



LANGUAGE PROVISIONS

This section includes the General Language provisions which provide certain restrictions on the use of State and Federal Fund appropriations.

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FEDERAL FUNDS PROVISIONS

Notwithstanding any State law to the contrary, no State agency shall accept or expend federal funds except as appropriated by the Legislature or otherwise provided in this act.

In addition to the federal funds appropriated in this act, there are appropriated the following federal funds, subject to allotment by the Director of the Division of Budget and Accounting: emergency disaster aid funds; pass-through grants to political subdivisions of the State over which the State is not permitted to exercise discretion in the use or distribution of the funds and for which no State matching funds are required; the first 25 percent of unanticipated grant awards, and up to 25 percent of increases in previously anticipated grant awards for which no State matching funds are required except, for the purpose of this section, federal funds received by one executive agency that are ultimately expended by another executive agency shall not be considered pass-through grants; federal financial aid funds for students attending post-secondary educational institutions in excess of the amount specifically appropriated, provided however, that the Director of the Division of Budget and Accounting shall notify the Legislative Budget and Finance Officer of such grants; and all other grants of \$500,000 or less which have been awarded competitively.

For the purposes of federal funds appropriations, "political subdivisions of the State" means counties, municipalities, school districts, or agencies thereof, regional, county or municipal authorities, or districts other than interstate authorities or districts; "discretion" refers to any action in which an agency may determine either the amount of funds to be allocated or the recipient of the allocation; and "grants" refers to one-time, or time limited awards, which are received pursuant to submission of a grant application in competition with other grant applications.

The unexpended balances of federal funds as of June 30, 2001 are continued for the same purposes. The Director of the Division of Budget and Accounting shall inform the Legislative Budget and Finance Officer by November 1, 2001 of any unexpended balances which are continued.

The appropriate executive agencies shall prepare and submit to the Senate Budget and Appropriations Committee and the Assembly Appropriations Committee, or their successors, by March 1, 2002, reports on proposed expenditures during fiscal year 2002 for the following federal programs: the alcohol, drug abuse and mental health block grant; the education block grant; the community services block grant; the jobs training partnership block grant; the low income energy assistance block grant; the maternal and child health block grant; the preventive health and health services block grant; the small cities block grant; the social services block grant; and the child care block grant. These reports shall account for all federal, State and local funds which are anticipated to be expended on block grant programs, shall provide an accounting of block grant expenditures during the prior fiscal year, and shall provide a detailed list of contracts awarded to provide services under the block grants.

Out of the appropriations herein, the Director of the Division of Budget and Accounting is empowered to approve payments to liquidate any unrecorded liabilities for materials delivered or services rendered in prior fiscal years, upon the written recommendations of any department head or the department head's designated representative. The Director of the Division of Budget and Accounting shall reject any recommendations for payment which the Director deems improper.

The sum herein appropriated to the Department of Transportation for the Hudson-Bergen Light Rail Transit System is hereby appropriated, to the extent necessary, to pay the principal of and interest on the grant anticipation notes issued by the New Jersey Transit Corporation.

To the extent that federal funds are received in fiscal year 2002 pursuant to the full funding grant agreement for the Hudson-Bergen Light Rail Transit System subsequent to the payment by the New Jersey Transportation Trust Fund Authority of its obligations under a Standby Deficiency Agreement, such federal funds are hereby appropriated to the New Jersey Transportation Trust Fund Authority to be allotted to projects as shall be determined by the Commissioner of Transportation.

In order to permit flexibility in the handling of appropriations and ensure the timely payment of claims to providers of medical services, amounts may be transferred to and from the various items of appropriation within the General Medical Services program classification, and within the federal matching funding, in the Division of Medical Assistance and Health Services in the Department of Human Services, and within the Medical Services for the Aged program classification, and within the federal matching funding, in the Division of Senior Services in the Department of Health and Senior Services, subject to the approval of the Director of the Division of Budget and Accounting. Notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer.

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There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting and with the approval of the Legislative Budget and Finance Officer, private contributions, revolving funds and dedicated funds received, receivable or estimated to be received for the use of the State or its agencies in excess of those anticipated, unless otherwise provided herein, and the unexpended balances as of June 30, 2001 of such funds, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, the following: sums required to refund amounts credited to the State Treasury which do not represent State revenue; sums received representing insurance to cover losses by fire and other casualties and the unexpended balance as of June 30, 2001 of such sums; sums received by any State department or agency from the sale of equipment, when such sums are received in lieu of trade-in value in the replacement of such equipment; and sums received in the State Treasury representing refunds of payments made from appropriations provided in this act.

There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, sums required to satisfy receivables previously established from which non-reimbursable costs and ineligible expenditures have been incurred.

There are appropriated, subject to allotment by the Director of the Division of Budget and Accounting, from federal or other non-State sources amounts not to exceed the cost of services necessary to document and support retroactive claims.

There are appropriated such sums as may be required to pay interest liabilities to the federal government as required by the Treasury/State agreement pursuant to the provisions of the Cash Management Improvement Act of 1990, Pub. L. 101-453 (31U.S.C. s.6501 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated, subject to the approval of the Director of the Division of Budget and Accounting, from interest earnings of the various bond funds such sums as may be necessary for the State to comply with the federal "Tax Reform Act of 1986," Pub. L. 99-514 (26 U.S.C. 1 et seq.), which requires issuers of tax-exempt debt obligations to rebate any arbitrage earnings to the federal government.

There are appropriated from the General Fund, subject to the approval of the Director of the Division of Budget and Accounting, such sums as are necessary to pay interest, at the average rate of earnings during the fiscal year from the State's general investments, to those Bond Funds that have borrowed money from the General Fund or other Bond Funds and that have insufficient resources to accrue and pay the interest expense on such borrowing.

There are appropriated such sums as are necessary not to exceed \$8,000,000, to help meet outstanding debt service payments on bonds issued for capital construction completed before July 1, 1999 for hospitals that cease acute care operations after July 1, 2000, subject to the approval of the Director of the Division of Budget and Accounting and the State Treasurer. No appropriations are available unless the following conditions have been met:

A. Full financial disclosure, as defined by the Director of the Division of Budget and Accounting and the State Treasurer, in consultation with the Commissioner of Health and Senior Services, of the hospital ceasing acute care operations and of any hospital that acquires parts or the entirety of the hospital ceasing acute services must be provided and approved by the Director of the Division of Budget and Accounting, the State Treasurer and the Commissioner of Health and Senior Services.

B. Submission of a plan that complies with criteria and program guidelines established by the Commissioner of Health and Senior Services, the Director of the Division of Budget and Accounting and the State Treasurer. The plan should describe the potential disposition of the facility, if such a plan exists. The ongoing access to emergency services to the service area of the hospital ceasing acute care operations should also be identified.

C. Lastly, the State is the payor of last resort and the plan must specify the availability of other resources including, but not limited to:

- (1) Funds from bond insurance;
- (2) The net revenue likely to accrue to a hospital acquiring the assets of the hospital ceasing acute care operations;
- (3) The net liabilities of the hospital ceasing acute care operations; and
- (4) The assets of a hospital system whose member is a hospital ceasing acute care operations.

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In addition to the amounts appropriated hereinabove, such additional sums as may be necessary are appropriated to fund the costs of the collection of debts, taxes and other fees and charges owed to the State, including but not limited to the services of auditors and attorneys and enhanced compliance programs, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated \$11,600,000 from the Legal Services Trust Fund established pursuant to section 6 of P.L. 1996, c.52 (C.22A:2-51), for transfer to the General Fund as State revenue to fund the following programs: \$8,000,000 for Legal Services of New Jersey grant, \$3,000,000 for ten additional judgeships in the Judiciary, and \$600,000 for Clinical Legal Programs for the Poor at the Rutgers-Camden Law School, the Rutgers-Newark Law School and Seton Hall Law School.

The unexpended balances as of June 30, 2001 in the accounts of the several departments and agencies heretofore appropriated or established in the category of Additions, Improvements and Equipment are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances as of June 30, 2001 in the Capital Construction accounts for all departments and agencies are appropriated.

Unless otherwise provided, balances remaining as of June 30, 2001 in accounts of appropriations enacted subsequent to April 1, 2001 are appropriated.

The unexpended balances as of June 30, 2001 in accounts that are funded by Interfund Transfers are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balances as of June 30, 2001 in accounts of items of appropriations that are funded by items of appropriations in P.L. 2000, c.53 that were not recommended in the Fiscal Year 2001 Governor's Budget Recommendation Document, and that required the submission of the Division of Budget and Accounting Special Purpose Funding form, are appropriated.

The unexpended balances as of June 30, 2001 in all accounts established to provide relief to victims of Hurricane Floyd, including accounts established for administration of the relief program, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding any other provisions in this act, no unexpended balances as of June 30, 2001 are appropriated without the approval of the Director of the Division of Budget and Accounting, except that the Legislative Branch of State government shall be exempt from this provision. The Director of the Division of Budget and Accounting shall notify the Legislative Budget and Finance Officer of those instances in which unexpended balances are not appropriated pursuant to this section.

The administrative costs of the Special Education Medicaid Initiative and the Early Periodic Screening, Diagnosis and Treatment (EPSDT) program, including the participation of a consultant, are appropriated and shall be paid from the revenue received, subject to the approval of the Director of the Division of Budget and Accounting.

The following transfer of appropriation rules are in effect for fiscal year 2002:

A. To permit flexibility in the handling of appropriations, any department or agency that receives an appropriation by law, may, subject to the provisions of this section, or unless otherwise provided in this act, apply to the Director of the Division of Budget and Accounting for permission to transfer funds from one item of appropriation to a different item of appropriation. For the purposes of this section, "item of appropriation" means the spending authority identified by an organization code, appropriation source, and program code, unique to the item. If the director consents to the transfer, the amount transferred shall be credited by the director to the designated item of appropriation and notice thereof shall be provided to the Legislative Budget and Finance Officer on the effective date of the approved transfer. However, the director, after consenting thereto, shall submit the following transfer requests to the Legislative Budget and Finance Officer for legislative approval or disapproval unless otherwise provided in this act:

(1) Requests for the transfer of State and other nonfederal funds, in amounts greater than \$300,000, to or from any item of appropriation;

(2) Requests for the transfer of State and other nonfederal funds, in amounts greater than \$50,000, to or from any Special Purpose account, as defined by major object 5, or Grant account, as defined by major object 6, within an item of appropriation, from or to a different item of appropriation;

(3) Requests for the transfer of State and other nonfederal funds, in amounts greater than \$50,000, to or from any Special Purpose or Grant account in which the identifying organization code, appropriation source, and program code, remain the same, provided that the transfer would effect a change in the legislative intent of the appropriations;

(4) Requests for the transfer of State funds, in amounts greater than \$50,000, between items of appropriation in different departments or between items of appropriation in different appropriation classifications herein entitled as Direct State Services, Grants-In-Aid, State Aid, Capital Construction and Debt Service;

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(5) Requests for the transfer of federal funds, in amounts greater than \$300,000, from one item of appropriation to another item of appropriation, if the amount of the transfer to an item in combination with the amount of the appropriation to that item would result in an amount in excess of the appropriation authority for that item, as defined by the program class;

(6) Requests for such other transfers as are appropriate in order to ensure compliance with the legislative intent of this act.

B. The Joint Budget Oversight Committee or its successor may review all transfer requests submitted for legislative approval and may direct the Legislative Budget and Finance Officer to approve or disapprove any such transfer request. Transfers submitted for legislative approval pursuant to paragraph (4) of subsection a. of this section shall be made only if approved by the Legislative Budget and Finance Officer at the direction of the committee.

C. The Legislative Budget and Finance Officer shall approve or disapprove requests for the transfer of funds submitted for legislative approval within 10 working days of the physical receipt thereof and shall return them to the director. If any provision of this act or any supplement thereto requires the Legislative Budget and Finance Officer to approve or disapprove requests for the transfer of funds, the request shall be deemed to be approved by the Legislative Budget and Finance Officer if, within 20 working days of the physical receipt of the request, he has not disapproved the request and so notified the requesting officer. However, this time period shall not pertain to any transfer request under review by the Joint Budget Oversight Committee or its successor, provided notice of such review has been given to the director.

D. No amount appropriated for any capital improvement shall be used for any temporary purpose except extraordinary snow removal or extraordinary transportation maintenance subject to the approval of the Director of the Division of Budget and Accounting. However, an amount from any appropriation for an item of capital improvement may be transferred to any other item of capital improvement subject to the approval of the director, and, if in an amount greater than \$300,000, subject to the approval of the Legislative Budget and Finance Officer.

E. The provisions of subsections a. through d. of this section shall not apply to appropriations made to the Legislative branch of State government. To permit flexibility in the handling of these appropriations, amounts may be transferred to and from the various items of appropriation by the appropriate officer or designee with notification given to the director on the effective date thereof.

F. Notwithstanding any provisions of this section to the contrary, transfers to and from the Special Purpose appropriation to the Governor for emergency or necessity under the State Contingency Fund and transfers from the appropriations to the various accounts in the category of Salary and Other Benefits, both in the Interdepartmental Accounts, shall not be subject to legislative approval or disapproval.

The Director of the Division of Budget and Accounting shall make such correction of the title, text or account number of an appropriation necessary to make such appropriation available in accordance with legislative intent. Such correction shall be by written ruling, reciting in appropriate detail the facts thereof, and reasons therefor, attested by the signature of the Director of the Division of Budget and Accounting and filed in the Division of Budget and Accounting of the Department of the Treasury as an official record thereof, and any action thereunder, including disbursement and the audit thereof, shall be legally binding and of full force and virtue. An official copy of each such written ruling shall be transmitted to the Legislative Budget and Finance Officer, upon the effective date of the ruling.

The Legislative Budget and Finance Officer with the cooperation and assistance of the Director of the Division of Budget and Accounting is authorized to adjust this appropriations bill to reflect any reorganizations which have been implemented since the presentation of the Governor's Budget Recommendation Document dated January 23, 2001.

None of the funds appropriated to the Executive Branch of State government for Information Processing, Development, Telecommunications, and Related Services and Equipment shall be available to pay for any of these services or equipment without the review of the Office of Information Technology, compliance with statewide policies and standards and an approved department Information Technology Strategic Plan; authorization and approval by the Office of Information Technology is required for expenditure of amounts in excess of \$25,000, as shall be specified by Circular Letter.

If the sum provided in this Act for a State aid payment pursuant to formula is insufficient to meet the full requirements of the formula, all recipients of State aid shall have their allocation proportionately reduced, subject to the approval of the Director of the Division of Budget and Accounting.

When the duties or responsibilities of any department or branch, except for the Legislature and any of its agencies, are transferred to any other department or branch, it shall be the duty of the Director of the Division of Budget and Accounting and the director is hereby empowered to transfer funds appropriated for the maintenance and operation of any such department or branch to such department or branch as shall be charged with the responsibility of administering the functions so transferred. The Director of the Division of Budget and Accounting shall have the authority to create such new accounts as may be necessary to carry out the intent of the transfer. Information copies of such transfers shall be transmitted to the Legislative Budget and Finance Officer upon the effective date thereof. If such transfers may be required among appropriations made to

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the Legislature and its agencies, the Legislative Budget and Finance Officer, subject to the approval of the President of the Senate and the Speaker of the General Assembly, is hereby empowered and it shall be that officer's duty to effect such transactions hereinabove described and to notify the Director of the Division of Budget and Accounting upon the effective date thereof.

The Director of the Division of Budget and Accounting is empowered and it shall be the director's duty in the disbursement of funds for payment of expenses classified as employee benefits, debt service, rent, telephone, motor pool, insurance, postage, lease payments on equipment purchases and compensation awards to credit or transfer to the Department of the Treasury, to an Interdepartmental account, or to the General Fund, as applicable, from any other department, branch or non-State fund source out of funds appropriated thereto, such sums as may be required to cover the costs of such payment attributable to such other department, branch or non-State fund source as the director shall determine. Receipts in any non-State funds are appropriated for the purpose of such transfer.

The Governor is empowered to direct the State Treasurer to transfer from any State department to any other State department such sums as may be necessary for the cost of any emergency occasioned by aggression, civil disturbance, sabotage, disaster, or for flood loss expenses for State owned structures to comply with Federal Insurance Administration requirements.

Upon request of any department receiving non-State funds, the Director of the Division of Budget and Accounting is empowered to transfer such funds from that department to other departments as may be charged with the responsibility for the expenditure thereof.

The Director of the Division of Budget and Accounting is empowered to transfer or credit appropriations to any State agency for services provided, or to be provided, by that agency to any other agency or department; provided further, however, that funds have been appropriated or allocated to such agency or department for the purpose of purchasing these services.

Notwithstanding any law to the contrary, should appropriations in the Property Tax Relief Fund exceed available revenues, the Director of the Division of Budget and Accounting is authorized to transfer General Fund unreserved, undesignated fund balances into the Property Tax Relief Fund, providing unreserved, undesignated fund balances are available from the General Fund, as determined by the Director of the Division of Budget and Accounting.

Notwithstanding any law to the contrary, should appropriations in the Casino Revenue Fund exceed available revenues, the Director of the Division of Budget and Accounting is authorized to transfer General Fund unreserved, undesignated fund balances into the Casino Revenue Fund, providing unreserved, undesignated fund balances are available from the General Fund, as determined by the Director of the Division of Budget and Accounting.

All funds representing recoveries under the Set Off of Individual Liabilities (SOIL) program are lapsed, subject to the approval of the Director of the Division of Budget and Accounting.

No funds shall be expended by any State Department in the Executive Branch in connection with a contract for the production of films, videotapes, video conferences, video-assisted training or multi-media projects that include video images unless the New Jersey Public Broadcasting Authority (PBA) has the opportunity to match any successful bid as part of any formal or informal contract award process. This is not a requirement to award a contract to PBA since the decision to award a contract may also be based on non-cost considerations.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), sums appropriated for services for the various State departments and agencies may be expended for the purchase of contract services from the New Jersey Marine Sciences Consortium as if it were a State government agency pursuant to subsection (a) of section 5 of P.L.1954, c.48 (C.52:34-10).

Out of the appropriations herein, the Director of the Division of Budget and Accounting is empowered to approve payments to liquidate any unrecorded liabilities for materials delivered or services rendered in prior fiscal years, upon the written recommendation of any department head, or the department head's designated representative. The Director of the Division of Budget and Accounting shall reject any recommendations for payment which the director deems improper.

Whenever any county, municipality, school district or a political subdivision thereof withholds funds from a State agency, or causes a State agency to make payment on behalf of a county, municipality, school district or a political subdivision thereof, then the Director of the Division of Budget and Accounting may withhold State aid payments and transfer the same as payment for such funds, as the Director of the Division of Budget and Accounting shall determine.

The Director of the Division of Budget and Accounting is empowered to establish revolving and dedicated funds as required. Notice of the establishment of such funds shall be transmitted to the Legislative Budget and Finance Officer, upon the effective date thereof.

The Director of the Division of Budget and Accounting may, upon application therefor, allot from appropriations made to any official, department, commission or board, a sum to establish a petty cash fund for the payment of expenses under rules and regulations established by the director. Allotments thus made by the Director of the Division of Budget and Accounting shall be paid to such person as shall be designated as the custodian thereof by the official, department, commission or board

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making a request therefor, and the money thus allotted shall be disbursed by such custodian who shall require a receipt therefor from all persons obtaining money from the fund. The director shall make regulations governing disbursement from petty cash funds.

From appropriations to the various departments of State government, the Director of the Division of Budget and Accounting is empowered to transfer sums sufficient to pay any obligation due and owing in any other department or agency.

Notwithstanding the provision of any other law, the State Treasurer may transfer from any fund in the State Treasurer's custody, deposited with the State Treasurer pursuant to law, sufficient sums to enable payments from any appropriation made herein for any obligations due and owing. Any such transfer shall be restored out of the taxes or other revenue received in the Treasury in support of this act. Except for transfers from the several funds established pursuant to statutes that provide for interest earnings to accrue to those funds, all such transfers shall be without interest. If the statute provides for interest earnings, it shall be calculated at the average rate of earnings during the fiscal year from the State's general investments.

Any qualifying State aid appropriation, or part thereof, made from the General Fund may be transferred and recorded as an appropriation from the Property Tax Relief Fund, as deemed necessary by the State Treasurer, in order that the Director of the Division of Budget and Accounting may warrant the necessary payments; provided however, that the available unreserved, undesignated fund balance in the Property Tax Relief Fund, as determined by the State Treasurer, is sufficient to support the expenditure.

The Director of the Division of Budget and Accounting may settle any claim not exceeding \$2,000 due and owing to the State.

Notwithstanding any other provisions of this act, the State Treasurer, upon warrant of the Director of the Division of Budget and Accounting, shall pay any claim not exceeding \$4,000 out of any appropriations made to the several departments, provided such claim is recommended for payment by the head of such department. The Legislative Budget and Finance Officer shall be notified of the amount and description of any such claim at the time such payment is made. Any claimant who has presented a claim not exceeding \$4,000, which has been denied or not recommended by the head of such department, shall be precluded from presenting said claim to the Legislature for consideration.

Unless otherwise provided, federal grant and project receipts representing reimbursement for agency and central support services, indirect and administrative costs, as determined by the Director of the Division of Budget and Accounting, shall be transmitted to the Department of the Treasury for credit to the General Fund; provided however, that a portion of the indirect and administrative cost recoveries received which are in excess of the amount anticipated may be reclassified into a dedicated account and returned to State departments and agencies, as determined by the Director of the Division of Budget and Accounting, who shall notify the Legislative Budget and Finance Officer of the amount of such funds returned, the departments or agencies receiving such funds and the purpose for which such funds will be used, within 10 working days of any such transaction. Such receipts shall be forwarded to the Director of the Division of Budget and Accounting upon completion of the project or at the end of the fiscal year, whichever occurs earlier.

Notwithstanding any other law to the contrary, each local school district which participates in the Special Education Medicaid Initiative (SEMI) shall receive a percentage of the federal revenue realized for current year claims. The percentage share for local school districts shall be 15% of the first \$53,000,000 of federal reimbursements realized for claims submitted to the State by June 30. After federal reimbursements are realized in excess of \$53,000,000, local school districts shall receive 85% of their pro rata share of federal revenues realized in excess of \$53,000,000.

Notwithstanding any other law to the contrary, each local school district that participates in the Early Periodic Screening, Diagnosis and Treatment (EPSDT) initiative shall receive a percentage of the federal revenue realized for current year claims. The percentage share for local school districts shall be 15% of the first \$80,000,000 of federal reimbursements realized for claims submitted to the State by June 30. After federal reimbursements are realized in excess of \$80,000,000, local school districts shall receive 85% of their pro rata share of federal revenues realized in excess of \$80,000,000.

Notwithstanding the provisions of P.L.1943, c.188 (C.52:14-17.1 et seq.), the rate of reimbursement for mileage allowed for employees traveling by personal automobile on official business shall be \$.31 per mile.

State agencies shall prepare and submit a copy of their agency or departmental budget requests for Fiscal Year 2003 by October 1, 2001 to the Director of the Division of Budget and Accounting and a copy of their spending plans involving all State, federal and other non-State funds to the Director of the Division of Budget and Accounting and the Legislative Budget and Finance Officer by November 1, 2001, and updated spending plans on February 1, and May 1, 2002. The spending plans shall account for any changes in departmental spending which differ from this appropriation act and all supplements to this act. The spending plans shall be submitted on forms specified by the Director of the Division of Budget and Accounting.

The Director of the Division of Budget and Accounting shall provide the Legislative Budget and Finance Officer with copies of all BB-4s, Application for Non-State funds, and accompanying project proposals or grant applications, which require a State match and that may commit or require State support after the grant's expiration.

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In order to provide effective cash flow management for revenues and expenditures of the General Fund and the Property Tax Relief Fund in the implementation of the fiscal year 2002 annual appropriations act, there are appropriated from the General Fund such sums as may be required to pay the principal of and interest on tax and revenue anticipation notes including notes in the form of commercial paper (hereinafter collectively referred to as short-term notes), together with any costs or obligations relating to the issuance thereof of contracts related thereto, according to the terms set forth herein. Provided further that, to the extent that short-term notes are issued for cash flow management purposes in connection with the Property Tax Relief Fund, there are appropriated from the Property Tax Relief Fund such sums as may be required to pay the principal of those short-term notes.

The State Treasurer is authorized to issue short-term notes, which notes shall not constitute a general obligation of the State or a debt or a liability within the meaning of the State Constitution, and the State Treasurer is authorized to pay any costs or obligations relating to the issuance of such short-term notes or contracts relating thereto. Such short-term notes shall be issued in such amounts and at such times as the State Treasurer shall deem necessary for the above stated purposes and for the payment of related costs, and on such terms and conditions, sold in such manner and at such prices, bearing interest at such fixed or variable rate or rates, renewable at such time or times, and entitled to such security, and using such paying agents as shall be determined by the State Treasurer. The State Treasurer is authorized to enter into such contracts and to take such other actions, all as determined by the State Treasurer to be appropriate to carry out the above cash flow management purposes. The State Treasurer shall give consideration to New Jersey-based vendors in entering into such contracts. Whenever the State Treasurer issues such short-term notes, the State Treasurer shall report on each such issuance to the Chairman of the Senate Budget and Appropriations Committee and the Chairman of the Assembly Appropriations Committee.

Notwithstanding the provisions of the Surplus Revenue Fund, P.L. 1990, c.44 (C.52:9H-14), or any other laws to the contrary, the balance of the fund shall not exceed \$720,000,000. Any amount in excess of \$720,000,000 shall be deposited to a fund, the Debt Retirement Fund, to economically defease or retire long term obligations as the State Treasurer, subject to the approval of the Joint Budget Oversight Committee, determines to be in the best interest of the State. If the Surplus Revenue Fund balance falls below \$720,000,000, no monies shall be deposited to the Debt Retirement Fund until the balance of the Surplus Revenue Fund equals or exceeds \$720,000,000. Any amount in excess of \$720,000,000 in the Surplus Revenue Fund as reported in the Comprehensive Annual Financial Report of the State of New Jersey for the year ended June 30, 2001 shall be deposited to the Debt Retirement Fund.

The Tobacco Settlement Fund, created and established in the Department of the Treasury as a separate non-lapsing fund pursuant to section 53 of P.L. 1999, c.138, is reestablished and continued. The unexpended balances in the Tobacco Settlement Fund as of June 30, 2001 are appropriated. The Tobacco Settlement Fund shall be the repository for all payments made by the tobacco manufacturers pursuant to the settlement agreement entered into by the tobacco manufacturers and the State on November 23, 1998 that resolved the State's pending claims against the tobacco industry and all other moneys, including interest earnings on balances in the fund, credited or transferred thereto from any other fund or source pursuant to law. Balances in the Tobacco Settlement Fund shall be deposited in such depositories as the State Treasurer may select. Amounts transferred from the Tobacco Settlement Fund to the General Fund as anticipated revenue in excess of \$293,446,000 shall be excluded when calculating deposits to the Surplus Revenue Fund pursuant to P.L. 1990, c.44 (C.52:9H-14 et seq.).

The following amounts that are appropriated from the General Fund in section 1 of this act in various departments are charged to the Tobacco Settlement Fund:

<u>Department</u>	<u>Line Item</u>	<u>Amount</u>
	Direct State Services	
Health & Senior Services	Community Based Tobacco Control Programs	\$7,000,000
	Youth Anti-Tobacco Awareness Media Campaign	\$6,300,000
	Smoking Cessation Programs for Addicted Adults and Youth	\$8,700,000
	School Based Programs for the Prevention of Tobacco Use	\$5,000,000
	Research, Surveillance, Evaluation and Assistance for Anti-Smoking Programs	\$3,000,000

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<u>Department</u>	<u>Line Item</u>	<u>Amount</u>
	Grants-in-Aid	
Health & Senior Services	ElderCare Initiatives	\$19,877,000
	Supplemental Charity Care	\$18,116,000
	Senior Gold Pharmaceutical Assistance Program	\$50,000,000
Human Services	NJ Family Care	\$100,000,000
Treasury	Cancer Institute of New Jersey	\$10,000,000
	State-Aid	
Treasury	School Facilities Construction and Renovation	<u>\$65,453,000</u>
Total Appropriation, Tobacco Settlement Funding		<u>\$293,446,000</u>

If receipts to the Tobacco Settlement Trust Fund are less than anticipated, such sums as are necessary up to the limit of the appropriations above shall be appropriated from the General Fund, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are more than anticipated, such sums shall be appropriated at a later date.

Notwithstanding any other provision of law, funds derived from the sale or conveyance of any lands and buildings or proceeds from the sale of all fill material held by a department are appropriated for demolition, acquisition of land, rehabilitation or improvement of existing facilities and construction of new facilities subject to the approval of the Director of the Division of Budget and Accounting.

Any change by the Office of Information Technology to their rate structure that would affect the rates charged to the various state agencies for Office of Information Technology services shall first be approved by the Director of the Division of Budget and Accounting.

In addition to the amount appropriated for Consolidated Municipal Property Tax Relief Aid, such additional amounts as may be required, not to exceed \$3,565,000, are appropriated, and shall be allocated consistent with the applicable requirements contained in the State Aid – Property Tax Relief section of this Act, subject to the approval of the Director of the Division of Budget and Accounting for those municipalities which have experienced a loss in business personal property tax revenues as a result of reductions in the assessed value of personal property of local exchange telephone companies.

Of the available balance in the Enterprise Zone Assistance Fund as of July 1, 2001 an amount not to exceed \$9,579,017 shall revert to the General Fund to recover previous overpayments to municipal enterprise zone accounts as follows: Bridgeton, \$630,185; Camden, \$637,659; Millville, \$409,858; Newark, \$3,976,276; Plainfield, \$928,227; Trenton, \$1,383,945; Vineland, \$1,612,867.

Notwithstanding the provisions of P.L. 1983, c.303 (C.52:27H-80), or any other law to the contrary, interest earned in fiscal 2002 on balances in the Enterprise Zone Assistance Fund, shall be credited to the General Fund, and the amounts appropriated for the following programs shall first be charged against these revenues, subject to the approval of the Director of the Division of Budget and Accounting: Urban Coordinating Council, \$6,000,000; Safe and Secure Neighborhoods, \$3,600,000; Municipal Mobile Video Recorders, \$2,917,000; Local Unit Budget & Accounting Reporting System, \$1,500,000; Playground Safety, \$1,000,000.

There is appropriated \$23,000,000 from the State Disability Benefits Fund for transfer to the General Fund as State revenue.

There is appropriated \$10,000,000 from the Stock Workers Compensation Fund for transfer to the General Fund as State revenue.

There is appropriated \$2,000,000 from the Casino Simulcasting Fund for transfer to the Casino Revenue Fund.

Notwithstanding the provisions of any other law to the contrary, there is appropriated for transfer to the General Fund as State revenue, an amount not to exceed \$4,000,000 from the Housing Assistance Fund bond reserve account established under P.L. 1968, c.127, to the extent that it includes monies other than bond proceeds initially deposited into the Housing Assistance Fund bond reserve account.

LANGUAGE PROVISIONS

GENERAL FUND PROVISIONS

In all cases in which language authorizes the appropriation of additional receipts not to exceed a specific amount, and the specific amount is insufficient to cover the amount due for fringe benefits and indirect costs, there are appropriated from receipts such additional amounts as are required to fully cover the amount due for fringe benefits and indirect costs, subject to the approval of the Director of the Division of Budget and Accounting.

There are appropriated from the Surplus Revenue Fund such additional sums as are necessary to pay Flood Relief - Hurricane Floyd claims, from any of the amounts lapsed to the Surplus Revenue Fund from the amounts appropriated pursuant to section 6 of the "Emergency Disaster Relief Act of 1999," P.L.1999, c.262, subject to the approval of the Director of the Division of Budget and Accounting.

This act shall take effect July 1, 2001.

NOTES