

CHAPTER 22

AN ACT to amend "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2009 and regulating the disbursement thereof," approved June 30, 2008 (P.L.2008, c.35).

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

1. The following provisions of section 1 of P.L.2008, c.35 are amended to read as follows:

34 DEPARTMENT OF EDUCATION

Provided that the Governor directs that an amount not to exceed \$75,000,000 of State aid appropriations for school districts shall be placed in reserve and thereby made unavailable for expenditure by the State, then notwithstanding the provisions of any law, rule, or regulation to the contrary, between February 1, 2009 and June 30, 2009, the Commissioner of Education shall withhold payment of State aid to a school district by an amount the commissioner shall determine in consultation with the State Treasurer. Notwithstanding the provisions of any law, rule, or regulation to the contrary, any amount that a school district is required to deposit into a pension reserve account shall be reduced by the amount of State aid withheld.

46 DEPARTMENT OF HEALTH AND SENIOR SERVICES

Notwithstanding the provisions of P.L.2005, c.237, \$25,300,000 from the surcharge on each general hospital and each specialty heart hospital is appropriated to fund federally qualified health centers and \$14,700,000 is appropriated to the General Fund as general revenue. Any unexpended balance at the end of the preceding fiscal year in the Health Care Subsidy Fund received through the hospital and other health care initiatives account during fiscal year 2008 is appropriated, and notwithstanding the provision of P.L.2005, c.237 or any law or regulation to the contrary, an amount not to exceed \$3,000,000 is appropriated from the unexpended balance of such funds, subject to the approval of the Director of the Division of Budget and Accounting, to provide one-time grants to federally qualified health centers in financial distress, as shall be determined by the Commissioner of Health and Senior Services, for the purpose of maintaining adequate access to health care within the State; provided further, however, that such one time grants shall only be awarded pursuant to procedure for applications, criteria for eligibility, qualifications of applicants and any other relevant information as shall be established by the commissioner. The qualifications shall include an agreement by a recipient that the recipient shall allow the commissioner to review its finances and operational performance to ensure that access to health care is maintained and public funds are utilized for their intended purpose.

62 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

50 Economic Planning, Development, and Security

53 Economic Assistance and Security

DIRECT STATE SERVICES

05-4525 Workers' Compensation

Notwithstanding the provisions of R.S.34:15-49 to the contrary, including the reference therein to salaries of judges of the Division of Workers' Compensation determined as a percentage of the annual salary of judges of Superior Court, beginning on January 1, 2009 there shall be no increase paid from appropriations made herein for an annual salary increase for judges of the Division of Workers' Compensation.

82 DEPARTMENT OF THE TREASURY

70 Government Direction, Management, and Control

74 General Government Services

2026 Office of Administrative Law

DIRECT STATE SERVICES

45-2026 Adjudication of Administrative Appeals

Notwithstanding the provisions of section 4 of P.L.1978, c.67 (C.52:14F-4) to the contrary, including the reference therein to salaries of administrative law judges determined as a percentage of the annual salary of judges of Superior Court, beginning on January 1, 2009 there shall be no increase paid from appropriations made herein for an annual salary increase for administrative law judges.

FEDERAL FUNDS

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the federal funds appropriated in the FY 2009 appropriations act, P.L.2008, c.35, there are appropriated to the appropriate executive agencies, subject to the approval of the Director of the Division of Budget and Accounting, such additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program or any other similar federal program for the purposes, projects, and programs set forth in such law; provided, however, that if the federal law does not delineate the specific purposes, projects, and programs to be funded by the federal funds, the purposes, projects, and programs to be funded by the federal funds shall be subject to the approval of the Joint Budget Oversight Committee, and further provided, however, that the State Treasurer shall report to the President of the Senate, the Speaker of the General Assembly, the Chair of the Senate Budget and Appropriations Committee, and the Chair of the Assembly Budget Committee at least quarterly on the receipt and utilization of all additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program.

Officials from the appropriate executive agencies are hereby authorized to take such steps, if any, as may be necessary to qualify for, apply for, receive and expend such federal funds and to make such commitments, representations and other agreements as may be required by the federal government to receive federal funds under federal law authorizing the federal economic stimulus program or any other similar federal law. Furthermore, and notwithstanding any other law or regulation to the contrary, officials from the appropriate executive agencies may encumber any of these federal funds appropriated pursuant to this provision prior to entering into any contract, grant or other agreement obligating the federal funds, subject to the approval of the Director of the Division of Budget and Accounting.

2. The following general provision is added to P.L.2008, c.35 to read as follows:

Notwithstanding the provisions of any law or regulation to the contrary, such additional sums as may be needed for the payment of interest and/or principal due from the issuance of any bonds authorized under the several bond acts of the State, not to exceed \$135,000,000, are appropriated and shall first be charged to the Long Term Obligation and Capital Expenditure Fund, subject to the approval of the Director of the Division of Budget and Accounting.

3. The following general provision is added to P.L.2008, c.35 to read as follows:

Notwithstanding the provisions of any law or regulation to the contrary, there may be transferred from the debt defeasance account established pursuant to section 3 of P.L.2008, c.22 and various capital accounts established pursuant to section 4 of P.L.2008, c.22 in the Long Term Obligation and Capital Expenditure Fund to the Property Tax Relief Fund an amount not in excess of \$371,000,000, as revenue to support appropriations in the Property Tax Relief Fund, subject to the approval of the Director of the Division of Budget and Accounting.

4. The following general provision is added to P.L.2008, c.35 to read as follows:

Notwithstanding the provisions of section 5 of P.L.1990, c.44 (C.52:9H-18) or any law or regulation to the contrary, there may be transferred from the Surplus Revenue Fund to the Property Tax Relief Fund an amount not in excess of \$275,000,000, as revenue to support appropriations in the Property Tax Relief Fund, subject to the approval of the Director of the Division of Budget and Accounting.

5. This act shall take effect immediately.

Approved March 17, 2009.