

RES #	<b>FY 2010 APPROPRIATIONS ACT</b> <b>P.L.2009, c.68</b> <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b> <b>INCLUDING LINE-ITEM VETO CHANGES</b>	TABLE	CTR#
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<b>COMMUNITY AFFAIRS</b>			
12	Deletes Language Concerning Performance of Fire Safety Inspections: CMA40#41D: <u>[Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated to the Division of Fire Safety may be used solely for the costs of fire safety inspections performed by employees of the Division of Fire Safety in municipalities in which the Division performed fire safety inspections in fiscal year 2009.]</u>	CMA40#41D:	132
2029	Language requiring Notice to JBOC of Certain Transfers of Affordable Housing Appropriations: CMA40#41D: <u>Notwithstanding the provisions of any law or regulation to the contrary, the Division of Housing may transfer between the Affordable Housing State Aid appropriations account, the Council on Affordable Housing Direct State Services appropriations account and the Affordable Housing Direct State Services appropriations account, such sums as are necessary, subject to the approval of the Director of the Division of Budget and Accounting. The Director of the Division of Budget and Accounting shall provide written notice of such a transfer to the Joint Budget Oversight Committee within 10 working days of making such a transfer.</u>	CMA40#41D:	434
87	Language Appropriating \$7 Million form New Home Warranty Security Fund for State Rental Assistance Program: CMA40#41G: <u>Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated to the State Rental Assistance Program, there is appropriated \$7,000,000 from the New Home Warranty Security Fund for the purpose of the State Rental Assistance Program.</u>	CMA40#41G:	135
2030	Language Requiring the Commissioner of Community Affairs to Report on Affordable Housing Subsidies to the Joint Budget Oversight Committee: CMA40#41S: <u>The Commissioner of Community Affairs shall provide, at least two months prior to the close of the Fiscal Year, a report to the Joint Budget Oversight Committee that details all of the project subsidies provided to low income housing tax credit projects funded by the State's allocation of federal American Recovery and Reinvestment Act of 2009 funds as well as funds provided to these projects derived from the realty</u>	CMA40#41S:	435

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	<u>transfer fee receipts.</u>		
1003	<p>Language Modifying Reporting Requirement to Legislature on the Status of Local Government Performance Measures:  CMA70#75PS:  Of the amount hereinabove appropriated for the Sharing Available Resources Efficiently Program, not more than 5% may be used to finance the development of performance measures and training modules and to employ staff as authorized by sections 4 and 9 of P.L.2007, c.54 (C.52:27D-504 and C.52:27D-18.2).  The Local Finance Board shall provide [a report] <u>semi-annual reports to the President of the Senate, the Speaker of the General Assembly, the Senate Budget and Appropriations Committee and the Assembly Budget Committee on or before December 31, 2009 and on or before June 30, 2010 on the status of the development of performance measures and training modules as required by section 9 of P.L.2007, c.54.</u></p>	CMA70#75PS:	443
14	<p>Language Providing that Special Municipal Aid Recipients are subject to an Audit conducted in consultation with the State Comptroller:  CMA70#75S:  Notwithstanding the provisions of P.L.2002, c.43 as amended (C.52:27BBB-1 et seq.) to the contrary, any municipality receiving State Aid provided through the "Special Municipal Aid Act," P.L.1987, c.75 (C.52:27D-118.24 et seq.) appropriation shall be subject to the provisions of the Special Municipal Aid Act and subject to entering into an agreement with the Department of Community Affairs to provide, among other things, for financial oversight, [including audits as necessary] <u>and subject to an audit conducted in consultation with the State Comptroller.</u></p>	CMA70#75S:	133
<b>CORRECTIONS</b>			
130	<p>Language allowing Parole Board Flexibility in Funding Programs:  COR10#17G:  <u>To permit flexibility and ensure the appropriate levels of services provided, appropriated amounts may be transferred between the following accounts: Parole Violator Assessment and Treatment Program, Re-Entry Substance Abuse Program, Mutual Agreement Program, Community Resource Center Program, and Stages to Enhance Parolee Success Program, subject to the approval of the Director of the Division</u></p>	COR10#17G:	148

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	<u>of Budget and Accounting.</u>		
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**EDUCATION**

134	<p>Deletes Language that would have provided \$5,000,000 for Districts with Unusually High Rates of Disability: EDU30#31PS:</p> <p>[From the amount hereinabove appropriated for Special Education Categorical Aid, there is appropriated \$5,000,000 for eligible districts with “unusually high rates” of low-incidence disabilities, with an unusually high rate defined as a district with a classification percentage greater than 1.5 standard deviations above the mean classification rate for the district’s enrollment cohort for at least one of the following classification groups: autism; multiple disabilities; mental retardation; or a combination of orthopedic impairments, autism, deaf blindness, hearing impairments, visual impairments, mental retardation, traumatic brain injury, and preschool disabled. An eligible district is defined as one with an enrollment of 1,000 or more pupils, as defined by the Commissioner of Education, filing an application that demonstrates that the district meets the “high rate of low-incidence disabilities” definition and demonstrates the extent to which the costs to the district for the high rate of low-incidence disabilities are not sufficiently addressed through Special Education Aid, Extraordinary Special Education Aid, and local funds. The application must provide details of all special education expenditures, including details on the use of federal funds to support those expenditures. The allocation of additional Special Education Categorical Aid shall be made on a per pupil basis prorated, if necessary, over the number of eligible pupils and shall be based on the extent the district’s costs are not sufficiently addressed through Special Education Aid, Extraordinary Special Education Aid, and local revenue. Additional Special Education Categorical Aid shall be recorded by the district as revenue in the current year and paid to the district in the subsequent school year. Districts receiving this aid may be subject to audit to verify eligibility and expenditures.]</p>	EDU30#31PS:	161
203	<p>Language Restores Funding for Adult Education at the Fiscal Year 2009 Level: EDU30#31PS:</p> <p><u>The amount hereinabove appropriated for Adult Education Aid shall be distributed at a rate determined by the Commissioner of Education based on the number of pupils enrolled in approved adult high schools and post-graduate programs as of October, 2008 as reported in the Application for State School Aid.</u></p>	EDU30#31PS:	510

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1009	<p>Language Concerning Nonpublic Technology Initiative Funding:  EDU30#31S:  <u>Items purchased for the use of nonpublic school students with Nonpublic Technology Initiative funds in previous budget cycles shall remain the property of the local education agency; provided however, that they shall remain on permanent loan for the use of nonpublic school students for the balance of the technologies' useful life.</u></p>	EDU30#31S:	450
135	<p>Deletes Language Concerning the Proposed New Preschool Incentive Aid Program:  EDU30#31S:  [Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Preschool Incentive Aid shall be distributed to districts that elect to dedicate a portion or all of the district's additional allocation of federal Title I, Part A funding authorized under the "American Recovery and Reinvestment Act of 2009" towards serving additional full-day preschool students or expanding from half-day to full-day preschool programs in 2009-2010. Notwithstanding any provision of P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Education shall be authorized to develop the criteria for distributing this aid and shall adopt regulations that shall be deemed adopted and effective immediately upon filing with the Office of Administrative Law. Priority will be given to applications from "universal" districts. Districts shall be required to place funds in a restricted account to support expansion in 2009-2010 or, at the discretion of the commissioner, for 2009-2010 and 2010-2011.]</p>	EDU30#31S:	162
160.2	<p>Modifies Language Concerning the Calculation of Extraordinary Special Education Costs Aid:  EDU30#31S:  Notwithstanding the provisions of section 13 of P.L.2007, c.260 (C.18A:7F-55) to the contrary, [Extraordinary Special Education Costs Aid] <u>2008-2009 extraordinary special education costs</u> for an individual classified pupil shall be reimbursed: pursuant to paragraph (1) of subsection b. of that section at 95% of the direct instructional and support services costs in excess of \$40,000; pursuant to paragraph (2) of that subsection at 85% of the direct instructional and support services costs in excess of \$40,000; and pursuant to paragraph (3) of that subsection at 85% for tuition costs in excess of \$55,000. <u>A district's 2008-2009 award from the amount hereinabove appropriated for Extraordinary Special Education Costs Aid will be based on a comparison of that calculation to the projected award amount in the commissioner's report dated December 12, 2007. If the approved costs amount is greater than the</u></p>	EDU30#31S:	483

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	<p><u>projected amount, the district shall receive the amount of the increased award. If the district received adjustment aid in 2008-09 pursuant to section 16 of P.L.2007, c.260 (C.18A:7F-58), the district's 2008-09 adjustment aid shall be reduced by the amount of any increase in the approved award of Extraordinary Special Education Costs Aid over the projected amount, but by no more than the State aid provided pursuant to section 16 of P.L.2007, c.260 (C.18A:7F-58). If the approved costs amount of Extraordinary Special Education Costs Aid is less than the projected amount, the district's award of this aid shall be adjusted accordingly so that the district shall not receive less State aid than provided pursuant to section 5 of P.L.2007, c.260 (C.18A:7F-47) or section 16 of P.L.2007, c.260 (C.18A:7F-58), as applicable. The commissioner shall direct school districts as to any required appropriate adjustments to 2008-09 other aid categories.</u></p>		
52 (1 of 2)	<p>Language Appropriating Up To \$650,000 for Emergency Aid Applications:  EDU30#31S:  <u>Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated to the Emergency Fund account such additional sums as may be required, not to exceed \$650,000, to fund approved applications for emergency aid in accordance with the provisions of P.L.1967, c.271 (C.18A:58-11), subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	EDU30#31S:	154
52 (2 of 2)	<p>Deletes Language Appropriating Unexpended Balances for Emergency Aid:  EDUTOT:  <b>[The unexpended balances at the end of the preceding fiscal year in the State Aid accounts, not to exceed \$650,000, are appropriated to the State Aid Supplemental Funding account and may be available to fund approved applications for emergency aid in accordance with the provisions of N.J.S.18A:58-11.]</b></p>	EDUTOT:	155
166.1	<p>Modifying Language Provision Concerning Non-Profit Non-Public School Transportation Aid for Remote School Pupil Transportation:  EDU30#34PS:  For any school district receiving amounts from the amount hereinabove appropriated for Transportation Aid, and notwithstanding the provisions of any law or regulation to the contrary, <u>if the school district is located in a county of the third class or a county of the second class with a population of less than 235,000, according to the 1990 federal decennial census, transportation shall be provided to school pupils residing in this school district in going to and from any remote school other than a public school, not operated for</u></p>	EDU30#34PS:	394

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	profit in whole or in part, located within the State not more than [20] 30 miles from the residence of the pupil.		
10	<p>Language Clarifying the Use of Federal Stimulus Aid for Teachers' Salaries:</p> <p>EDUTOT:</p> <p><u>Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated as General Formula Aid - Federal Economic Stimulus funded from the State Fiscal Stabilization Fund under the American Recovery and Reinvestment Act of 2009, are subject to the following condition: expenditures for teacher salaries made by school districts from such appropriations are deemed to be considered State supported for the purposes of reimbursement of fringe costs required under N.J.S.18A:66-90.</u></p>	EDUTOT:	152
11	<p>Language Clarifying that Funds Allocated to Charter Schools by Districts Shall be Deemed to Be Paid from State Aid:</p> <p>EDUTOT:</p> <p><u>Notwithstanding the provisions of any law or regulation to the contrary, all funds allocated to charter schools by the districts of residence shall be deemed to be paid from appropriations for State Aid and not from appropriations from the State Fiscal Stabilization Fund under the American Recovery and Reinvestment Act of 2009.</u></p>	EDUTOT:	153
138.20	<p>Modifies Language Concerning June School Aid Payments</p> <p>EDUTOT:</p> <p>Notwithstanding the provisions of section 8 of P.L.1996, c.138 (C.18A:7F-8), the June [22nd] school aid [payment is] payments are subject to the approval of the State Treasurer.</p> <p><u>Notwithstanding the provisions of any law or regulation to the contrary, payments from amounts hereinabove appropriated for State aid may be made directly to the district bank account for the repayment of principal and interest and other costs, when authorized under the terms of a promissory noted entered into under the provisions of P.L.2003, c.97 (C.18A:22-44.2).</u></p>	EDUTOT:	164
2020	<p>Language Creating a Competitive Technology Pilot Grant Program:</p> <p>EDUTOT:</p> <p><u>From federal funds that are available pursuant to the American Recovery Reinvestment Act of 2009 (ARRA)</u></p>	EDUTOT:	368

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	<u>for Educational Technology State Grants, the New Jersey Department of Education shall provide competitive grants awarded to school districts for the purchase or lease of wireless computer hardware, software and training. Twenty-five percent of any grant award shall be used for professional development that focuses on utilizing digital environments to enable new teaching methods. The New Jersey Department of Education shall award grants pursuant to a competitive process and in a manner that complies with applicable federal law. Funding shall enable the purchase of the following components: hardware and software, including wireless laptop computers; broadband internet access; access to digital content that is aligned to State standards; professional development for teachers; and technical support.</u>		
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**ENVIRONMENT**

146 (1 of 2)	Directory Letter Authority for Shore Protection Fund Projects: ENV40#42C: <u>In addition to the amount hereinabove appropriated for Shore Protection Fund Projects, there is appropriated an amount not to exceed \$6,250,000, subject to the approval of the Director of the Division of Budget and Accounting.</u>	ENV40#42C:	317
48	Modifies Language to Increase the Administrative Allocation from the Shore Protection Fund to Cover the Fringe Benefit Costs for the Engineering and Construction Program: ENV40#42D: An amount not to exceed <del>[\$3,462,000]</del> \$4,442,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.	ENV40#42D:	166

**HEALTH**

194 (1 of 6)	Language Concerning the Charity Care Formula: HEA#20#22G: Notwithstanding the provisions of any law or regulation to the contrary, the appropriation for Health Care Subsidy Fund Payments in State Fiscal Year (SFY) 2010 shall be calculated pursuant to section 3 of P.L.2004, c.113 (C.26:2H-18.59i), except that:	HEA#20#22G:	484
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	(a) in paragraph (1) of subsection b. of section 3 of P.L.2004, c.113, source data used shall be from calendar year 2008 for documented charity care claims data and hospital-specific gross revenue for charity care patients, and shall include all adjustments and void claims related to calendar year 2008 and any prior year submitted claim, as submitted by each acute care hospital or determined by the Department of Health and Senior Services (DHSS);		
194 (2 of 6)	(b) in paragraph (1) of subsection b. of section 3 of P.L.2004, c.113, source data used for each hospital's total gross revenue for all patients shall be from the Acute Care Hospital Cost Report as defined by Form E4, Line 1, Column E data and shall be according to the DHSS advance submission request dated February 23, 2009, as submitted by each acute care hospital <u>by March 25, 2009</u> , and source data used for Medicare Cost Report data shall be from calendar year 2007;	HEA#20#22G:	
194 (3 of 6)	(c) for an eligible hospital that failed to submit its total gross revenue for all patients from the Acute Care Hospital Cost Report as defined by Form E4, Line 1, Column E data according to the DHSS advance submission request dated February 23, 2009, in paragraph (1) of subsection b. of section 3 of P.L.2004, c.113, source data from calendar year 2007 shall be used for hospital-specific gross revenue for charity care patients and for hospital total gross revenue for all patients as defined by Form E4, Line 1, Column E;	HEA#20#22G:	
194 (4 of 6)	(d) each eligible hospital shall be assigned to one of three tiers based on its initial Relative Charity Care Percentage (RCCP) as calculated in paragraph (1) of subsection b. of section 3 of P.L.2004, c.113, with Tier 1 hospitals having an initial RCCP greater than <del>8%</del> <u>7.5%</u> , Tier 2 hospitals having an initial RCCP less than Tier 1 and greater than 3.6% and Tier 3 hospitals having an initial RCCP less than Tier 2; (e) the hospital-specific subsidy initially calculated in accordance with subsections a. and b. of section 3 of P.L.2004, c.113 for each eligible hospital shall be reduced by 5% for Tier 1 hospitals, 49% for Tier 2 hospitals and 89% for Tier 3 hospitals; (f) for each eligible hospital the difference shall be calculated between its initial calculated SFY 2010 charity care subsidy and its total SFY 2009 charity care allocation <u>including any reallocations</u> ;	HEA#20#22G:	
194 (5 of 6)	(g) if an eligible hospital's initial calculated SFY 2010 charity care subsidy is more than its total SFY 2009 amount <u>including any reallocations</u> , the hospital-specific subsidy calculation for each eligible hospital shall be its total SFY 2009 amount plus 50% of the difference calculated above; (h) if an eligible hospital's initial calculated SFY 2010 charity care subsidy is less than its total SFY 2009 amount <u>including any reallocations</u> , the hospital-specific subsidy calculation for each eligible	HEA#20#22G:	



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	<p>hospital shall be its total SFY 2009 amount <u>including any reallocations</u> minus 50% of the difference calculated above;</p> <p>(i) the hospital-specific subsidy for University of Medicine and Dentistry of New Jersey (UMDNJ) shall be equal to its total SFY 2009 amount <u>excluding any reallocations</u>;</p> <p>(j) if the hospital-specific subsidy calculated thus far for an eligible hospital is calculated to be more than 100% of its documented charity care for calendar year 2008, the hospital-specific subsidy for each hospital shall be reduced to 100% of its documented charity care; and</p>		
194 (6 of 6)	<p>(k) the hospital-specific subsidy for an eligible hospital assigned to Tier 3 shall be equal to 5% of its documented charity care for calendar year 2008.</p> <p>The resulting number will constitute each eligible hospital's SFY 2010 charity care subsidy allocation. A proportionate increase will be applied to all hospitals except UMDNJ and eligible hospitals assigned to Tier 3 if necessary such that the calculated SFY 2010 charity care subsidy allocation for all hospitals totaled shall not exceed \$605,000,000. Each eligible hospital's SFY 2010 charity care subsidy allocation as calculated above shall be reduced by one-twelfth for payments payable in SFY 2010. Each eligible hospital that received a SFY 2009 charity care subsidy allocation shall receive an amount payable in SFY 2010 equal to one-twelfth of its SFY 2009 charity care subsidy allocation, except for any hospital's SFY 2009 charity care subsidy allocation that was fully paid as calculated in SFY 2009.</p>	HEA#20#22G:	
65.1	<p>Language Appropriating \$500,000 from the Autism Medical Research and Treatment Fund for the Governor's Council for Medical Research and Treatment of Autism:</p> <p>HEA20#21D:  <u>Notwithstanding the provisions of any law to the contrary, there is appropriated \$500,000 from the Autism Medical Research and Treatment Fund for the operations of New Jersey's Autism Registry.</u></p>	HEA20#21D:	174
2001	<p>Directory Letter Authority for FQHCs:</p> <p>HEA20#21G:  <u>Upon a determination by the Commissioner of Health and Senior Services, made in consultation with the State Treasurer, that additional State funding is necessary to reimburse centers for services to uninsured clients, the Director of the Division of Budget and Accounting shall authorize the appropriation of such sums as the commissioner determines are necessary for grants to federally qualified health centers.</u></p>	HEA20#21G	126
188	<p>Language Deleting AIDS Drug Copays and Reallocating Transportation Cost Savings:</p> <p>HEA20#21G:</p>	HEA20#21G:	468

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	<p>[Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for the AIDS Drug Distribution Program shall be conditioned upon the following provision: the co-payment for recipients earning between 101% and 225% of the federal poverty level shall be \$6.00 per prescription; the co-payment for recipients earning between 226% and 320% of the federal poverty level shall be \$15.00 per prescription; the copayment for recipients earning above 320% of the federal poverty level shall be \$30.00 per prescription.]</p> <p><u>Of the amount hereinabove appropriated for AIDS Grants, savings realized from reduced transportation costs may be transferred to the AIDS Drug Distribution Program account, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>		
201	<p>Modifies Language Concerning Cancer Research Appropriations:  HEA20#21G:  From the amount hereinabove appropriated to Cancer Research, an amount up to \$10,000,000 is appropriated for competitive grants to be made by the New Jersey Commission on Cancer Research, for cancer research, <u>treatment and prevention</u>, provided that: (1) the award of such grants funds are made in consultation with the New Jersey Department of Health and Senior Services; (2) the notice of grant availability is published in the New Jersey Register; (3) not more than 5% of the total amount hereinabove appropriated may be transferred to various accounts as required, including Direct State Services accounts, and is appropriated for a comprehensive scientific peer review process, subject to the Director of the Division of Budget and Accounting; (4) funds are expended within this State and benefit New Jersey residents; and (5) the Department of Health and Senior Services shall execute the grant agreements and the New Jersey Commission on Cancer Research shall oversee and administer the grant agreements.</p>	HEA20#21G:	509
172	<p>Language Requiring Health Care Facilities to Participate in Planning Meetings Supervised by the Department of Health and Senior Services:  HEA20#22#4270G:  <u>The amounts hereinabove appropriated for Charity Care or other funding to a health care facility is conditioned upon the following requirement: such health care facility shall participate in planning meetings supervised by the Department of Health and Senior Services for the planning of the provision of hospital, medical or health programs and services, and shall, to the extent permitted by State and federal law, share patient</u></p>	HEA20#22#4270G:	377

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	<u>level data as needed to facilitate such purposes.</u>		
6.1	<p>Language Authorizing a Transfer of \$71,100,000 to the General Fund from the Revenues Collected from the Annual Assessment on Nursing Homes:  HEA20#26#4275G:  <u>Notwithstanding the provisions of P.L. 2004, c.41 (C.26:2H-93 et seq.), the State Treasurer shall transfer to the General Fund an amount not to exceed \$17,775,000 per quarter, or \$71,100,000 for the full fiscal year, from revenues collected from the annual assessment on nursing homes, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	HEA20#26#4275G:	167
78.1	<p>Language Limits Reimbursement from Medicaid Nursing Home Account for Therapeutic Days to High Occupancy Facilities, Reduces Reimbursement to 50%:  HEA20#26#4275G:  <u>Notwithstanding the provisions of any law or regulation to the contrary, payments from the Payments for Medical Assistance Recipients-Nursing Homes account shall be conditioned upon the following provisions: no funding shall be provided for therapeutic days at facilities with total occupancy rates of less than 90% as reported on each facility's latest cost report. Payment for therapeutic days at facilities with occupancy rates of 90% or greater shall be made at 50%.</u></p>	HEA20#26#4275G:	175
16	<p>Deletes Language Concerning Rates for Demonstration Adult Day Care Center Program -Alzheimer's Disease:  HEA20#26CRG:  [Notwithstanding the provisions of any other law or regulation to the contrary, persons receiving services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease may receive services if appropriate medical documentation is provided to the Department of Health and Senior Services to justify those expenditures. A medical day services provider that is providing services through the Demonstration Adult Day Care Center Program - Alzheimer's Disease shall be reimbursed at not less than 85% of the free-standing Adult Day Medical Medicaid day rate. A social day services provider that is providing services through the program shall be reimbursed at not less than 70% of the free-standing Adult Day Medical Medicaid day rate. A medical or social day services provider that is providing services through the program shall be reimbursed at not less than 70% of the free-standing Adult Day Medical Medicaid day rate. A medical or social day services provider that is providing services through the program shall not be subject to the 25% matching requirement set forth in section 3</p>	HEA20#26CRG:	168

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	<p>of P.L.1988, c.114 (C.26:2M-11) or the requirement to submit a cost proposal to the Department of Health and Senior Services as set forth in N.J.A.C.8:92-3.2. The Demonstration Adult Day Care Center Program - Alzheimer's Disease shall reimburse the agency the difference between the client copay and the agreed-upon rate. The Department of Health and Senior Services shall authorize enrollment of persons in the Demonstration Adult Day Care Center Program - Alzheimer's Disease for a maximum of three days per week. The Department shall not require participants in the program to pay for services provided through the program in excess of the amounts currently required under N.J.A.C.8:92-1.1 et seq. ]</p>		
23	<p>Modifies Language to Include Pharmacy Benefit Managers as Third Parties for Coordination of Benefits Programs in PAAD:  HEA20#26D:  Notwithstanding the provisions of any law or regulation to the contrary, <u>the amount hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program is subject to the following condition:</u> any third party, as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3.m.), <u>or in 42 U.S.C. 1396a(a)(25)(A), including but not limited to a pharmacy benefit manager,</u> writing health, casualty, or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Department of Health and Senior Services to permit and assist the matching of the Department of Health and Senior Services' program eligibility and/or adjudication claims files against that third party's eligibility and/or adjudicated claims files for the purpose of the coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.</p>	HEA20#26D:	169
187.1	<p>Language to Modify Per Diem Reimbursement Rates for Medical Day Care Services and to Clarify Other Conditions:  HEA20#26G:  Notwithstanding the provisions of any law or regulation to the contrary, amounts hereinabove appropriated for Medical Day Care Services shall be conditioned upon the following provision: the per diem reimbursement rate for all adult Medical Day Care providers, regardless of provider type, shall be set at <del>[\$70.00]</del> <u>\$78.50.</u></p> <p><u>Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Medical Day Care Services shall be conditioned on the following provision: physical therapy,</u></p>	HEA20#26G:	467

RES #	<b>FY 2010 APPROPRIATIONS ACT</b> <b>P.L.2009, c.68</b> <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b> <b>INCLUDING LINE-ITEM VETO CHANGES</b>	TABLE	CTR#
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	<u>occupational therapy and speech therapy shall no longer serve as a permissible criteria for eligibility in the adult Medical Day Care Program.</u>  <u>Notwithstanding the provisions of any law or regulation to the contrary, the amounts hereinabove appropriated for Medical Day Care Services shall be conditioned on the following provision: no licensed facility in the adult Medical Day Care Program may serve or receive reimbursement for more than 200 Medicaid beneficiaries per day. Furthermore, no reimbursement will be provided for any claim in excess of a given facility's licensed capacity as established by the Department of Health and Senior Services.</u>		
50	Language Allowing Administrative Costs Associated with the CATV Rebate Program to Be Charged Against the CATV Universal Access Fund: HEA20#26G: <u>In addition to the amounts hereinabove appropriated for the Pharmaceutical Assistance to the Aged and Disabled program, and notwithstanding the provisions of P.L.2006 c.83 (C.48:5A-30), there are appropriated from the CATV Universal Access Fund within the Department of the Treasury such sums as may be necessary to administer cable television rebate payments from the Fund, subject to the approval of the Director of the Division of Budget and Accounting.</u>	HEA20#26G:	171
<b>HUMAN SERVICES</b>			
132.1	Language Conditioning Appropriations for Support of Patients in County Psychiatric Hospitals on Medicaid Billing for Applicable Services under Federal Waiver Approval: HS20#23#7700S: <u>Subject to approval of an applicable federal waiver, the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals is conditioned upon the following provisions: County psychiatric hospitals shall (1) continue to maintain enrollment as providers in the State's Medicaid program, (2) bill the Medicaid program for all applicable services including those associated with the approved applicable federal waiver, and (3) neither admit nor discharge patients based upon Medicaid eligibility.</u>	HS20#23#7700S:	431
42.1 (1 of 2)	Adds Language Governing State Aid Payments In Support of Patients In County Psychiatric Hospitals and County Payments In Support of County Payments In Support of Patients in State Facilities: HSTOT: <u>Notwithstanding the provisions of R.S.30:4-78, or any law or regulation to the contrary, with respect to the</u>	HSTOT:	396

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	<p><u>amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals, from July 1, 2009 to December 31, 2009, the State shall pay to each county an amount equal to 37.5% of the total per capita costs <sup>1</sup> [paid by the counties]<sup>1</sup> for the reasonable cost of maintenance and clothing of county patients in State psychiatric facilities. Commencing January 1, 2010, the State shall pay to each county an amount equal to 35% of the total per capita costs <sup>1</sup> [paid by the counties]<sup>1</sup> for the reasonable cost of maintenance and clothing of county patients in State psychiatric facilities.</u></p> <p><i>Please Note Language Bracketed Above was Removed by Governor's Line-Item Veto</i></p>		
42.1 (2 of 2)	<p>Deletes Language Governing State Aid Payments In Support of Patients In County Psychiatric Hospitals and County Payments In Support of County Payments In Support of Patients in State Facilities:  HS20#23#7700S:  [Notwithstanding the provisions of any law or regulation to the contrary, the amount hereinabove appropriated for Support of Patients in County Psychiatric Hospitals is conditioned upon the following provision: the rate to be paid by the counties to the State on behalf of the maintenance of county patients in State psychiatric facilities and State facilities for the developmentally disabled and county patients receiving other residential functional services for the developmentally disabled shall be 50% of the actual reasonable per capita cost of maintenance of such patients, and during the period of July 1 through December 31 of each year, the State shall pay to each county an amount equal to 35% of the total per capita costs for the reasonable cost of maintenance and clothing of county patients in State psychiatric facilities for the period January 1 through December 31 of that year.]</p>	HS20#23#7700S:	395
35	<p>Language Clarifying the Definition of Third Party to Include Pharmacy Benefit Managers:  HS20#24#7540D:  Notwithstanding the provisions of any law or regulation to the contrary, any third party as defined in subsection m. of section 3 of P.L.1968, c.413 (C.30:4D-3), <u>or in 42 U.S.C. 1396a(a)(25)(A), including but not limited to a pharmacy benefit manager,</u> writing health, casualty, workers' compensation or malpractice insurance policies in the State or covering residents of this State, shall enter into an agreement with the Division of Medical Assistance and Health Services to permit and assist the matching no less frequently than on a monthly basis of the Medicaid, NJ FamilyCare, Charity Care, and Work First New Jersey General Assistance eligibility files and/or adjudicated claims files against that third party's eligibility file, including indication of coverage derived from the Medicare Prescription Drug, Improvement, and</p>	HS20#24#7540D:	182

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	<p>Modernization Act of 2003, and/or adjudicated claims file for the purpose of coordination of benefits, utilizing, if necessary, social security numbers as common identifiers.</p>		
1011	<p>Language Requiring Plan for NJ FamilyCare Outreach:            HS20#24#7540G:            Of the amount hereinabove appropriated for the NJ FamilyCare program, there shall be transferred to various accounts, including Direct State Services and State Aid accounts, such amounts, not to exceed \$9,000,000, as are necessary to pay for the administrative costs of the program, subject to the approval of the Director of the Division of Budget and Accounting. <u>Provided however, that no transfer shall be approved for the purpose of providing NJ FamilyCare outreach without an outreach plan approved as follows: No later than 30 days after the effective date of this act, the Department of Human Services shall submit to the Joint Budget Oversight Committee a plan for the expenditure of funds for outreach under the NJ FamilyCare Program from the amount transferred hereinabove. If the Joint Budget Oversight Committee does not disapprove of the plan within 10 days of receipt, the plan shall be deemed approved.</u></p>	HS20#24#7540G:	452
198	<p>Language clarifies the Capitated Dispensing Fees Paid to Pharmacies in Long-Term Care Facilities:            HS20#24#7540G:            Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated to the Payments for Medical Assistance Recipients-Prescription Drugs account, the capitated dispensing fee payments to providers of pharmaceutical services for residents of nursing facilities shall be adjusted to reflect the reduced prescription volume [dispensed to non-dual eligibles] <u>dispersed by Medicaid as a primary payer since the implementation of the Medicare Part D program; provided that subject to the execution of a signed agreement by all affected long term care pharmacies and the Division of Medical Assistance and Health Services and the payment by all affected long term care pharmacies pursuant to such agreement, the capitated dispensing fee payments to providers of pharmaceutical services for residents of nursing facilities shall be modified and paid at the per diem equivalent of the retail pharmacy rate for the average number of prescriptions filled when Medicaid is the primary payer.</u></p>	HS20#24#7540G:	502
38	<p>Language Allowing Electronic Income Verification to Determine Medicaid and NJ FamilyCare Eligibility:            HS20#24#7540G:  <u>Notwithstanding the provisions of subsection d. of section 5 of P.L.2005, c.156 (C.30:4J-12) or any other law or regulation to the contrary, the appropriations hereinabove for Medicaid and NJ FamilyCare are subject</u></p>	HS20#24#7540G:	333

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	<p><u>to the following condition: the Department of Human Services may determine eligibility for the Medicaid and NJ FamilyCare programs by verifying income through any means authorized by the Children's Health Insurance Program Reauthorization Act of 2009, Pub. L.111-3, including through electronic matching of data files provided that any consents if required under State or federal law for such matching are obtained.</u></p>		
40.1	<p>Modifies Language Concerning Workfirst New Jersey Copays:  HS50#53#7550G:  Notwithstanding the provisions of any law or regulation to the contrary, no funds hereinabove appropriated for before-school, after-school and summer "wrap around" child care shall be expended except in accordance with the following [conditions: (1) Effective September 1, 2009, families with incomes between 175% and 250% of the federal poverty level who reside in districts who received pre-school expansion aid in fiscal 2008 shall be subject to a co-payment for "wrap around" child care, based upon a schedule approved by the Department of Human Services and published in the New Jersey Register; and (2) Families earning] <u>condition: families with incomes</u> above 250% of the federal poverty level who reside in districts who received pre-school expansion aid in fiscal [2008] <u>2007</u> shall not be eligible for free "wrap around" child care.</p>	HS50#53#7550G:	490
99	<p>Language Authorizing an Increase of \$10,000,000 in support from the Workforce Development Fund for Job Training Services Provided by the Work First New Jersey Program:  HS50#53#7550G:  Notwithstanding any law <u>or regulation</u> to the contrary, in addition to the amounts hereinabove for the Work First New Jersey Support Services, an amount not to exceed [20,000,000] <u>\$30,000,000</u> 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.</p>	HS50#53#7550G:	203
2002 (2 of 2)	<p>Deleting Language Concerning Transfer of Appropriations Authority for Administrative Expenses of Governor's Council on Alcoholism and Drug Abuse From Department of Human :  HS50#55#7555D:  [Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the "Drug Enforcement and Demand Reduction Fund" such sums as may be required to provide for the administrative expenses of the Governor's Council on Alcoholism and Drug Abuse and for programs</p>	HS50#55#7555D:	494



RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	and grants to other agencies, subject to the approval of the Director of the Division of Budget and Accounting.]		
70	<p>Language Shifting Community Based Substance Abuse Treatment and Prevention Costs from State Appropriations to the Alcohol Education, Rehabilitation and Enforcement Fund:  HS50#55G:  Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Community Based Substance Abuse Treatment and Prevention - State Share, an amount not to exceed <b>[\$1,500,000] \$2,200,000</b> is appropriated from the unexpended balances of fees paid into the "Alcohol Education, Rehabilitation and Enforcement Fund" to support the Intoxicated Driving Program Unit.</p>	HS50#55G:	195
184	<p>Language Providing Group Homes with Carry Forward of Enhanced Federal Recoveries:  HSTOTG:  The unexpended balances at the end of the preceding fiscal year due to opportunities for increased recoveries in the Department of Human Services are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. These recoveries may be transferred to the Division of Developmental Disabilities for operating costs in the developmental centers <u>and to the Group Homes account</u>, subject to the approval of the Director of the Division of Budget and Accounting.</p>	HSTOTG:	482
161.1	<p>Language Eliminating Medicaid Prescription Drug Copays and Offsetting Up To \$4.6 Million from Prescription Drug Rebates:  HUM20#24#7540G:  <b>[In accordance with] Notwithstanding</b> the "Family Health Care Coverage Act," P.L.2005, c.156 (C.30:4J-8 et al.), rebates collected during the current fiscal year from the pharmaceutical manufacturing companies for prescription expenditures made to providers on behalf of General Assistance Medical Services clients are appropriated to NJ FamilyCare-Affordable and Accessible Health Coverage Benefits. <u>Rebates of an amount not to exceed \$4,597,000 may be transferred to Payments for Medical Assistance Recipients - Prescription Drugs, subject to the approval of the Division of Budget and Accounting.</u></p> <p><b>[Notwithstanding the provisions of any law or regulation to the contrary, and subject to the notice provisions of 42 CFR 447.205 where applicable, the appropriations hereinabove for Managed Care Initiative,</b></p>	HS20#24#7540G:	472

RES #	<p align="center"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, C.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
	<p>Payments to Medical Assistance Recipients-Prescription Drugs, and General Assistance Medical Services shall be subject to the following condition: all qualifying beneficiaries, in accordance with 42 CFR 447.53, of the Division of Medical Assistance and Health Services will be responsible for a \$2 co-payment per prescription drug. The maximum amount a beneficiary will be charged each month is \$10.]</p>		
<b>JUDICIARY</b>			
30	<p>Language Increasing the amount the Judiciary Can Carry Forward from \$3,000,000 to \$10,000,000 into fiscal year 2010:  JUDTOT:  The unexpended balances at the end of the preceding fiscal year not to exceed <del>[\$3,000,000]</del> <u>\$10,000,000</u> in these respective accounts are appropriated subject to the approval of the Director of the Division of Budget and Accounting.</p>	JUDTOT:	378
<b>LABOR</b>			
1012	<p>Language Concerning Allocation of Certain Education and Training Funds to Consortia:  LAB50#54G:  <u>Notwithstanding the provisions of any law or regulation to the contrary, the Department of Labor and Workforce Development shall consider consistent with applicable federal law a formal association of community based organizations to be a "local consortium" for the purposes of receiving funding for the delivery of English as a Second Language or Civics education/training.</u></p>	LAB50#54G:	453
197	<p>Deletes Language Allocating Supported Employment Services Funding:  LAB50#54G:  [Of the amounts hereinabove appropriated for Supported Employment Services, \$1,000,000 shall be expended consistent with the recommendations in the final report of the Governor's Task Force on Mental Health.]</p>	LAB50#54G:	495
<b>LAW AND PUBLIC SAFETY</b>			
28	Language Authorizing Use of Nicholson Foundation Grant as State Match for Second Chance Act Prisoner	LPS10#19D:	206

RES #	<b>FY 2010 APPROPRIATIONS ACT</b> <b>P.L.2009, c.68</b> <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b> <b>INCLUDING LINE-ITEM VETO CHANGES</b>	TABLE	CTR#
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	Reentry Initiative federal grant: LPS10#19D: <u>Notwithstanding the provisions of any law or regulation to the contrary, receipts from the Nicholson Foundation to support the State Match requirement of the Second Chance Act of 2007, Pub. L. 110-199, Prisoner Reentry Initiative Competitive Federal Grant Program, are appropriated to the Office of the Attorney General to operate the program, subject to the approval of the Director of the Division of Budget and Accounting.</u>		
25	Corrects Language for Reimbursement Concerning Legal Services: LPS70#74D: In addition to the <del>[\$57,374,853]</del> <u>\$65,637,000</u> attributable to Reimbursements from Other Sources and the corresponding additional amount associated with employee fringe benefit costs, there are appropriated such sums as may be received or receivable from any State agency, instrumentality or public authority for direct or indirect costs of legal services furnished thereto and attributable to a change in or the addition of a client agency agreement, subject to the approval of the Director of the Division of Budget and Accounting.	LPS70#74D:	205

**STATE**

151.5 (1 of 2)	Language Establishing Conditions Upon Appropriations to Senior Public Institutions of Higher Education: STA: <b>HIGHER ED SERVICES:</b> <u>Of the amounts hereinabove appropriated for senior public institutions of higher education, an amount up to 5.25% of the appropriation for each senior public institution of higher education shall be withheld until the institution certifies to the Director of the Division of Budget and Accounting in the Department of the Treasury that the institution has: 1) achieved or will achieve personnel related cost savings through wage freezes, furloughs, or other actions that provide savings equivalent to Fiscal Year 2010 savings that the negotiated self-directed furlough program for civilian State employees will achieve; 2) adopted travel policies that comply with executive branch travel restrictions for travel that is funded by State operating appropriations; 3) maintained institutional funding for Educational Opportunity Fund programs at the fiscal year 2009 levels; and 4) maintained institutional funding for the Education of Language Minority Students (ELMS) at the fiscal year 2009 levels. In the event that any institution cannot certify</u>	STA: <b>HIGHER ED SERVICES:</b>	474
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RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	<p><u>its compliance with this condition to the Director of the Division of Budget and Accounting in the Department of the Treasury by December 1, 2009, the appropriation withheld from that institution shall be reallocated to other public institutions of higher education by the State Treasurer based upon the recommendations of the Commission on Higher Education and the Director of the Division of Budget and Accounting in the Department of the Treasury.</u></p>		
110	<p>Language Eliminates Rutgers University Special Purpose Allocation for E3CO, Inc. and Reduces General Institutional Operations Appropriation:            STA30#36#2410G            Of the sums hereinabove appropriated for Rutgers, The State University, \$180,000 is appropriated for the Masters in Government Accounting Program, \$105,000 is appropriated for the Tomato Technology Transfer Program, \$95,000 is appropriated for the Haskin Shellfish Research Laboratory, \$200,000 is appropriated for the Camden Law School Clinical Legal Programs for the Poor, \$200,000 is appropriated for the Newark Law School Clinical Legal Programs for the Poor, \$740,000 is appropriated for the Civic Square Project-Debt Service, \$75,000 is appropriated for the Walter Rand Institute for Public Affairs, \$700,000 is appropriated for In Lieu of Taxes to New Brunswick, <u>and</u> \$500,000 is appropriated for capital projects or maintenance for Division of Intercollegiate Athletic facilities at Rutgers, New Brunswick[, and \$135,000 is appropriated for E3CO, Inc]. These accounts shall be considered special purpose appropriations for accounting and reporting purposes.</p>	STA30#36#2410G:	228
159.3	<p>Language Concerning UMDNJ's Affiliate Hospital Funding:            STA30#36#2420G:  <u>Of the amounts hereinabove appropriated for the University of Medicine and Dentistry of New Jersey, (i) there is allocated for Robert Wood Johnson Medical School--Camden for the purpose of faculty support of affiliate hospital (Cooper University Hospital) \$5,690,000; and (ii) there is allocated for Robert Wood Johnson Medical School--Camden for the purpose of affiliate hospital (Cooper University Hospital) support, including program and capital support that will benefit patients from Camden and the region \$10,607,000, which funds shall be administered by the Department of Health and Senior Services, through a grant agreement, on behalf of the University of Medicine and Dentistry of New Jersey.</u></p>	STA30#36#2420G:	388
111	<p>Deletes Administrative Allowance Language for Program for the Education of Language Minority Students:            STA30#36G:            An amount not to exceed 5% of the total hereinabove appropriated for Higher Education for Special Needs</p>	STA30#36G:	229

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, C.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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	<p>Students [and Program for the Education of Language Minority Students] is available for transfer to Direct State Services for the administrative expenses of [these programs] <u>this program</u>, subject to the approval of the Director of the Division of Budget and Accounting.</p>		
158.1 (1 of 3)	<p>Language Allocating \$500,000 for Appropriation to the Travel and Tourism Advertising and Promotion - Cooperative Marketing Program:            STA30#37D:  <u>Of the amount hereinabove appropriated for Travel and Tourism Advertising and Promotion, an amount not less than \$500,000 shall be allocated to the Travel and Tourism, Advertising and Promotion - Cooperative Marketing Program.</u></p>	STA30#37D:	338
158.1 (2 of 3)	<p>Language Allocating \$2,187,000 for Appropriation to the Newark Museum Association and Clarifying Regional Allocation Requirements:            STA30#37G:  <u>Of the amount hereinabove appropriated for Cultural Projects, an amount not less than \$2,187,000 shall be allocated to support the Newark Museum Association.</u></p> <p>Notwithstanding the provisions of any law or regulation to the contrary, of the amount appropriated for Cultural Projects, 25% shall be awarded to cultural groups or artists based in the eight southernmost counties (Cape May, Salem, Cumberland, Gloucester, Camden, Ocean, Atlantic, and Burlington). In the calculation of the allocation percentage, the first \$1,000,000 of any grants that may be awarded to the New Jersey Performing Arts Center or the Rutgers Camden Performing Arts Center, <u>and the first \$2,187,000 of any grants that may be awarded to the Newark Museum Association,</u> shall be disregarded.</p>	STA30#37G:	336
158.1 (3 of 3)	<p>Language Allocating \$13,000 for Appropriation for Grants in Afro-American History and Allocating \$405,000 for Appropriation to Save Ellis Island, Inc.:            STA30#37G:  <u>Of the amount hereinabove appropriated for New Jersey Historical Commission - Agency Grants, an amount not less than \$13,000 shall be used to fund Grants in Afro-American History, and an amount not less than \$405,000 shall be used to support Save Ellis Island, Inc.</u></p>	STA30#37G:	340

**TRANSPORTATION**

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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195	<p>Language Increasing Allocation of Contributions From Transportation-Oriented Authorities:            TRA60#61D:            Notwithstanding the provisions of any law or regulation to the contrary, of the amounts hereinabove appropriated for the Department of Transportation from the General Fund, [<del>\$12,500,000</del>] <u>\$20,500,000</u> thereof shall be paid from funds received or receivable from the various transportation-oriented authorities pursuant to contracts between the authorities and the State as are determined to be eligible for such funding pursuant to such contracts, as shall be determined by the Director of the Division of Budget and Accounting.</p>	TRA60#61D:	491
9	<p>Language Modifying Allocation of Funds from Transportation Capital Program for Private Carrier Capital Improvement Program:            TRA60#62C:            From the amounts appropriated from the revenues and other funds of the New Jersey Transportation Trust Fund Authority for the current fiscal year transportation capital program, the Commissioner of Transportation [<del>shall</del>] <u>may</u> allocate [<del>\$3,000,000</del>] <u>\$4,000,000</u> of the amount listed for the Private Carrier Equipment Program to NJ Transit's Private Carrier Capital Improvement Program (PCCIP). The amount provided herein shall be allocated to the private motorbus carriers consistent with the formula used to administer the PCCIP and shall be restricted to those carriers that currently qualify for participation in the PCCIP. These funds may be used for the procurement of any goods or services currently approved under NJ Transit's PCCIP, as well as: facility improvements, vehicle procurement, and capital maintenance that comports with subsection r. of section 3 of P.L.1984, c.73 (C.27:1B-3). Such maintenance and equipment procurements shall apply to vehicles owned by the private motorbus carriers and used in public transportation service, as well as to NJ Transit owned vehicles. Private motorbus carriers receiving an allocation of such funds shall be required to submit to NJ Transit a full accounting for all expenditures, demonstrating that the funds were used to increase or maintain the current level of public transportation service provided by the carrier or to improve revenue vehicle maintenance. Under no circumstances shall these funds be used to provide compensation of any officer or owner of a private motorbus carrier.</p>	TRA60#62C:	458

**TREASURY**

RES #	<p style="text-align: center;"><b>FY 2010 APPROPRIATIONS ACT</b>  <b>P.L.2009, c.68</b>  <b>FINAL LANGUAGE CHANGES FROM GOVERNOR'S ORIGINAL RECOMMENDATIONS</b>  <b>INCLUDING LINE-ITEM VETO CHANGES</b></p>	TABLE	CTR#
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119	<p>Language Modifying Appropriation for Operational Costs from the Supplemental Workforce Fund for Basic Skills:  TRE30#36S:  In addition to the amount hereinabove appropriated for operational costs, there is appropriated <b>[\$14,000,000]</b> <u>\$16,000,000</u> from the Supplemental Workforce Fund for Basic Skills for the same purpose.</p>	TRE30#36S:	257
150.2	<p>Language Appropriating Up to \$1,500,000 from the Retail Margin Fund to Pay the Administrative Costs Associated with Implementing the Combined Heat and Power Program:  TRE50#52D:  <u>Notwithstanding the provisions of P.L.2009, c.34 or any other law or regulation to the contrary, there is transferred to the Retail Margin Fund established pursuant to P.L.2009, c.34, any monies in the retail margin fund which was established to effectuate the provisions of P.L.1999, c.23 (C.48:3-49 et seq.), and there is hereby appropriated from the Retail Margin Fund established pursuant to P.L.2009, c.34, subject to the approval of the Director of the Division of Budget and Accounting, an amount not to exceed \$1,500,000 to the Board of Public Utilities to be used for the following purposes: (i) to fund the administrative costs of the Board of Public Utilities in administering the program established by P.L.2009, c.34 which administrative costs may include the costs of consultants engaged by the Board of Public Utilities to provide technical and other assistance for the program; and (ii) to fund the administrative costs of the New Jersey Economic Development Authority, including the costs of consultants engaged by the authority, to enable the authority to assist the Board of Public Utilities in administering the program pursuant to a memorandum of understanding to be entered into by the Board of Public Utilities and the authority.</u></p>	TRE50#52D:	258
2	<p>Language Authorizing Tax Amnesty Administration Carry Forward:  TRE70#73D:  <u>The unexpended balance at the end of the preceding fiscal year in the 2009 Tax Amnesty Program account is appropriated for the same purpose, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	TRE70#73D:	244
97	<p>Language Appropriating Rebates on Procurement Card Purchases:  TRE70#74D:  <u>In addition to the amount appropriated hereinabove to the Division of Purchase and Property, there are appropriated rebates on procurement card purchases for costs of the Division, subject to the approval of</u></p>	TRE70#74D:	256

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	<p style="text-align: center;"><u>the Director of the Division of Budget and Accounting.</u></p>		
77.2	<p>Language Eliminating Non-Senior Tenants from the Homestead Rebate Program in Fiscal 2010:  TRE70#75PG:  The amount hereinabove appropriated for the Homestead Property Tax Rebates for Tenants program shall be available to pay homestead rebates pursuant to the provisions of section 4 of P.L.1990, c.61 (C.54:4-8.60), except that, notwithstanding the provisions of that law to the contrary, residents who are not 65 years of age or older at the close of the tax year, or residents who are not allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1, [with gross income in excess of \$75,000 for tax year 2008] are excluded from the program[, residents with gross income of \$50,000 or less for tax year 2008 are eligible for rebates not to exceed \$80, and residents with gross income in excess of \$50,000 but not in excess of \$75,000 for tax year 2008 are eligible for rebates not to exceed \$54]; residents who are 65 years of age or older at the close of the tax year, or residents who are allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1, with gross income of \$70,000 or less are eligible for minimum rebates of \$160 and maximum rebates of \$860 for tax year 2008, and residents <u>who are 65 years of age or older at the close of the tax year, or residents who are allowed to claim a personal deduction as a blind or disabled taxpayer pursuant to subsection b. of N.J.S.54A:3-1</u> with gross income in excess of \$70,000 but not in excess of \$100,000 are eligible for rebates of \$160 for tax year 2008. If the amount hereinabove appropriated for the Homestead Property Tax Rebates for Tenants program is not sufficient, there is appropriated from the Property Tax Relief Fund such additional sums as may be required for payment of such rebates, subject to the approval of the Director of the Division of Budget and Accounting.</p>	TRE70#75PG:	250
146 (2 of 2)	<p>Directory Letter Authority for Highlands Protection Fund-Highlands Property Tax Stabilization Aid:  TRE70#75S:  <u>In addition to the amount hereinabove appropriated for Highlands Protection Fund - Highlands Property Tax Stabilization Aid, there is appropriated an amount not to exceed \$8,000,000, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	TRE70#75S:	318
2002 (1 of 2)	<p>Language Preserving Funding for Municipal Alliance Programs from the “Drug Enforcement and Demand Reduction Fund” and Transferring Certain Appropriations for Administrative Expenses of Governor's Council on Alcoholism and Drug Abuse to Department of the Treasury:</p>	TRE70#76D:	127



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	<p>TRE70#76D:  <u>From the amount appropriated from the “Drug Enforcement and Demand Reduction Fund” the total allocation to all counties for grants to Municipal Alliance Programs shall not be less than the total amount allocated in Fiscal Year 2009 and the method by which counties shall allocate the funds shall be the same as employed in Fiscal Year 2009.</u></p> <p><u>Notwithstanding the provisions of any law or regulation to the contrary, there are appropriated from the “Drug Enforcement and Demand Reduction Fund” such sums as may be required to provide for the administrative expenses of the Governor’s Council on Alcoholism and Drug Abuse and for programs and grants to other agencies, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>		
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**INTER-DEPARTMENTAL ACCOUNTS**

200	<p>Directory Letter Authority for Across the Board Adjustments as Required by Collective Bargaining Agreements:  IDA70#74#9430D  <u>In addition to the amount hereinabove appropriated for Salary Increases and Other Benefits, there are appropriated such sums as may be necessary for across the board increases as required by collective bargaining agreements, subject to the approval of the Director of the Division of Budget and Accounting</u>  <sup>1</sup><u>[and the Joint Budget Oversight Committee]</u><sup>1</sup>;  <i>Please Note Language Bracketed Above was Removed by Governor’s Line-Item Veto</i></p>	IDA70#74#9430D	512
1	<p>Language Appropriating Receipts for Rent Renegotiations:  IDA70#74D:  Notwithstanding the provisions of any law or regulation to the contrary, the Division of Property Management and Construction is empowered to renegotiate lease terms, provided that such renegotiations result in cost savings to the State for the current fiscal year and for the term of the lease. Any lease amendments made as a result of these renegotiations are subject to the review and approval of the State Leasing and Space Utilization Committee. <u>Receipts from such renegotiations are appropriated to the Property Rentals account to offset the cost of leases, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	IDA70#74D:	259

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116	<p>Language Appropriating \$7,000,000 from the Workers' Compensation Security Fund for State Workers' Compensation Claims:  IDA70#74D:  <u>In addition to the amount hereinabove appropriated for the Workers' Compensation Self Insurance Fund, there is appropriated \$7,000,000 from the Workers' Compensation Security Fund to offset the cost of workers' compensation claims.</u></p>	IDA70#74D:	265
95	<p>Language Appropriating \$30,000,000 from the Clean Energy Fund for State Energy Costs:  IDA70#74D:  <u>Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amount hereinabove appropriated for Fuel and Utilities, there is appropriated \$30,000,000 from the Clean Energy Fund for the cost of energy in State facilities.</u></p>	IDA70#74D:	260

**GENERAL PROVISIONS**

149.1 (1 of 6)	<p>Language Providing for Contingencies Attached to Federal Funding for State Energy Program:  Gen.Prov:  Notwithstanding the provisions of any law or regulation to the contrary, [in addition to the funds appropriated in the Fiscal Year 2009 Appropriations Act,] federal funds provided under the State Energy Program ("SEP") and the Energy Efficiency and Conservation Block Grant Program ("Block Grant Program"), pursuant to the American Recovery and Reinvestment Act, Pub.L. 111-5 ["ARRA"] and any other similar type of federal stimulus law which may be hereinafter enacted (collectively referred to as "ARRA"), are appropriated [(1) in an amount to be determined by the State Treasurer and approved by the Director of the Division of Budget and Accounting for the purposes of energy efficiency and renewable energy programs and projects in State facilities and county, municipal, and school district facilities, as approved by the Department of the Treasury, Office of Energy Savings; and (2) in an amount to be determined by the State Treasurer and approved by the Director of the Division of Budget and Accounting for energy efficiency and renewable energy programs and projects approved by the Board of Public Utilities, in consultation with the State Treasurer and the Department of the Treasury, Office of Energy Savings; provided further that the federal funds appropriated pursuant to subparagraph (2) may be transferred to the Clean Energy Fund upon the approval of the State Treasurer and the</p>	Gen.Prov:	387
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	<p><u>Director of the Division of Budget and Accounting]. Subject to the approval of the Director of the Division of Budget and Accounting as set forth below, such appropriations are to include the administrative costs of the respective agencies in administering the specified programs provided such use is consistent with ARRA and federal approvals. In the event that the administrative costs are not permitted to be paid from the ARRA monies received by the State, there is hereby appropriated from the Clean Energy Fund, subject to the approval of the Director of the Division of Budget and Accounting such sums as shall be necessary to pay for the administrative costs of the agencies administering the specified programs listed below. Notwithstanding the specific appropriations made below, in the event that the federal funds received under ARRA are not in their entirety or in part allocated to the specific purposes listed below, to permit flexibility in the handling of appropriations, amounts may be transferred to and from the various items of the appropriations listed below or may be used for such other purposes permitted under ARRA subject to the approval of the Director of the Division of Budget and Accounting and upon the recommendation of the State Treasurer.</u></p>		
149.1 (2 of 6)	<p>The federal funds provided pursuant to ARRA with respect to the [State Energy Program] SEP shall be used only for purposes allowed under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.), and the federal funds provided pursuant to ARRA with respect to [Energy Efficiency and Conservation Block Grants] the Block Grant Program shall be used only for implementation of programs authorized under subtitle E of title V of the Energy Independence and Security Act of 2007 (42 U.S.C. 17151 et seq.). With respect to all federal funds which are [transferred to the Clean Energy Fund hereunder,] appropriated pursuant to this provision, NJEDA, HMFA, the Office of Energy Savings and the [Board of Public Utilities] BPU shall prepare and timely submit to the United States Department of Energy the reports required under Pub.L. 111-5, Section 1512(c), including without limitation the detailed information required with respect to all projects or activities for which such federal funds were expended or obligated.</p>	Gen.Prov:	
149.1 (3 of 6)	<p><u>a. SEP. SEP monies received by the State under ARRA are hereby appropriated to the Clean Energy Fund and shall be allocated by the Board of Public Utilities ("BPU") as follows. The BPU shall enter into memoranda of understanding with the applicable agencies listed below which memoranda of understanding shall provide for the transfer of such monies to the applicable agencies for the purposes listed below. (1) \$15,000,000 to the New Jersey Economic Development Authority ("NJEDA") for a</u></p>	Gen.Prov:	

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	<p><u>grant and loan program to be developed and administered by the NJEDA to fund public and private renewable energy, energy efficiency and alternative energy projects, with applications prioritized based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy, and provide for innovative technology;</u></p>		
149.1 (4 of 6)	<p><u>(2) \$20,643,000 for a program to be developed and administered by the BPU for grants to State departments, agencies, authorities and public colleges and universities for renewable and energy efficiency projects at such entities, including but not limited to, wind, solar, or hydro energy, biofuels, geothermal, and energy storage applications, with applications prioritized by an interagency evaluation team consisting of one representative each from the BPU, NJEDA, Office of Economic Growth, Commission on Science and Technology, and the Office of Energy Savings, based on the ability to create jobs, reduce greenhouse gas emissions, save or create energy, and provide for innovative technology; (3) \$7,000,000 to the New Jersey Housing Mortgage Finance Agency ("HMFA") for a program to be developed and administered by the HMFA to provide financing for the construction of solar energy projects on qualified multi-family housing financed through the HMFA, such funds to be leveraged with existing State energy rebate programs and the federal investment tax credit, with grants prioritized based on the ability to create jobs, generate energy, provide benefits to property residents and to meet HMFA timeframes, and with HMFA retaining ownership of all related solar renewable energy certificates for the purpose of establishing a revolving fund to support additional solar energy projects at HMFA-supported residential properties;</u></p>	Gen.Prov:	
149.1 (5 of 6)	<p><u>(4) \$8,000,000 to the HMFA for a low-interest loan program to be developed and administered by the HMFA for energy efficiency upgrades at single-family and multi-family facilities that are at or below 250% of the area median income (the higher of statewide or county median income) based on a family of four, and affordable multi-family housing owners which meet HMFA's affordability requirements, and which are not eligible for equivalent financing programs offered by the utilities or the Clean Energy Program; (5) \$17,000,000 to the Clean Energy Program for energy efficiency programs administered by the BPU, to be issued to public and private entities on a first-come, first-served basis and specifically targeting customers who are either not currently eligible for Clean Energy Fund incentives or whose energy consumption patterns do not make them likely applicants; and</u></p>	Gen.Prov:	
149.1 (6 of 6)	<p><u>(6) \$6,000,000 to the Office of Energy Savings in the New Jersey Department of the Treasury for the purposes of energy efficiency and renewable energy programs and projects in State facilities, including</u></p>	Gen.Prov:	

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	<p><u>State offices, State health facilities and State prisons.</u></p> <p><u>b. Block Grant Program. Block Grant monies received by the State under ARRA are hereby appropriated as follows: (1) \$4,160,700 to the Office of Energy Savings in the New Jersey Department of the Treasury for the purposes of energy efficiency and renewable energy programs and projects in State facilities, including State offices, State health facilities and State prisons; and (2) \$10,240,000 to the BPU for grants to cities, counties and other local units of government which are not eligible to receive directly from the federal government funds under the Block Grant Program.</u></p>		
109.10	<p>Language Increasing Appropriation from the State Disability Benefits Fund to the General Fund:  GenProv:  There is appropriated [<del>\$50,000,000</del>] <u>\$75,000,000</u> from the State Disability Benefits Fund for transfer to the General Fund as State revenue.</p>	GenProv:	270
58	<p>Language Authorizing the Transfer of Funds from Tobacco Settlement Fund to General Fund:  GenProv:  <u>Notwithstanding the provisions of P.L.2000, c.12, or any law or regulation to the contrary, funds may be transferred from the Tobacco Settlement Fund to the General Fund during this fiscal year, which transfer amount shall be based upon the available balances in the Tobacco Settlement Fund, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	GenProv:	268
59	<p>Language Authorizing the Transfer of Enhanced Medicaid Match Funds Among Several Departments:  GenProv:  <u>In order to accurately report expenditures related to enhanced Title XIX Federal Medical Assistance Percentage included in the American Recovery and Reinvestment Act of 2009, State and federal funds appropriations may be transferred among the Department of Children and Families, Department of Health and Senior Services, and Department of Human Services to reflect the actual pattern of expenditures among the respective agencies involved, provided however that such transfers shall not increase the total appropriation of combined State and federal funds for any program, subject to the approval of the Director of the Division of Budget and Accounting.</u></p>	GenProv:	269
<b>FEDERAL FUNDS GENERAL PROVISIONS</b>			

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57	<p>Language Correcting Fiscal Year Reference in General Provision:  GenProv (federal):  Notwithstanding the provisions of any law or regulation to the contrary, in addition to the federal funds <u>hereinabove</u> appropriated [in the Fiscal Year 2009 Appropriations Act, P.L.2008, c.35], there are appropriated to the appropriate executive agencies, subject to the approval of the Director of the Division of Budget and Accounting, such additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program or any other similar federal program for the purposes, projects, and programs set forth in such law; provided, however, that if the federal law does not delineate the specific purposes, projects, and programs to be funded by the federal funds, the purposes, projects, and programs to be funded by the federal funds shall be subject to the approval of the Joint Budget Oversight Committee, and further provided, however, that the State Treasurer shall report to the President of the Senate, the Speaker of the General Assembly, the Chair of the Senate Budget and Appropriations Committee, and the Chair of the Assembly Budget Committee at least quarterly on the receipt and utilization of all additional federal funds received during this fiscal year pursuant to any federal law authorizing a federal economic stimulus program.</p>	Fed. GenProv:	267
151.5 (2 of 2)	<p>Language Establishing Conditions Upon Appropriations to Senior Public Institutions of Higher Education:  Fed.Gen.Prov.:  <u>The senior public institutions of higher education having expressed a commitment to limit tuition increases, the amounts hereinabove appropriated from federal economic stimulus funds for senior public institutions of higher education shall be withheld until the institution certifies to the Director of the Division of Budget and Accounting in the Department of the Treasury that the institution's increase in its in-state undergraduate 2009-10 tuition rates and required educational and general fees does not exceed 3% above the institution's in-state undergraduate 2008-09 tuition rates and required fees. In the event that any institution cannot certify its compliance with this condition to the Director of the Division of Budget and Accounting in the Department of the Treasury by December 1, 2009, the appropriation withheld shall be reallocated to other public institutions of higher education by the State Treasurer based upon the recommendations of the Commission on Higher Education and the Director of the Division of Budget and Accounting in the Department of the Treasury.</u></p>	Fed.Gen.Prov.:	493

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