P.L.2012, CHAPTER 12, approved June 27, 2012

Senate, No. 2012

AN ACT amending and supplementing the Fiscal Year 2012 annual appropriations act, P.L.2011, c.85.

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

1. The following items and language provisions in section 1 of P.L.2011, c.85, the annual appropriations act for fiscal year 2012, are amended to read as follows:

34 DEPARTMENT OF EDUCATION

30 Educational, Cultural, and Intellectual Development

34 Educational Support Services

STATE AID

39-5095 Teachers’ Pension and Annuity Assistance ………………

……………………………………………….. $1,893,404,000 $1,886,037,000

(From Property Tax Relief Fund …………………… $1,893,404,000 $1,886,037,000)

Total State Aid Appropriation, Educational Support Services

……………………………………………………… $2,135,798,000 $2,128,431,000

(From Property Tax Relief Fund …………………… $2,135,798,000 $2,128,431,000)

State Aid:

39 Social Security Tax (PTRF) ………… ($763,000,000) ($755,633,000)

Department of Education,

Total State Appropriation ……………………. $10,613,579,000 $10,606,212,000

54 DEPARTMENT OF HUMAN SERVICES

50 Economic Planning, Development, and Security

53 Economic Assistance and Security

7550 Division of Family Development

GRANTS-IN-AID

Notwithstanding any law or regulation to the contrary, in addition to the amounts hereinabove for Work First New Jersey Child Care, an amount not to exceed $31,000,000 $35,000,000 is appropriated from the Workforce Development Partnership Fund established pursuant to section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

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

Matter underlined thus is new matter.
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

Economic Planning, Development, and Security
Manpower and Employment Services

GRANTS-IN-AID

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts hereinabove appropriated for the Work First New Jersey Work Activities and Work First New Jersey - Training Related Expenses accounts, an amount not to exceed $21,500,000 is appropriated from the Workforce Development Partnership Fund, section 9 of P.L.1992, c.43 (C.34:15D-9), subject to the approval of the Director of the Division of Budget and Accounting.

78 DEPARTMENT OF TRANSPORTATION

Transportation Programs
State and Local Highway Facilities

CAPITAL CONSTRUCTION

60-6200 Trust Fund Authority – Revenues and other funds available for new projects $1,035,300,000 $956,667,000

Total Capital Construction Appropriation, State and Local Highway Facilities $1,035,300,000 $956,667,000

Capital Projects:

60 Transportation Trust Fund Account

The amount hereinabove appropriated for the Transportation Trust Fund account shall first be provided from revenues received from (i) motor fuel taxes, which are hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (ii) $222,500,000 from the petroleum products gross receipts tax, which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (iii) $265,800,000 from the sales and use tax which is hereby appropriated for such purposes pursuant to Article VIII, Section II, paragraph 4 of the State Constitution; (iv) $12,000,000 of funds received from the various transportation-oriented authorities pursuant to contracts between such transportation-oriented authorities and the State; and (v) such additional sums pursuant to P.L. 1984, c.73 (C.27:1B-1 et seq.); as may be necessary to satisfy all fiscal year 2012 debt service, bond reserve requirements, and other fiscal obligations of the New Jersey Transportation Trust Fund Authority.

Department of Transportation,

Total State Appropriation $1,415,206,000 $1,336,573,000

Total State Appropriation, All State Funds $12,028,785,000 $11,942,785,000

2. In addition to the amounts appropriated under P.L.2011, c.85, the annual appropriations act for fiscal year 2012, there are appropriated out of the General Fund the following sums for the purposes specified:
### 22 DEPARTMENT OF COMMUNITY AFFAIRS

**70 Government Direction, Management, and Control**

**75 State Subsidies and Financial Aid**

#### STATE AID

<table>
<thead>
<tr>
<th>Grant Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-8030</td>
<td>Local Government Services</td>
<td>$21,118,000</td>
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</tbody>
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**Total State Aid Appropriation, State Subsidies and Financial Aid**

<table>
<thead>
<tr>
<th>Amount</th>
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<tbody>
<tr>
<td>$21,118,000</td>
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**State Aid:**

- 04 Transitional Aid to Localities ($21,118,000)

**Department of Community Affairs, Total State Appropriation**

<table>
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<tr>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>$21,118,000</td>
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</tbody>
</table>

### 46 DEPARTMENT OF HEALTH AND SENIOR SERVICES

**20 Physical and Mental Health**

**26 Senior Services**

#### GRANTS-IN-AID

<table>
<thead>
<tr>
<th>Grant Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>22-4275</td>
<td>Medical Services for the Aged</td>
<td>$35,511,000</td>
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**Total Grants-in-Aid Appropriation, Senior Services**

<table>
<thead>
<tr>
<th>Amount</th>
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<tbody>
<tr>
<td>$35,511,000</td>
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**Grants-in-Aid:**

- 22 Payments for Medical Assistance Recipients – Nursing Homes ($35,511,000)

**Department of Health and Senior Services, Total State Appropriation**

<table>
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<tr>
<th>Amount</th>
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<tbody>
<tr>
<td>$35,511,000</td>
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</tbody>
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### 54 DEPARTMENT OF HUMAN SERVICES

**20 Physical and Mental Health**

**24 Special Health Services**

#### 7540 Division of Medical Assistance and Health Services

#### GRANTS-IN-AID

<table>
<thead>
<tr>
<th>Grant Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>22-7540</td>
<td>General Medical Services</td>
<td>$145,792,000</td>
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</tbody>
</table>

**Total Grants-in-Aid Appropriation, Division of Medical Assistance and Health Services**

<table>
<thead>
<tr>
<th>Amount</th>
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<tr>
<td>$145,792,000</td>
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**Grants-in-Aid:**

- 22 Managed Care Initiative ($145,792,000)

### 30 Educational, Cultural, and Intellectual Development

**32 Operation and Support of Educational Institutions**

#### DIRECT STATE SERVICES

<table>
<thead>
<tr>
<th>Grant Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-7610</td>
<td>Residential Care and Habilitation Services</td>
<td>$28,866,000</td>
</tr>
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**Total Direct State Services Appropriation, Operation and Support of Educational Institutions**

<table>
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<tr>
<th>Amount</th>
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<tr>
<td>$28,866,000</td>
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**Direct State Services:**

- Personal Services:
Salaries and Wages …………………….. ($28,866,000)

Department of Human Services, Total State Appropriation ……….. $174,658,000

66 DEPARTMENT OF LAW AND PUBLIC SAFETY
   10 Public Safety and Criminal Justice
      12 Law Enforcement

DIRECT STATE SERVICES
06-1200 State Police Operations ……………………………………….. $1,293,000

Total Direct State Services Appropriation, Law Enforcement . $1,293,000

Direct State Services:
   Personal Services:
      Salaries and Wages ………………………. ($1,293,000)

Department of Law and Public Safety, 
Total State Appropriation ………………………………………….. $1,293,000

5. Upon certification by the Director of the Division of Budget and
   Accounting in the Department of the Treasury that federal funds to support the 
   expenditures listed below are available, the following sums are appropriated in 
   addition to the amounts of federal funds appropriated under P.L.2011, c.85, the 
   annual appropriations act for fiscal year 2012:

   FEDERAL FUNDS
   54 DEPARTMENT OF HUMAN SERVICES
      50 Economic Planning, Development, and Security
         53 Economic Assistance and Security
     15-7550 Income Maintenance Management ………………………….. $22,000,000
     
     Total Appropriation, Economic Assistance and Security ………. $22,000,000
     Special Purpose: 
     Work First New Jersey – Technology 
     Investments – Title XIX ………………… ($22,000,000)

67 DEPARTMENT OF MILITARY AND VETERANS’ AFFAIRS
   80 Special Government Services
      83 Services to Veterans 
     20-3640 Domiciliary and Treatment Services ……………………….. $2,163,000
     
     Total Appropriation, Services to Veterans ……………………. $2,163,000
     Special Purpose: 
     Medicare Part A Receipts for Resident
Care and Operational Costs .................. ($2,163,000)

Total Appropriation, Federal Fund .................................. $24,163,000
Total Appropriation, All Funds ..................................... $256,743,000

4. The following language provision is added to the General Provisions of P.L.2011, c.85, the annual appropriations act for fiscal year 2012:
   Notwithstanding the provisions of any law or regulation to the contrary, there is
   appropriated an amount not to exceed $200,000,000 from the Clean Energy Fund for
   transfer to the General Fund as State revenue, subject to the approval of the Director
   of the Division of Budget and Accounting.

5. This act shall take effect immediately.

STATEMENT

This bill amends and supplements the Fiscal Year 2011-2012 appropriations act, making State and federal supplemental appropriations totaling $256,743,000, reducing enacted appropriations by $86,000,000, and amending and supplementing various language provisions affecting appropriations.

Supplemental appropriations of State funds:

Department of Community Affairs:  The bill appropriates $21,118,000 for State Aid to Transitional Aid to Localities. The appropriation is the result of a conversion of a $32.0 million emergency loan made to the City of Newark into a grant. Existing unspent balances in the account cover the first $10.9 million of the grant, while the $21.1 million supplemental appropriation funds the remainder.

Department of Health and Senior Services:  The bill appropriates $35,511,000 in Grants-in-Aid funding for Payments for Medical Assistance Recipients – Nursing Homes under the Medicaid program to make up for unrealized savings from a federal waiver request that has yet to be approved.

Department of Human Services:  The bill appropriates a total of $174,658,000 in State funds for the following purposes: 1) a $145,792,000 Grants-in-Aid appropriation for Managed Care Initiative under the Medicaid program to make up for unrealized savings from a federal waiver request that has yet to be approved; and 2) a $28,866,000 Direct State Services appropriation to Residential Care and Habilitation Services at residential developmental centers for individuals with developmental disabilities to offset lower than anticipated federal Intermediate Care Facilities revenues.
Department of Law and Public Safety: The bill appropriates $1,293,000 in Direct State Services funding for State Police Operations to offset a shortfall in anticipated collections from the sale of State Police helicopters.

Supplemental appropriations of federal funds:

Department of Human Services: The bill appropriates an additional $22,000,000 in federal funds that was received as an increased Medicaid match for Work First New Jersey – Technology Investments – Title XIX.

Department of Military and Veterans’ Affairs: The bill appropriates an additional $2,163,000 in federal funds that was received as increased Medicare Part A Receipts for Resident Care and Operational Costs at the Paramus Veterans Memorial Home.

Supplements or amendments to various language provisions:

Departments of Human Services and Labor and Workforce Development: A language provision shifts $4,000,000 that was previously appropriated out of the off-budget Workforce Development Partnership Fund to the Work First New Jersey Work Activities account in the Department of Labor and Workforce Development. The $4,000,000 reflects unneeded surplus amounts in the originating account and is transferred to the Work First New Jersey Child Care account in the Department of Human Services to offset child care costs.

Department of Transportation: A language provision reduces the allocation of sales and use tax collections to the Transportation Trust Fund by $65,800,000. The reduction reflects lower than anticipated Transportation Trust Fund debt service costs because of savings from federal Build America Bond debt service subsidies and the favorable financing terms achieved for the Transportation Trust Fund Authority’s Fiscal Year 2012 bond issuance.

General Language Provision affecting Appropriations and Revenues: A language provision permits the transfer of up to $200,000,000 in surplus balances from the Clean Energy Fund to the General Fund.

Reductions in enacted appropriations:

Department of Education: Higher than anticipated school district employee attrition permits a $7,367,000 reduction in the Fiscal Year 2012 State Aid appropriation for the employer share of Social Security Tax payments the State makes on behalf of school districts.

Department of Transportation: The bill reduces by $78,633,000 the Fiscal Year 2012 Capital Construction appropriation for Transportation Trust Fund debt service because of savings from federal Build America Bond debt service subsidies and other reductions in debt service expenses.
Makes FY 2012 State and federal supplemental appropriations totaling $256,743,000, reduces FY 2012 appropriations by $86,000,000, and amends and supplements various language provisions affecting appropriations in FY 2012.