
10 of a public water utility, including the terms and conditions thereof
11 and the anticipated rate of interest per annum and repayment
12 schedule therefor, and a list of loan guarantees or contracts to
13 guarantee the payment of all or a portion of the principal and
14 interest on bonds, notes or other obligations issued by a local
15 government unit to finance the cost of a water supply project, and
16 the terms and conditions thereof.

17 The financial plan shall also set forth a complete operating and
18 financial statement covering its proposed operations during the
19 forthcoming fiscal year, including amounts of income from all
20 sources, and the uniform schedule of fees and charges established
21 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
22 (C.58:11B-5), and the amounts to be derived therefrom, and shall
23 summarize the status of each water supply project for which loans
24 or guarantees have been made by the trust, and shall describe major
25 impediments to the accomplishment of the planned water supply
26 projects.

27 The financial plan shall identify the water supply projects
28 financed during the prior fiscal year through the Disaster Relief
29 Emergency Financing Program established pursuant to section 1 of
30 P.L.2013, c.93 (C.58:11B-9.5), including a project description, the
31 amount of the Disaster Relief Emergency Financing Program loan
32 for each project, and the duration of such Disaster Relief
33 Emergency Financing Program loan.

34 The financial plan shall also identify the water supply projects
35 financed during the prior fiscal year by the Interim Financing
36 Program established pursuant to subsection d. of section 9 of
37 P.L.1985, c.224 (C.58:11B-9) including a project description, the
38 amount of the loan provided for each project, and the duration of
39 each loan.

40 (cf: P.L.2016, c.30, s.6)

41

42 13. Section 27 of P.L.1997, c.224 (C.58:11B-22.2) is amended
43 to read as follows:

44 27. As an alternative to the individual annual submissions
45 required by the provisions of sections 21 and 22 of P.L.1985, c.334
46 (C.58:11B-21 and 58:11B-22), sections 25 and 26 of P.L.1997,
47 c.224 (C.58:11B-21.1 and C.58:11B-22.1) and subsection d. of
48 section 9 of P.L.1985, c.334 (C.58:11B-9), the trust may develop

1 and submit to the Legislature a consolidated financial plan designed
2 to implement the financing of the wastewater treatment system
3 projects on the clean water project priority list and clean water
4 project eligibility list approved pursuant to section 20 of P.L.1985,
5 c.334 (C.58:11B-20), the water supply projects on the drinking
6 water project priority list and drinking water project eligibility list
7 approved pursuant to section 24 of P.L.1997, c.224 (C.58:11B-
8 20.1), the water resources projects and wastewater treatment system
9 projects on the water resources project and wastewater treatment
10 system project priority list and project eligibility list developed
11 pursuant to section 31 of P.L.2003, c.162 and any other
12 environmental infrastructure projects approved by the Legislature.
13 (cf: P.L.2016, c.30, s.7)

14

15 14. Section 37 of P.L.2016, c.56 (C.58:11B-22.3) is amended to
16 read as follows:

17 37. a. On or before May 15 of each year, the trust shall submit
18 to the Speaker of the General Assembly and the President of the
19 Senate a financial plan designed to implement the financing of the
20 transportation projects either on the Interim Transportation
21 Financing Program Project Priority List or the **[Interim]**
22 Transportation Financing Program Project Eligibility List approved
23 pursuant to P.L.2016, c.56 (C.27:1B-22.5 et al.) or as otherwise
24 approved by the Legislature. The financial plan shall list the bonds,
25 notes or other obligations of the trust which the trust intends to
26 issue, including the amounts thereof and the terms and conditions
27 thereof, a list of loans to be made to local government units or
28 private persons, including the terms and conditions thereof and the
29 anticipated rate of interest per annum and repayment schedule
30 therefor, and a list of loan guarantees or contracts to guarantee the
31 payment of all or a portion of the principal and interest on bonds,
32 notes or other obligations issued by a local government unit to
33 finance the cost of a transportation project, and the terms and
34 conditions thereof.

35 The financial plan shall also set forth a complete operating and
36 financial statement covering proposed operations through the fund
37 during the forthcoming fiscal year, including amounts of income
38 from all sources, and the uniform schedule of fees and charges
39 established by the trust pursuant to subsection o. of section 5 of
40 P.L.1985, c.334 (C.58:11B-5), and the amounts to be derived
41 therefrom, and shall summarize the status of each transportation
42 project for which loans or guarantees have been made by the trust,
43 and shall describe major impediments to the accomplishment of the
44 planned transportation projects.

45 b. On or before June 30 of each year the Legislature may reject
46 the financial plan through the adoption by both houses of a
47 concurrent resolution. If the Legislature rejects the financial plan,
48 the project list shall be removed from the annual appropriations act

1 and the trust shall not undertake any of the proposed activities
2 contained therein. If the Legislature takes no action on or before
3 June 30, the financial plan shall be deemed approved.

4 c. The financial plan for the State Transportation Infrastructure
5 Bank Fund shall not be eligible for inclusion in a consolidated
6 financial plan as established in section 27 of P.L.1997, c.224
7 (C.58:11B-22.2).

8 (cf: P.L.2016, c.56, s.37)

9

10 15. This act shall take effect immediately.

11

12

13

STATEMENT

14

15 This bill would make certain changes to the law to make the use
16 of terms consistent in the environmental financing program and the
17 transportation financing program administered by the New Jersey
18 Infrastructure Trust, clarify procedures, and assure that all funding
19 is used for its intended purposes. The bill would also make certain
20 technical and clarifying corrections to the law.

SENATE ENVIRONMENT AND ENERGY COMMITTEE

STATEMENT TO

SENATE, No. 3242

STATE OF NEW JERSEY

DATED: JUNE 1, 2017

The Senate Environment and Energy Committee favorably reports Senate Bill No. 3242.

This bill would make certain changes to the law to make the use of terms consistent in the environmental financing program and the transportation financing program to be administered by the New Jersey Environmental Infrastructure Trust, clarify procedures, and assure that all funding is used for its intended purposes. The bill would also make certain technical and clarifying corrections to the law.

ASSEMBLY, No. 4997

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JUNE 12, 2017

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblyman VINCENT PRIETO

District 32 (Bergen and Hudson)

Co-Sponsored by:

Assemblymen Chiaravalloti and Caputo

SYNOPSIS

Clarifies procedures for approval of environmental and transportation infrastructure projects.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/30/2017)

1 AN ACT concerning infrastructure projects, amending P.L.1985,
2 c.334, P.L.2013, c.93, P.L.1997, c.224, and P.L.2016, c.56.

3

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

6

7 1. Section 3 of P.L. 1985, c.334 (C.58:11B-3) is amended to
8 read as follows:

9 3. As used in sections 1 through 27 of P.L.1985, c.334
10 (C.58:11B-1 through C.58:11B-27), sections 23 through 27 of
11 P.L.1997, c.224 (C.58:11B-10.1 et al.), and sections 22 and 34
12 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
13 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4):

14 "Bonds" means bonds issued by the trust pursuant to P.L.1985,
15 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
16 10.1 et al.);

17 "Combined sewer overflow" means the discharge of untreated or
18 partially treated stormwater runoff and wastewater from a combined
19 sewer system into a body of water;

20 "Combined sewer system" means a sewer system designed to
21 carry sanitary wastewater at all times, which is also designed to
22 collect and transport stormwater runoff from streets and other
23 sources, thereby serving a combined purpose;

24 "Commissioner" means the Commissioner of the Department of
25 Environmental Protection;

26 "Cost" means the cost of all labor, materials, machinery and
27 equipment, lands, property, rights and easements, financing
28 charges, interest on bonds, notes or other obligations, plans and
29 specifications, surveys or estimates of costs and revenues,
30 engineering and legal services, and all other expenses necessary or
31 incident to all or part of an environmental infrastructure project;

32 "Department" means the Department of Environmental
33 Protection;

34 "Environmental infrastructure project" means the acquisition,
35 construction, improvement, repair or reconstruction of all or part of
36 any structure, facility or equipment, or real or personal property
37 necessary for or ancillary to any: (1) wastewater treatment system
38 project, including any stormwater management or combined sewer
39 overflow abatement projects; or (2) water supply project, as
40 authorized pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) or
41 P.L.1997, c.224 (C.58:11B-10.1 et al.), including any water
42 resources project, as authorized pursuant to P.L.2003, c.162;

43 "Federal infrastructure bank program" means the United States
44 Department of Transportation State Infrastructure Bank Program

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

Matter underlined thus is new matter.

1 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
2 amended or superseded;

3 "Local government unit" means (1) a State authority, county,
4 municipality, municipal, county or regional sewerage or utility
5 authority, municipal sewerage district, joint meeting, improvement
6 authority, or any other political subdivision of the State authorized
7 to construct, operate, and maintain wastewater treatment systems;
8 (2) a State authority, district water supply commission, county,
9 municipality, municipal, county or regional utilities authority,
10 municipal water district, joint meeting, or any other political
11 subdivision of the State authorized pursuant to law to operate or
12 maintain a public water supply system or to construct, rehabilitate,
13 operate, or maintain water supply facilities or otherwise provide
14 water for human consumption; or (3) a county, municipality,
15 municipal, county or regional transportation authority, or any other
16 political subdivision of the State authorized to construct, operate,
17 and maintain public highways or transportation projects as defined
18 pursuant to this section;

19 "New Jersey Environmental Infrastructure Financing Program"
20 means the financing program to fund environmental infrastructure
21 projects.

22 "New Jersey Transportation Infrastructure Financing Program"
23 means the financing program to fund transportation infrastructure
24 projects.

25 "Notes" means notes issued by the trust pursuant to P.L.1985,
26 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
27 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
28 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
29 C.58:11B-22.4);

30 "Onsite septic system ordinance or regulation" means an
31 ordinance adopted by a municipality or county or regulation
32 adopted by a regional planning agency establishing the
33 requirements for construction, maintenance and repair of onsite
34 wastewater treatment and disposal systems;

35 "Onsite wastewater treatment and disposal system" means an on-
36 site system designed to treat and dispose of domestic sewage;

37 "Other assistance" means forms of financial assistance, in
38 addition to loans, authorized by the New Jersey Infrastructure Bank
39 from the State Transportation Infrastructure Bank Fund, including,
40 but not limited to, use of funds to: provide credit enhancements;
41 serve as a capital reserve for bond or other debt instrument
42 financing; subsidize interest rates; ensure the issuance of letters of
43 credit and credit instruments; finance purchase and lease
44 agreements with respect to transit projects; and provide bond or
45 other debt financing instrument security;

46 "Project" means the acquisition, construction, improvement,
47 repair or reconstruction of all or part of any structure, facility, or
48 equipment, or real or personal property necessary for or ancillary to

1 any: (1) wastewater treatment system project, including any
2 stormwater management or combined sewer overflow abatement
3 projects; (2) water supply project, as authorized pursuant to
4 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
5 10.1 et al.), including any water resources project, as authorized
6 pursuant to P.L.2003, c.162; or (3) transportation project authorized
7 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
8 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
9 22.3, and C.58:11B-22.4);

10 "Public highway" means public roads, streets, expressways,
11 freeways, parkways, motorways and boulevards, including bridges,
12 tunnels, overpasses, underpasses, interchanges, express bus
13 roadways, bus pullouts and turnarounds, park-ride facilities, traffic
14 circles, grade separations, traffic control devices, the elimination or
15 improvement of crossings of railroads and highways, whether at-
16 grade or not at-grade, bicycle and pedestrian pathways and
17 pedestrian and bicycle bridges, and any property, rights of way,
18 easements and interests therein needed for the construction,
19 improvement, and maintenance of highways;

20 "Public water utility" means any investor-owned water company
21 or small water company;

22 "Small water company" means any company, purveyor or entity,
23 other than a governmental agency, that provides water for human
24 consumption and which regularly serves less than 1,000 customer
25 connections, including nonprofit, noncommunity water systems
26 owned or operated by a nonprofit group or organization;

27 "Stormwater management system" means any equipment, plants,
28 structures, machinery, apparatus, management practices, or land, or
29 any combination thereof, acquired, used, constructed, implemented
30 or operated to prevent nonpoint source pollution, abate improper
31 cross-connections and interconnections between stormwater and
32 sewer systems, minimize stormwater runoff, reduce soil erosion, or
33 induce groundwater recharge, or any combination thereof;

34 "Transportation project" means capital projects for public
35 highways, approach roadways and other necessary land-side
36 improvements, ramps, signal systems, roadbeds, transit lanes or
37 rights of way, pedestrian walkways and bridges connecting to
38 passenger stations and servicing facilities, bridges, and grade
39 crossings;

40 "Trust" means the New Jersey Infrastructure Bank created
41 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4);

42 "Wastewater" means residential, commercial, industrial, or
43 agricultural liquid waste, sewage, septage, stormwater runoff, or
44 any combination thereof, or other liquid residue discharged or
45 collected into a sewer system or stormwater management system, or
46 any combination thereof;

47 "Wastewater treatment system" means any equipment, plants,
48 structures, machinery, apparatus, or land, or any combination

1 thereof, acquired, used, constructed or operated by, or on behalf of,
2 a local government unit for the storage, collection, reduction,
3 recycling, reclamation, disposal, separation, or other treatment of
4 wastewater or sewage sludge, or for the collection or treatment, or
5 both, of stormwater runoff and wastewater, or for the final disposal
6 of residues resulting from the treatment of wastewater, including,
7 but not limited to, pumping and ventilating stations, treatment
8 plants and works, connections, outfall sewers, interceptors, trunk
9 lines, stormwater management systems, and other personal property
10 and appurtenances necessary for their use or operation; "wastewater
11 treatment system" shall include a stormwater management system
12 or a combined sewer system;

13 "Wastewater treatment system project" means any work relating
14 to the acquisition, construction, improvement, repair or
15 reconstruction of all or part of any structure, facility or equipment,
16 or real or personal property necessary for or ancillary to any
17 wastewater treatment system that meets the requirements set forth
18 in sections 20, 21, and 22 of P.L.1985, c.334 (C.58:11B-20,
19 C.58:11B-21, and C.58:11B-22); or any work relating to any of the
20 stormwater management or combined sewer overflow abatement
21 projects identified in the stormwater management and combined
22 sewer overflow abatement project priority list adopted by the
23 commissioner pursuant to section 28 of P.L.1989, c.181; or any
24 work relating to the purposes set forth in section 6 of P.L.2003,
25 c.162; or any work relating to any other project eligible for
26 financing under the "Federal Water Pollution Control Act
27 Amendments of 1972" (33 U.S.C. s.1251 et seq.), or any
28 amendatory or supplementary acts thereto;

29 "Water resources project" means any work related to transferring
30 water between public water systems during a state of water
31 emergency, to avert a drought emergency in all or any part of the
32 State, to plan, design or construct interconnections of existing water
33 supplies, or to extend water supplies to areas with contaminated
34 ground water supplies;

35 "Water supply facilities" means and refers to the real property
36 and the plants, structures, interconnections between existing water
37 supply facilities, machinery and equipment and other property, real,
38 personal and mixed, acquired, constructed or operated, or to be
39 acquired, constructed or operated, in whole or in part, by or on
40 behalf of a public water utility, or by or on behalf of the State or a
41 local government unit, for the purpose of augmenting the natural
42 water resources of the State and making available an increased
43 supply of water for all uses, or of conserving existing water
44 resources, and any and all appurtenances necessary, useful or
45 convenient for the collecting, impounding, storing, improving,
46 treating, filtering, conserving or transmitting of water, and for the
47 preservation and protection of these resources and facilities,
48 whether in public or private ownership, and providing for the

1 conservation and development of future water supply resources, and
2 facilitating incidental recreational uses thereof;

3 "Water supply project" means any work relating to the
4 acquisition, construction, improvement, repair or reconstruction of
5 all or part of any structure, facility or equipment, or real or personal
6 property necessary for or ancillary to water supply facilities that
7 meets the requirements set forth in sections 24, 25, and 26 of
8 P.L.1997, c.224 (C.58:11B-20.1, C.58:11B-21.1, and C.58:11B-
9 22.1); or any work relating to the purposes set forth in section 4 of
10 P.L.1981, c.261; or any work relating to the purposes set forth in
11 section 6 of P.L.2003, c.162; or any work relating to any other
12 project eligible for funding pursuant to the federal "Safe Drinking
13 Water Act Amendments of 1996," Pub.L.104-182, and any
14 amendatory and supplementary acts thereto.
15 (cf: P.L.2016, c.56, s.12)

16

17 2. Section 5 of P.L.1985, c.334 (C.58:11B-5) is amended to
18 read as follows:

19 5. Except as otherwise limited by the provisions of P.L.1985,
20 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
21 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
22 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
23 C.58:11B-22.4), the trust may:

24 a. Make and alter bylaws for its organization and internal
25 management and, subject to agreements with holders of its bonds,
26 notes or other obligations, make rules and regulations with respect
27 to its operations, properties and facilities;

28 b. Adopt an official seal and alter it;

29 c. Sue and be sued;

30 d. Make and enter into all contracts, leases and agreements
31 necessary or incidental to the performance of its duties and the
32 exercise of its powers under the provisions of P.L.1985, c.334
33 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
34 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
35 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
36 C.58:11B-22.4), and subject to any agreement with the holders of
37 the trust's bonds, notes or other obligations, consent to any
38 modification, amendment or revision of any contract, lease or
39 agreement to which the trust is a party;

40 e. Enter into agreements or other transactions with and accept,
41 subject to the provisions of section 23 of P.L.1985, c.334
42 (C.58:11B-23), grants, appropriations and the cooperation of the
43 State, or any State agency, in furtherance of the purposes of
44 P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-
45 10.1 et al.), or sections 22 and 34 through 38 of P.L.2016, c.56
46 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
47 22.3, and C.58:11B-22.4), and do anything necessary in order to
48 avail itself of that aid and cooperation;

1 f. Receive and accept aid or contributions from any source of
2 money, property, labor or other things of value, to be held, used and
3 applied to carry out the purposes of P.L.1985, c.334 (C.58:11B-1 et
4 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
5 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
6 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), subject
7 to the conditions upon which that aid and those contributions may
8 be made, including, but not limited to, gifts or grants from any
9 department or agency of the State, or any State agency, for any
10 purpose consistent with the provisions of P.L.1985, c.334
11 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
12 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
13 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
14 C.58:11B-22.4), subject to the provisions of section 23 of P.L.1985,
15 c.334 (C.58:11B-23);

16 g. Acquire, own, hold, construct, improve, rehabilitate,
17 renovate, operate, maintain, sell, assign, exchange, lease, mortgage
18 or otherwise dispose of real and personal property, or any interest
19 therein, in the exercise of its powers and the performance of its
20 duties under the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.),
21 P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
22 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
23 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);

24 h. Appoint and employ an executive director and any other
25 officers or employees as it may require for the performance of its
26 duties, without regard to the provisions of Title 11A of the New
27 Jersey Statutes;

28 i. Borrow money and issue bonds, notes and other obligations,
29 and secure the same, and provide for the rights of the holders
30 thereof as provided in the provisions of P.L.1985, c.334 (C.58:11B-
31 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
32 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
33 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4);

34 j. Subject to any agreement with holders of its bonds, notes or
35 other obligations, invest moneys of the trust not required for
36 immediate use, including proceeds from the sale of any bonds, notes
37 or other obligations, in any obligations, securities and other
38 investments in accordance with the rules and regulations of the
39 State Investment Council or as may otherwise be approved by the
40 Director of the Division of Investment in the Department of the
41 Treasury upon a finding that such investments are consistent with
42 the corporate purposes of the trust;

43 k. Procure insurance to secure the payment of its bonds, notes
44 or other obligations or the payment of any guarantees or loans made
45 by it in accordance with the provisions of P.L.1985, c.334
46 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
47 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
48 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and

1 C.58:11B-22.4), or against any loss in connection with its property
2 and other assets and operations, in any amounts and from any
3 insurers as it deems desirable;

4 1. Engage the services of attorneys, accountants, engineers, and
5 financial experts and any other advisors, consultants, experts and
6 agents as may be necessary in its judgment and fix their
7 compensation;

8 m. (1) Make and contract to make loans to local government
9 units, or to a local government unit on behalf of another local
10 government unit, to finance the cost of wastewater treatment system
11 projects or water supply projects and acquire and contract to acquire
12 notes, bonds or other obligations issued or to be issued by any local
13 government units to evidence the loans, all in accordance with the
14 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
15 c.224 (C.58:11B-10.1 et al.);

16 (2) Make and contract to make loans to public water utilities, or
17 to any other person or local government unit on behalf of a public
18 water utility, to finance the cost of water supply projects in
19 accordance with the provisions of P.L.1985, c.334 (C.58:11B-1 et
20 seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.);

21 (3) Make and contract to make loans to private persons other
22 than local government units, or to any other person or local
23 government unit on behalf of a private person, to finance the cost of
24 onsite wastewater treatment and disposal systems or stormwater
25 management systems in accordance with the provisions of
26 P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-
27 10.1 et al.);

28 (4) Make and contract to make loans and provide other
29 assistance to one or more local government units or consortia
30 thereof to finance the cost of transportation projects in accordance
31 with the provisions of the federal infrastructure bank program and
32 pursuant to sections 22 and 34 through 38 of P.L.2016, c.56
33 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-
34 22.3, and C.58:11B-22.4);

35 n. Subject to any agreement with holders of its bonds, notes or
36 other obligations, purchase bonds, notes and other obligations of the
37 trust and hold the same for resale or provide for the cancellation
38 thereof, all in accordance with the provisions of P.L.1985, c.334
39 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
40 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
41 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
42 C.58:11B-22.4);

43 o. (1) Charge to and collect from local government units,
44 private persons or public water utilities any fees and charges in
45 connection with the trust's loans, guarantees or other services,
46 including, but not limited to, fees and charges sufficient to
47 reimburse the trust for all reasonable costs necessarily incurred by it
48 in connection with its financings and the establishment and

1 maintenance of reserve or other funds, as the trust may determine to
2 be reasonable. The fees and charges shall be in accordance with a
3 uniform schedule published by the trust for the purpose of
4 providing actual cost reimbursement for the services rendered;

5 (2) Any fees and charges collected by the trust pursuant to this
6 subsection may be deposited and maintained in a special fund
7 separate from any other funds held by the trust pursuant to section
8 10 of P.L.1985, c.334 (C.58:11B-10) or section 23 of P.L.1997,
9 c.224 (C.58:11B-10.1), **including the Emergency Loan Fund**
10 **established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-**
11 **9.1),** and shall be available for any corporate purposes of the trust
12 **including the Emergency Financing Program pursuant to section**
13 **4 of P.L.2007, c.138 (C.58:11B-9.1)];**

14 p. Subject to any agreement with holders of its bonds, notes or
15 other obligations, obtain as security or to provide liquidity for
16 payment of all or any part of the principal of and interest and
17 premium on the bonds, notes and other obligations of the trust or
18 for the purchase upon tender or otherwise of the bonds, notes or
19 other obligations, lines of credit, letters of credit and other security
20 agreements or instruments in any amounts and upon any terms as
21 the trust may determine, and pay any fees and expenses required in
22 connection therewith;

23 q. Provide to local government units any financial and credit
24 advice as these local government units may request;

25 r. Make payments to the State from any moneys of the trust
26 available therefor as may be required pursuant to any agreement
27 with the State or act appropriating moneys to the trust; and

28 s. Take any action necessary or convenient to the exercise of
29 the foregoing powers or reasonably implied therefrom.

30 (cf: P.L.2016, c.56, s.14)

31

32 3. Section 9 of P.L.1985, c.334 (C.58:11B-9) is amended to
33 read as follows:

34 9. a. (1) The trust may make and contract to make loans to
35 local government units, or to a local government unit on behalf of
36 another local government unit, in accordance with and subject to the
37 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
38 c.224 (C.58:11B-10.1 et al.) to finance the cost of any wastewater
39 treatment system project or water supply project, which the local
40 government unit may lawfully undertake or acquire and for which
41 the local government unit is authorized by law to borrow money.

42 (2) The trust may make and contract to make loans to public
43 water utilities, or to any other person or local government unit on
44 behalf of a public water utility, in accordance with and subject to
45 the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) or P.L.1997,
46 c.224 (C.58:11B-10.1 et al.) to finance the cost of any water supply
47 project, which the public water utility may lawfully undertake or
48 acquire.

1 (3) The trust may make and contract to make loans to private
2 persons other than local government units, or to any other person or
3 local government unit on behalf of a private person, in accordance
4 with and subject to the provisions of P.L.1985, c.334 (C.58:11B-1
5 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to finance the cost
6 of stormwater management systems.

7 (4) The trust may make and contract to make loans and provide
8 other assistance to a local government unit or consortia thereof to
9 finance the cost of transportation projects pursuant to sections 22
10 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through
11 C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-
12 22.4), and provided that the federally-funded subaccount is operated
13 in accordance with the provisions of the federal infrastructure bank
14 program.

15 The loans may be made subject to those terms and conditions as
16 the trust shall determine to be consistent with the purposes thereof.
17 Each loan by the trust and the terms and conditions thereof shall be
18 subject to approval by the State Treasurer, and the trust shall make
19 available to the State Treasurer all information, statistical data and
20 reports of independent consultants or experts as the State Treasurer
21 shall deem necessary in order to evaluate the loan. Each loan to a
22 local government unit, public water utility or any other person shall
23 be evidenced by notes, bonds or other obligations thereof issued to
24 the trust. In the case of each local government unit, notes and
25 bonds to be issued to the trust and, if applicable, the State, acting by
26 and through the Department of Environmental Protection, by the
27 local government unit (1) shall be authorized and issued as provided
28 by law for the issuance of notes and bonds by the local government
29 unit, (2) notwithstanding any provisions of the "Local Authorities
30 Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.) to the
31 contrary, shall be approved by the Director of the Division of Local
32 Government Services in the Department of Community Affairs, and
33 (3) notwithstanding the provisions of N.J.S.40A:2-27, N.J.S.40A:2-
34 28 and N.J.S.40A:2-29 or any other provisions of law to the
35 contrary, may be sold at private sale to the trust or the State, as the
36 case may be, at any price, whether or not less than par value, and
37 shall be subject to redemption prior to maturity at any times and at
38 any prices as the trust or the State, as the case may be, and local
39 government units may agree. Each loan to a local government unit,
40 public water utility or any other person and the notes, bonds or
41 other obligations thereby issued shall bear interest at a rate or rates
42 per annum as the trust or the State, as the case may be, and the local
43 government unit, public water utility or any other person, as the
44 case may be, may agree.

45 b. The trust is authorized to guarantee or contract to guarantee
46 the payment of all or any portion of the principal and interest on
47 bonds, notes or other obligations issued by a local government unit
48 to finance the cost of any wastewater treatment system project,

1 water supply project, or transportation project which the local
2 government unit may lawfully undertake or acquire and for which
3 the local government unit is authorized by law to borrow money,
4 and the guarantee shall constitute an obligation of the trust for the
5 purposes of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
6 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
7 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
8 20.2, C.58:11B-22.3, and C.58:11B-22.4). Each guarantee by the
9 trust and the terms and conditions thereof shall be subject to
10 approval by the State Treasurer, and the trust shall make available
11 to the State Treasurer all information, statistical data and reports of
12 independent consultants or experts as the State Treasurer shall deem
13 necessary in order to evaluate the guarantee.

14 c. The trust shall not make or contract to make any loans or
15 guarantees to local government units, public water utilities or any
16 other person, or otherwise incur any additional indebtedness, on or
17 after June 30, 2033.

18 d. Notwithstanding any provision of P.L.1985, c.334
19 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to
20 the contrary, the trust may receive funds from any source including,
21 without limitation, any funds drawn by the trust from a revolving
22 line of credit or other similar financial vehicle that may be procured
23 by the trust, either through a competitive or negotiated process,
24 pursuant to section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit
25 into the Interim Environmental Financing Program Fund or the trust
26 may issue its bonds, notes or other obligations, including
27 commercial paper issued through a competitive or negotiated
28 process, in any principal amounts, in either case, as in the judgment
29 of the trust shall be necessary to provide sufficient funds to finance
30 or refinance short-term or temporary loans to local government
31 units, public water utilities or private persons for any wastewater
32 treatment system projects included on the Department of
33 Environmental Protection project priority list and eligible for
34 approval pursuant to section 20 of P.L.1985, c.334 (C.58:11B-20)
35 or water supply projects included on the Department of
36 Environmental Protection project priority list and eligible for
37 approval pursuant to section 24 of P.L.1997, c.224 (C.58:11B-20.1),
38 as applicable, without regard to any other provisions of P.L.1985,
39 c.334 (C.58:11B-1 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et
40 al.), including, without limitation, any administrative or legislative
41 approvals.

42 The trust shall create and establish a special fund to be known as
43 the "Interim Environmental Financing Program Fund" for the short-
44 term or temporary loan financing or refinancing program to be
45 known as the "Interim Environmental Financing Program". The
46 monies in the fund shall be used for short-term or temporary loans
47 for clean water and drinking water projects pursuant to the New
48 Jersey Environmental Infrastructure Financing Program.

1 Except as provided in section 1 of P.L.2013, c.93 (C.58:11B-
2 9.5), any short-term or temporary loans made by the trust pursuant
3 to this subsection may only be made in advance of the anticipated
4 loans the trust may make and contract to make under the provisions
5 of subsection a. of this section from any source of funds anticipated
6 to be received by the trust. Any such short-term or temporary loan
7 made pursuant to the Interim Environmental Financing Program
8 shall mature no later than the last day of the third succeeding fiscal
9 year following the closing date on which the short-term or
10 temporary loan was made by the trust to the project sponsor; except
11 a short-term or temporary loan made pursuant to this subsection for
12 environmental planning and engineering design costs associated
13 with long-term control plans for combined sewer overflow projects
14 shall mature no later than the last day of the 10th succeeding fiscal
15 year following the closing date on which the short-term or
16 temporary loan was made by the trust to the project sponsor. The
17 trust may make short-term or temporary loans pursuant to the
18 Interim Environmental Financing Program to any one or more of
19 the project sponsors, for the respective projects thereof, identified in
20 the interim financing project priority list to be known as the
21 "Interim Environmental Financing Program Project Priority List" in
22 the form provided to the Legislature by the Commissioner of
23 Environmental Protection.

24 The Interim Environmental Financing Program Project Priority
25 List, including any revision thereof or supplement thereto, shall be
26 submitted to the Legislature pursuant to section 2 of P.L.1991,
27 c.164 (C.52:14-19.1) at least once in each fiscal year as provided in
28 section 20 of P.L.1985, c.334 (C.58:11B-20) and section 24 of
29 P.L.1997, c.224 (C.58:11B-20.1). The Secretary and the Clerk shall
30 cause the date of submission to be entered upon the Senate Journal
31 and the Minutes of the General Assembly, respectively. The trust
32 may revise or supplement the Interim Environmental Financing
33 Program Project Priority List no more than **【three】** four times
34 during the fiscal year and shall submit the revised list to the
35 Legislature when the revisions are made. Any environmental
36 infrastructure project or the project sponsor thereof not identified in
37 the Interim Environmental Financing Program Project Priority List
38 shall not be eligible for a short-term or temporary loan from the
39 Interim **【Financing】** Environmental **【Project Priority】** Financing
40 Program Fund. The trust may issue short-term or temporary loans
41 pursuant to this subsection only if a project is listed on an Interim
42 Environmental Financing Program Project Priority List submitted to
43 the Legislature. No funds may be disbursed pursuant to this section
44 for project activities prior to a determination and certification, in
45 writing, from the Department of Environmental Protection, that the
46 project activities satisfy the provision of P.L.1985, c.332
47 (C.58:11B-1 et seq.).

1 e. Notwithstanding any provisions of the "Local Bond Law"
2 (N.J.S.40A:2-1 et seq.), the "sewerage authorities law," P.L.1946,
3 c.138 (C.40:14A-1 et seq.), or the "municipal and county utilities
4 authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to the
5 contrary, short-term or temporary loans made by the trust pursuant
6 to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1 of
7 P.L.2013, c.93 (C.58:11B-9.5), and the obligations issued by project
8 sponsors to evidence such loans, may, at the discretion of the trust
9 and upon application by the project sponsor, bear interest at a
10 variable rate determined pursuant to a methodology as may be
11 established by the trust from time to time.

12 Further, notwithstanding any provisions of the "Local Bond
13 Law" (N.J.S.40A:2-1 et seq.), the "sewerage authorities law,"
14 P.L.1946, c.138 (C.40:14A-1 et seq.), or the "municipal and county
15 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to
16 the contrary, any short-term or temporary loans made by the trust
17 pursuant to section 9 of P.L.1985, c.334 (C.58:11B-9) or section 1
18 of P.L.2013, c.93 (C.58:11B-9.5), and any notes or other
19 obligations issued by project sponsors to evidence such short-term
20 or temporary loans, except for loans for environmental planning and
21 engineering design costs associated with long-term control plans for
22 combined sewer overflow projects as provided in subsection d. of
23 this section, shall mature no later than the last day of the third
24 succeeding fiscal year following the date of issuance of such notes
25 or other obligations, without payment by project sponsors of any
26 portion of the principal thereof prior to maturity.

27 f. Any balances remaining in the Emergency Loan fund
28 established pursuant to section 4 of P.L.2007, c.138 (C.58:11B-9.1),
29 the Planning and Design Fund established pursuant to section 1 of
30 P.L.2009, c.59 (C.58:11B-9.2), the Onsite Wastewater Disposal
31 Loan Fund established pursuant to section 5 of P.L.2009, c.103
32 (C.58:11B-9.3), the Supplemental Loan Fund established pursuant
33 to section 2 of P.L.2011, c.94 (C.58:11B-9.4), and the Equipment
34 Loan Fund established pursuant to section 1 of P.L.2014, c.28
35 (C.58:11B-9.6) after the date of enactment of P.L.2016, c.30 shall
36 be transferred to the Interim Environmental Financing Program
37 Fund, and any loan repayments to the trust of principal and interest
38 or premium on loans made from those funds shall be credited to the
39 Interim Environmental Financing Program Fund.

40 g. The trust shall create and establish a special fund to be
41 known as the "Interim Transportation Financing Program Fund" for
42 the short-term or temporary loan financing or refinancing program
43 to be known as the "Interim Transportation Financing Program."

44 Notwithstanding any provision of P.L.1985, c.334 (C.58:11B-1
45 et seq.) or P.L.1997, c.224 (C.58:11B-10.1 et al.) to the contrary,
46 the trust may receive funds from any source including, without
47 limitation, any funds drawn by the trust from a revolving line of
48 credit or other similar financial vehicle that may be procured by the

1 trust, either through a competitive or negotiated process, pursuant to
2 section 5 of P.L.1985, c.334 (C.58:11B-5), for deposit into the
3 Interim Transportation Financing Program Fund or the trust may
4 issue its bonds, notes or other obligations in any principal amounts,
5 in either case, as in the judgment of the trust shall be necessary to
6 provide sufficient funds to finance or refinance short-term or
7 temporary loans to local government units or private persons for
8 any transportation project included on the Department of
9 Transportation Interim Transportation Financing Program Project
10 **【Eligibility】 Priority List** for the ensuing fiscal year and eligible for
11 approval pursuant to sections 22 and 34 through 38 of P.L.2016,
12 c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-20.2,
13 C.58:11B-22.3, and C.58:11B-22.4), without regard to any other
14 provisions of P.L.1985, c.334 (C.58:11B-1 et seq.), P.L.1997, c.224
15 (C.58:11B-10.1 et al.), or sections 22 and 34 through 38 of
16 P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-10.5, C.58:11B-
17 20.2, C.58:11B-22.3, and C.58:11B-22.4), including, without
18 limitation, any administrative or legislative approvals.

19 Any short-term or temporary loans made by the trust pursuant to
20 this subsection may only be made in advance of the anticipated
21 loans the trust may make and contract to make under the provisions
22 of subsection a. of this section from any source of funds anticipated
23 to be received by the trust. Any such short-term or temporary loan
24 made pursuant to the Interim Transportation Financing Program
25 shall mature no later than the last day of the third succeeding fiscal
26 year following the closing date on which the short-term or
27 temporary loan was made by the trust to the project sponsor. The
28 trust may make short-term or temporary loans pursuant to the
29 Interim Transportation Financing Program to any one or more of the
30 project sponsors, for the respective projects thereof, only if a
31 project is identified in the Department of Transportation Interim
32 Transportation Financing Program Project **【Eligibility】 Priority List**
33 to be known as the "Interim Transportation Financing Program
34 Project **【Eligibility】 Priority List**" in the form provided to the
35 Legislature by the Commissioner of Transportation.

36 The Interim Transportation Financing Program Project
37 **【Eligibility】 Priority List**, including any revision thereof or
38 supplement thereto, shall be submitted to the Secretary of the
39 Senate and the Clerk of the General Assembly on or before July 1
40 of each year. The Interim Transportation Financing Program
41 Project **【Eligibility】 Priority List** shall be submitted to the
42 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
43 at least once in each fiscal year. The Secretary and the Clerk shall
44 cause the date of submission to be entered upon the Senate Journal
45 and the Minutes of the General Assembly, respectively. Any
46 transportation infrastructure project or the project sponsor thereof
47 not identified in the Interim Transportation Financing Program
48 Project **【Eligibility】 Priority List** shall not be eligible for a short-

1 term or temporary loan from the Interim Transportation Financing
2 Program Fund. The trust may revise or supplement the Interim
3 Transportation Financing Program Project Eligibility List no more
4 than ~~three~~ four times during the fiscal year, and shall submit the
5 revised list to the Legislature when the revisions are made.

6 No funds may be disbursed pursuant to this ~~section~~ subsection
7 for project activities prior to the determination and certification in
8 writing, from the Department of Transportation, that the project
9 activities satisfy the provisions of P.L.1985, c.334 (C.58:11B-1 et
10 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
11 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
12 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4).
13 (cf: P.L.2016, c.56, s.17)

14

15 4. Section 1 of P.L.2013, c.93 (C.58:11B-9.5) is amended to
16 read as follows:

17 1. a. The trust shall create and establish a special fund to be
18 known as the "Disaster Relief Emergency Financing Program Fund"
19 for the disaster relief emergency short-term or temporary loan
20 program of the trust to be known as the "Disaster Relief Emergency
21 Financing Program."

22 The Disaster Relief Emergency Financing Program Fund shall be
23 credited with:

24 (1) moneys deposited in the fund as administrative fees received
25 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
26 (C.58:11B-5);

27 (2) moneys received by the trust as repayment of the principal
28 of and the interest or premium on loans made from the fund;

29 (3) any interest earnings received on the moneys in the fund;

30 (4) such other moneys as the Legislature may appropriate to the
31 trust for deposit into the fund at any time to finance or refinance
32 emergency short-term or temporary loans pursuant to the Disaster
33 Relief Emergency Financing Program;

34 (5) the proceeds of any bonds, notes or other obligations that
35 may be issued by the trust from time to time in any principal
36 amounts as in the judgment of the trust shall be necessary or
37 appropriate to provide sufficient funds for deposit into the fund to
38 finance or refinance emergency short-term or temporary loans
39 pursuant to the Disaster Relief Emergency Financing Program; and

40 (6) any other source of available funds that may be deemed by
41 the trust to be necessary or appropriate to provide sufficient funds
42 for deposit into the fund to finance or refinance emergency short-
43 term or temporary loans pursuant to the Disaster Relief Emergency
44 Financing Program, including, without limitation, any funds drawn
45 by the trust from (i) a revolving line of credit or other similar
46 financial vehicle, or (ii) a commercial paper financing program,
47 either through a competitive or negotiated process, that may be
48 procured by the trust pursuant to the provisions of section 5 of

1 P.L.1985, c.334 (C.58:11B-5), for deposit into the fund to finance
2 or refinance emergency short-term or temporary loans pursuant to
3 the Disaster Relief Emergency Financing Program.

4 b. Notwithstanding any provision of P.L.1985, c.334
5 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
6 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
7 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
8 C.58:11B-22.4) to the contrary, the trust may make emergency
9 short-term or temporary Disaster Relief Emergency Financing
10 Program loans to: (1) local government units to finance or refinance
11 the costs incurred in the environmental planning and design
12 associated with such wastewater treatment system projects, and
13 wastewater treatment system projects, as applicable; or (2) local
14 government units, public water utilities, or private persons to
15 finance or refinance the costs incurred in the environmental
16 planning and design of water supply projects, and water supply
17 projects, as applicable.

18 **【Emergency】** Funds may only be disbursed for emergency short-
19 term or temporary loans **【may be made】** upon the determination
20 and certification in writing by the department that any such project
21 **【is】** costs are necessary and appropriate to: repair damages to a
22 wastewater treatment system or water supply facility directly
23 arising from an act of terrorism, seismic activity, or weather
24 conditions that occurred within the three fiscal years after a
25 declaration by the Governor of a state of emergency, provided the
26 wastewater treatment system or water supply facility is located in a
27 county included in the Governor's state of emergency declaration;
28 or mitigate the risk of future damage to a wastewater treatment
29 system or water supply facility from an act of terrorism, seismic
30 activity, or weather conditions comparable in scope and severity to
31 the act of terrorism, seismic activity, or weather conditions that
32 occurred within the three fiscal years after a declaration by the
33 Governor of a state of emergency, provided the wastewater
34 treatment system or water supply facility is located in a county
35 included in the Governor's state of emergency declaration, without
36 regard to any other provisions of P.L.1985, c.334 (C.58:11B-1 et
37 seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and 34
38 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
39 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4),
40 including, without limitation, the provisions of section 20 of
41 P.L.1985, c.334 (C.58:11B-20), section 24 of P.L.1997, c.224
42 (C.58:11B-20.1), the Interim Environmental Financing Program
43 Project Priority List pursuant to subsection d. of section 9 of
44 P.L.1985, c.334 (C.58:11B-9), or any administrative or legislative
45 approvals. A project shall be eligible for emergency short-term or
46 temporary loans pursuant to this section if it is identified on a
47 Disaster Relief Emergency Financing Program Project Priority List
48 no more than three years after the conditions that gave rise to a

1 declaration by the Governor of a state of emergency. Any such
2 short-term or temporary loan pursuant to the Disaster Relief
3 Emergency Financing Program shall mature no later than the last
4 day of the third succeeding fiscal year following the closing date on
5 which the short-term or temporary loan was made by the trust to the
6 project sponsor.

7 c. The trust may make short-term or temporary loans pursuant
8 to the Disaster Relief Emergency Financing Program to one or more
9 of the project sponsors, for the respective projects thereof, provided
10 that the project is identified on the Disaster Relief Emergency
11 Financing Program project priority list to be known as the "Disaster
12 Relief Emergency Financing Program Project Priority List" no later
13 than three years after the date of the declaration by the Governor of
14 a state of emergency in the form provided to the Legislature by the
15 Commissioner of Environmental Protection. However, a project
16 may be eligible for funding pursuant to this section more than three
17 years after the date of the declaration by the Governor of a state of
18 emergency if the project was first included on a Disaster Relief
19 Emergency Financing Program Project Priority List within three
20 years after the date of the declaration by the Governor of a state of
21 emergency and continues to be identified on the Disaster Relief
22 Emergency Financing Program Project Priority List in the fiscal
23 year in which the funding is issued. The Disaster Relief Emergency
24 Financing Program Project Priority List shall be submitted to the
25 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1)
26 at least once in each fiscal year. An environmental infrastructure
27 project or a project sponsor thereof not identified on the Disaster
28 Relief Emergency Financing Program Project Priority List
29 submitted to the Legislature shall not be eligible for a short-term or
30 temporary loan from the Disaster Relief Emergency Financing
31 Program Fund.

32 d. The trust shall submit a report on the Disaster Emergency
33 Financing Program to the Legislature pursuant to section 2 of
34 P.L.1991, c.164 (C.54:14-19.1) on or before January 15 of each
35 year. The Secretary of the Senate and the Clerk of the General
36 Assembly shall cause the date of submission to be entered upon the
37 Senate Journal and the Minutes of the General Assembly,
38 respectively. The report shall identify the wastewater treatment
39 system and water supply projects financed during the prior fiscal
40 year through the program including a project description, the
41 amount of the Disaster Relief Emergency Financing Program loan
42 provided for each project, and the duration of each loan.

43 (cf: P.L.2016, c.56, s.18)

44

45 5. Section 10 of P.L.1985, c.334 (C.58:11B-10) is amended to
46 read as follows:

47 10. The trust shall create and establish a special fund to be
48 known as the "wastewater treatment system general loan fund." The

1 monies in the fund shall only be used for projects funded by the
2 New Jersey Environmental Infrastructure Financing Program.

3 Subject to the provisions of the legislation appropriating moneys
4 to the trust, subject to any other provision of P.L.1985, c.334
5 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
6 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
7 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
8 C.58:11B-22.4) providing otherwise, and subject to agreements
9 with the holders of bonds, notes and other obligations of the trust,
10 the trust shall deposit into the wastewater treatment system general
11 loan fund all revenues and receipts of the trust, including moneys
12 received by the trust as payment of the principal of and the interest
13 or premium on loans made from moneys in any wastewater
14 treatment system fund or account held by the trust under P.L.1985,
15 c.334 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.),
16 or sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
17 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
18 C.58:11B-22.4), and the earnings on the moneys in any wastewater
19 treatment system fund or account of the trust, and all grants,
20 appropriations, other than those referred to in section 11 of
21 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
22 from any source, available for the making of loans to local
23 government units. The amounts in the wastewater treatment system
24 general loan fund shall be available for application by the trust for
25 loans to local government units for the cost of wastewater treatment
26 system projects, and for other corporate purposes of the trust related
27 to wastewater treatment systems, subject to agreements with the
28 holders of bonds, notes or other obligations of the trust.

29 (cf: P.L.2016, c.56, s.19)

30
31 6. Section 23 of P.L.1997, c.224 (C.58:11B-10.1) is amended
32 to read as follows:

33 23. The trust shall create and establish a special fund to be
34 known as the "water supply facilities general loan fund." The
35 monies in the fund shall only be used for projects funded by the
36 New Jersey Environmental Infrastructure Financing Program.

37 Subject to the provisions of the legislation appropriating moneys
38 to the trust, subject to any other provision of P.L.1985, c.334
39 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or
40 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
41 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
42 C.58:11B-22.4) providing otherwise, and subject to agreements
43 with the holders of bonds, notes and other obligations of the trust,
44 the trust shall deposit into the water supply facilities general loan
45 fund all revenues and receipts of the trust, including moneys
46 received by the trust as payment of the principal of and the interest
47 or premium on loans made from moneys in any fund or account
48 held by the trust under the provisions of P.L.1985, c.334 (C.58:11B-

1 1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.), or sections 22 and
2 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3 through C.58:11B-
3 10.5, C.58:11B-20.2, C.58:11B-22.3, and C.58:11B-22.4), and the
4 earnings on the moneys in any fund or account of the trust, and all
5 grants, appropriations, other than those referred to in section 11 of
6 P.L.1985, c.334 (C.58:11B-11), contributions, or other moneys
7 from any source, available for the making of loans to local
8 government units, public water utilities, or to any other person or
9 local government unit on behalf of a public water utility, for water
10 supply projects. The amounts in the water supply facilities general
11 loan fund shall be available for application by the trust for loans to
12 local government units, public water utilities or any other person for
13 the cost of water supply projects, and for other corporate purposes
14 of the trust, subject to agreements with the holders of bonds, notes
15 or other obligations of the trust.

16 (cf: P.L.2016, c.56, s.20)

17

18 7. Section 34 of P.L.2016, c.56 (C.58:11B-10.4) is amended to
19 read as follows:

20 34. a. There is established in the New Jersey Infrastructure
21 Bank a special fund to be known as the State Transportation
22 Infrastructure Bank Fund. The monies in the fund shall only be
23 used for projects funded by the New Jersey Transportation
24 Infrastructure Financing Program. There shall be established within
25 the fund, two subaccounts: (1) a federally-funded subaccount that
26 shall be approved to receive federal funds and related State
27 matching funds pursuant to the federal infrastructure bank program
28 provided for in section 350 of Pub.L.104-59 and Pub.L.102-240 as
29 amended or superseded, and (2) a State-funded subaccount that
30 shall be approved to receive only State funds in excess of those
31 required to be deposited in the federally-funded subaccount. The
32 State-funded subaccount shall be ineligible to receive any federal
33 funds. However, funds in the State-funded subaccount shall be
34 eligible for transfer into the federally-funded subaccount in the
35 discretion of the trust for the purpose of related match funding of
36 the federally-funded subaccount.

37 The State Transportation Infrastructure Bank Fund shall be
38 credited with:

39 (1) (a) State and federal funds appropriated to a federal
40 subaccount of the State Transportation Infrastructure Bank Fund
41 pursuant to the federal infrastructure bank program provided for in
42 section 350 of Pub.L.104-59 and Pub.L.102-240 as amended or
43 superseded, and

44 (b) State funds in excess of any minimum State match required
45 under the federal infrastructure bank program, appropriated to the
46 State-funded subaccount of the State Transportation Infrastructure
47 Bank Fund;

1 (2) monetary donations made available to the State to support
2 the State Transportation Infrastructure Bank Fund;

3 (3) moneys received as repayment of the principal of and the
4 interest or premium on loans made from the State Transportation
5 Infrastructure Bank Fund;

6 (4) any interest earnings received on the moneys in the State
7 Transportation Infrastructure Bank Fund; and

8 (5) such other moneys as the Legislature may appropriate to the
9 trust for deposit into the State Transportation Infrastructure Bank
10 Fund at any time to finance or refinance transportation loans issued
11 from the State Transportation Infrastructure Bank Fund.

12 b. Notwithstanding any provision of P.L.1985, c.334
13 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
14 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
15 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
16 C.58:11B-22.4) to the contrary, all moneys placed into the State
17 Transportation Infrastructure Bank Fund shall be held separate from
18 other funds of the trust, and no transportation funds shall be
19 combined or comingled with any funds that finance (1) wastewater
20 treatment system projects, (2) water supply projects, or (3) other
21 environmental infrastructure projects, that are not transportation
22 projects.

23 c. All moneys placed into the State-funded subaccount of the
24 State Transportation Infrastructure Bank Fund shall be held separate
25 from any federal funds provided for the federally-funded
26 subaccount of the State Transportation Infrastructure Bank Fund.

27 d. Notwithstanding any provision of P.L.1985, c.334
28 (C.58:11B-1 et seq.), P.L.1997, c.224 (C.58:11B-10.1 et al.) or
29 sections 22 and 34 through 38 of P.L.2016, c.56 (C.58:11B-10.3
30 through C.58:11B-10.5, C.58:11B-20.2, C.58:11B-22.3, and
31 C.58:11B-22.4) to the contrary, the trust may provide loans or other
32 assistance to one or more local government units or consortia
33 thereof for the purpose of financing all or a portion of the costs
34 incurred for the planning, acquisition, engineering, construction,
35 reconstruction, repair, and rehabilitation of a transportation project,
36 provided that monies from the federally-funded subaccount are
37 limited to the purposes permitted under the federal infrastructure
38 bank program.

39 e. In addition to the financing described in subsection d. of this
40 section, a portion, not to exceed 10 percent, of the assistance
41 provided from the State-funded sub-account of the State
42 Transportation Infrastructure Bank Fund may be issued in the form
43 of grants.

44 f. Loans or other assistance granted pursuant to this section
45 shall be considered an investment or reinvestment by the State
46 Transportation Infrastructure Bank Fund, provided that monies from
47 the federally-funded subaccount are limited to the purposes
48 permitted under the federal infrastructure bank program, and not a

1 loan within the meaning of section 12 of P.L.1995, c.108 (C.27:1B-
2 21.5).

3 g. The refinancing of debt relating to an existing transportation
4 project shall not be an eligible form of assistance from the State
5 Transportation Infrastructure Bank Fund, and a loan shall not be
6 granted unless the applicant can demonstrate to the satisfaction of
7 the trust that the assistance being sought is not for the refinancing
8 of debt relating to an existing transportation project.

9 h. Any project, the use or purpose of which is private and for
10 which no public benefit is created, shall not be eligible for financial
11 assistance from the trust.

12 i. The trust shall consider the following factors when setting an
13 interest rate on a loan provided pursuant to this section: (1) the
14 current market rates for comparable obligations; (2) the nature of
15 the project; (3) the financing structure of the project; (4) the
16 creditworthiness of the borrower; and (5) the term of the proposed
17 obligation.

18 j. The long term loan repayment schedule for each project
19 shall require: (1) the repayment of the loan commencing six months
20 after construction completion, the date the facility has opened to
21 traffic, or three years after execution of the long term financing
22 obligation, whichever is first, however, in the case of a highway
23 project, it shall be whichever is later; and (2) a final maturity date
24 of not more than 35 years following the completion of the project.

25 k. The trust may establish or direct the establishment of federal
26 and State accounts or subaccounts as may be necessary to meet any
27 applicable federal law requirements or desirable for the efficient
28 administration of the trust.

29 (cf: P.L.2016, c.56, s.34)

30

31 8. Section 20 of P.L.1985, c.334 (C.58:11B-20) is amended to
32 read as follows:

33 20. a. (1) The Commissioner of Environmental Protection shall
34 for each fiscal year develop a priority system for wastewater
35 treatment systems and shall establish the ranking criteria and
36 funding policies for the clean water projects **[therefor]** to be
37 financed by the New Jersey Environmental Infrastructure Financing
38 Program. The commissioner shall set forth an Interim Clean Water
39 Financing Program Project Priority List, hereinafter referred to as
40 the "clean water project priority list," for funding by the trust for
41 each fiscal year and shall include the aggregate amount of funds of
42 the trust to be authorized for these purposes. The clean water
43 project priority list may include any stormwater management or
44 combined sewer overflow abatement project identified in the
45 stormwater management and combined sewer overflow abatement
46 project priority list adopted by the commissioner pursuant to section
47 28 of P.L.1989, c.181.

1 The clean water project priority list, which shall include for each
2 wastewater treatment system the date each project is scheduled to
3 be certified as ready for funding, shall be in conformance with
4 applicable provisions of the "Federal Water Pollution Control Act
5 Amendments of 1972," Pub.L.92-500 (33 U.S.C. s.1251 et al.), and
6 any amendatory or supplementary acts thereto, and State law, or in
7 the case of a wastewater treatment system project for the reduction
8 of lead in a publicly-owned facility, conformance with requirements
9 established by the Department of Environmental Protection for
10 those projects. The clean water project priority list shall include a
11 description of each project and its purpose, impact, cost, and
12 construction schedule, and an explanation of the manner in which
13 priorities were established. The priority system and clean water
14 project priority list for the ensuing fiscal year shall be submitted to
15 the Secretary of the Senate and the Clerk of the General Assembly
16 on or before January 15 of each year. The Secretary and the Clerk
17 shall cause the date of submission to be entered upon the Senate
18 Journal and the Minutes of the General Assembly, respectively.
19 Incremental revisions or supplements to the clean water project
20 priority list may be submitted to the Legislature as provided in
21 subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9).

22 (2) The commissioner shall set forth a clean water project
23 eligibility list for long-term funding by the trust and shall include
24 the aggregate amount of funds to be authorized for these purposes.
25 The clean water project eligibility list shall consist of clean water
26 project priority list projects certified by the department that have
27 commenced construction and demonstrated a high likelihood of
28 construction completion on or before the end of the ensuing fiscal
29 year. On or before May 15 of each year, the trust shall submit the
30 clean water project eligibility list for the ensuing fiscal year,
31 including any revision thereof or supplement thereto, to be
32 introduced in each House in the form of legislative appropriations
33 bills, which shall be referred to the Senate Environment and Energy
34 Committee and the Assembly Environment and Solid Waste
35 Committee, or their successors, for their respective consideration.
36 On or before October 15 of each year the trust may submit an
37 additional clean water project eligibility list, to be introduced in
38 each House in the form of legislative appropriations bills, which
39 shall be referred to the Senate Environment and Energy Committee
40 and the Assembly Environment and Solid Waste Committee, or
41 their successors, for their respective consideration.

42 b. The Senate Environment and Energy Committee and the
43 Assembly Environment and Solid Waste Committee shall, either
44 individually or jointly, consider the legislation containing the clean
45 water project eligibility list, and shall report the legislation, together
46 with any modifications, out of committee for consideration by each
47 House of the Legislature. On or before July 1 of each year, the
48 Legislature shall approve an appropriations act containing the clean

1 water project eligibility list, including any amendatory or
2 supplementary provisions thereto, which act shall include the
3 authorization of an aggregate amount of funds of the trust to be
4 expended for long-term loans and guarantees for the specific
5 projects, including the individual amounts therefor, on the list.

6 c. The trust shall not expend any money for a long-term loan or
7 guarantee during a fiscal year for any wastewater treatment system
8 project unless the expenditure is authorized pursuant to an
9 appropriations act as provided in the provisions of this section, or as
10 otherwise set forth in an appropriations act.

11 d. The trust shall submit to the Secretary of the Senate and the
12 Clerk of the General Assembly on or before January 15 of each year
13 a report which shall identify the wastewater treatment system
14 projects financed during the prior fiscal year, including a project
15 description, the amount of the loan provided for each project, and
16 the duration of each loan.

17 (cf: P.L.2016, c.30, s.3)

18

19 9. Section 24 of P.L.1997, c.224 (C.58:11B-20.1) is amended
20 to read as follows:

21 24. a. (1) The Commissioner of Environmental Protection shall
22 for each fiscal year develop a priority system for water supply
23 projects and shall establish the ranking criteria and funding policies
24 **【therefor】** for the water supply projects to be financed by the New
25 Jersey Environmental Infrastructure Financing Program. The
26 commissioner shall set forth an Interim Drinking Water Financing
27 Program Project Priority List, hereinafter referred to as the
28 "drinking water project priority list," for funding by the trust for
29 each fiscal year and shall include the aggregate amount of funds of
30 the trust to be authorized for these purposes. The commissioner
31 may include a water supply project on the drinking water project
32 priority list if it meets the eligibility requirements for funding
33 pursuant to the federal "Safe Drinking Water Act Amendments of
34 1996," Pub.L.104-182, or in the case of a water supply project for
35 the reduction of lead in a publicly-owned facility, the project meets
36 the eligibility requirements established by the Department of
37 Environmental Protection for those projects. The drinking water
38 project priority list shall include a description of each project and an
39 explanation of the manner in which priorities were established. The
40 priority system and drinking water project priority list for the
41 ensuing fiscal year shall be submitted to the Secretary of the Senate
42 and the Clerk of the General Assembly on or before January 15 of
43 each year. The Secretary and the Clerk shall cause the date of
44 submission to be entered upon the Senate Journal and the Minutes
45 of the General Assembly, respectively. Incremental revisions or
46 supplements to the drinking water project priority list may be
47 submitted to the Legislature as provided in subsection d. of section
48 9 of P.L.1985, c.334 (C.58:11B-9).

1 (2) The commissioner shall set forth a drinking water project
2 eligibility list for long-term funding by the trust and shall include
3 the aggregate amount of funds to be authorized for these purposes.
4 The drinking water project eligibility list shall consist of drinking
5 water project priority list projects certified by the department that
6 have commenced construction and demonstrated a high likelihood
7 of construction completion on or before the end of the ensuing
8 fiscal year. On or before May 15 of each year, the trust shall submit
9 the drinking water project eligibility list for the ensuing fiscal year,
10 including any revision thereof or supplement thereto, to be
11 introduced in each House in the form of legislative appropriations
12 bills, which shall be referred to the Senate Environment and Energy
13 Committee and the Assembly Environment and Solid Waste
14 Committee, or their successors, for their respective consideration.
15 On or before October 15 of each year the trust may submit an
16 additional drinking water project eligibility list, to be introduced in
17 each House in the form of legislative appropriations bills, which
18 shall be referred to the Senate Environment and Energy Committee
19 and the Assembly Environment and Solid Waste Committee, or
20 their successors, for their respective consideration.

21 b. The Senate Environment and Energy Committee and the
22 Assembly Environment and Solid Waste Committee shall, either
23 individually or jointly, consider the legislation containing the
24 drinking water project eligibility list, and shall report the
25 legislation, together with any modifications, out of committee for
26 consideration by each House of the Legislature. On or before July 1
27 of each year, the Legislature shall approve an appropriations act
28 containing the drinking water project eligibility list, including any
29 amendatory or supplementary provisions thereto, which act shall
30 include the authorization of an aggregate amount of funds of the
31 trust to be expended for long-term loans and guarantees for the
32 specific water supply projects, including the individual amounts
33 therefor, on the list.

34 c. The trust shall not expend any money for a long-term loan or
35 guarantee during a fiscal year for any water supply project unless
36 the expenditure is authorized pursuant to an appropriations act as
37 provided in the provisions of this section, or as otherwise set forth
38 in an appropriations act.

39 d. The trust shall submit to the Secretary of the Senate and the
40 Clerk of the General Assembly on or before January 15 of each year
41 a report which shall identify the water supply projects financed
42 during the prior fiscal year, including a project description, the
43 amount of the loan provided for each project, and the duration of
44 each loan.

45 (cf: P.L.2016, c.30, s.4)

46

47 10. Section 36 of P.L.2016, c.56 (C.58:11B-20.2) is amended to
48 read as follows:

1 36. a. The Commissioner of Transportation shall, for each fiscal
2 year, develop a priority system for transportation projects. The
3 Commissioner of Transportation shall set forth a Transportation
4 Financing Program Project Priority List, hereinafter referred to as
5 the "transportation project priority list," for **【long-term】** funding
6 by the trust for each fiscal year and shall include the aggregate
7 amount of funds of the trust to be authorized for these purposes.
8 The Commissioner of Transportation may include a transportation
9 project on the **【Transportation Financing Program Project Priority**
10 **List】** transportation project priority list if it meets the eligibility
11 requirements for funding pursuant to Pub.L.114-94, the "Fixing
12 America's Transportation Act," or any successor legislation. The
13 **【Transportation Financing Program Project Priority List】**
14 transportation project priority list shall include a description of each
15 project and an explanation of the manner in which projects are
16 ranked. The **【Transportation Financing Program Project Priority**
17 **List】** transportation project priority list for the ensuing fiscal year
18 shall be submitted to the Legislature on or before January 15 of
19 each year. The Secretary and the Clerk shall cause the date of
20 submission to be entered upon the Senate Journal and the Minutes
21 of the General Assembly, respectively. Incremental revisions or
22 supplements to the transportation project priority list may be
23 submitted to the Legislature as provided in subsection g. of section
24 9 of P.L.1985, c.334 (C.58:11B-9).

25 b. The Commissioner of Transportation shall set forth **【an**
26 **Interim】** a Transportation Financing Program Project Eligibility
27 List for **【short-term】** long-term funding by the trust and shall
28 include the aggregate amount of funds to be authorized for these
29 purposes. The **【Interim】** Transportation Financing Program Project
30 Eligibility List shall consist of Transportation Financing Program
31 Project Priority List projects certified by the Department of
32 Transportation that have commenced construction and demonstrated
33 to the department a high likelihood of construction completion on
34 or before the end of the ensuing fiscal year. The **【Interim】**
35 Transportation Financing Program Project Eligibility List
36 established pursuant to this subsection shall be considered by the
37 budget committees of each House of the Legislature for inclusion in
38 the annual appropriations act. On or before June 30 of each year,
39 the Legislature shall include the **【Interim】** Transportation Financing
40 Program Project Eligibility List with any modifications in the
41 annual appropriations act, including any amendatory or
42 supplementary provisions thereto, which act shall include the
43 authorization of an aggregate amount of funds of the trust to be
44 expended for loans and guarantees for the specific transportation
45 projects, including the individual amounts therefor, on the list. The
46 initial **【Interim】** Transportation Financing Program Project
47 Eligibility List for the ensuing fiscal year shall be submitted to the

1 Legislature on or before **July 1** May 15 of each year. The
2 Secretary and the Clerk shall cause the date of submission to be
3 entered upon the Senate Journal and the Minutes of the General
4 Assembly, respectively. **Incremental revisions or supplements to**
5 **the Interim Transportation Financing Program Project Eligibility**
6 **List may be submitted to the Legislature as provided in subsection**
7 **d. of section 9 of P.L.1985, c.334 (C.58:11B-9).]**

8 c. On or before October 15 of each year, the trust may submit
9 an amended Interim Transportation Financing Program Project
10 Eligibility List to be introduced in each House in the form of
11 legislative appropriations bills for approval by the Legislature on or
12 before January 15 of the following calendar year in the manner set
13 forth in subsection a. and subsection b. of this section.

14 d. The trust shall not expend any money for a long-term loan or
15 guarantee during a fiscal year for any transportation project unless
16 the expenditure is authorized pursuant to a State annual
17 appropriations act of the current or three immediate preceding fiscal
18 years as provided in the provisions of this section, or as otherwise
19 set forth in the State's annual appropriations act.

20 e. The trust shall submit to the Secretary of the Senate and the
21 Clerk of the General Assembly on or before January 15 of each year
22 a report which shall identify the transportation projects financed
23 during the prior fiscal year, including a project description, the
24 amount of the loan provided for each project, and the duration of
25 each loan.

26 f. The source of projects for the Transportation Financing
27 Program Project Priority List and the **Interim** Transportation
28 Financing Program Project Eligibility List shall be: (1) applications
29 made by counties and municipalities seeking aid through the State
30 Transportation Infrastructure Bank Fund in accordance with section
31 25 of P.L.1984, c.73 (C.27:1B-25) and the procedures established
32 therein for the allocation of State aid to counties and municipalities
33 through the local aid program, and (2) eligible projects within the
34 most recent 10-year Statewide Transportation Improvement
35 Program as issued by the Department of Transportation. Projects
36 deriving from either of these sources shall identify a consistent
37 source of revenue that will be utilized to repay any loan financing
38 provided by the trust either from the project itself or from the
39 sponsoring local government unit or consortia thereof that will be
40 receiving assistance.

41 (cf: P.L.2016, c.56, s.36)

42

43 11. Section 21 of P.L.1985, c.334 (C.58:11B-21) is amended to
44 read as follows:

45 21. On or before May 15 of each year, the trust shall submit to
46 the Legislature a financial plan designed to implement the financing
47 of the wastewater treatment system projects either on the Interim
48 Clean Water Financing Program Project Priority List, hereinafter

1 referred to as the "clean water project priority list," or the clean
2 water project eligibility list, approved pursuant to section 20 of
3 P.L.1985, c.334 (C.58:11B-20) or as otherwise approved by the
4 Legislature. The financial plan shall contain an enumeration of the
5 bonds, notes or other obligations of the trust which the trust intends
6 to issue, including the amounts thereof and the terms and conditions
7 thereof, a list of loans to be made to local government units or
8 private persons, including the terms and conditions thereof and the
9 anticipated rate of interest per annum and repayment schedule
10 therefor, and a list of loan guarantees or contracts to guarantee the
11 payment of all or a portion of the principal and interest on bonds,
12 notes or other obligations issued by a local government unit to
13 finance the cost of a wastewater treatment system project, and the
14 terms and conditions thereof.

15 The financial plan shall also set forth a complete operating and
16 financial statement covering its proposed operations during the
17 forthcoming fiscal year, including amounts of income from all
18 sources, and the uniform schedule of fees and charges established
19 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
20 (C.58:11B-5), and the amounts to be derived therefrom, and shall
21 summarize the status of each wastewater treatment system project
22 for which loans or guarantees have been made by the trust, and shall
23 describe major impediments to the accomplishment of the planned
24 wastewater treatment system projects.

25 The financial plan shall identify the wastewater treatment system
26 projects financed during the prior fiscal year through the Disaster
27 Relief Emergency Financing Program established pursuant to
28 section 1 of P.L.2013, c.93 (C.58:11B-9.5), including a project
29 description, the amount of the Disaster Relief Emergency Financing
30 Program loan for each project, and the duration of such Disaster
31 Relief Emergency Financing Program loan.

32 The financial plan shall also identify the wastewater treatment
33 system projects financed during the prior fiscal year by the Interim
34 Financing Program established pursuant to subsection d. of section
35 9 of P.L.1985, c.224 (C.58:11B-9) including a project description,
36 the amount of the loan provided for each project, and the duration
37 of each loan.

38 (cf: P.L.2016, c.30, s.5)

39

40 12. Section 25 of P.L.1997, c.224 (C.58:11B-21.1) is amended
41 to read as follows:

42 25. On or before May 15 of each year, the trust shall submit to
43 the Legislature a financial plan designed to implement the financing
44 of the water supply projects either on the Interim Drinking Water
45 Financing Program Project Priority List, hereinafter referred to as
46 the "drinking water project priority list," or the drinking water
47 project eligibility list, approved pursuant to section 24 of P.L.1997,
48 c.224 (C.58:11B-20.1) or as otherwise approved by the Legislature.

1 The financial plan shall contain an enumeration of the bonds, notes
2 or other obligations of the trust which the trust intends to issue,
3 including the amounts thereof and the terms and conditions thereof,
4 a list of loans to be made to local government units, public water
5 utilities, or to any other person or local government unit on behalf
6 of a public water utility, including the terms and conditions thereof
7 and the anticipated rate of interest per annum and repayment
8 schedule therefor, and a list of loan guarantees or contracts to
9 guarantee the payment of all or a portion of the principal and
10 interest on bonds, notes or other obligations issued by a local
11 government unit to finance the cost of a water supply project, and
12 the terms and conditions thereof.

13 The financial plan shall also set forth a complete operating and
14 financial statement covering its proposed operations during the
15 forthcoming fiscal year, including amounts of income from all
16 sources, and the uniform schedule of fees and charges established
17 by the trust pursuant to subsection o. of section 5 of P.L.1985, c.334
18 (C.58:11B-5), and the amounts to be derived therefrom, and shall
19 summarize the status of each water supply project for which loans
20 or guarantees have been made by the trust, and shall describe major
21 impediments to the accomplishment of the planned water supply
22 projects.

23 The financial plan shall identify the water supply projects
24 financed during the prior fiscal year through the Disaster Relief
25 Emergency Financing Program established pursuant to section 1 of
26 P.L.2013, c.93 (C.58:11B-9.5), including a project description, the
27 amount of the Disaster Relief Emergency Financing Program loan
28 for each project, and the duration of such Disaster Relief
29 Emergency Financing Program loan.

30 The financial plan shall also identify the water supply projects
31 financed during the prior fiscal year by the Interim Financing
32 Program established pursuant to subsection d. of section 9 of
33 P.L.1985, c.224 (C.58:11B-9) including a project description, the
34 amount of the loan provided for each project, and the duration of
35 each loan.

36 (cf: P.L.2016, c.30, s.6)

37

38 13. Section 27 of P.L.1997, c.224 (C.58:11B-22.2) is amended
39 to read as follows:

40 27. As an alternative to the individual annual submissions
41 required by the provisions of sections 21 and 22 of P.L.1985, c.334
42 (C.58:11B-21 and 58:11B-22), sections 25 and 26 of P.L.1997,
43 c.224 (C.58:11B-21.1 and C.58:11B-22.1) and subsection d. of
44 section 9 of P.L.1985, c.334 (C.58:11B-9), the trust may develop
45 and submit to the Legislature a consolidated financial plan designed
46 to implement the financing of the wastewater treatment system
47 projects on the clean water project priority list and clean water
48 project eligibility list approved pursuant to section 20 of P.L.1985,

1 c.334 (C.58:11B-20), the water supply projects on the drinking
2 water project priority list and drinking water project eligibility list
3 approved pursuant to section 24 of P.L.1997, c.224 (C.58:11B-
4 20.1), the water resources projects and wastewater treatment system
5 projects on the water resources project and wastewater treatment
6 system project priority list and project eligibility list developed
7 pursuant to section 31 of P.L.2003, c.162 and any other
8 environmental infrastructure projects approved by the Legislature.
9 (cf: P.L.2016, c.30, s.7)

10
11 14. Section 37 of P.L.2016, c.56 (C.58:11B-22.3) is amended to
12 read as follows:

13 37. a. On or before May 15 of each year, the trust shall submit
14 to the Speaker of the General Assembly and the President of the
15 Senate a financial plan designed to implement the financing of the
16 transportation projects either on the Interim Transportation
17 Financing Program Project Priority List or the **【Interim】**
18 Transportation Financing Program Project Eligibility List approved
19 pursuant to P.L.2016, c.56 (C.27:1B-22.5 et al.) or as otherwise
20 approved by the Legislature. The financial plan shall list the bonds,
21 notes or other obligations of the trust which the trust intends to
22 issue, including the amounts thereof and the terms and conditions
23 thereof, a list of loans to be made to local government units or
24 private persons, including the terms and conditions thereof and the
25 anticipated rate of interest per annum and repayment schedule
26 therefor, and a list of loan guarantees or contracts to guarantee the
27 payment of all or a portion of the principal and interest on bonds,
28 notes or other obligations issued by a local government unit to
29 finance the cost of a transportation project, and the terms and
30 conditions thereof.

31 The financial plan shall also set forth a complete operating and
32 financial statement covering proposed operations through the fund
33 during the forthcoming fiscal year, including amounts of income
34 from all sources, and the uniform schedule of fees and charges
35 established by the trust pursuant to subsection o. of section 5 of
36 P.L.1985, c.334 (C.58:11B-5), and the amounts to be derived
37 therefrom, and shall summarize the status of each transportation
38 project for which loans or guarantees have been made by the trust,
39 and shall describe major impediments to the accomplishment of the
40 planned transportation projects.

41 b. On or before June 30 of each year the Legislature may reject
42 the financial plan through the adoption by both houses of a
43 concurrent resolution. If the Legislature rejects the financial plan,
44 the project list shall be removed from the annual appropriations act
45 and the trust shall not undertake any of the proposed activities
46 contained therein. If the Legislature takes no action on or before
47 June 30, the financial plan shall be deemed approved.

1 c. The financial plan for the State Transportation Infrastructure
2 Bank Fund shall not be eligible for inclusion in a consolidated
3 financial plan as established in section 27 of P.L.1997, c.224
4 (C.58:11B-22.2).
5 (cf: P.L.2016, c.56, s.37)

6

7 15. This act shall take effect immediately.

8

9

10 STATEMENT

11

12 This bill would make certain changes to the law to make the use
13 of terms consistent in the environmental financing program and the
14 transportation financing program administered by the New Jersey
15 Infrastructure Trust, clarify procedures, and assure that all funding
16 is used for its intended purposes. The bill would also make certain
17 technical and clarifying corrections to the law.

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4997

STATE OF NEW JERSEY

DATED: JUNE 15, 2017

The Assembly Environment and Solid Waste Committee reports favorably Assembly Bill No. 4997.

This bill would make certain changes to the law to make the use of terms consistent in the environmental financing program and the transportation financing program to be administered by the New Jersey Environmental Infrastructure Trust, clarify procedures, and assure that all funding is used for its intended purposes. The bill would also make certain technical and clarifying corrections to the law.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4997

STATE OF NEW JERSEY

DATED: JUNE 19, 2017

The Assembly Budget Committee reports favorably Assembly Bill No. 4997.

This bill makes certain changes to the law to make the use of terms consistent in the environmental financing program and the transportation financing program administered by the New Jersey Infrastructure Trust, clarify procedures, and assure that all funding is used for its intended purposes. The bill also makes certain technical and clarifying corrections to the law.

FISCAL IMPACT:

This bill was not certified as requiring a fiscal note.

Governor Christie Takes Action on Pending Legislation

Friday, July 21, 2017

Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie today took action on dozens of bills, including S-359/A-2320 (Codey, Vitale/Vainieri Huttle, Conaway, Jimenez, Lampitt, Jasey, Sumter), which raises the minimum age from 19 to 21 of a person to whom a vendor may sell, offer for sale, distribute, give or furnish tobacco products in New Jersey. This new law also amends various related statues concerning penalties, fines, signage requirements, non-face-to-face transactions, and enforcement provisions to reflect the increased minimum age.

“By raising the minimum age to purchase tobacco products to 21, we are giving young people more time to develop a maturity and better understanding of how dangerous smoking can be and that it is better to not start smoking in the first place,” Governor Christie said. “My mother died from the effects of smoking, and no one should lose their life due to any addictive substance. Additionally, the less people who develop costly tobacco habits that can cause health problems, such as lung cancer, heart disease and developmental issues, the less strain there will be on our healthcare system.”

Governor Christie also took action on pending legislation related to:

Further Addressing the Opioid Epidemic

Governor Christie signed four bills that continue New Jersey's leadership role in fighting the national opioid epidemic. The legislation that requires the Department of Human Services develop, maintain, and post on their website daily information about the number of open beds available in facilities in the state for people in need of mental health or substance use disorder treatment; help inform parents of student athletes and cheerleaders about the use and misuse of prescription opioids; allows hospice programs to accept the unused prescription medicines of their hospice patients for safe disposal and implements the use of current-day, sensitive terminology when referring to persons with substance use disorders or certain disabilities.

- **A-1662/S-2466 (Schaer, Vainieri Huttle, Coughlin, McKnight, Mukherji/Vitale, Allen)** - Requires development and maintenance of data dashboard report to advise of open bed availability in residential facilities providing behavioral health services
- **A-3944/S-2402 (Mazzeo, Lagana, Vainieri Huttle, Benson, Caride, Wimberly/Diegnan, Vitale)** - Requires DOE to develop educational fact sheet for distribution to parents of student-athletes and cheerleaders concerning use and misuse of prescription opioids
- **S-2970/A-4522 (Vitale, Diegnan/Lampitt, Vainieri Huttle, Jimenez)** - Allows hospice care programs to accept unused prescription medications for disposal under certain circumstances
- **S-2721/ACS for A-926 (Vitale, Whelan/Vainieri Huttle, Benson, Tucker, Eustace, McKnight, Mosquera)** - Implements person-first language and changes pejorative terminology referring to persons with certain disabilities or substance use disorders

Protecting and Preserving the Environment

The Governor also signed several bills to protect people and improve the quality of life by strengthening New Jersey's environment.

“These new laws will create more open space preservation opportunities, green energy solutions and safeguards to ensure quality drinking water for all New Jerseyans,” Governor Christie said. “They provide greater flexibility for counties and municipalities to use the roughly \$270 million open space tax dollars they collect each year for the intended mission of protecting New Jersey's environment, improving communities with more recreation and

conservation, and preventing overcrowding of our towns and schools. They also ensure reliable, sustainable and safe environmental infrastructure across the state, by investing nearly \$100 million in critical projects this year."

- **A-1645/S-195 (Schaer, Webber, Dancer, Pintor Marin/Kyrillos, Smith)** - Expands definition of "acquisition," for purposes of county and municipal open space trust funds, to include demolition, removal of debris, and restoration of lands being acquired
- **S-3352/A-5045 (Ruiz, Bateman/Oliver, Chaparro, Singleton, Lagana, Bramnick, Vainieri Huttie, Zwicker)** - Appropriates \$71,700,224 from constitutionally dedicated CBT revenues and various Green Acres funds to DEP for local government open space acquisition and park development projects
- **S-3353/A-5046 (Greenstein, Thompson/Eustace, Land, Mukherji, Schaer, Bramnick, Vainieri Huttie, Wimberly)** - Appropriates \$12.3 million from constitutionally dedicated CBT revenues for recreation and conservation purposes to DEP for State capital and park development projects
- **S-3354/A-5044 (Gordon, Allen/McKeon, Mazzeo, Muoio, Moriarty, Bramnick, Zwicker, Vainieri Huttie)** - Appropriates \$8,992,898 to DEP from constitutionally dedicated CBT revenues and various Green Acres funds for grants to certain nonprofit entities to acquire or develop lands for recreation and conservation purposes
- **S-3240/A-4996 (Greenstein, Codey/Mukherji, Mazzeo, Schaer, Holley, Land)** - Authorizes NJ Environmental Infrastructure Trust to expend certain sums to make loans for environmental infrastructure projects for FY2018
- **CC for S-3241/A-4998 (Smith, Codey/Eustace, Muoio, Moriarty, Conaway, Andrzejczak)** - Appropriates funds to DEP for environmental infrastructure projects for FY2018
- **S-3242/A-4997 (Gordon, Oroho/McKeon, Prieto)** - Clarifies procedures for approval of environmental and transportation infrastructure projects
- **S-3181/A-4756 (Smith, Diegnan/DeAngelo, Eustace, Gusciora)** - Permits solar electric power generation facility projects not having commenced commercial operation to retain designation through May 31, 2018 as connected to distribution system
- **S-2834/A-4569 (Sweeney, Greenstein, Bateman/Eustace, Karabinchak, McKeon, Vainieri Huttie, Benson, Muoio)** - The "Water Quality Accountability Act"; imposes certain testing, reporting, management, and infrastructure investment requirements on water purveyors

Governor Christie also took action on the following bills:

BILL SIGNINGS:

S-5/A-4925 (Vitale, Sweeney/Conaway, O'Scanlon, Houghtaling, Quijano, Giblin, DeAngelo, Munoz, Mukherji, A.M. Bucco) - Establishes data reporting requirements for emergency medical services providers and dispatch centers

SS SCS SCS for S-291, 652, 1954/ACS for A-1464 (Vitale, Whelan, Allen, Turner/Lampitt, Coughlin, Conaway, Vainieri Huttie, Lagana, Mukherji, Moriarty) - Authorizes health care providers to engage in telemedicine and telehealth

S-742/A-1205 (Beach/Mosquera, Holley, Wimberly, Jones) - Requires board of education to enter into agreement with law enforcement authorities regarding access to live video streams of public school buildings

S-1295/A-3701 (Vitale/Eustace, Munoz) - Amends and repeals sections of "Respiratory Care Practitioner Licensing Act"

S-1315/A-1839 (Vitale/Giblin, Wimberly, McKeon, Mukherji, Sumter) - Revises statutes regarding practice of physical therapy

S-1840/A-2085 (Ruiz, Gill/Mukherji, Oliver, McKnight) - Prohibits charging fee to stop publishing personal identifying information obtained through the criminal justice system

S-1913/A-2794 (Addiego, Greenstein/Lagana, Moriarty, Mukherji, Downey) - "Personal Information and Privacy Protection Act"; restricts collection and use of personal information by retail establishments for certain purposes

S-2058/A-671 (T. Kean, Pou/Munoz, Giblin, Mukherji, Moriarty) - Adds two nurse educators to the New Jersey Board of Nursing

S-2331/A-3962 (Codey, Vitale/Jasey, McKeon, Vainieri Huttie, Munoz, Mukherji, Mosquera, Lampitt) - Establishes tuition reimbursement program for certain psychiatrists who work in underserved areas or psychiatric hospitals in New Jersey

CC S-2403/A-3717 (Rice, Turner/Sumter, Vainieri Huttie, Lampitt, Downey) - Establishes Women's Vocational Training Pilot Program to promote economic self-sufficiency of low-income women through increased participation in high-wage, high-demand occupations; authorizes allocation of certain funds therefor

S-2452/A-4007 (Diegnan, Stack/Houghtaling, Downey, Mosquera, Mazzeo) - Requires Director of Division of Taxation to promulgate Property Taxpayer Bill of Rights

S-2577/A-4238 (Cunningham, Ruiz, Gordon/Sumter, Jasey, Muoio, Lagana, Downey, Benson) - Requires Higher Education Student Assistance Authority to provide annual New Jersey College Loans to Assist State Students Loan Program report to Governor and Legislature and develop student loan comparison information document to increase program transparency

S-2618/A-4691 (Cunningham, Pou/Caride, McKeon, Jasey, Giblin) - Requires institutions of higher education to enter into collective Statewide reverse transfer agreement

S-2819/A-4363 (Sweeney, Ruiz, Lesniak/Taliaferro, Andrzejczak, Lampitt, Mosquera, Holley, Quijano) - Creates "Nourishing Young Minds Initiative Fund" in Dept. of Agriculture to help pay for child food and nutrition programs

S-3027/A-4631 (Smith, Greenstein/Lampitt, Quijano, Eustace, Kennedy, Benson, Muoio, Zwicker, Mukherji) - Establishes State food waste reduction goal of 50 percent by 2030

S-3067/A-4652 (Ruiz, Vitale/Vainieri Huttle, Caride, Eustace, Jasey, Wimberly, Gusciora) - Requires Commissioner of Education to develop guidelines for school districts regarding transgender students

S-3176/A-4898 (Madden/Mukherji, Singleton) - Changes year used to calculate TDI and FLI employee taxes from most recent calendar year to most recent fiscal year

S-3191/A-3370 (Sweeney, Bateman/Burzichelli, Jones) - Extends voting rights of representatives of sending districts on receiving district board of education

S-3219/A-4859 (Sweeney, T. Kean, Greenstein, Holzapfel/Vainieri Huttle, Prieto, Downey) - Establishes additional penalties related to child pornography and expands crime to include portrayal of child in sexual manner; establishes crime of leader of child pornography network

S-3331/A-5039 (Cruz-Perez/Jones) - Authorizes State Treasurer to sell surplus real property in City of Camden, County of Camden to Camden County Improvement Authority

SJR-105/AJR-157 (Diegnan, Cruz-Perez, Sweeney/Pinkin, Karabinchak, Coughlin) - Designates August 29, 2017 as Governor James Florio Day in New Jersey

SJR-113/AJR-165 (Gordon/Vainieri Huttle, Chiaravalloti) - Clarifies intent of law subjecting PANYNJ to open public records and freedom of information laws in New Jersey and New York

A-222/S-2171 (DeAngelo, Giblin, Singleton, Holley, Benson/Bateman, Greenstein, Stack) - "New Jersey Library Construction Bond Act"; authorizes issuance of \$125,000,000 in general obligation bonds to finance capital projects at public libraries; appropriates \$5,000

A-373/S-607 (Auth, Vainieri Huttle, McGuckin, Schepisi, Peterson, Jimenez/Addiego, A.R. Bucco) - Requires life imprisonment without parole for persons convicted of the murder of a minor under the age of 18 in the course of the commission of a sex crime

A-555/S-1847 (Pinkin, Eustace/Diegnan) - Revises statutes concerning incorporation and governance of the Protestant Episcopal Church to remove gender-specific references

A-621/S-2328 (Lagana, Greenwald, Moriarty, Mosquera, Mukherji/Cruz-Perez, Turner) - Permits bowling alleys, including alleys licensed to sell alcoholic beverages, to conduct amusement games

A-1458/S-2449 (Lampitt, Mosquera, Downey, Singleton, Vainieri Huttle/Vitale, Ruiz) - Requires health care professionals engaged in prenatal care to provide parents of newborns with information on health insurance coverage for newborn children

A-1761/S-332 (Eustace, Mukherji, Gusciora/Scutari, Bateman) - Creates fencing crime involving stolen domestic companion animals

A-2060/S-2333 (Gusciora, Sumter, Oliver, Jasey, McKnight/Cruz-Perez, Turner) - Establishes process for consideration of offers from short sale buyers during residential mortgage foreclosures

A-2221/S-2453 (Benson, Russo, DeAngelo, A.M. Bucco/Diegnan, Greenstein) - Allows gross income taxpayers to use returns to make voluntary contributions to the Boy Scouts of America Councils in New Jersey

A-2441/S-2910 (Eustace, Gusciora, Kennedy, Mazzeo, Mukherji/Gordon, Turner) - Authorizes the Unclaimed Property Administrator to verify certain governmental debts before delivering abandoned property

A-2926/S-3197 (Greenwald, Vainieri Huttle, Schaer, Mukherji, Holley, Mosquera, Muoio, Sumter, Mazzeo/Cruz-Perez, Cunningham) - Repeals law suspending certain licenses, registrations and certifications for failure to repay student loans

A-2993/S-1305 (Conaway, Pinkin, Sumter, Wimberly, McKnight, Mukherji/Vitale, Madden) - Requires Medicaid coverage for diabetes self-management education, training, services, and equipment for patients diagnosed with diabetes, gestational diabetes, and pre-diabetes

A-3347/S-2242 (Wolfe, Holley, Jasey, McKnight, Wimberly/Diegnan) - Establishes New Jersey School Safety Specialist Academy in Department of Education and requires school districts to designate school safety specialist

A-3438/S-1564 (DeAngelo, Daniels, Holley, Houghtaling, Downey, Wimberly, Quijano/Turner, Beach) - Requires initial determination of unemployment benefits to be made within three weeks of filing of claim

A-3463/S-2038 (Coughlin/Vitale, Codey) - Updates references to DOC and DHS and refers to persons receiving services from DHS

A-3686/S-2423 (McKeon, Jasey, Munoz, Vainieri Huttle, A.M. Bucco/Codey, Oroho) - Establishes new crime of strict liability vehicular homicide; renames existing vehicular homicide as reckless vehicular homicide; designated as Ralph and David's Law

A-4011/S-2887 (Jones, Barclay, Moriarty, Mosquera, Greenwald, Lampitt, Mazzeo, Chiaravalloti/Cruz-Perez, Beach) - Designates USS New Jersey as New Jersey State Ship

A-4081/S-2662 (Lampitt, Vainieri Huttle, Benson, Wimberly, Greenwald/Allen, Sweeney) - "Charlie's Law"; Establishes civil penalties for persons who interfere with or deny persons with disabilities accompanied by service or guide dogs access to places of public accommodation

A-4088/S-2567 (Schaer, Jasey, Benson, Wimberly/Cruz-Perez, Singer) - Establishes "High School to College Readiness Commission" to examine issues and develop recommendations to enhance student preparation for postsecondary education

A-4175/S-2808 (Caride, McKnight, Holley, Pintor Marin, Wimberly/Ruiz, Turner) -Requires Commissioner of Education to develop guidance on identifying English language learners for gifted and talented programs

A-4246/S-3194 (Dancer/Lesniak, Beck) - Decreases annual thoroughbred race dates to 50 minimum upon written consent from New Jersey Thoroughbred Horsemen's Association

A-4317/S-3206 (Prieto, Giblin/Diegnan) - Concerns violations of certain occupational licensing laws

A-4568/S-3017 (Vainieri Huttle, Eustace, Pinkin, Jasey, Johnson/Vitale, Ruiz) - Prohibits health insurers, SHBP, SEHBP, certain health care providers, and Medicaid from discriminating in providing coverage and services based on gender identity

A-4875/S-1996 (Muoio, Gusciora/Beach, Van Drew) - Requires gubernatorial candidates' statements be posted online

A-4969/S-3281 (Oliver, Giblin, Jasey, McKnight, Schaer, Wimberly/Gill, Cunningham) - Establishes Montclair State University as public research university

ACS for A-4994/S-3314 (McKeon, Burzichelli, Singleton, Caride/Sarlo, Oroho) - Requires certain State and local government agency employees with access to federal tax information to undergo criminal history background checks

AJR-37/SJR-67 (Mosquera, Chaparro/Weinberg) - Designates June 21 of each year as "ASK Day" to promote children's health and gun safety

ACS for AJR-54/SJR-104 (Benson, Mosquera, Chiaravalloti, Holley, McKnight, Wimberly/Sweeney, Beach) - Designates April 2nd of each year as "World Autism Awareness Day"

AJR-72/SJR-31 (Gove, Rumpf, A.M. Bucco, Holley/A.R. Bucco) - Designates September 17 through September 23 of each year as "Constitution Week"

AJR-115/SJR-81 (Vainieri Huttle, Lampitt, Giblin, Benson/Diegnan, A.R. Bucco) - Designates third Friday in September of every year as Concussion Awareness Day

AJR-126/SJR-85 (Dancer, DeAngelo, Munoz, A.M. Bucco, Mukherji, Houghtaling, Downey/Allen, Madden) - Commemorates establishment and service of the New Jersey State Police and celebrates 95th anniversary of first graduating class

AJR-137/SJR-102 (Mazzeo/Whelan) - Urges United States President Trump, members of his administration, and Congress to oppose measures and actions to prohibit states from authorizing and conducting Internet gaming

BILLS VETOED:

SCS for S-1297, 1990/A-3751 (Vitale, Sweeney/Jasey, Coughlin) - **CONDITIONAL** - Permits candidates for school board to circulate petitions jointly and be bracketed together on ballot; permits short nonpolitical designation of principles on petitions and ballots

A-31/S-3315 (Prieto, Muoio, Oliver, Schaer, Holley, Mukherji, Quijano, Wimberly, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Increases amount of benefits under Work First New Jersey program by 30 percent over three years and according to Social Security cost of living increases thereafter

A-33/S-3316 (Muoio, Vainieri Huttle, Mukherji, Oliver, Gusciora, Pintor Marin/Vitale, Cruz-Perez) - **ABSOLUTE** - Repeals family cap in Work First New Jersey program

A-320/S-1018 (Singleton, Vainieri Huttle, Munoz, Moriarty, Lampitt, Sumter, Mukherji/Weinberg, Cruz-Perez) - **CONDITIONAL** - Establishes minimum Medicaid reimbursement rate for personal care services

A-1139/S-2616 (Holley, McKnight, Munoz, Kennedy, Mukherji, Pintor Marin, Wimberly/Ruiz, Vitale) - **CONDITIONAL** - Prohibits sale of unsafe supplemental mattresses designed for children's products

A-2297/S-659 (Vainieri Huttle, Sumter, Mukherji, Caride, Downey, Zwicker, Wimberly/Turner, Allen) - **CONDITIONAL** - Requires health insurance coverage for contraceptives to include prescriptions for 12 months

A-3338/S-862 (Eustace, Lagana, Vainieri Huttle, Muoio, Mukherji, Benson, Jimenez, Giblin, Moriarty, Lampitt/Stack, Weinberg) - **CONDITIONAL** - Dedicates one percent of cigarette and other tobacco products tax revenues to anti-smoking initiatives

ACS for A-3480, 4119/S-2536 (Downey, Lampitt, Schaer, Houghtaling, Benson, Singleton, Muoio, DeAngelo/Gill, Weinberg) - **ABSOLUTE** - Concerns employer inquiries about worker's wage and salary experience

A-4253/S-2634 (Quijano, Mukherji, Vainieri Huttle, Eustace, Jones, McKeon/Weinberg, Diegnan) - CONDITIONAL - Establishes "New Jersey Nonprofit Security Grant Pilot Program"; appropriates \$3,000,000 over next three fiscal years

A-4453/S-2881 (Downey, Houghtaling/Ruiz) – CONDITIONAL - Requires pupils who reside on certain federal property to enroll in resident school district in accordance with schedule determined by executive county superintendent of schools

A-4496/S-2977 (Wimberly, Sumter, Lampitt/Lesniak) – CONDITIONAL - "Healthy Small Food Retailer Act"; provides funding to small food retailers to sell fresh and nutritious food; appropriates \$1 million

A-4587/SCS for S-2574 (Quijano, Vainieri Huttle, Mukherji, Giblin/Diegnan, Sarlo) – ABSOLUTE - Imposes State sales and use tax and hotel and motel occupancy fee on transient accommodations; authorizes various municipal taxes and fees on transient accommodations

A-4870/S-3226 (Prieto, Oliver, Quijano, Pintor Marin, Schaer, Vainieri Huttle, Eustace/Ruiz, Sweeney, Greenstein) – ABSOLUTE - "Safe Transportation Jobs and Fair Employment Rules Act"

ACS for A-4927/SCS for S-3085 (Prieto, Oliver, Gusciora, Jasey/Sweeney, Diegnan, Ruiz) – CONDITIONAL - Revises law concerning family leave, temporary disability and family temporary disability leave, and domestic or sexual violence safety leave

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