

CHAPTER 72

AN ACT concerning the Meadowlands Regional Commission and amending P.L.2015, c.19.

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

1. Section 2 of P.L.2015, c.19 (C.5:10A-2) is amended to read as follows:

C.5:10A-2 Findings, declarations relative to the “Hackensack Meadowlands Agency Consolidation Act.”

2. The Legislature finds and declares that:

- a. The New Jersey Meadowlands Commission is currently the zoning and planning agency for a 30.4 square-mile area covering parts of 14 municipalities in Bergen and Hudson Counties in New Jersey. The New Jersey Meadowlands Commission, created in 1969, was charged with the development and redevelopment of the Hackensack Meadowlands in an orderly and comprehensive fashion, with special consideration to the ecological and environment challenges facing the Hackensack Meadowlands.

- b. During the past 45 years, the New Jersey Meadowlands Commission has successfully provided for orderly comprehensive development, solid waste management, and environmental protection within the Hackensack Meadowlands, as well as guiding the investment of tens of millions of dollars in development, municipal services, and significant infrastructure projects, among other things.

- c. There are several vital components necessary for the continuation and expansion of the comprehensive plan for the economic development growth of the Hackensack Meadowlands. Among them are infrastructure improvements, transportation, tourism, the completion of the development of the sport complex site, the delivery of municipal services, flood control, and the continuance of the Intermunicipal Tax Sharing Program, which is the fiscal underpinning of the district’s master plan.

- d. The New Jersey Sports and Exposition Authority has promoted the holding of athletic contests, horse racing, and other spectator sporting events, trade shows, and other expositions in the State.

- e. The 750 acres of the New Jersey Sports and Exposition Authority complex in the Hackensack Meadowlands is a significant economic stimulant to the development of the meadowlands. The New Jersey Sports and Exposition Authority's ability to plan, construct, and maintain its holdings in the sports complex has been an extraordinary feat, making it a premier sporting facility.

- f. It is also appropriate and necessary to recognize the consistent impact of the Hackensack Meadowlands on tourist related activities and development, including retail, sports, and entertainment venues constructed at New Jersey Sports and Exposition Authority properties with support from private investment.

- g. The authority and powers of the New Jersey Sports and Exposition Authority and the New Jersey Meadowlands Commission should be reviewed and amended to reflect the issues of the day so as to adequately address the evolving economic and environmental issues in the Hackensack Meadowlands.

- h. In order to more effectively address the modern needs of the Hackensack Meadowlands, the Legislature finds that the two agencies with the common interest of promoting the economic growth of the meadowlands and northern New Jersey, the New Jersey Sports and Exposition Authority and the New Jersey Meadowlands Commission, should be consolidated to promote efficiency of operation, cost effectiveness, and the elimination of unnecessary government bureaucracy.

i. Nothing in P.L.2015, c.19 (C.5:10A-1 et al.) is intended to revise, limit, or nullify the rights of the New Jersey Sports and Exposition Authority under the provisions of P.L.1971, c.137 (C.5:10-1 et seq.) or other applicable laws. In the case of any conflict between P.L.1971, c.137 (C.5:10-1 et seq.) and the provisions of P.L.1968, c.404 (C.13:17-1 et seq.) or P.L.1971, c.137 (C.5:10-1 et seq.) and P.L.2015, c.19 (C.5:10A-1 et al.), the provisions of P.L.1971, c.137 (C.5:10-1 et seq.) shall control.

j. Except as expressly provided in P.L.2015, c.19 (C.5:10A-1 et al.) nothing is intended to revise, limit, or nullify the rights of the New Jersey Meadowlands Commission under P.L.1968, c.404 (C.13:17-1 et seq.). In the case of any conflict between P.L.1968, c.404 (C.13:17-1 et seq.) and the provisions of P.L.2015, c.19 (C.5:10A-1 et al.) the provisions of P.L.2015, c.19 (C.5:10A-1 et al.) shall control.

k. Notwithstanding anything in P.L.2015, c.19 (C.5:10A-1 et al.) to the contrary, sections 8 through 16, 18, 23, 24, 25, 29 through 48, and 74 of P.L.2015, c.19 (C.5:10A-1 et al.) shall not apply to the sports complex or adversely affect the rights, benefits, entitlements, contracts, agreements, liabilities, responsibilities, or obligations upon existing developers or ground tenants within the sports complex or any other project of the New Jersey Sports and Exposition Authority, wherever located, as of the date of enactment of P.L.2015, c.19 (C.5:10A-1 et al.), and with respect to the sports complex, the rights and powers of the commission shall only be those set forth in P.L.1971, c.137 (C.5:10-1 et seq.).

2. Section 3 of P.L.2015, c.19 (C.5:10A-3) is amended to read as follows:

C.5:10A-3 Definitions relative to the "Hackensack Meadowlands Agency Consolidation Act."

3. As used in sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.):

"Adjustment year" means the year in which the respective obligations of the intermunicipal account and the constituent municipalities of the district are due and payable.

"Apportionment rate" means a rate determined as follows:

(1) The total property taxes levied for local, school, and veterans' and senior citizens' purposes by a constituent municipality, as certified pursuant to R.S.54:4-52, in the comparison year after the meadowlands adjustment payment made in that comparison year has been subtracted or added, as the case may be, divided by

(2) The aggregate true value of all taxable real property, exclusive of Class II railroad property, located in the municipality, both within and without the district, in the comparison year, as determined by the Director of the Division of Taxation in the Department of the Treasury on October 1 of the comparison year, pursuant to section 2 of P.L.1954, c.86 (C.54:1-35.2), or as modified by the tax court. If a tax appeal is resolved after calculations are finalized for an adjustment year, the next year's calculations must show a retroactive correction for the applicable preceding two years.

"Area in need" means an area whose redevelopment is necessary to effectuate the public purposes described herein, as determined by the commission. An area designated as "in need" may contain lands, buildings, or improvements which, of themselves, are not detrimental to the public health, safety, or welfare, but nevertheless must be included in the area designated as "in need," with or without change in condition, for the effective redevelopment of the area of which they are a part. An area designated by the commission as a "redevelopment area" pursuant to the "Redevelopment Area Bond Financing Law," P.L.2001, c.310 (C.40A:12A-64 et seq.) shall also be deemed to constitute an area in need for purposes of P.L.2015, c.19 (C.5:10A-1 et al.) and shall also be deemed to constitute an

"area in need of redevelopment" for purposes of the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et al.).

"Base year" means 1970.

"Bonds" means any bonds, notes, interim certificates, debentures, or other obligations, issued by the commission pursuant to sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.).

"Commission" means the New Jersey Sports and Exposition Authority, which may be referred to as the "Meadowlands Regional Commission," as established by P.L.1971, c.137 (C.5:10-1 et seq.), P.L.1968, c.404 (C.13:17-1 et seq.), and section 6 of P.L.2015, c.19 (C.5:10A-6).

"Committee" means the Hackensack Meadowlands Municipal Committee established pursuant to the "Hackensack Meadowlands Redevelopment Act," P.L.1968, c.404 (C.13:17-1 et seq.).

"Comparison year" means the second calendar year preceding the adjustment year.

"Constituent municipalities" means the municipalities of Carlstadt, East Rutherford, Little Ferry, Lyndhurst, Moonachie, North Arlington, Ridgefield, Rutherford, South Hackensack, and Teterboro in Bergen county; and Jersey City, Kearny, North Bergen, and Secaucus in Hudson county.

"District" means the Hackensack Meadowlands District, the area delineated within section 5 of P.L.2015, c.19 (C.5:10A-5).

"Hackensack meadowlands" means the Hackensack Meadowlands District as established by section 5 of P.L.2015, c.19 (C.5:10A-5).

"Hotel" means a building or portion of it, which is regularly used for the lodging of guests and is subject to taxation pursuant to the "Hotel Occupancy Tax Act," P.L.1981, c.77 (C.40:48E-1 et seq.).

"Improvement" means (1) the laying out, opening, construction, widening, straightening, enlargement, extension, alteration, changing of location, grading, paving, or otherwise improving, a street, alley, or public highway; (2) curbing or guttering of a sidewalk along a street, alley, or highway; (3) construction and improvement of bridges and viaducts; (4) construction, enlargement, or extension of a sewer or drain or of a sewerage or drainage system including, but not limited to, such systems under streets, alleys, or public highways, or works for the sanitary disposal of sewerage or drainage; (5) the installation of service connections to water and other utility works, including the laying, construction, or placing of mains, conduits, or cables under or along a street, alley, or highway; (6) the construction, enlargement, or extension of water mains or water distribution works; (7) extension of landfills or other facilities for the disposal of solid wastes; (8) the installation of lighting standards, appliances, and appurtenances required for the illumination of streets; (9) the widening, deepening, or improvement of, the removal of obstructions in, and the construction, enlargement, and extension of any waterway, or of enclosing walls, or of a pipe or conduit along a water course; (10) the development and improvement of parks, recreational facilities, and flood control structures; (11) environmental enhancements and remediation; and (12) the construction of buildings and other structures.

"Intermunicipal account" means the device established and administered by the commission to record all of the transactions made for the purpose of calculating the meadowlands adjustment payment for each constituent municipality, and to act as the clearinghouse for the transfer of the meadowlands adjustment payments among the constituent municipalities as required by section 59 of P.L.2015, c.19 (C.5:10A-59).

“Master plan” means the comprehensive plan for the district prepared and adopted by the commission.

“Meadowlands adjustment payment” means the amount that is payable by each constituent municipality to the intermunicipal account, or the amount that is payable by the intermunicipal account to each municipality, as the commission shall determine the case to be.

“Owner” means all persons having any title or interest in any property, rights, easements, and interests authorized to be acquired, assessed, or regulated by sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.).

“Person” means all individuals, partnerships, associations, private or municipal corporations, and all political subdivisions of the State.

“Project” means any application for development, plan, work, or undertaking by the commission, constituent municipality, or redeveloper, pursuant to the master plan or a redevelopment plan.

“Project area” means all or a portion of a redevelopment area.

“Redeveloper” means any person, firm, corporation, or public or private agency that engages in development, redevelopment, or improvement of an area or any part thereof under the provisions of P.L.1971, c.137 (C.5:10-1 et seq.), P.L.1968, c.404 (C.13:17-1 et seq.), and sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.), or in the construction of any project pursuant to the master plan or redevelopment plan.

“Redevelopment” means planning, development, and redevelopment; the rehabilitation of any improvements; conservation or rehabilitation work; the construction and provision for construction of projects; or the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for such projects or other public purposes incidental or appurtenant thereto, in accordance with the master plan or any part thereof, or a redevelopment plan.

“Redevelopment plan” means a plan adopted by the commission, applicable to an area in need, for a redevelopment project or projects, which shall conform to the master plan and which, with respect to the sports complex, shall include and incorporate its master plans and which shall be deemed to grant the commission control over the lands, projects and properties that are subject to the redevelopment plan. A redevelopment plan adopted pursuant to P.L.2015, c.19 (C.5:10A-1 et al.) shall also be deemed to constitute a redevelopment plan for purposes of the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et al.).

“Resident enrollment” means the number of full-time pupils who are residents of the school district and who are enrolled in day schools on the last day of September during the school year in which calculation of aid is made and are attending the public schools of the school district or a school district or State teachers’ college demonstration school in which the school district of residence pays tuition; school district may count in its enrollment any pupil regularly attending, on a full-time basis, a county vocational school in the same county, for which the school district pays tuition.

“Site plan” means a plan for an existing lot or plot or a subdivided lot on which is shown topography, location of all existing or proposed buildings, structures, drainage facilities, roads, rights-of-way, easements, parking areas, together with any other information, and at such a scale as may be required by a commission site plan review and approval resolution.

“Solid waste” means garbage, refuse, and other discarded materials resulting from industrial, commercial, and agricultural operations, and from domestic and community activities, and all other waste materials, including liquids, except for source separated

recyclable materials or source separated food waste collected by livestock producers approved by the State Department of Agriculture to collect, prepare, and feed such wastes to livestock on their own farms.

“Solid waste and recycling facilities” means the plants, structures, and other real and personal property acquired, constructed, or operated, or to be acquired, constructed, or operated by the commission, as hereinafter provided, including landfills or other plants or facilities for the treatment of recycling materials and disposal of solid waste.

“Sports complex” means the 750 acre sports and exposition site located in the Borough of East Rutherford under the jurisdiction of the New Jersey Sports and Exposition Authority as of the effective date of P.L.2015, c.19 (C.5:10A-1 et al.) and such additional property that is owned and controlled by the sports authority as may be designated by the commission from time to time as a part of the sports complex. The sports complex shall be considered a “qualified incentive area” for the purposes of P.L.2011, c.149 (C.34:1B-242 et seq.) and a “qualifying economic redevelopment and growth grant incentive area” for the purposes of P.L.2009, c.90 (C.52:27D-489a et al.).

“Special assessment” means an assessment for benefits accruing from the construction of improvements by or at the direction of the commission.

“Subdivision” means the division of a lot, tract, or parcel of land into two or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development except that the following divisions shall not be considered subdivisions; provided, however, that no new streets or roads are involved; divisions of land for agricultural purposes where the resulting parcels are three acres or larger in size, divisions of property by testamentary or intestate provisions, or divisions of property pursuant to court order.

3. Section 5 of P.L.2015, c.19 (C.5:10A-5) is amended to read as follows:

C.5:10A-5 Districts delineated.

5. a. Except as otherwise provided, the commission shall carry out the purposes of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.) within the following district:

Beginning at a point on Hendricks Causeway at its junction with the tracks of the Erie-Lackawanna Railroad--Northern Railroad of New Jersey Branch in Ridgefield;

Thence southerly along the tracks of the Erie-Lackawanna Railroad--Northern Railroad of New Jersey Branch to its junction with the Fairview-Ridgefield Municipal boundary;

Thence westerly along the Fairview-Ridgefield Municipal boundary to its junction with the Fairview-North Bergen Municipal boundary;

Thence easterly along the Fairview-North Bergen Municipal boundary to its junction with the tracks of the Erie-Lackawanna Railroad--Northern Railroad of New Jersey Branch;

Thence southerly along the tracks of the Erie-Lackawanna Railroad--Northern Railroad of New Jersey Branch to its junction with Tonnelle Avenue (U. S. Route 1 and 9) in Jersey City;

Thence southerly along Tonnelle Avenue (U.S. Route 1 and 9) to its intersection with the Pulaski Skyway;

Thence westerly along a line formed by the Pulaski Skyway to a point where the Port Authority Trans-Hudson tracks pass under the Pulaski Skyway;

Thence westerly along the Port Authority Trans-Hudson tracks to their intersection with the Harrison-Kearny Municipal Boundary;

Thence northwesterly along the Harrison-Kearny Municipal Boundary, as its jogs and curves, to its intersection with the Erie-Lackawanna Railroad, Harrison-Kingsland connecting branch of the Morris and Essex Division;

Thence northerly along the tracks of the Erie-Lackawanna Railroad, Harrison-Kingsland connecting branch of the Morris and Essex Division to its junction with Orient Way in Lyndhurst;

Thence northerly along Orient Way to its junction with Valley Brook Avenue-Smith Street;

Thence easterly along Smith Street to its junction with Madison Street;

Thence northerly along Madison Street to its junction with Evergreen Place;

Thence westerly along Evergreen Place to its junction with Meadow Road;

Thence northerly along Meadow Road to its junction with Rutherford Avenue;

Thence northerly along a straight line drawn between the intersection of Rutherford Avenue and Meadow Road and the junction of Union Avenue and Erie-Lackawanna-New Jersey and New York Railroad;

Thence northerly along the tracks of the Erie-Lackawanna-New Jersey and New York Railroad to its intersection with the Wood-Ridge-Carlstadt municipal boundary;

Thence easterly along the Wood-Ridge-Carlstadt municipal boundary to its intersection with the Moonachie-Wood-Ridge municipal boundary;

Thence northerly and westerly along the Moonachie-Wood-Ridge municipal boundary to its intersection with the Hasbrouck Heights-Moonachie municipal boundary;

Thence easterly and northerly along the Hasbrouck Heights-Moonachie municipal boundary to its intersection with the Moonachie-Teterboro municipal boundary;

Thence westerly and northerly along the Hasbrouck Heights-Teterboro municipal boundary to its intersection with U. S. Route 46;

Thence easterly along U. S. Route 46 to its intersection with the Teterboro-Little Ferry municipal boundary;

Thence southerly along the Teterboro-Little Ferry municipal boundary to its intersection with the Moonachie-Little Ferry boundary;

Thence southerly along the Moonachie-Little Ferry municipal boundary to its intersection with Red Neck Road;

Thence southerly along Red Neck Road to its junction with Moonachie Avenue in Moonachie;

Thence easterly along Moonachie Avenue to its junction with Moonachie Road;

Thence northerly along Moonachie Road to its junction with Maple Street;

Thence easterly along Maple Street approximately 930 feet to its intersection with the Transcontinental gas pipeline;

Thence northeasterly along a straight line drawn between the intersection of Maple Street and the Transcontinental gas pipeline and the intersection of Bertolotto Avenue and the Moonachie-Little Ferry Municipal boundary (Losen Slofe Creek);

Thence easterly along Bertolotto Avenue to its junction with Eckel Road;

Thence southerly along 5th Street to its junction with Mansfield Avenue;

Thence easterly along Columbus Avenue to its junction with Mehrhof Road;

Thence northerly along Mehrhof Road to its junction with Washington Avenue;

Thence easterly and northerly along Washington Avenue to its junction with Main Street;

Thence easterly along Main Street extended to the Little Ferry-Ridgefield Park Municipal boundary; (The middle of the Hackensack River);

Thence southerly along the Little Ferry-Ridgefield Park Municipal boundary (in the middle of the Hackensack River) to its intersection with the Ridgefield Park-Ridgefield Municipal boundary;

Thence easterly along the Ridgefield Park-Ridgefield Municipal boundary (in the middle of Overpeck Creek) to its intersection with Bergen Turnpike;

Thence southerly along Bergen Turnpike to its junction with Hendricks Causeway;

Thence southeasterly along Hendricks Causeway to its junction with the tracks of the Lackawanna Railroad--Northern Branch, the point of beginning.

b. The commission shall not carry out the purposes of P.L.1968, c.404 (C.13:17-1 et seq.) or sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.), take any action, or have any jurisdiction within the following district:

Beginning at a point on Old New Jersey Route 3 (New Jersey Route 153) (Paterson Plank Road) at its junction with County Avenue in Secaucus;

Thence southerly along County Avenue to its junction with Secaucus Road;

Thence westerly along Secaucus Road a distance of 1,321 feet, more or less, to its junction with Private Road;

Thence northerly along a straight line drawn between the intersection of Secaucus Road and the aforementioned Private Road and the intersection of Pandolfi Avenue-Golden Avenue in Secaucus;

Thence westerly along Pandolfi Avenue to its junction with 5th Street;

Thence southerly along 5th Street to its junction with Mansfield Avenue;

Thence westerly along Mansfield Avenue to its junction with Walter Place;

Thence northerly along Walter Place to its junction with Mansfield Avenue;

Thence westerly along Mansfield Avenue to its junction with 9th Street;

Thence northerly along 9th Street to its junction with Grace Street;

Thence easterly along Grace Street to its junction with Eighth Street;

Thence northerly along Eighth Street to its junction with Old New Jersey Route 3 (Route 153);

Thence easterly along Old New Jersey Route 3 (Route 153) to its junction with Paterson Plank Road;

Thence easterly continuing along Old New Jersey Route 3 (Route 153) (Paterson Plank Road) to its junction with County Avenue, the point of beginning.

c. The commission shall not carry out the purposes of P.L.1968, c.404 (C.13:17-1 et seq.) or sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.), take any action, or have any jurisdiction within the following district:

Beginning at a point on Maple Avenue at its junction with 7th Street in Secaucus;

Thence northerly and easterly along 7th Street to its junction with Paterson Plank Road;

Thence northerly along Paterson Plank Road to its junction with Farm Road;

Thence northerly along Farm Road to its junction with Meadow Lane;

Thence easterly along Meadow Lane to its junction with Stonewall Lane and Mill Ridge Road;

Thence easterly along Mill Ridge Road to its junction with Koelle Boulevard;

Thence southerly along Koelle Boulevard to its junction with Huber Street;

Thence westerly along Huber Street to its junction with Radio Avenue;

Thence southerly on Radio Avenue to its junction with Pikeview Terrace;

Thence westerly and northerly along Pikeview Terrace to its intersection with Lausecker Lane;

Thence westerly along Lausecker Lane to its junction with Paterson Plank Road;

Thence southerly along Paterson Plank Road to its junction with Maple Street;
Thence westerly along Maple Street to its junction with 7th Street, the point of beginning.

4. Section 4 of P.L.2015, c.19 (C.5:10A-4) is amended to read as follows:

C.5:10A-4 References mean and refer to the New Jersey Sports and Exposition Authority.

4. On and after the effective date of P.L.2015, c.19 (C.5:10A-1 et al.), any reference in any law, rule, regulation, order, contract, or document to the Hackensack Meadowlands Development Commission or the New Jersey Meadowlands Commission shall mean and refer to the New Jersey Sports and Exposition Authority as established by section 4 of P.L.1971, c.137 (C.5:10-4), as modified by P.L.2015, c.19 (C.5:10A-1 et al.), also referred to herein as the “commission.”

5. Section 6 of P.L.2015, c.19 (C.5:10A-6) is amended to read as follows:

C.5:10A-6 New Jersey Meadowlands Commission dissolved.

6. The New Jersey Meadowlands Commission, established pursuant to section 5 of P.L.1968, c.404 (C.13:17-5) is dissolved. All property, funds, and assets of the New Jersey Meadowlands Commission are vested in and belong to the New Jersey Sports and Exposition Authority, which, in addition to the powers and authority vested in it pursuant to P.L.1971, c.137 (C.5:10-1 et seq.), shall carry out the purposes of P.L.1968, c.404 (C.13:17-1 et seq.) and P.L.2015, c.19 (C.5:10A-1 et al.). All regulations, adjudications, orders, permits, and other approvals issued by the New Jersey Meadowlands Commission, and all contracts, agreements, bonds, notes, and other obligations incurred by the New Jersey Meadowlands Commission pursuant to P.L.1968, c.404 (C.13:17-1 et seq.) prior to the effective date of P.L.2015, c.19 (C.5:10A-1 et al.) shall remain in effect, and all applications pending before the New Jersey Meadowlands Commission on the effective date of P.L.2015, c.19 (C.5:10A-1 et al.) shall continue to be pending before the New Jersey Sports and Exposition Authority.

6. Section 7 of P.L.2015, c.19 (C.5:10A-7) is amended to read as follows:

C.5:10A-7 Additional powers of commission.

7. In addition to any powers established pursuant to section 5 of P.L.1971, c.137 (C.5:10-5), the commission, as defined by section 4 of P.L.2015, c.19 (C.5:10A-4), shall have the following powers:

a. To enter upon any building or property in order to conduct investigations, examinations, and surveys necessary to carry out the purposes of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.);

b. To prepare, adopt, and implement a master plan for the physical development of all lands, or a portion thereof, lying within the district, and to adopt and enforce regulations, codes, and standards for the effectuation of such plan;

c. To undertake any development or other project or improvement as it finds necessary to redevelop and improve the land within the district;

d. To recover by special assessments the cost of improvements from the increase of property values attributable to such improvements;

e. Generally to establish, charge, and collect rates, fees, and other charges for the use of any facilities operated and maintained by the commission, and to collect fees as otherwise established by law, rule, or regulation;

- f. To enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient, or desirable for the commission to carry out its responsibilities;
- g. To plan, establish, and implement programs promoting and facilitating economic development opportunities in the district;
- h. To review and regulate plans for any subdivision or development within the district;
- i. To cause to be prepared plans, specifications, designs, and estimates of costs for the construction of projects and improvements under the provisions of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.), and to modify such plans, specifications, designs, or estimates;
- j. To determine the existence of areas in need of redevelopment or rehabilitation and to approve or undertake redevelopment projects therein;
- k. To provide solid waste disposal and recycling facilities for the treatment of solid waste;
- l. To assist and coordinate shared services among the constituent municipalities of the district and to enter into, from time to time, contracts with one or more municipalities, counties, or other public agencies for the operation of public improvements, works, facilities, services, or undertakings of such municipalities, counties, or agencies, or of the commission;
- m. To consult with the Department of Environmental Protection as to the necessary steps to develop plans and undertake flood control projects and to maintain and construct necessary flood control structures and ditches;
- n. To take any action necessary for the purpose of promoting and marketing tourism, entertainment, sports, and all related activities within the district or at any other location owned or operated by the commission. The commission may create a not-for-profit entity that will implement this function;
- o. To preserve and protect the environment of the district and to provide programs for environmental education that benefit schools and the general public;
- p. To create a transportation planning district and develop strategies to improve regional comprehensive planning;
- q. To receive and accept, from any federal or other public agency or governmental entity, grants or loans for, or in aid of, the planning or construction of any project or improvement, or the acquisition of any property, and to receive and accept aid or contributions from any other source, of either money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants, loans, and contributions may be made, and to enter into co-operative agreements with the federal government, or any other public or governmental agency, for the performance of such acts as may be necessary and proper for the reclamation of the Hackensack meadowlands and to comply with established requirements for such participation;
- r. To establish engineering standards and a building code specifying the maximum weight, size, and density of all buildings and structures to be placed on any land within its jurisdiction;
- s. To conduct examinations and investigations, hear testimony, and take proof, under oath at public and private hearings, of any material matter, require attendance of witnesses and the production of books and papers, and issue commissions for the examination of witnesses who are out of State, unable to attend, or excused from attendance;
- t. To subordinate, waive, sell, assign, or release any right, title, claim, lien, or demand, however acquired, including any equity or right of redemption; to foreclose, sell, or assign any mortgage held by it, or any interest in real or personal property; and to purchase at any

sale upon such terms and at such prices as it determines to be reasonable and to take title to property, real, personal, or mixed, so acquired, and to sell, exchange, assign, convey, lease, mortgage, or otherwise dispose of any such property, subject to such conditions and restrictions as it deems necessary to carry out the purposes of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.); and

u. To collect, and disburse, the assessments authorized in section 85 of P.L.2015, c.19 (C.5:10A-85), for the purposes set forth in that section.

7. Section 9 of P.L.2015, c.19 (C.5:10A-9) is amended to read as follows:

C.5:10A-9 Submission to the committee prior to final action.

9. a. The commission shall submit to the municipal committee established pursuant to section 7 of P.L.1968, c.404 (C.13:17-7) for review, prior to final action thereon, codes and standards formulated by the commission, the district master plan and amendments thereto, development and redevelopment plans, and improvement plans. The commission may also submit to the committee any other matter which the commission deems advisable. The committee may also coordinate shared services and cooperative agreements among the constituent municipalities and conduct studies and provide reports to the commission regarding issues which impact the constituent municipalities.

b. The committee shall review matters submitted to it by the commission pursuant to this section and shall indicate its position, in writing, to the commission. Failure of the committee to convey to the commission its position within 30 days of the receipt of any matter referred to the committee shall constitute approval of the proposed action of the commission; provided, however, that the committee shall have 120 days after receipt of a major revision of the master plan to convey its position, in writing, to the commission.

c. The commission shall not take action on any matter required to be submitted to the committee, which matter has been formally rejected by the committee, except by an affirmative vote of the majority of the members of the commission.

8. Section 10 of P.L.2015, c.19 (C.5:10A-10) is amended to read as follows:

C.5:10A-10 Master plan.

10. a. After a public hearing and pursuant to the procedures hereinafter provided, the commission shall prepare, or cause to be prepared, and adopt a master plan, or portion thereof, for the physical development of all lands lying within the district. The master plan may include proposals for various stages for the future development of the district. The commission may amend the master plan in accordance with the procedures established herein. The master plan shall include a report presenting the objectives, assumptions, standards, and principles, as set forth in the master plan. The master plan shall be a composite of the one or more written proposals recommending the physical development of the lands within the district, in its entirety or a portion thereof, which the commission shall prepare after meetings with the governing bodies of the constituent municipalities and affected counties, and any agencies and instrumentalities thereof.

b. In preparing the master plan or any portion thereof or amendment thereto the commission shall consider the existing patterns of the development in constituent municipalities, and any master plan or other plan of development adopted by any constituent municipality prior to the effective date of P.L.2015, c.19 (C.5:10A-1 et al.), or prior to the preparation of the master plan by the commission.

c. In preparing the master plan or any portion thereof or amendment thereto, the commission shall consult with any federal or State agency having an interest in the district. At least 60 days prior to taking any action relating to the district, any interested agency shall file with the commission any proposed plans for the commission's review and recommendation.

d. A master plan examination and revision shall be conducted by the commission every 10 years, the first of which shall be conducted 10 years from the date on which the first master plan was adopted by the commission pursuant to this section. The master plan in effect on the effective date of P.L.2015, c.19 (C.5:10A-1 et al.) shall remain in effect until the commission's next examination and revision, which shall be within five years of the effective date of P.L.2015, c.19 (C.5:10A-1 et al.). The master plans in effect on the effective date of P.L.2015, c.19 (C.5:10A-1 et al.) shall not apply to the sports complex, which shall be subject to the master plan adopted by the New Jersey Sports and Exposition Authority as of the effective date of P.L.2015, c.19 (C.5:10A-1 et al.).

e. The master plan shall include provisions or criteria for the location and use of buildings, structures, facilities, and land for solid waste disposal and recycling, and may include provisions for:

(1) the use of land and buildings, residential, commercial, industrial, park, and other like purposes;

(2) service-water supply, utilities, sewerage, and other like matters;

(3) transportation, streets, parking, public transit lines and stations, both above and below ground level, freight facilities, airports, harbors, channels, docks, and wharves, and other like matters;

(4) housing, including affordable housing, residential standards, clearance, redevelopment, rehabilitation, conservation, and other like matters;

(5) water, soil conservation, flood control, and other like matters;

(6) public and semipublic facilities including but not limited to civic centers, schools, libraries, parks, playgrounds, fire houses, police buildings, hospitals, and other like matters;

(7) the distribution and density of population;

(8) planned unit development;

(9) community appearance;

(10) financing and programming capital improvements;

(11) plan and develop facilities for tourism, sports, and entertainment; and

(12) other related elements of growth and development, including the social implications of any proposed development, and advances in technology related to any subject included in the plan.

f. In accordance with sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.), and in addition to any other law, rule, or regulation concerning affordable housing, the master plan may also include codes and standards covering land use, comprehensive zoning, subdivisions, building construction and design, housing, and the control of air and water pollution, and other subjects necessary to carry out the plan or to undertake a workable program of community improvement. No codes or standards concerning building construction and design shall be promulgated without the certificate of the chief engineer or equivalent official of the commission that the proposed codes and standards meet the engineering standards adopted by the commission. No municipality shall adopt, and no municipal official shall enforce, any code which is inconsistent with the code contained in the master plan insofar as such code applies to property within the district; provided, however, that the governing body or other appropriate body of each constituent municipality

may adopt zoning ordinances and any other codes or standards, which it is authorized by the laws of this State to adopt, for lands within the boundaries of said municipality which are subject to the jurisdiction of the commission and which will effectuate the purposes of the commission's master plan.

9. Section 11 of P.L.2015, c.19 (C.5:10A-11) is amended to read as follows:

C.5:10A-11 Municipality; authority to approve, reject applications.

11. a. A constituent municipality that adopts and maintains the commission's master plan, zoning regulations, codes, and standards shall review and approve or reject applications for the development, improvement, redevelopment, construction, or reconstruction on land in the district, except as otherwise provided in P.L.2015, c.19 (C.5:10A-1 et al.), upon the commission's determination that the master plan, zoning regulations, codes, and standards adopted by the constituent municipality conform in all material respects to those of the commission. If the commission does not respond to a constituent municipality's request for a determination of conformance within 120 days of the commission receiving the municipality's request, the municipality shall be deemed in conformance. The municipality shall provide the commission all documentation, plans, and information regarding all applications. All fees generated by these applications and approvals shall be retained by the municipality.

b. For those constituent municipalities that do not adopt the commission's master plan, zoning regulations, codes, and standards, the commission shall have the sole authority to issue zoning approvals.

c. Any constituent municipality which undertakes projects for public recreation, public safety, and the general welfare of its citizens will not be required to file an application with the commission. The codes and standards of that municipality shall apply. All documentation plans and necessary information regarding the project shall be submitted to the commission upon completion of the project.

d. Any project which requires a use variance pursuant to subsection d. of section 57 of P.L.1975, c.291 (C.40:55D-70) or special exception from any provision of the commission's master plan or zoning regulations must be submitted directly to the commission for review and approval or rejection. Any project which requires a bulk variance pursuant to subsection c. of section 57 of P.L.1975, c.291 (C.40:55D-70) or approval for a minor subdivision, as defined by section 3.2 of P.L.1975, c.291 (C.40:55D-5), may be approved by the appropriate board of a constituent municipality.

e. The commission shall maintain jurisdiction over any project that is subject to the jurisdiction of the New Jersey Board of Public Utilities, including, but not limited to, projects proposed by a public utility for the maintenance, operation, rehabilitation, preservation, construction, reconstruction, repair, or upgrade of transmission and distribution lines, rights of way, or systems that ensure safe, adequate, and reliable service.

f. Notwithstanding subsections a. through e. of this section, the commission shall maintain sole jurisdiction over any project it deems, in its sole discretion, to be vital to the public safety, general welfare, development, or redevelopment of the district.

10. Section 19 of P.L.2015, c.19 (C.5:10A-19) is amended to read as follows:

C.5:10A-19 Safeguarding of environmental resources of district.

19. In addition to any powers established pursuant to section 5 of P.L.1971, c.137 (C.5:10-5), and the powers established pursuant to section 7 of P.L.2015, c.19 (C.5:10A-7), the commission shall endeavor to safeguard the environmental resources of the district and provide quality public recreation and educational opportunities. The commission may:

- a. Target and prioritize potential preservation sites for acquisition, deed restriction, and conservation easements, including large tracts of wetlands sites;
- b. Preserve wetlands to protect wildlife, water quality, and flood storage value;
- c. Review preservation sites for potential wetland enhancement and mitigation;
- d. Improve connections among the district's trails and habitats, reducing fragmentation;
- e. Identify missing links in the existing trail system, as well as key locations for connecting to wildlife viewing stations, environmental venues, boat launches, docks, and other active and passive recreational attractions;
- f. Increase both active and passive recreational uses;
- g. Eliminate or control the presence of other invasive plant and animal species;
- h. Maintain and improve targeted habitats relative to breeding, wintering, feeding, and other wildlife activities;
- i. Maintain the value of the Hackensack meadowlands as an urban sanctuary for birds using the Atlantic Flyway;
- j. Seek available funding for land acquisition, protection, and management of wildlife preserves;
- k. Maintain and restore the ecology of the waterways, including the estuary, shorelines, and nursery habitat for fish;
- l. Continue monitoring water quality by collecting and analyzing data to determine trends, document improvements, and assess the need for additional, or more stringent, measures;
- m. The provisions of section 6 of P.L.1984, c.128 (C.13:17-6.1), or any other law, rule, or regulation regarding purchases, contracts, or agreements to the contrary notwithstanding, at the request of the Commissioner of Environmental Protection, evaluate, approve, and implement any plan or plans for the further preservation, development, enhancement, or improvement of Liberty State Park and the buildings, structures, properties, and appurtenances related thereto, or incidental to, necessary for, or complementary to the park. The commission may avail itself of any plans under review by the Department of Environmental Protection from any source that may promote expanded and diverse recreational, cultural, and educational opportunities for visitors to Liberty State Park and provide greater access to park facilities. Any approved plans shall constitute a project of the commission, but shall not be adopted as part of the master plan. Any plans approved by the commission shall be subject to the provisions of P.L.1981, c.447 and subject to approval or disapproval by the Commissioner of Environmental Protection. In evaluating any plan, the Commissioner shall prepare an assessment of environmental impacts on the plan, and how those impacts, if any, may be avoided, minimized, or mitigated. At least one public hearing in connection with plans under consideration by the commission shall be held at Liberty State Park. Nothing in this subsection shall be construed to transfer ownership of any of the property of Liberty State Park to the commission or any other person; and
- n. Operate a not-for-profit organization which shall continue research opportunities of the Meadowlands Environmental Research Institute.

11. Section 20 of P.L.2015, c.19 (C.5:10A-20) is amended to read as follows:

C.5:10A-20 Strategies, funding for flood control in infrastructure.

20. The commission may develop strategies and seek funding for flood control infrastructure based on flood modeling for the district and surrounding areas.

a. The commission may:

(1) identify all drainage basins in the district and any drainage areas that directly impact the district; and

(2) develop strategies to address the major causes of flooding.

b. The commission may maintain flood control infrastructure that it constructed.

12. Section 21 of P.L.2015, c.19 (C.5:10A-21) is amended to read as follows:

C.5:10A-21 Provision of solid waste and recycling disposal facilities.

21. In providing the solid waste and recycling disposal facilities, the commission shall, prior to preparing any plans or specifications for such facilities, consult with those persons utilizing the district for the treatment and disposal of solid waste, and contract with any such persons who desire to utilize solid waste disposal facilities provided by the commission. In providing such facilities, the commission may:

a. Acquire or construct any such facilities as an improvement, and may recover the cost of such acquisition or construction in the same manner, and pursuant to the same procedure, provided for any other improvement undertaken by the commission;

b. Operate and maintain any such facilities, as owner, lessor, or lessee, and generally fix and collect rates, fees, or other charges for any such facilities in the same manner, and pursuant to the same procedure, provided for any other facilities operated and maintained by the commission. The commission shall submit to the Commissioner of Environmental Protection for approval a plan or plans describing in detail the purpose of any acquisition, construction, operation, lease as lessor or lessee, contract, or agreement. When reviewing the plans submitted in compliance with this section and in determining conditions under which such plans may be approved, the commissioner shall give due consideration to community development of comprehensive regional solid waste disposal facilities, with the objective being that all conform to reasonably contemplated development of comprehensive community or regional solid waste disposal facilities. No solid waste disposal facility shall be acquired, constructed, operated, leased, contracted, or agreed for in the district without approval of the Commissioner of Environmental Protection;

c. Join and participate with any agency, municipality, county, or authority created by the State, or by any political subdivision or subdivisions thereof, through an intergovernmental agreement without need for that agency, municipality, county, or authority to go to public bid for the purpose of treating or disposing of solid waste and recycling;

d. Permit, by contract or agreement, any agency, instrumentality, or authority created by the State, or by any political subdivision thereof, for the purpose of treating or disposing of solid waste, to acquire, construct, or operate and maintain any solid waste disposal facilities which such agency, instrumentality, or authority is authorized by law to acquire, construct, or operate and maintain. Any such facilities acquired, constructed, or operated and maintained by any such agency, instrumentality, or authority may be located either within the district or without the district, but shall be within the jurisdiction of such agency, instrumentality, or authority.

e. For the purposes of acquiring or constructing any solid waste disposal facility, the commission is authorized to issue bonds and notes and to pay or redeem said bonds and notes from revenue derived from the fees and other charges collected for such facilities. Any cost

incurred by the commission in providing any solid waste disposal facilities shall be charged to the persons utilizing such facilities, and nothing herein contained shall be interpreted as requiring the commission to bear the cost of any solid waste disposal facility provided by the commission.

f. No solid waste may be treated or disposed in the district by any person without the express written permission of the commission.

13. Section 22 of P.L.2015, c.19 (C.5:10A-22) is amended to read as follows:

C.5:10A-22 Municipal Assistance Program Fund.

22. a. In the event that surplus moneys become available from the operation of solid waste disposal facilities by the commission, which are not required by any contract with the holders of any bonds, notes, or other obligations of the commission to be retained in any fund or account for the security of the commission's bonds, notes, or other obligations, then at least 75 percent of that surplus shall be used by the commission for any lawful purpose and 25 percent of that surplus may be placed in a special Municipal Assistance Program fund established by the commission for the purpose of infrastructure improvements.

b. The commission may establish a surcharge on solid waste which enters into its facilities. Revenue collected pursuant to this subsection shall be dedicated, exclusively, to the Municipal Assistance Program fund created by the commission pursuant to subsection a. of this section.

14. Section 23 of P.L.2015, c.19 (C.5:10A-23) is amended to read as follows:

C.5:10A-23 Declaration of area in need.

23. a. Pursuant to the procedure hereinafter provided, the commission shall have the exclusive power to declare the district, or any portion thereof, to be an area in need.

b. Prior to declaring any portion of the district as an area in need, the commission, by resolution, shall provide for a preliminary investigation. Upon the adoption of such a resolution, the commission shall prepare a map showing the boundaries of the proposed area and the location of the various parcels of property located therein, and shall append thereto a statement setting forth the reasons for the investigation.

c. The commission shall thereupon cause a hearing to be held at an appointed time and place for the purpose of hearing persons interested in, or who would be affected by, a determination that the area is an area in need, as defined in section 3 of P.L.2015, c.19 (C.5:10A-3), and who are in favor of, or are opposed to, such determination.

d. A notice of such hearing shall be given setting forth the general boundaries of the area to be investigated and stating that a map has been prepared and can be inspected at the office of the commission. The commission shall cause the publication of the notice in a newspaper of general circulation in the district once each week for two consecutive weeks, and the last publication shall be not less than 10 days prior to the date set for the hearing. A copy of the notice shall be mailed at least 10 days prior to the date set for the hearing to the last known owner, if any, of each parcel of property within the area according to the assessment records of the municipality where the parcel is located. Such notice shall be sent to the last known postal address of such owners. The commission shall also send notice to any persons at their last known address, if any, whose names appear on said assessment records as claimants of an interest in any such parcel. The assessor of a constituent municipality shall make such a notation upon the said records when requested so to do by any person claiming to have an

interest in any parcel of property in such municipality. Failure to mail notice as required by this section shall not invalidate the investigation or determination thereon.

e. At the hearing, the commission shall hear all persons interested in the investigation and shall consider any written objections that may be filed, and any evidence which may be introduced, in support of the objections, or any opposition to a determination that the area is in need. After the hearing, the commission shall, by resolution, determine that the area or any part thereof is, or is not, in need. A determination that an area is in need, if supported by substantial evidence, shall be binding and conclusive upon all persons affected by the determination. If the determination is that an area is in need, the commission, within 10 days after such determination, shall mail a copy of the resolution to each person who filed a written objection at, or prior to, the hearing, so long as the address of the objector was stated in, or to, the written objection.

f. Any person who has filed such a written objection with the commission and whose objection was rejected may appeal such final agency determination directly to the Appellate Division.

g. If the determination is that an area is in need, the commission may acquire the real property within the area by purchase, or by eminent domain proceedings in accordance with the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et seq.), and may proceed with the clearance, planning, development, or redevelopment of the area as a public purpose and for public use, or the commission may, by resolution, agree that a redeveloper may undertake such clearance, planning, development, or redevelopment.

15. Section 42 of P.L.2015, c.19 (C.5:10A-42) is amended to read as follows:

C.5:10A-42 Special assessments.

42. a. Special assessments levied against land in class one shall be considered to be of general benefit to the entire district and areas outside of the district, as it relates to flood control projects, and shall be included as a charge against general revenues of the commission, or paid out of any funds of the commission which shall be available for such purpose.

b. When any assessment shall not be paid within two months after the date of confirmation thereof, interest thereon from the date of confirmation shall be imposed at the rate of six percent per annum.

16. Section 46 of P.L.2015, c.19 (C.5:10A-46) is amended to read as follows:

C.5:10A-46 Payment of assessment in installments.

46. The commission may, by resolution, provide that the owner of any land, upon which any assessments for any improvement shall have been made, pay such assessments in equal yearly installments, for a number of years as may be provided by the rules and regulations of the commission, with legal interest thereon, provided that any person assessed may pay the whole of any assessment, or any balance of installments, with accrued interest thereon, at one time. If any such installment becomes due and is not paid, the whole assessment, or balance due thereon, shall become immediately due, draw interest at the rate of six percent per annum, and be collected in the same manner as is provided in sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.) for other past due assessments.

17. Section 52 of P.L.2015, c.19 (C.5:10A-52) is amended to read as follows:

C.5:10A-52 School district to certify resident enrollment.

52. On or before November 15 of the year of enactment of P.L.2015, c.19 (C.5:10A-1 et al.), and on or before November 15 of each year thereafter, the secretary, superintendent, or a person designated by the school board of each school district of each constituent municipality shall certify to the commission the resident enrollment as of September 30 of that year. The certification shall show the number, address, and grade enrolled of pupils who reside within the district, and the number who reside outside, in a manner to be prescribed by the Commissioner of Education.

18. Section 53 of P.L.2015, c.19 (C.5:10A-53) is amended to read as follows:

C.5:10A-53 Establishment of intermunicipal account.

53. a. In the adjustment year of the year of enactment of P.L.2015, c.19 (C.5:10A-1 et al.), and in each adjustment year thereafter, the commission shall establish an intermunicipal account and shall compute the amount payable to the account by each of the constituent municipalities and the amount due to each constituent municipality from said account for that year pursuant to sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.).

b. As used in this section, except as otherwise specifically provided, the increase or decrease in aggregate true value of taxable real property for any adjustment year shall be the difference between:

(1) The aggregate true value of that portion of taxable real property, exclusive of Class II railroad property, in the constituent municipality located within the district in the comparison year, and

(2) The aggregate true value of that property in the base year.

c. Aggregate true value of all taxable real property shall be determined by aggregating the assessed value of all real property within the district boundaries in each constituent municipality, and dividing the total by the average assessment ratio, as promulgated by the Director of the Division of Taxation in the Department of the Treasury for State school aid purposes, on October 1 of the respective years for which aggregate true value is to be determined, pursuant to P.L.1954, c.86 (C.54:1-35.1 et seq.), or as modified by the tax court.

d. For the purpose of calculating aggregate true value, the assessed value of taxable real property for any given year shall comprise the sum of the following:

(1) The assessed value shown on the assessment duplicate for a given year, as certified by the county board of taxation and reflected in the county table of aggregates prepared pursuant to R.S.54:4-52, or as modified by the county board of taxation;

(2) The prorated assessed values pertaining to such year, as certified by the county board of taxation on or before October 10, with respect to the assessor's added assessment list for such year, as the same may be modified by the county board of taxation upon appeal; and

(3) The assessed values pertaining to a given year, as certified by the county board of taxation, with respect to the assessor's omitted property assessment list for that year, as the same may be modified by the county board of taxation upon appeal.

e. If, during any comparison year, a constituent municipality has received a payment in lieu of real estate taxes on property located within the district, then, for the purpose of calculating the increase or decrease in the municipality's aggregate true value under subsection b. of this section, there shall be added to the aggregate true value for such comparison year an amount determined by dividing the amount of the in lieu payment by the municipal tax rate for the comparison year and dividing the result by the average assessment

ratio for school aid purposes as promulgated by the Director of the Division of Taxation in the Department of the Treasury.

f. The amount payable to the intermunicipal account by each constituent municipality in any adjustment year shall be determined in the following manner: the apportionment rates calculated for the comparison year shall be multiplied by the increase, if any, in aggregate true value of taxable real property for such year; provided however, that the amount payable to the intermunicipal account in any adjustment year shall be limited to 40 percent of the amount calculated pursuant to this subsection.

19. Section 56 of P.L.2015, c.19 (C.5:10A-56) is amended to read as follows:

C.5:10A-56 Service payment for school district services.

56. For school district services, the service payment payable by the intermunicipal account to a constituent municipality in any adjustment year shall be found by dividing the total local school tax levy, as shown on the Table of Aggregates pursuant to R.S.54:4-52 for the comparison year, by the school resident enrollment on September 30 of such comparison year, as certified pursuant to section 52 of P.L.2015, c.19 (C.5:10A-52), and multiplying the result by the increase, if any, in resident enrollment within the district boundaries of that constituent municipality between September 30 of the base year and September 30 of the comparison year.

20. Section 57 of P.L.2015, c.19 (C.5:10A-57) is amended to read as follows:

C.5:10A-57 Apportionment of balance of payments.

57. a. If, in any adjustment year, the amount payable to the constituent municipalities by the intermunicipal account for guarantee payments and school district service payments is less than the amount payable to the intermunicipal account pursuant to section 53 of P.L.2015, c.19 (C.5:10A-53), the balance, if any, shall be apportioned among the constituent municipalities in the same ratio as the number of acres within the district of each constituent municipality bears to the total number of acres in the district, and shall be known as an apportionment payment.

b. The commission shall not receive any funds from the intermunicipal account for any purpose.

21. Section 58 of P.L.2015, c.19 (C.5:10A-58) is amended to read as follows:

C.5:10A-58 Reduction of total service payment.

58. If, in any adjustment year, the amount payable to the constituent municipalities by the intermunicipal account for guarantee payments and service payments exceeds the amount payable to said account pursuant to section 53 of P.L.2015, c.19 (C.5:10A-53), the total service payments payable to all constituent municipalities shall be reduced by the amount of the deficit and the service payment payable to each constituent municipality shall be reduced by the same ratio as the total service payment to all constituent municipalities was reduced.

22. Section 59 of P.L.2015, c.19 (C.5:10A-59) is amended to read as follows:

C.5:10A-59 Meadowlands adjustment payment.

59. a. On or before February 1 of the year of enactment of P.L.2015, c.19 (C.5:10A-1 et al.) and on or before February 1 of each year thereafter, the commission shall certify to the chief financial officer of each constituent municipality an amount, identified as the meadowlands adjustment payment. The meadowlands adjustment payment for each constituent municipality shall be determined by adding all the payments payable to that municipality from the intermunicipal account for school district service payments, guarantee payments, and apportionment payments, if any, and by subtracting therefrom the obligations of that municipality to the intermunicipal account, as calculated pursuant to sections 53 and 58 of P.L.2015, c.19 (C.5:10A-53 and 5:10A-58). The amount so derived shall be referred to as the meadowlands pre-adjustment payment. For calendar year 2015, the meadowlands adjustment payment shall be the average of the meadowlands pre-adjustment payments for calendar years 2012, 2013, and 2014. For calendar year 2016 and subsequent years, the meadowlands adjustment payment shall be the average of the meadowlands pre-adjustment payments for the prior three calendar years.

b. If the meadowlands adjustment payment for any constituent municipality in any adjustment year is payable to the constituent municipality, the amount of this payment shall be identified in the municipal budget of that municipality for that year as "meadowlands adjustment" within the category "miscellaneous revenues anticipated," and shall be due and payable in three equal installments by the intermunicipal account on May 15, August 15, and November 15 of that year.

23. Section 60 of P.L.2015, c.19 (C.5:10A-60) is amended to read as follows:

C.5:10A-60 Hackensack Meadowlands Tax Sharing Stabilization Fund.

60. There is established the Hackensack Meadowlands Tax Sharing Stabilization Fund in the commission. The fund shall be comprised of revenues made available from interest payments on sanitary landfill closure accounts maintained by the commission or such other revenues which are made available for these purposes. Moneys in the fund shall be used to fully compensate municipalities from excessive fluctuations in payments from the intermunicipal account in 2014 and subsequent years. In the event that there are insufficient monies in the fund to fully compensate all municipalities in any year, the amount paid to each municipality shall constitute the same proportion of the total amount of money available to all municipalities as each municipality would receive if the amount of money in the fund were sufficient to fully compensate all municipalities in that year.

For the purposes of this section, any decrease in a payment required to be made from the intermunicipal account to a constituent municipality which is in excess of five percent below the previous year's payment shall be considered an "excessive fluctuation."

24. Section 72 of P.L.2015, c.19 (C.5:10A-72) is amended to read as follows:

C.5:10A-72 Establishment of transportation planning district.

72. a. There is hereby established a transportation planning district which shall consist of those lands which comprise the Meadowlands District. The Meadowlands Transportation Planning Board, created pursuant to subsection b. of this section, shall be the managing authority to administer and manage the transportation planning district and to carry out such additional functions as provided in sections 69 through 81 of P.L.2015, c.19 (C.5:10A-69 et seq.).

b. There is established in, but not of, the Department of State, the Meadowlands Transportation Planning Board. The board shall consist of: the Commissioner of Community Affairs or the commissioner's designee; the Commissioner of Transportation or the commissioner's designee; a representative from the ridesharing organization EZ Ride or its successor organization; a representative of the Hackensack Meadowlands Municipal Committee; a representative of the Meadowlands Regional Chamber of Commerce; and four public members appointed by the Governor, with the advice and consent of the Senate. The executive director of the commission shall serve as the secretary of the board. The board shall be staffed by the employees of the commission.

c. In furtherance of the development of a coherent and sustainable transportation system for the district, the board shall initiate a joint planning process with participation by: State departments and agencies, corporations, commissions, boards, and authorities; those bi-state authorities, metropolitan planning organizations, and counties and municipalities with jurisdiction in the district; and private representatives. The board shall oversee the development and updating of a comprehensive, future-oriented district transportation plan in accordance with the provisions of section 73 of P.L.2015, c.19 (C.5:10A-73).

The provisions of sections 69 through 81 of P.L.2015, c.19 (C.5:10A-69 et seq.) shall be retroactive to January 1, 2014.

25. Section 79 of P.L.2015, c.19 (C.5:10A-79) is amended to read as follows:

C.5:10A-79 Appeal.

79. A person may appeal to the commission any decision made in connection with the reconsideration of a fee as authorized pursuant to subsection b. of section 78 of P.L.2015, c.19 (C.5:10A-78). The commission shall review the record of the hearing and render its decision, which shall constitute a final administrative action subject to review by the Appellate Division of the Superior Court. Nothing contained herein shall be construed as limiting the ability of any person so assessed from filing an appeal based upon an agreement to pay or actual payment of the fee.

26. Section 83 of P.L.2015, c.19 (C.5:10A-83) is amended to read as follows:

C.5:10A-83 Findings, declarations relative to the "New Jersey Meadowlands Tax Relief Act."

83. The Legislature finds and declares that:

a. The New Jersey Meadowlands Commission is the zoning and planning agency for a 30.4-square-mile area along the Hackensack River known as the Hackensack Meadowlands, covering parts of 14 municipalities in Bergen and Hudson Counties in New Jersey. The Meadowlands Regional Commission will oversee the development, and redevelopment, of the Hackensack Meadowlands in an orderly and comprehensive fashion, with special consideration to the ecological factors constituting the environment of the Hackensack Meadowlands.

b. A vital component of the comprehensive plan for the development of the Hackensack Meadowlands was an intermunicipal tax-sharing program. The intermunicipal tax sharing program was established to create a fair and equitable method of distributing the benefits and costs of economic development and land use decisions made by the New Jersey Meadowlands Commission among the 14 municipalities located in the Meadowlands District. Under this program, as originally conceived, the municipalities with fewer development

restrictions are required to deposit a share of their tax ratables into a special intermunicipal account administered by the commission. Money in this account is annually distributed to the municipalities with greater development restrictions to make up for their loss of tax ratable growth opportunity.

c. The New Jersey Meadowlands Commission, the predecessor to the Meadowlands Regional Commission, has been successful in providing orderly and comprehensive development, solid waste management, and environmental protection in the Hackensack Meadowlands District, as well as providing for the investment of many millions of dollars in development, municipal services, and significant infrastructure projects, among other things.

d. It is fitting and proper to establish new sources of funding to replace the intermunicipal tax sharing program in order to facilitate the future of the Hackensack Meadowlands District as a vibrant area of economic growth in the State of New Jersey, as well as a tourism destination and an area of continued environmental significance and improvement. The new sources of funding should recognize the concerns of the district's seven municipalities that must contribute significant amounts of property tax dollars to the intermunicipal tax sharing program. These municipalities have been especially challenged to provide services to municipal residents and contribute to the intermunicipal tax sharing program, while operating under the significant restrictions of the 2% property tax levy cap. In effect, the cost of the State policy to preserve the Hackensack Meadowlands has been borne by the property taxpayers of the seven municipalities required to deposit tax revenue into the intermunicipal account.

e. It is also appropriate and necessary to recognize the consistent impact on the Hackensack Meadowlands District of tourist-related activities and attractions, including sports and entertainment activities and construction at the properties located in the heart of the district, and to require that patrons of those tourist-related activities and attractions shall contribute to the financial needs of the municipalities that comprise the Meadowlands district in order to reduce the property tax burden on their residents.

27. Section 84 of P.L.2015, c.19 (C.5:10A-84) is amended to read as follows:

C.5:10A-84 Definitions relative to the "New Jersey Meadowlands Tax Relief Act."

84. As used in sections 82 through 85 of P.L.2015, c.19 (C.5:10A-82 et seq.):

"Commission" means the New Jersey Sports and Exposition Authority, which may be referred to as the "Meadowlands Regional Commission," as established by section 6 of P.L.2015, c.19 (C.5:10A-6).

"Meadowlands district" means the Hackensack Meadowlands District, the area delineated within section 5 of P.L.2015, c.19 (C.5:10A-5).

"Public venue" means any place located within the Meadowlands district, whether publicly or privately owned, where any facilities for entertainment, amusement, or sports are provided, but shall not include a movie theater.

"Public event" means any spectator sporting event, trade show, exposition, concert, amusement, or other event open to the public that takes place at a public venue, but shall not include a major league football game.

28. Section 85 of P.L.2015, c.19 (C.5:10A-85) is amended to read as follows:

C.5:10A-85 Meadowlands regional hotel use assessment.

85. a. Beginning on the first day of the first month next following the enactment of P.L.2015 c.19 (C.5:10A-1 et al.), there is imposed a Meadowlands regional hotel use assessment on the rent for the occupancy of every room in every hotel located in the Meadowlands district, including any hotels located on land owned by the State. The assessment imposed under this subsection shall be 3% of the rent charged for every occupancy of a room or rooms in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L.1966, c.30 (C.54:32B-3), and shall be paid to the Director of the Division of Taxation by each person required to collect the tax not later than the 10th day of each month based on the occupancy of rooms in that hotel during the previous calendar month.

b. In carrying out the provisions of subsection a. of this section, the director shall have all of the powers and authority granted in P.L.1966, c.30 (C.54:32B-1 et seq.). The tax shall be filed and paid in a manner prescribed by the Director of the Division of Taxation. The director shall promulgate such rules and regulations as the director determines are necessary to effectuate the provisions of this section.

Each person required to collect the assessment shall be personally liable for the assessment imposed, collected, or required to be paid, collected, or remitted under this section. Any such person shall have the same right in respect to collecting the fee from that person's customer or in respect to non-payment of the fee by the customer as if the fee were a part of the purchase price of the occupancy or rent, as the case may be, and payable at the same time; provided, however, that the director shall be joined as a party in any action or proceeding brought to collect the fee.

For purposes of this section, "person" includes: an individual, partnership, corporation, or an officer, director, stockholder, or employee of a corporation, or a member or employee of a partnership, who as such officer, director, stockholder, employee, or member is under the duty to perform the act in respect of which the violation occurs.

An assessment imposed under this section shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity.

c. Assessment revenue shall be collected by the Director of the Division of Taxation and shall be deposited by the Director of the Division of Taxation into the intermunicipal account established pursuant to section 53 of P.L.2015, c.19 (C.5:10A-53), and shall be used to pay meadowlands adjustment payments to municipalities in the Meadowlands district pursuant to the provisions of sections 1 through 68 of P.L.2015, c.19 (C.5:10A-1 et seq.). If in any year, assessment revenue in the intermunicipal account exceeds the amount necessary to pay meadowlands adjustment payments to municipalities in the Meadowlands district, that remaining assessment revenue may be used for the purposes set forth in subsection e. of this section.

d. In the event sufficient assessment revenue is unavailable in any year to pay all of the required meadowlands adjustment payments to municipalities in the Meadowlands district, the State Treasurer shall provide the commission with such funds as may be necessary to make all of the required payments to those municipalities.

e. In the event that in any year, after the required meadowlands adjustment payments have been made to municipalities in the Meadowlands district, assessment revenue remains in the intermunicipal account, that remaining assessment revenue may be used in that year for the following purposes:

(1) the commission may perform projects in the areas of flood control, traffic, renewable energy, or other infrastructure improvement projects and utilize monies from the project fund for property acquisition, demolition, clearance, removal, relocation, renovation, alteration, construction, reconstruction, installation, or repair of a structure or improvement, and the

costs associated therewith including the costs of appraisal, economic and environmental analyses or engineering, planning, design, architectural, surveying, or other professional services;

(2) the commission may expend funds towards the promotion of the Meadowlands district as a tourism destination;

(3) the commission may fund the acquisition of property for the purpose of open space preservation and the costs associated therewith including the costs of appraisal, economic and environmental analyses or engineering, surveying, or other professional services; or

(4) the commission may fund the creation of parks and other recreational facilities and the costs associated therewith, including the costs of appraisal, economic and environmental analyses or engineering planning, design, architectural, surveying, or other professional services.

Not later than the first day of the third month next following the enactment of P.L.2015, c.19 (C.5:10A-1 et al.) and pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commission shall adopt, by resolution, standards for the disbursement in any year of any remaining assessment revenue for projects and uses set forth in subsection e. of this section.

f. Terms used in this section shall have the meaning given those terms pursuant to section 2 of P.L.1966, c.30 (C.54:32B-2).

29. This act shall take effect immediately.

Approved July 6, 2015.