

“Technology infrastructure” means video, voice, and data telecommunications equipment and networking with a life expectancy of at least 10 years, including future developments in multimedia equipment and networking. Only computer software that is part of the operating or data base management systems is considered part of technology infrastructure for the purpose of the Act; application software, for purposes such as word processing, spreadsheets, desktop publishing, and email, does not qualify as technology infrastructure.

9A:12-1.3 Project eligibility

(a)-(d) (No change.)

(e) For a project to be eligible to receive a grant, the institution must:
1.-3. (No change.)

4. Commit to paying one-third (1/3) of debt service on the bonds issued to fund the capital improvement project if a public institution and one-half (1/2) of debt service if a private institution.

9A:12-1.4 Grant applications

(a) Following approval by its governing board at a duly authorized meeting, an institution may apply to the Secretary for a grant from the capital improvement fund. The institution’s application shall include the following items:

1.-13. (No change.)

14. Any additional information the institution deems necessary to demonstrate how the institution’s proposed project meets the objectives identified at N.J.A.C. 9A:12-1.5(b);

15. Any information regarding the prioritization of deferred maintenance projects, including those supported by a review done by an outside facilities data analytics and planning company;

16. Documentation supporting the energy efficiency of the proposed project, including manufacturer information or engineer reports; and

17. (No change in text.)

(b)-(c) (No change.)

9A:12-1.5 Application review and approval process

(a) (No change.)

(b) In determining whether an application shall be approved for a grant, the Secretary shall consider the degree to which the proposed capital improvement project supports the following objectives:

Recodify existing 2. and 3. as 1. and 2. (No change in text.)

3. (No change in text.)

4. The cost-effectiveness of the project;

5. (No change in text.)

6. (No change in text.)

7. (No change in text.)

8. Directly addresses deferred maintenance concerns or projects that will mitigate the need for future maintenance; and

9. Any other information relating to a specific application that the Secretary may require.

(c) Preference will be given to projects that promote energy efficiency.

9A:12-1.6 Authorization process

(a)-(h) (No change.)

(i) In the event that an institution requires a modification to an approved project, a formal request must be sent to the Secretary prior to any action being taken by the institution, in order for the Secretary to evaluate the merits of the proposed project modification against the objectives set forth at N.J.A.C. 9A:12-1.5(b). The Secretary may exercise discretion to allow a grantee to modify its project if such modification is reasonable and consistent with the scope, objectives, purpose, and intent of the originally approved project and if such modification does not constitute a material change. Project modifications will be reviewed on a case-by-case basis and must be authorized under the terms and conditions of the grant agreement, tax certificate, and any other applicable bond documents. Material modifications to the grant agreement are prohibited. Additionally, the Secretary may, in a manner consistent with the allocations provided in the Act, allocate any balance in an approved grant to another approved grant of the same institution.

9A:12-1.7 Payment of principal and interest

(a) Each four-year public institution shall pay the Authority, or the bond trustee, if so directed by the Authority, one-third (1/3) and each four-

year private institution shall pay the Authority, or bond trustee, if so directed by the Authority, one-half (1/2) of the amount necessary to pay the principal and interest on the portion of bonds allocated to finance the capital improvement projects for the institution and in accordance with its grant agreement.

(b) If an institution fails or is unable to pay to the Authority in full, when due, any such obligation of an institution to the Authority, an amount sufficient to satisfy the deficiency shall be retained by the State Treasurer from State aid or any other State appropriation allotted to the institution. As used in this subsection, “obligation of an institution” means any amount payable by the institution for the principal and interest on the bonds, notes, or other obligations of the Authority issued to finance projects for the institution under this program. The Authority shall notify the State Treasurer of the amount to be retained to satisfy the obligation of each institution. A copy of such notification shall be submitted to the Secretary.

9A:12-1.8 Reporting requirements

(a) Each institution shall annually submit, by May 31st or such other date, as determined by the Secretary, a report to the Authority pursuant to and in accordance with the requirements set forth by the grant agreement.

(b) Each institution shall, whenever requested by the Authority, provide and certify, in a form satisfactory to the Authority, such information concerning the institution and the project, the operations and finances of the institution, and such other matters that the Authority considers to be necessary in order to enable the Authority to make any reports, including reports to the Secretary, which are required by any law or governmental regulations in connection with the bonds issued under the Act.

HUMAN SERVICES

(a)

DIVISION OF FAMILY DEVELOPMENT

Notice of Readoption

Organization of the Division of Family Development Readoption: N.J.A.C. 10:80

Authority: N.J.S.A. 30:1-12 and 52:14B-3.

Authorized By: Sarah Adelman, Acting Commissioner, Department of Human Services.

Effective Date: February 7, 2022.

New Expiration Date: February 7, 2029.

Take notice that the Department of Human Services (Department) hereby readopts N.J.A.C. 10:80. N.J.A.C. 10:80 provides a description of the organizational structure and operation of the Division of Family Development (“DFD” or “Division”). Pursuant to N.J.S.A. 52:14B-5.1, N.J.A.C. 10:80 was scheduled to expire on March 9, 2022. This organizational rule is being readopted to comply with N.J.S.A. 52:14B-3(1).

N.J.A.C. 10:80 is intended to inform the public about the existence of DFD, its organization, and the responsibilities delegated to the Division. The following is a summary of the subchapters of N.J.A.C. 10:80.

Subchapter 1 details the goals of DFD, indicating its leadership role in the administration of the programs it oversees as well as its responsibilities for oversight of those programs.

Subchapter 2 describes the leadership structure of DFD and lists those agencies responsible for administering DFD’s programs. Subchapter 2 also lists some of the information that DFD maintains on its website.

The Department has reviewed the rules and has determined them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated, therefore, in accordance with N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.