

P.L. 2000, CHAPTER 6, *approved March 23, 2000*  
Assembly, No. 760 (*First Reprint*)

1 **AN ACT** changing the name of the Interstate Sanitation Commission  
2 to the Interstate Environmental Commission and the Interstate  
3 Sanitation District to the Interstate Environmental District and  
4 <sup>1</sup>[making various revisions to] amending, supplementing and  
5 repealing parts of<sup>1</sup> the statutory law.

6  
7 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
8 *of New Jersey:*

9  
10 1. R.S.32:18-3 is amended to read as follows:

11  
12 ARTICLE II.

13  
14 1. To that end they do agree that there shall be created and they do  
15 hereby create a district to be known as the Interstate **[Sanitation]**  
16 Environmental District (hereinafter referred to as the district) which  
17 shall embrace the territory described as follows:

18 All the coastal, estuarial and tidal waters within or covering  
19 portions of the signatory states as follows:

20 a. In Connecticut, Long Island sound and estuaries and tidal waters  
21 thereof between the easterly side of New Haven harbor at Morgan  
22 Point and the Connecticut-New York state boundary, and the  
23 Housatonic river up to the northerly boundary lines of the towns of  
24 Stratford and Milford.

25 b. In New York, all of the tidal waters of greater New York city;  
26 including Kill van Kull and Arthur Kill, Long Island sound and the  
27 estuaries and tidal waters thereof between the New York city line and  
28 the New York-Connecticut state boundary and between the New York  
29 city line and the easterly side of Port Jefferson harbor; the Atlantic  
30 ocean and the estuaries and tidal waters thereof between the New  
31 York city line and the easterly side of Fire Island inlet; and the  
32 Hudson river and estuaries and tidal waters thereof between the New  
33 York and New Jersey state boundary and the northerly line of  
34 Rockland county on the westerly side and between the northerly line  
35 of New York city and the northerly line of Westchester county on the  
36 easterly side of the river.

37 c. In New Jersey, the Hudson river and New York upper bay and

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly ASH committee amendments adopted January 24, 2000.

1 estuaries and tidal waters thereof between the New York-New Jersey  
2 boundary and Constable Point on Constable Hook; the Kill van Kull  
3 and Arthur Kill to the mouths of the rivers entering into the Kills;  
4 Newark bay and the estuaries thereof up to the mouth of the Passaic  
5 river; and up to the mouth of the Hackensack river; Raritan bay  
6 together with the Raritan river up to the Victory bridge on said river  
7 between Perth Amboy and South Amboy; together with the  
8 Cheesequake creek up to the New York and Long Branch Railroad  
9 bridge on said creek at Morgan; together with the Matawan creek up  
10 to the New York and Long Branch Railroad bridge on said creek at  
11 Matawan; Sandy Hook bay; together with the Shrewsbury river up to  
12 the passenger railroad bridge between Navesink Light and Highland  
13 Beach on said river.

14 (cf: R.S.32:18-3)

15

16 2. R.S.32:18-4 is amended to read as follows:

17

18 ARTICLE III.

19

20 1. There is hereby created the Interstate [Sanitation]  
21 Environmental Commission (hereinafter referred to as the commission)  
22 which shall be a body corporate and politic, having the powers, duties  
23 and jurisdiction herein enumerated and such other and additional  
24 powers as shall be conferred upon it by the act or acts of a signatory  
25 state concurred in by the others and by the act or acts of congress  
26 when necessary.

27 (cf: R.S.32:18-4)

28

29 3. R.S.32:18-14 is amended to read as follows:

30

31 ARTICLE XIII.

32

33 1. Terms used in this compact are defined as follows:

34 "District" means the area more particularly described in article II  
35 of this compact.

36 "Commission" means the Interstate [Sanitation] Environmental  
37 Commission.

38 "Municipality" means any city, incorporated village, borough,  
39 county, town, township, district, or any municipality governed by an  
40 improvement commission, any joint sewer commission, or any other  
41 subdivision of any one of the signatory states, located within the  
42 district.

43 "Rule or regulation" means any rule or regulation established by the  
44 commission not inconsistent with the constitution of the United States  
45 or of any signatory state, promulgated by the commission touching the  
46 abatement of pollution of the waters of the district.

1 "Tidal waters" means all those waters which ebb and flow within  
2 the designated district.

3 "Dissolved oxygen" is the gaseous oxygen held in solution by the  
4 water at any given time. It is expressed as a percentage of the  
5 maximum amount of oxygen that would be required to saturate the  
6 water under the existing conditions of temperature and salinity.

7 "Pollution" is any foreign matter which renders waters unfit to  
8 sustain fish life and unsatisfactory for bathing.

9 "Sewage effluent" means the treated sewage discharged from a  
10 treatment plant.

11 "Suspended solids" means those solid particles carried in suspension  
12 in the untreated sewage or sewage effluent.

13 "Entity" means any organization or association owning, controlling  
14 or operating a sewerage system or treatment plant within a  
15 municipality.

16 (cf: R.S.32:18-14)

17

18 4. R.S.32:19-1 is amended to read as follows:

19 32:19-1. The Governor shall, by and with the advice and consent  
20 of the Senate, appoint three commissioners to the Interstate  
21 **[Sanitation] Environmental** Commission created by the agreement or  
22 compact between the States of New York and New Jersey and  
23 Connecticut, each of whom shall be a resident voter of the State of  
24 New Jersey. The Commissioner of Environmental Protection and the  
25 Commissioner of Health shall serve as commissioners ex officio, and  
26 may designate a representative of their respective departments to  
27 represent them at all meetings, hearings and proceedings of the  
28 Interstate **[Sanitation] Environmental** Commission with full power to  
29 vote and act on their respective behalf. In the event that either the  
30 Commissioner of Environmental Protection or the Commissioner of  
31 Health shall not qualify in accordance with the provisions of the  
32 compact, said commissioner shall designate a representative of his  
33 respective department to serve as an Interstate **[Sanitation]**  
34 **Environmental** Commissioner until such time as the commissioner ex  
35 officio shall qualify.

36 Each appointive commissioner shall hold office, for a term of  
37 5 years or until his successor has been appointed and qualified. At the  
38 expiration of the term of each appointive commissioner, the Governor  
39 shall, by and with the advice and consent of the Senate, appoint a  
40 successor who shall hold office for a term of 5 years or until his  
41 successor has been appointed and qualified. In the event of a vacancy  
42 occurring in the office of an appointive commissioner by death,  
43 resignation or otherwise, the Governor shall, by and with the advice  
44 and consent of the Senate, appoint his successor, who shall hold office  
45 for the unexpired term. Any commissioner may be removed upon  
46 charges and after hearing by the Governor. The commissioners shall

1 have the powers and duties and be subject to the limitations provided  
2 for in the compact and agreement entered into between the signatory  
3 States and laws adopted by said States, and together with five  
4 commissioners from the States of New York and Connecticut shall  
5 form the Interstate **[Sanitation]** Environmental Commission. The  
6 commissioners shall serve without compensation, but shall be paid  
7 their actual expenses incurred and incident to the performance of their  
8 duties.

9 (cf: P.L.1971, c.106, s.1)

10  
11 5. R.S.32:19-3 is amended to read as follows:

12 32:19-3. The commission shall have power to make rules,  
13 regulations and orders with regard to the pollution of all the coastal,  
14 estuarial and tidal waters within or covering portions of the signatory  
15 states as follows:

16 a. In Connecticut, Long Island sound and estuaries and tidal waters  
17 thereof between the easterly side of New Haven harbor at Morgan  
18 Point and the Connecticut-New York state boundary, and the  
19 Housatonic river up to the northerly boundary lines of the towns of  
20 Stratford and Milford.

21 b. In New York, all of the tidal waters of greater New York city,  
22 including the Kill van Kull and the Arthur Kill, Long Island sound and  
23 the estuaries and tidal waters thereof between the New York city line  
24 and the New York-Connecticut state boundary and between the New  
25 York city line and the easterly side of Port Jefferson harbor; the  
26 Atlantic ocean and the estuaries and tidal waters thereof between the  
27 New York city line and the easterly side of Fire Island inlet; and the  
28 Hudson river and estuaries and tidal waters thereof between the New  
29 York and New Jersey state boundary and the northerly line of  
30 Rockland county, on the westerly side, and between the northerly line  
31 of New York city and the northerly line of Westchester county on the  
32 easterly side of the river.

33 c. In New Jersey, the Hudson river and New York upper bay and  
34 estuaries and tidal waters thereof between the New York-New Jersey  
35 boundary and Constable Point on Constable Hook; the Kill van Kull  
36 and Arthur Kill to the mouths of the rivers entering into the Kills;  
37 Newark bay and the estuaries thereof up to the mouth of the Passaic  
38 river; and up to the mouth of the Hackensack river; Raritan bay  
39 together with the Raritan river up to the Victory bridge on said river  
40 between Perth Amboy and South Amboy; together with the  
41 Cheesequake creek up to the New York and Long Branch Railroad  
42 bridge on said creek at Morgan; together with the Matawan creek up  
43 to the New York and Long Branch Railroad bridge on said creek at  
44 Matawan; Sandy Hook bay; together with the Shrewsbury river up to  
45 the passenger railroad bridge, between Navesink Light and Highland  
46 Beach on said river; and shall have power to investigate and determine

1 if the requirements of the compact and/or the orders of the commission  
2 are complied with and to bring action in its own name in the proper  
3 court or courts to compel the enforcement of any and all provisions of  
4 the compact and the orders of the commission pursuant thereto or  
5 pursuant to laws; and to conduct investigations, inquiries or hearings  
6 at such place or places, and at such times as it shall appoint. Such  
7 investigations, inquiries or hearings may be held by or before one or  
8 more of the commissioners, or by or before any person or persons  
9 appointed as its representative and when ratified, approved or  
10 confirmed by the Interstate [Sanitation] Environmental Commission,  
11 his or their action shall be and be deemed to be the investigation,  
12 inquiry or hearing of the Interstate [Sanitation] Environmental  
13 Commission. All state and municipal departments, commissions,  
14 boards and bodies having to do with the waters of the state shall  
15 co-operate with the commission and shall furnish to the commission  
16 such information as the commission shall request, touching the  
17 pollution or the elimination thereof, of the waters of the district.  
18 (cf: R.S.32:19-3)

19

20 6. R.S.32:19-4 is amended to read as follows:

21 32:19-4. Whenever the Interstate [Sanitation] Environmental  
22 Commission shall be of the opinion that any person, association or  
23 corporation, municipal or otherwise, within the district is failing or  
24 omitting, or about to fail or omit to do anything required of it by its  
25 order or by the laws governing the control or elimination of pollution  
26 of the waters of the district, or is doing or is about to do anything or  
27 permitting or about to permit anything to be done contrary to or in  
28 violation of such orders or such laws or the provisions of the compact,  
29 it may direct its legal representative to commence an action or a  
30 proceeding in lieu of prerogative writ in the name of the Interstate  
31 [Sanitation] Environmental Commission in the Superior Court for the  
32 purpose of preventing the continuance of such violations or threatened  
33 violations either by injunctive or other relief. The court shall have  
34 jurisdiction to hear and determine such action or proceeding upon the  
35 merits and grant such relief as may be appropriate.  
36 (cf: P.L.1953, c.31, s.19)

37

38 7. R.S.32:19-5 is amended to read as follows:

39 32:19-5. Any powers herein granted to the Interstate [Sanitation]  
40 Environmental Commission shall be regarded as in aid of and  
41 supplemental to and in no case a limitation upon any of the powers  
42 vested in said commission by the states of New York and New Jersey  
43 and/or by congress or the terms of the compact.  
44 (cf: R.S.32:19-5)

45

46 8. R.S.32:19-10 is amended to read as follows:

1 32:19-10. The Director of the Division of Budget and Accounting  
2 in the New Jersey Department of the Treasury and the comptroller of  
3 each of the other signatory states [is] are hereby authorized and  
4 empowered from time to time to examine the accounts and books of  
5 the Interstate [Sanitation] Environmental Commission, including its  
6 receipts, disbursements and such other items referring to its financial  
7 standing as [such] the director or comptroller may deem proper, and  
8 to report the results of such examination to the governor of [such] the  
9 appropriate state.

10 (cf: R.S.32:19-10)

11  
12 9. Section 1 of P.L.1961, c.105 (C.32:19A-1) is amended to read  
13 as follows:

14 1. In addition to the powers, duties and functions now provided by  
15 law, the Interstate [Sanitation] Environmental Commission shall have  
16 authority to engage in activities with respect to interstate air pollution  
17 problems between the States of New York and New Jersey as follows:

- 18 a. To conduct studies;
- 19 b. To undertake research, testing and development;
- 20 c. To gather, exchange and disseminate information with and among  
21 public or private bodies, persons or organizations and to co-operate  
22 with any of them in solving air pollution problems;
- 23 d. To take samplings and to trace sources of air pollutants;
- 24 e. To refer complaints to an appropriate enforcement agency or  
25 agencies of the States in which the sources are located and to which  
26 air pollutants are carried, along with such data and information as it  
27 may have obtained with respect to the nature, characteristics, source,  
28 path and effect of air pollutants; and
- 29 f. Make recommendations and reports to the Governors and  
30 Legislatures of the participating States.

31 (cf: P.L.1961, c.105, s.1)

32  
33 10. Section 2 of P.L.1961, c.105 (C.32:19A-2) is amended to read  
34 as follows:

35 2. The primary effort of the Interstate [Sanitation] Environmental  
36 Commission under this act shall be directed to air contaminant solids,  
37 liquids or gases which are toxic, disagreeable or irritant, or which are  
38 destructive.

39 (cf: P.L.1961, c.105, s.2)

40  
41 11. Section 3 of P.L.1961, c.105 (C.32:19A-3) is amended to read  
42 as follows:

43 3. In carrying out its functions under this act, the Interstate  
44 [Sanitation] Environmental Commission shall make use of the  
45 services, facilities and information of existing State, [Local] local and

1   **[Federal]** federal agencies wherever feasible and available.

2   (cf: P.L.1961, c.105, s.3)

3

4       12. Section 4 of P.L.1961, c.105 (C.32:19A-4) is amended to read  
5 as follows:

6       4. In furtherance of the purposes of this act, the Interstate  
7 **[Sanitation]** Environmental Commission is empowered to accept  
8 moneys, property and other donations or gifts from any person  
9 whatever, whether public, private or governmental, real or artificial.

10   (cf: P.L.1961, c.105, s.4)

11

12       13. Section 5 of P.L.1961, c.105 (C.32:19A-5) is amended to read  
13 as follows:

14       5. No trade secret or secret process shall be inquired into by the  
15 Interstate **[Sanitation]** Environmental Commission under this act,  
16 whether with respect to **[1]** one or more of the substances or **[1]** one  
17 or more of the processes, operations, techniques or devices used in  
18 connection therewith, and whenever a trade secret or secret process  
19 is involved, the activity under this act shall be limited to the  
20 identification of the device or facility from which the effluent  
21 discharged into the outer air derives, and the nature, rate and period  
22 of emission of such effluent.

23       All information obtained from any sampling, tracing or other  
24 specific inquiry performed under this act shall be kept and maintained  
25 as a confidential disclosure and, except as may be essential for the  
26 purpose of referring a complaint to an appropriate enforcement agency  
27 and of any enforcement proceeding by or before any such agency, shall  
28 not be disclosed or published in any way other than such as will not  
29 identify a given substance, process, operation, technique or device  
30 with the physical location or identity of the source plant or facility, or  
31 with the product made or service performed, or with the person or  
32 persons using the same.

33       A printed copy of the provisions of this section shall be furnished  
34 on request to any person furnishing information to the Interstate  
35 **[Sanitation]** Environmental Commission and, in case of an inquiry at  
36 a plant or facility, to the person then in charge of the same.

37   (cf: P.L.1961, c.105, s.5)

38

39       14. Section 6 of P.L.1961, c.105 (C.32:19A-6) is amended to read  
40 as follows:

41       6. So long as the activities conducted pursuant to this act are  
42 limited to the States of New York and New Jersey, all of the costs and  
43 expenses of the same, direct and indirect, shall be met, within the  
44 limits of available appropriations therefor, by said **[2]** two States in  
45 equal shares and all actions of the Interstate **[Sanitation]**  
46 Environmental Commission with respect to such activities shall be

1 governed solely by the commissioners from the States of New York  
2 and New Jersey, with like effect as though the State of Connecticut  
3 were not a participant of said commission, and for this purpose the  
4 commission shall establish administratively a separate Division on  
5 Interstate Air Pollution, and maintain separate financial accounts to  
6 reflect its direct and allocated costs and expenses; provided, however,  
7 that the full commission, including the members representing the State  
8 of Connecticut, shall rule on all matters touching the accounting  
9 systems to be used and the charging and allocation of costs and  
10 expenses.

11 (cf: P.L.1961, c.105, s.6)

12

13 15. Section 36 of P.L.1946, c.138 (C.40:14A-36) is amended to  
14 read as follows:

15 36. Nothing herein contained shall in any way affect or limit the  
16 jurisdiction or rights of the State Department of Health, Interstate  
17 **[Sanitation]** Environmental Commission, **[Interstate Commission on**  
18 **the]** Delaware River Basin Commission or Passaic Valley Sewerage  
19 Commissioners; or impair the obligations assumed by any municipality  
20 included in any district created under this act in any contract made  
21 prior to the creation of such district, with one or more other  
22 municipalities or with the Passaic Valley Sewerage Commissioners.  
23 (cf: P.L.1946, c.138, s.36)

24

25 16. Section 68 of P.L.1957, c.183 (C.40:14B-68) is amended to  
26 read as follows:

27 68. This act shall be construed liberally to effectuate the legislative  
28 intent and as complete and independent authority for the performance  
29 of each and every act and thing herein authorized, and a municipal  
30 authority shall not be subject to regulation as to its service charges by  
31 any other officer, board, agency, commission or other office of the  
32 State, or constitute a municipality or agency or component of a  
33 municipality subject to, any provisions of Title 40 of the Revised  
34 Statutes and of Title 40A of the New Jersey Statutes, except  
35 P.L.1971, c.198 "Local Public Contracts Law" (C.40A:11-1 et seq.);  
36 provided, however, that nothing contained in this act shall in any way  
37 affect or limit the jurisdiction, powers or rights of the State  
38 Department of Health, Interstate **[Sanitation]** Environmental  
39 Commission, **[Interstate Commission on the]** Delaware River Basin  
40 Commission, Water Policy and Supply Council of the Department of  
41 **[Conservation and Economic Development]** Environmental  
42 Protection, North Jersey District Water Supply Commission, Passaic  
43 Valley Sewerage Commissioners, or Passaic Valley Water  
44 Commission, or impair the obligations assumed by any municipality  
45 included in any district in any contract made prior to the creation of  
46 such district with any sewerage authority or any county sewer



1 authority or with one or more other municipalities or with the Passaic  
2 Valley Sewerage Commissioners or with the North Jersey District  
3 Water Supply Commission.

4 (cf: P.L.1975, c.96, s.5)

5  
6 17. Section 73 of P.L.1954, c.84 (C.43:15A-73) is amended to  
7 read as follows:

8 73. a. The Public Employees' Retirement System is hereby  
9 authorized and directed to enroll eligible employees of the New Jersey  
10 Turnpike Authority, the New Jersey Highway Authority, Palisades  
11 Interstate Park Commission, Interstate [Sanitation] Environmental  
12 Commission, the Delaware River Basin Commission and the Delaware  
13 River Joint Toll Bridge Commission.

14 In the case of the Delaware River Joint Toll Bridge Commission,  
15 the eligible employees shall be only those who are employed on the  
16 free bridges across the Delaware river, under the control of said  
17 commission, or who are members of the retirement system at the time  
18 they begin employment with the commission.

19 The said employees shall be subject to the same membership,  
20 contribution and benefit provisions of the retirement system as State  
21 employees.

22 b. The State University of New Jersey, as an instrumentality of the  
23 State, shall, for all purposes of this act, be deemed an employer and its  
24 eligible employees, both veterans and nonveterans, shall be subject to  
25 the same membership, contribution and benefit provisions of the  
26 retirement system and to the provisions of chapter 3 of Title 43 of the  
27 Revised Statutes as are applicable to State employees and for all  
28 purposes of this act employment by the State University of New Jersey  
29 after April 16, 1945, and for the purposes of chapter 3 of Title 43 of  
30 the Revised Statutes any new employment after January 1, 1955, shall  
31 be deemed to be and shall be construed as service to and employment  
32 by the State of New Jersey.

33 c. The Compensation Rating and Inspection Bureau, created and  
34 established pursuant to the provisions of R.S.34:15-89, shall, for all  
35 purposes of this act, be deemed an employer and its eligible  
36 employees, both veterans and nonveterans, shall be subject to the same  
37 membership, contribution and benefit provisions of the retirement  
38 system and to the provisions of chapter 3 of Title 43 of the Revised  
39 Statutes as both are applicable to State employees.

40 The retirement system shall certify to the Commissioner of Banking  
41 and Insurance and the Commissioner of Banking and Insurance shall  
42 direct the Compensation Rating and Inspection Bureau to provide the  
43 necessary payments to the retirement system in accordance with  
44 procedures established by the retirement system. Such payments shall  
45 include (1) the contributions and charges, similar to those paid by  
46 other public agency employers, to be paid by the Compensation Rating

1 and Inspection Bureau to the retirement system on behalf of its  
2 employee members, and (2) the contributions to be paid by the  
3 Compensation Rating and Inspection Bureau to provide the past  
4 service credits up to June 30, 1965 for these members, both veterans  
5 and nonveterans, who enroll before July 1, 1966.

6 d. The New Jersey Sports and Exposition Authority, created and  
7 established pursuant to the "New Jersey Sports and Exposition  
8 Authority Law," P.L.1971, c.137 (C.5:10-1 et seq.) shall for all  
9 purposes of this act, be deemed an employer and its eligible employees  
10 both veterans and nonveterans, shall be subject to the same  
11 membership, contribution and benefit provisions of the retirement  
12 system and to the provisions of chapter 3 of Title 43 of the Revised  
13 Statutes as are applicable to State employees.

14 (1) Eligible employees as used herein shall not include persons who  
15 are not classified as salaried, or who are compensated on an hourly or  
16 per diem basis, or whose employment is normally covered by other  
17 retirement systems to which the authority makes contributions.

18 (2) Eligible employees previously permitted to enroll in the  
19 retirement system shall redeposit the contributions previously made by  
20 them and all service credit shall then be restored and future  
21 contributions made at the date of contribution as originally assigned.  
22 The authority shall redeposit the employer payments it had made, with  
23 interest to the date of redeposit.

24 e. The New Jersey Transit Corporation created and established  
25 pursuant to the "New Jersey Public Transportation Act of 1979,"  
26 P.L.1979, c.150 (C.27:25-1 et seq.) shall for all purposes of this act,  
27 be deemed an employer and its eligible employees both veterans and  
28 nonveterans, shall be subject to the same membership, contribution and  
29 benefit provisions of the retirement system and to the provisions of  
30 chapter 3 of Title 43 of the Revised Statutes as are applicable to State  
31 employees. Eligible employees as used herein means only those  
32 individuals who are members of the Public Employees' Retirement  
33 System or any other State-administered retirement system immediately  
34 prior to their initial employment by the corporation.

35 f. (1) The Casino Reinvestment Development Authority, created  
36 and established pursuant to P.L.1984, c.218 (C.5:12-153 et seq.), the  
37 New Jersey Urban Development Corporation, created and established  
38 pursuant to P.L.1985, c.227 (C.55:19-1 et seq.), the South Jersey  
39 Food Distribution Authority, created and established pursuant to  
40 P.L.1985, c.383 (C.4:26-1 et seq.), the New Jersey Development  
41 Authority for Small Businesses, Minorities and Women's Enterprises,  
42 created and established pursuant to P.L.1985, c.386 (C.34:1B-47 et  
43 seq.), and the Catastrophic Illness in Children Relief Fund  
44 Commission, created and established pursuant to P.L.1987, c.370  
45 (C.26:2-148 et seq.) shall each, for all purposes of this act, be deemed  
46 an employer and eligible authority, corporation, or commission.

1 Employees, both veterans and nonveterans, shall be subject to the  
2 same membership, contribution and benefit provisions of the  
3 retirement system and to the provisions of chapter 3 of Title 43 of the  
4 Revised Statutes as are applicable to State employees.

5 (2) The current or former employees of the authorities, the  
6 corporation, and the commission may purchase credit for all service  
7 with the authority, corporation, or commission rendered prior to the  
8 effective date of this amendatory and supplementary act, P.L.1990,  
9 c.25 (C.43:15A-73.2 et al.), if that service would otherwise be eligible  
10 for credit in the retirement system. This purchase shall be made in the  
11 same manner and shall be subject to the same terms and conditions  
12 provided for the purchase of previous membership service by section  
13 8 of P.L.1954, c.84 (C.43:15A-8). The authority, corporation, or  
14 commission shall pay the unfunded liability as determined by the  
15 actuary for prior service purchased by its employees in accordance  
16 with a schedule approved by the actuary. This obligation of the  
17 authority, corporation, or commission shall be known as the accrued  
18 liability for prior service credit.

19 (3) For any employee of the authorities or of the corporation or  
20 commission who is in service with the authority, corporation, or  
21 commission on the effective date of this amendatory and  
22 supplementary act, P.L.1990, c.25 (C.43:15A-73.2 et al.), the age of  
23 enrollment for the purposes of the member contribution rate under  
24 section 25 of P.L.1954, c.84 (C.43:15A-25) shall be the age of the  
25 employee on the date the continuous service with the authority began.  
26 Any employee who was a member of the retirement system on the date  
27 continuous service with the authority, corporation, or commission  
28 began but whose membership expired before the effective date of  
29 participation by the authority, corporation, or commission in the  
30 retirement system, and who has not withdrawn the employee  
31 contributions from the system, shall participate in the retirement  
32 system under the former membership and shall contribute to the system  
33 at the rate applicable to the former membership.

34 g. A subsidiary corporation or other corporation established by the  
35 Delaware River Port Authority pursuant to subdivision (m) of Article  
36 I of the compact creating the authority (R.S.32:3-2), as defined in  
37 section 3 of P.L.1997, c.150 (C.34:1B-146), shall, for all purposes of  
38 this act, be deemed an employer and its eligible employees, both  
39 veterans and nonveterans, shall be subject to the same membership,  
40 contribution and benefit provisions of the retirement system and to the  
41 provisions of chapter 3 of Title 43 of the Revised Statutes as are  
42 applicable to State employees. Employees of the subsidiary or other  
43 corporation eligible for participation in the retirement system under  
44 this subsection shall include only persons who are employees of the  
45 South Jersey Port Corporation on the effective date of P.L.1997,  
46 c.150 (C.34:1B-144 et al.) and are re-employed by the subsidiary or

1 other corporation within 365 days of the effective date.

2 (cf: P.L.1997, c.150, s.24)

3  
4 18. Section 3 of P.L.1964, c.125 (C.52:14-17.34) is amended to  
5 read as follows:

6 3. In order that the New Jersey State Health Benefits Program Act  
7 may be extended to include other public and school employees,  
8 participation by counties, municipalities, school districts, public  
9 agencies or organizations as defined in section 71 of P.L.1954, c. 84  
10 (C.43:15A-71), including the New Jersey Turnpike Authority, the  
11 New Jersey Highway Authority, the Interstate [Sanitation]  
12 Environmental Commission, the Delaware River Basin Commission,  
13 New Jersey Housing and Mortgage Finance Agency, New Jersey  
14 Educational Facilities Authority, Hackensack Meadowlands  
15 Development Commission and the Compensation Rating and  
16 Inspection Bureau, hereinafter defined as employers, is hereby  
17 authorized.

18 (cf: P.L.1972, c.75, s.8)

19  
20 19. Section 4 of P.L.1964, c.25 (C.52:14-17.35) is amended to  
21 read as follows:

22 4. As used in this act and in the act to which this act is a  
23 supplement:

24 (a) The term "employer" means a county, municipality, school  
25 district, public agency or organization as defined in section 71 of  
26 P.L.1954, c.84 (C.43:15A-71), including the New Jersey Turnpike  
27 Authority, the New Jersey Highway Authority, the Interstate  
28 [Sanitation] Environmental Commission, the Delaware River Basin  
29 Commission, New Jersey Housing and Mortgage Finance Agency,  
30 New Jersey Educational Facilities Authority, Hackensack  
31 Meadowlands Development Commission and the Compensation Rating  
32 and Inspection Bureau. The term "employer" shall include a subsidiary  
33 corporation or other corporation established by the Delaware River  
34 Port Authority pursuant to subdivision (m) of Article I of the compact  
35 creating the authority (R.S.32:3-2), as defined in section 3 of  
36 P.L.1997, c.150 (C.34:1B-146), except that only persons who are  
37 employees of the South Jersey Port Corporation on the effective date  
38 of P.L.1997, c.150 (C.34:1B-144 et al.) and are re-employed by the  
39 subsidiary or other corporation within 365 days of the effective date  
40 are eligible to participate in the program.

41 (b) The term "State Treasury" means the State agency responsible  
42 for the administration of the New Jersey State Health Benefits  
43 Program Act which is to be located in the Division of Pensions and  
44 Benefits in the Department of the Treasury.

45 (cf: P.L.1997, c.150, s.26)

1       20. (New section) On and after the effective date of this act,  
2 reference in any law, contract or document to the "Interstate  
3 Sanitation District" or the "Interstate Sanitation Commission" shall be  
4 deemed to mean and refer to the "Interstate Environmental District"  
5 or the "Interstate Environmental Commission," as the case may be.

6

7       21. Section 7 of P.L.1961, c.105 (C.32:19A-7) is repealed.

8

9       22. P.L.1967, c.107 (C.32:29-1 et seq.) is repealed.

10

11       23. This act shall take effect when the states of New York and  
12 Connecticut have enacted legislation changing the name of the  
13 Interstate Sanitation Commission to the Interstate Environmental  
14 Commission and the name of the Interstate Sanitation District to the  
15 Interstate Environmental District, and when the Congress of the  
16 United States has given its consent to these changes.

17

18

19

20

21       Changes name of Interstate Sanitation Commission and Interstate  
22 Sanitation District to Interstate Environmental Commission and  
23 Interstate Environmental District.