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22 DEPARTMENT OF COMMUNITY AFFAIRS
50 Economic Planning, Development, and Security
55 Social Services Programs
DIRECT STATE SERVICES

Direct State Services:

- 36** "Notwithstanding the provisions of any law, rule or regulation to the contrary, every household in the State that is eligible to receive benefits under the Supplemental Nutrition Assistance Program (SNAP) established pursuant to the "Food and Nutrition Act of 2008," Pub.L.110-246 (7 U.S.C. s.2011 et seq.) shall receive a minimum annual energy assistance payment of \$21 in order to qualify the household for a heating and cooling standard utility allowance under the SNAP program, in accordance with 7 U.S.C. s.2014(e)(6)(c), unless a standard utility allowance would have been unavailable to the household under the State and federal criteria for SNAP and any applicable energy assistance programs that were in place as of July 1, 2013. This annual payment shall be disbursed in accordance with the provisions of the Low Income Home Energy Assistance Program (LIHEAP), established pursuant to Pub.L.97-35, Title XXVI (42 U.S.C. s.8621 et seq.) or other energy assistance programs for which the household is eligible, as applicable. Any costs associated with increasing LIHEAP payments first shall be charged to the unexpended balance of federal funds available for the LIHEAP program, to the extent permitted by federal law and regulation."

The quoted language is deleted in its entirety.

34 DEPARTMENT OF EDUCATION
30 Educational, Cultural, and Intellectual Development
31 Direct Educational Services and Assistance
STATE AID

State Aid:

- 50** "Notwithstanding the provisions of any law or regulation to the contrary, following notification to the Joint Budget Oversight Committee there are appropriated to the Emergency Fund account such additional amounts as may be required to fund approved applications for((emergency)) aid following district needs assessments conducted by the Department of Education, subject to the approval of the Director of the Division of Budget and Accounting. The Commissioner of Education may use an amount appropriated to the Emergency Fund to provide((a loan)) to a school district that is experiencing fiscal distress as a result of receiving less State school aid in the 2017-2018 school year than the amount received in the prior school year. The commissioner shall determine the repayment terms((including the amount of interest)), if any, that will be assessed."

The language within double parentheses is deleted.

- 53** "From the amount hereinabove appropriated for Preschool Education Expansion Aid, the Commissioner of Education shall provide State aid to((no more than 17 qualified)) districts for the purpose of providing free access to full-day preschool for((all)) three- and four-year old children residing in the school district in accordance with the preschool quality standards adopted by the commissioner((, including assistance to districts with the highest concentrations of at-risk pupils to prepare to operate full-day preschool programs)). The commissioner shall determine which((qualified)) districts shall receive Preschool Education Expansion Aid based on a district's demonstration of its readiness to operate a preschool program consistent with the preschool quality standards((, and shall give priority to qualified districts having the highest concentration of at-risk pupils, as defined pursuant to section 3 of P.L.2007, c.260 (C.18A:7F-45), among all qualified districts. The commissioner shall calculate the aid pursuant to the provisions of subsection a. of section 12 of P.L.2007, c.260 (C.18A:7F-54) based on the projected preschool enrollment. For the purposes of this provision, "qualified district" means a school district that: (1) pursuant to the provisions of section 12 of P.L.2007, c.260 (C.18A:7F-54), is to provide free access to full-day preschool to all three- and four-year old children who reside in the district; (2) does not receive any other State funding to provide such access to full-day preschool to all three- and four-year old children; (3) does not receive funds from a subgrant from the federal Preschool Development Grants program; and (4) has at least 75 resident four-year old children who reside in households in which the household income is no greater than 185 percent of the federal poverty guidelines))."

The language within double parentheses is deleted.

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30 Educational, Cultural, and Intellectual Development
34 Educational Support Services

GRANTS-IN-AID

Grants-In-Aid:

- 57** "The amount hereinabove appropriated for Advanced Placement Exam Fee Waiver shall supplement that portion of the Advanced Placement Exam Fee that is not currently funded by The College Board Test Fee Waiver and School Test Processing Fee Waiver for students that qualify for the Free or Reduced Lunch Program((, and any remaining amounts shall be allocated to the Commissioner of Education who shall provide grants to assist public school districts to establish or expand Advanced Placement programs including expanding virtual and/or blended Advanced Placement efforts. In awarding these grants the commissioner shall give preference to schools in which at least 40% of students qualify for the Free or Reduced Lunch Program or are presently offering four or fewer Advanced Placement courses and can establish unmet Advanced Placement potential as demonstrated by current PSAT / NMSQT data and other key measures. The grants may be used for the following purposes, including, but not limited to: providing additional academic support to students as well as outreach and recruitment of students; expanding access to the AP Insight Program; scholarships for teachers to participate in endorsed AP Summer Institutes or other beneficial professional development opportunities; and Advanced Placement course start-up costs, including, but not limited to curriculum materials, necessary laboratory equipment and other supplies or materials required for the offering of Advanced Placement courses. The commissioner shall develop additional grant-eligibility criteria and shall award funds to applying school districts accordingly))."

The language within double parentheses is deleted.

30 Educational, Cultural, and Intellectual Development
35 Education Administration and Management

DIRECT STATE SERVICES

Direct State Services:

- 59** "The appropriation hereinabove for State Board of Education Expenses is conditioned upon the Department of Education moving the implementation date of Subchapter 18 of the Fiscal Accountability, Efficiency and Budgeting Procedures Code (N.J.A.C.6A:23A-18) as approved by the State Board of Education on June 7, 2017 to July 1, 2018."

The quoted language is deleted in its entirety.

42 DEPARTMENT OF ENVIRONMENTAL PROTECTION

40 Community Development and Environmental Management
44 Site Remediation and Waste Management

CAPITAL CONSTRUCTION

Capital Projects:

- 68** "Except as otherwise provided in this act and notwithstanding the provisions of any other law or regulation to the contrary, the first \$50,000,000((and one-half of any additional amounts)) in natural resource, cost recoveries and other associated damages recovered by the State, along with such additional amounts as may be determined by the Director of the Division of Budget and Accounting, in consultation with the Attorney General, to be necessary to pay for the costs of legal services related to such recoveries, shall be deposited into the Hazardous Discharge Site Cleanup Fund established pursuant to section 1 of P.L.1985, c.247 (C.58:10-23.34), and are appropriated for: direct and indirect costs of remediation, restoration, and clean up; costs for consulting, expert, and legal services incurred in pursuing claims for damages; and grants to local governments and nonprofit organizations to further implement restoration activities of the Office of Natural Resource Restoration. Recoveries in excess of the amounts appropriated pursuant to this paragraph, consistent with the terms and conditions of applicable settlement agreements or court rulings, shall be deposited in the General Fund as general State revenue."

The language within double parentheses is deleted.

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46 DEPARTMENT OF HEALTH

20 Physical and Mental Health

21 Health Services

GRANTS-IN-AID

Grants-In-Aid:

- 79** "From the amount hereinabove appropriated from Maternal, Child and Chronic Health Services, subject to the approval of the Director the Division of Budget and Accounting, \$10,000,000 shall be used to ensure that local health agencies implement the provisions of P.L.2017, c.7 (C.26:2-131 et al.), concerning childhood lead poisoning, including but not limited to increased testing pursuant to new CDC lead level guidelines, case management, personnel, equipment, training, licensing, environmental inspections, and clinical interventions; and shall be allocated as follows: \$3,510,000 to the local health agencies with the highest number of 2015 referred cases, distributed proportionate to the number of 2015 referred cases; \$2,990,000 for distribution to any other local health agency in reimbursement for cases in an amount of \$1,000 per case; and the remaining \$3,500,000 to reimburse local health agencies for the purchase and maintenance of equipment and training costs."

The quoted language is deleted in its entirety.

20 Physical and Mental Health
22 Health Planning and Evaluation
GRANTS-IN-AID

Grants-In-Aid:

- 82** "Notwithstanding the provisions of any law or regulation to the contrary, in the event that the State's waiver extension for the Hospital Delivery System Reform Incentive Payments (DSRIP) program does not receive federal approval, the amounts hereinabove appropriated for that purpose may be transferred to either Charity Care or Graduate Medical Education, or both, to ensure payments to hospitals continue to include federal matching funds; provided, however, that any such reallocation of DSRIP funds shall be ((provided to the same hospitals in the same amounts as in FY2017,))subject to the approval of the Director of the Division of Budget and Accounting"

The language within double parentheses is deleted.

- 83** "Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Health Care Subsidy Fund Payments, there are appropriated such amounts as are required to the Health Care Subsidy Fund, subject to the approval of the Director of the Division of Budget and Accounting, to provide supplemental Charity Care, upon a determination by the State Treasurer after conferring with the Commissioner of Human Services and the Commissioner of Health that fiscal year 2018 documented charity care is increased or likely to be increased as a result of enactment of any federal law or regulation modifying eligibility criteria for enrollment of individuals in the Medicaid program pursuant to P.L.1968, c.413 (C.30:4D-1 et seq.) or the NJ FamilyCare program pursuant to P.L.2005, c.156 (C.30:4J-8 et al.). The distribution of supplemental Charity Care shall be determined by the Commissioner of Health."

The quoted language is deleted in its entirety.

54 DEPARTMENT OF HUMAN SERVICES

20 Physical and Mental Health

23 Mental Health and Addiction Services

7700 Division of Mental Health and Addiction Services

GRANTS-IN-AID

Grants-In-Aid:

- 88** "In order to permit flexibility in the handling of appropriations and assure timely payment to service providers during the conversion to a fee-for-service reimbursement structure, funds may be transferred from the Community Care account to the Division of Children's System of Care in the Department of Children and Families to support mental health treatment programs for children, subject to the approval of the Director of the Division of Budget and Accounting((with prior notification to the Joint Budget Oversight Committee))."

The language within double parentheses is deleted.

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20 Physical and Mental Health
24 Special Health Services
7540 Division of Medical Assistance and Health Services
GRANTS-IN-AID

Grants-In-Aid:

- 100** "Notwithstanding the provision of any law or regulation to the contrary, the amounts hereinabove appropriated in the General Medical Services program classification are subject to the following condition: effective July 1, 2017, the Commissioner of Human Services may make an advance payment to a nursing facility or an assisted living facility licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), at the facility's request, whenever the facility is providing uncompensated services to one or more residents whose eligibility for Medicaid has not been determined more than 90 days after an application has been filed. Any such advance payment shall be made with State funding only and shall not exceed fifty percent of the estimated amount due for the uncompensated services. No later than 30 days after any such application is granted and payment has been made to the facility, or after any such application has been denied, the commissioner shall provide reimbursement for any balance due to the facility, or recover any advance payments made on behalf of an applicant deemed ineligible for Medicaid by reducing any payments due to the facility."

The quoted language is deleted in its entirety.

50 Economic Planning, Development, and Security
53 Economic Assistance and Security
7550 Division of Family Development
STATE AID

State Aid:

- 116** "Notwithstanding section 7 of P.L.1997, c.38 (C.44:10-61) or any other law or regulation to the contrary, the level of cash assistance benefits payable to an assistance unit with dependent children shall increase as a result of a child having been born to the assistance unit while the assistance unit is receiving assistance."

The quoted language is deleted in its entirety.

62 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

50 Economic Planning, Development, and Security
53 Economic Assistance and Security
DIRECT STATE SERVICES

Direct State Services:

- 122** "In addition to the amount hereinabove appropriated for State Disability Insurance Plan, there is appropriated \$3,000,000 from the State Disability Benefits Fund for the Family Leave Insurance Program, of which \$2,000,000 shall be used to provide additional claims processing staff within the Division of Temporary Disability Insurance and \$1,000,000 shall be used for education and community outreach."

The quoted language is deleted in its entirety.

74 DEPARTMENT OF STATE

30 Educational, Cultural, and Intellectual Development
36 Higher Educational Services
2480 Stockton University
GRANTS-IN-AID

Grants-In-Aid:

- 151** "For the purpose of implementing the appropriations act for the current fiscal year, the number of State-funded positions at Stockton University shall be ((1,000))."

The number within double parentheses is reduced to 932.

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78 DEPARTMENT OF TRANSPORTATION

60 Transportation Programs

61 State and Local Highway Facilities

CAPITAL CONSTRUCTION

Capital Projects:

- 159** "Notwithstanding the provisions of any law or regulation to the contrary, monies deposited into the Transportation Trust Fund Subaccount for Capital Reserves may be transferred to the Transportation Trust Fund Subaccount for Debt Service for Prior Bonds and Transportation Trust Fund Subaccount for Debt Service for Transportation Program Bonds to satisfy current year debt service, bond reserve requirements, and other fiscal obligations of the New Jersey Transportation Trust Fund Authority, subject to the approval of the Director of the Division of Budget and Accounting.((In addition, there is appropriated an amount not to exceed \$8,000,000 from the Transportation Trust Fund Subaccount for Capital Reserves for freight rail assistance projects identified by the Commissioner of Transportation to support a safe, efficient, and effective rail freight system in this State pursuant to P.L.1986, c.56 (C.27:1A-5.1) and the implementing regulations at N.J.A.C.16:53C-1 et seq.))"

The language within double parentheses is deleted.

60 Transportation Programs

62 Public Transportation

GRANTS-IN-AID

Grants-In-Aid:

- 169** "Notwithstanding the provision of any law or regulation to the contrary, the amount hereinabove appropriated for New Jersey Transit Corporation is conditioned upon the following: no funds from any source of the New Jersey Transit Corporation shall be expended on any internet-based or other media messaging or advertising that criticizes operating, maintenance, or capital activities of other public, governmental, or quasi-governmental transit agencies with which the New Jersey Transit Corporation has a contractual agreement or memorandum of understanding affecting transportation infrastructure."

The quoted language is deleted in its entirety.

82 DEPARTMENT OF THE TREASURY

70 Government Direction, Management, and Control

75 State Subsidies and Financial Aid

STATE AID

State Aid:

- 184** "Pursuant to section 85 of P.L.2015, c.19 (C.5:10A-85), receipts derived from the 3% Meadowlands regional hotel use assessment are appropriated for deposit 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 "Hackensack Meadowlands Agency Consolidation Act," P.L.2015, c.19 (C.5:10A-1 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.((Provided further, if the amount deposited into the intermunicipal account is insufficient, there are appropriated to the intermunicipal account established by section 53 of P.L.2015, c.19 (C.5:10A-53), such amounts as are necessary to pay each constituent municipality the meadowlands adjustment payment calculated pursuant to section 59 of P.L.2015, c.19 (C.5:10A-59), as shall be determined by the State Treasurer.))"

The language within double parentheses is deleted.

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94 INTERDEPARTMENTAL ACCOUNTS
70 *Government Direction, Management, and Control*
74 *General Government Services*
CAPITAL CONSTRUCTION

Capital Projects:

- 195** "Notwithstanding the provisions of any law or regulation to the contrary, in order to provide flexibility in administering the amounts provided for Statewide Fire, Life Safety and Renovations Projects; Life Safety, Emergency and IT Projects-Statewide; Roof Repairs-Statewide; Americans with Disabilities Act Compliance Projects-Statewide; Fuel Distribution Systems/Underground Storage Tank Replacements-Statewide; Hazardous Materials Removal Projects-Statewide; Statewide Security Projects; and Energy Efficiency Projects; such amounts as may be necessary may be transferred to individual project line items within various departments, subject to the approval of the Director of the Division of Budget and Accounting((with prior notification to the Joint Budget Oversight Committee))."

The language within double parentheses is deleted.

9420 *Other Interdepartmental Accounts*
GRANTS-IN-AID

Grants-In-Aid:

- 200** "The amount hereinabove appropriated for Direct Support Professionals Wage Increase shall be used to provide a wage increase to each direct support professional who provides children's behavioral health services and assists children and adults with intellectual and developmental disabilities under provider contracts with the Department of Children and Families, the Division of Developmental Disabilities in the Department of Human Services, and the Division of Vocational Rehabilitation Services in the Department of Labor and Workforce Development.((The Commissioner of Children and Families, the Commissioner of Human Services, and the Commissioner of Labor and Workforce Development shall modify service provider contracts as necessary to ensure receipt of this wage increase by each direct support professional beginning October 1, 2017. Amounts shall be transferred to departments and divisions contracting with community care providers in order to provide the appropriate upward contract adjustment.)) Contract adjustments to all eligible providers shall ensure that each direct support professional receives the same percentage wage increase. No later than October 1, 2017,((the Director of the Division of Budget and Accounting shall submit a report to)) the Joint Budget Oversight Committee((, detailing, for each department and division: the specific community care providers that)) will((receive an upward contract adjustment in FY2018; for each provider receiving an upward adjustment, the)) direct((support professional wage base dollar amount upon which each contract adjustment was calculated and)) the dollar amount of the upward contract adjustment to be received in FY2018((; the sum of the contract bases of all community providers receiving an upward adjustment; an explanation of how the amounts associated with the upward contract adjustment were calculated)); and((the manner in which the department or division administering each contract)) will ensure that the contract adjustment will be used to provide increased payments to direct support professionals."

The language within double parentheses is deleted.

GENERAL PROVISIONS

- 249** "51. Such amounts as may be necessary are appropriated or transferred from existing appropriations for ((the purpose of promoting awareness to increase participation in programs that are administered by the State, including but not limited to))programs to preserve or promote public health and safety, subject to the approval of the Director of the Division of Budget and Accounting."

The language within double parentheses is deleted.

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22 DEPARTMENT OF COMMUNITY AFFAIRS

- 36 Language related to the coordination of LIHEAP and SNAP benefits is deleted in its entirety. This language may result in the distribution of benefits without regard to actual heating and cooling expenses which is impermissible as per federal guidance.

34 DEPARTMENT OF EDUCATION

- 50 This language is modified to provide greater flexibility and a streamlined process to the Department of Education in providing assistance to districts.
- 53 This language is modified to provide greater flexibility to the Department of Education to ensure funding is provided to districts that have demonstrated a readiness to implement a program consistent with the preschool quality standards.
- 57 The language regarding excess funding is eliminated to ensure all of the funding is utilized for Advanced Placement Exam Fee waivers.
- 59 This language is deleted, in order to ensure the implementation of these regulations.

42 DEPARTMENT OF ENVIRONMENTAL PROTECTION

- 68 This language is modified, as the Legislature did not take into account the financial impact of this change.

46 DEPARTMENT OF HEALTH

- 79 This language is deleted to ensure flexibility in the distribution of these funds.
- 82 This language is modified to restore consistency with the Governor's budget recommendations for Fiscal Year 2018, and to ensure funding is allocated in a manner consistent with federal guidelines.
- 83 This language is deleted, as no federal law impacting the cited programs has been enacted, nor has any legislation introduced included changes that would impact the cited programs during Fiscal Year 2018.

54 DEPARTMENT OF HUMAN SERVICES

- 88 This language is modified, in order to restore consistency with the Governor's budget recommendations for Fiscal Year 2018.
- 100 This language is deleted in its entirety because of the financial and administrative burden it would place on the Department. The Department is available to work with impacted facilities as appropriate to address financial issues.
- 116 This language is deleted, in order to restore consistency with the Governor's budget recommendations for Fiscal Year 2018.

62 DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

- 122 This language is deleted, in order to restore consistency with the Governor's budget recommendations for Fiscal Year 2018. The Governor's budget recommendations for Fiscal Year 2018 included appropriate funding levels for the Department's administration of the fund.

74 DEPARTMENT OF STATE

- 151 The number of State-funded positions is reduced in order to reflect the actual cost budgeted by the Legislature for those positions.

78 DEPARTMENT OF TRANSPORTATION

- 159 This language is modified, as freight rail assistance projects are already appropriately funded within the Governor's budget recommendations for Fiscal Year 2018.
- 169 This language is deleted because it is unnecessarily intrusive upon the operations of New Jersey Transit Corporation.

82 DEPARTMENT OF THE TREASURY

- 184 This language is deleted because it is an open-ended appropriation, requiring the State to make direct payments to municipalities, as a result of insufficient local assessment collections.

94 INTERDEPARTMENTAL ACCOUNTS

- 195 This language is modified, in order to restore consistency with the Governor's budget recommendations for Fiscal Year 2018.
- 200 In order to respect the legislative power over appropriations and to avoid inconsistency with legislative intent, this language is adjusted to ensure that the Joint Budget Oversight Committee will provide further direction on the intended distribution of these funds.

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GENERAL PROVISIONS

249 This language is modified to provide greater flexibility in addressing issues concerning public health and safety.

Respectfully,

Chris Christie
Governor

Attested,

Robert Garrenger
Acting Chief Counsel