

[First Reprint]

SENATE, No. 854

STATE OF NEW JERSEY
216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

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Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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Assemblywoman Handlin, Assemblymen Benson, Fiocchi and Senator Ruiz

SYNOPSIS

Requires that certain health care facilities be generator ready; allows health care facilities to qualify for NJEDA loans for cost of generators.

CURRENT VERSION OF TEXT

As amended on June 25, 2015 by the Senate pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 10/23/2015)

1 AN ACT requiring certain health care facilities to be equipped with
2 generators ¹**[,] and**¹ supplementing Title 26 of the Revised
3 Statutes ¹**[, and amending P.L.1974, c.80]**¹.
4

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

8 1. (New section) a. As used in this section:

9 ¹“Commissioner” means the Commissioner of Community Affairs;

10 “Department” means the Department of Community Affairs;

11 “Distributed Energy Resource” or “DER” means an energy
12 efficient technology, approved by the Energy Resilience Bank, capable
13 of supporting emergency operations in a facility during a prolonged
14 electrical outage;

15 “Energy Resilience Bank” or “ERB” means the financing initiative
16 administered through a joint collaboration by the New Jersey Board of
17 Public Utilities and the New Jersey Economic Development Authority
18 to provide grant or loan funding to facilities that meet specified
19 requirements established by the ERB to aid in the cost of the
20 installation;¹

21 “Facility” means a nursing home or assisted living facility licensed
22 pursuant to P.L.1971 c.136 (C.26:2H-1 et seq.), a comprehensive
23 personal care home, pediatric community transitional home, federally
24 qualified health center, dialysis center, hospice in-patient care, or
25 residential health care facility connected to another licensed facility;

26 “Generator” means an emergency power generator that is
27 integrated with the electrical system of the facility; ¹**[and]**¹

28 “Generator ready” means equipped with an appropriate electrical
29 transfer switch and wiring to which a portable generator can be
30 connected in order to provide back-up electrical power ¹; and

31 “Health Care Plan Review Unit” means the Health Care Plan
32 Review Unit, or its successor, in the Department of Community
33 Affairs¹.

34 b. Within ¹**[three years]** one year¹ of the effective date of this
35 act, a facility shall:

36 (1) be ¹**[generator ready]** equipped with an electrical transfer switch
37 and wiring that complies with applicable standards administered by the
38 Health Care Plan Review Unit and have a signed contract to have a
39 generator delivered to the facility in the event of a power outage that:

40 (a) can be connected to the electrical transfer switch;

41 (b) provides backup electrical power that meets the requirements
42 of subsection c. of this section; and

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate amendments adopted in accordance with Governor's
recommendations June 25, 2015.

- 1 (c) complies with applicable standards administered by the Health
2 Care Plan Review Unit¹; or
3 (2) ¹【be equipped with an on-site generator】 have a signed
4 contract to have an on-site generator installed at the facility within
5 three years of the effective date of this act that:
6 (a) provides backup electrical power that meets the requirements of
7 subsection c. of this section in the event of a power outage; and
8 (b) complies with applicable standards administered by the Health
9 Care Plan Review Unit¹.
10 c. The generator or generator connection shall be capable of
11 supporting the following for a minimum of ¹【24】 48¹ hours:
12 (1) critical life support equipment;
13 (2) refrigeration for medications ¹and at least one refrigerator for
14 perishable food¹;
15 (3) lighting for means of egress, exit signs, and exit directional
16 signs as required in the NFPA 101, Life Safety Code, 2012 Edition;
17 (4) emergency lighting in common areas;
18 (5) equipment necessary for maintaining back-up communications;
19 (6) elevator service if required for the relocation of patients or
20 residents within the facility or evacuation from the facility;
21 (7) a fire pump, well pump, or sump pump, if installed;
22 (8) a sewerage pump, if installed;
23 (9) fire, smoke and other safety detection alarm systems; and
24 (10) emergency lighting and power required for the generator at
25 the generator connection point.
26 d. If the generator or generator connection does not provide
27 sufficient lighting, heating, cooling and duplex receptacles to
28 provide required services in individual sleeping rooms occupied by
29 a patient or resident, it shall support:
30 (1) sufficient duplex receptacles to provide required services in
31 common areas used to shelter patients or residents in place; and
32 (2) equipment to provide sufficient heating and cooling in
33 common areas used to shelter patients or residents in place; or
34 (3) sufficient heating and cooling in common areas adjacent to
35 patient or resident rooms along with sufficient duplex receptacles in
36 patient or resident rooms to shelter in place and provide required
37 services to patients or residents.
38 ¹e. The facility shall obtain the review and approval of the
39 Health Care Plan Review Unit for the installation of the contracted-
40 for transfer switch and generator.
41 f. A facility that elects to proceed with an on-site generator shall
42 have the on-site generator:
43 (1) checked weekly;
44 (2) tested under load monthly; and
45 (3) serviced in accordance with manufacturer instructions.

1 The facility shall maintain a log of the testing and service required
2 by this subsection and shall provide the log to the department upon
3 request.

4 g. The commissioner or his or her designee may waive the
5 transfer switch or on-site generator requirement if, in his or her
6 opinion, such waiver would not endanger the life, safety, or health
7 of residents, patients or the public and the following conditions are
8 met:

9 (1) the facility seeking a waiver has applied in writing to the
10 department's Division of Certificate of Need and Licensing with the
11 following information:

12 (a) a statement from the facility indicating that it has applied for
13 an ERB grant or loan for the installation of a DER energy source
14 and the estimated date that ERB will issue a determination
15 approving or denying the application, or written assurance from the
16 facility of alternative means of financing the DER energy source;

17 (b) a statement describing the DER energy source, the facility
18 equipment and services the DER energy source can support, and the
19 duration of time that the equipment and services will be supported;
20 and

21 (c) if the facility is seeking an ERB grant or loan, a copy of the
22 completed application submitted to the ERB.

23 (2) the facility shall supplement the waiver application by
24 submitting a copy of:

25 (a) the ERB's determination letter to the department's Division
26 of Certificate of Need and Licensing upon the facility's receipt
27 thereof; or

28 (b) written confirmation of alternative means of financing.

29 h. The commissioner or his or her designee may request
30 additional information before processing the request for a waiver.

31 i. If the commissioner or his or her designee denies a DER
32 waiver application, the facility shall comply with the transfer switch
33 or on-site generator requirement within one year from the date of
34 the denial of the DER waiver.

35 j. A waiver request submitted for reasons other than installation
36 of a DER energy source shall comply with N.J.A.C. 8:43E-5.6.¹

37

38 ¹[2. (New section) a. The New Jersey Economic Development
39 Authority, created by section 4 of P.L.1974, c.80 (C.34:1B-4), shall
40 establish and administer a program to provide low-interest loans to
41 a facility, as defined in subsection a. of section 1 of P.L. , c (C.)
42 (pending before the Legislature as this bill), to purchase and install
43 a generator, or to make the facility generator ready.

44 b. Within 90 days of the effective date of this act, the authority
45 shall establish an application process to provide low interest loans
46 pursuant to subsection a. of this section. No later than the 91st day
47 following the effective date of this act, the authority shall make the

1 applications available to eligible facilities, and shall, within a
2 reasonable time frame thereafter, commence approving applications
3 for the program. An eligible facility seeking to participate in the
4 program shall submit an application on forms provided by the
5 authority and include information required by the authority.

6 c. Low-interest loans made under this section shall bear
7 interest at no more than two percent, and contain other terms and
8 conditions considered appropriate by the authority that are
9 consistent with the purposes of P.L. , c. (C.) (pending before the
10 Legislature as this bill) and with rules and regulations promulgated
11 by the authority to implement the program.

12 d. To implement the loan program, the authority shall establish
13 and maintain a special revolving fund to be known as the
14 "Generator Loan Fund," which shall be credited with:

15 (1) moneys from the economic growth account of the "Economic
16 Recovery Fund" established pursuant to section 3 of P.L.1992, c.16
17 (C.34:1B-7.12), as the authority determines are necessary to
18 effectively implement the program based upon the response to the
19 program;

20 (2) any moneys that shall be received by the authority from the
21 repayment of the moneys in the loan fund used to provide loans
22 pursuant to P.L. , c. (C.) (pending before the Legislature as this
23 bill) and interest thereon;

24 (3) any moneys as may be available to the authority from
25 business assistance programs administered by the authority or by
26 other State agencies or authorities;

27 (4) appropriations made by the Legislature to effectuate the
28 purposes of P.L. , c. (C.) (pending before the Legislature as this
29 bill); and

30 (5) other moneys made available including, but not limited to,
31 funds provided by agreement with private investors, banks, and
32 other lending institutions to effectuate the purposes of P.L. , c. (C.)
33 (pending before the Legislature as this bill).¹

34

35 ¹3. (New section) For the purposes of P.L. , c. (C.)
36 (pending before the Legislature as this bill), inspections and
37 approvals of generator installations or generator ready installations
38 may be conducted by State or local code inspection officials.¹

39

40 ¹4. Section 5 of P.L.1974, c.80 (C.34:1B-5) is amended to read
41 as follows:

42 5. The authority shall have the following powers:

43 a. To adopt bylaws for the regulation of its affairs and the
44 conduct of its business;

45 b. To adopt and have a seal and to alter the same at pleasure;

46 c. To sue and be sued;

1 d. To acquire in the name of the authority by purchase or
2 otherwise, on such terms and conditions and such manner as it may
3 deem proper, or by the exercise of the power of eminent domain in
4 the manner provided by the "Eminent Domain Act of 1971,"
5 P.L.1971, c.361 (C.20:3-1 et seq.), any lands or interests therein or
6 other property which it may determine is reasonably necessary for
7 any project; provided, however, that the authority in connection
8 with any project shall not take by exercise of the power of eminent
9 domain any real property except upon consent thereto given by
10 resolution of the governing body of the municipality in which such
11 real property is located; and provided further that the authority shall
12 be limited in its exercise of the power of eminent domain in
13 connection with any project in qualifying municipalities as defined
14 under the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.), or to
15 municipalities which had a population, according to the latest
16 federal decennial census, in excess of 10,000;

17 e. To enter into contracts with a person upon such terms and
18 conditions as the authority shall determine to be reasonable,
19 including, but not limited to, reimbursement for the planning,
20 designing, financing, construction, reconstruction, improvement,
21 equipping, furnishing, operation and maintenance of the project and
22 to pay or compromise any claims arising therefrom;

23 f. To establish and maintain reserve and insurance funds with
24 respect to the financing of the project or the school facilities project
25 and any project financed pursuant to the "Municipal Rehabilitation
26 and Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et
27 al.);

28 g. To sell, convey or lease to any person all or any portion of a
29 project for such consideration and upon such terms as the authority
30 may determine to be reasonable;

31 h. To mortgage, pledge or assign or otherwise encumber all or
32 any portion of a project, or revenues, whenever it shall find such
33 action to be in furtherance of the purposes of this act, P.L.2000,
34 c.72 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and
35 Economic Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.),
36 P.L.2007, c.137 (C.52:18A-235 et al.), and sections 3 through 18 of
37 P.L.2009, c.90 (C.52:27D-489c et al.);

38 i. To grant options to purchase or renew a lease for any of its
39 projects on such terms as the authority may determine to be
40 reasonable;

41 j. To contract for and to accept any gifts or grants or loans of
42 funds or property or financial or other aid in any form from the
43 United States of America or any agency or instrumentality thereof,
44 or from the State or any agency, instrumentality or political
45 subdivision thereof, or from any other source and to comply,
46 subject to the provisions of P.L.1974, c.80 (C.34:1B-1 et seq.),
47 section 6 of P.L.2001, c.401 (C.34:1B-4.1), P.L.2000, c.72

1 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and Economic
2 Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), and
3 P.L.2007, c.137 (C.52:18A-235 et al.), with the terms and
4 conditions thereof;

5 k. In connection with any action undertaken by the authority in
6 the performance of its duties and any application for assistance or
7 commitments therefor and modifications thereof, to require and
8 collect such fees and charges as the authority shall determine to be
9 reasonable, including but not limited to fees and charges for the
10 authority's administrative, organizational, insurance, operating,
11 legal, and other expenses;

12 l. To adopt, amend and repeal regulations to carry out the
13 provisions of P.L.1974, c.80 (C.34:1B-1 et seq.), section 6 of
14 P.L.2001, c.401 (C.34:1B-4.1), P.L.2000, c.72 (C.18A:7G-1 et al.),
15 the "Municipal Rehabilitation and Economic Recovery Act,"
16 P.L.2002, c.43 (C.52:27BBB-1 et al.), and P.L.2007, c.137
17 (C.52:18A-235 et al.);

18 m. To acquire, purchase, manage and operate, hold and dispose
19 of real and personal property or interests therein, take assignments
20 of rentals and leases and make and enter into all contracts, leases,
21 agreements and arrangements necessary or incidental to the
22 performance of its duties;

23 n. To purchase, acquire and take assignments of notes,
24 mortgages and other forms of security and evidences of
25 indebtedness;

26 o. To purchase, acquire, attach, seize, accept or take title to any
27 project or school facilities project by conveyance or by foreclosure,
28 and sell, lease, manage or operate any project or school facilities
29 project for a use specified in this act, P.L.2000, c.72 (C.18A:7G-1
30 et al.), the "Municipal Rehabilitation and Economic Recovery Act,"
31 P.L.2002, c.43 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-
32 235 et al.), and sections 3 through 18 of P.L.2009, c.90 (C.52:27D-
33 489c et al.);

34 p. To borrow money and to issue bonds of the authority and to
35 provide for the rights of the holders thereof, as provided in
36 P.L.1974, c.80 (C.34:1B-1 et seq.), section 6 of P.L.2001, c.401
37 (C.34:1B-4.1), P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal
38 Rehabilitation and Economic Recovery Act," P.L.2002, c.43
39 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and
40 sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.);

41 q. To extend credit or make loans to any person for the
42 planning, designing, acquiring, constructing, reconstructing,
43 improving, equipping and furnishing of a project or school facilities
44 project, which credits or loans may be secured by loan and security
45 agreements, mortgages, leases and any other instruments, upon such
46 terms and conditions as the authority shall deem reasonable,
47 including provision for the establishment and maintenance of

1 reserve and insurance funds, and to require the inclusion in any
2 mortgage, lease, contract, loan and security agreement or other
3 instrument, of such provisions for the construction, use, operation
4 and maintenance and financing of a project or school facilities
5 project as the authority may deem necessary or desirable;

6 r. To guarantee up to 90% of the amount of a loan to a person,
7 if the proceeds of the loan are to be applied to the purchase and
8 installation, in a building devoted to industrial or commercial
9 purposes, or in an office building, of an energy improvement
10 system;

11 s. To employ consulting engineers, architects, attorneys, real
12 estate counselors, appraisers, and such other consultants and
13 employees as may be required in the judgment of the redevelopment
14 utility to carry out the purposes of P.L.1974, c.80 (C.34:1B-1 et
15 seq.), section 6 of P.L.2001, c.401 (C.34:1B-4.1), P.L.2000, c.72
16 (C.18A:7G-1 et al.), the "Municipal Rehabilitation and Economic
17 Recovery Act," P.L.2002, c.43 (C.52:27BBB-1 et al.), P.L.2007,
18 c.137 (C.52:18A-235 et al.), and sections 3 through 18 of P.L.2009,
19 c.90 (C.52:27D-489c et al.), and to fix and pay their compensation
20 from funds available to the redevelopment utility therefor, all
21 without regard to the provisions of Title 11A of the New Jersey
22 Statutes;

23 t. To do and perform any acts and things authorized by
24 P.L.1974, c.80 (C.34:1B-1 et seq.), section 6 of P.L.2001, c.401
25 (C.34:1B-4.1), P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal
26 Rehabilitation and Economic Recovery Act," P.L.2002, c.43
27 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and
28 sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.),
29 under, through or by means of its own officers, agents and
30 employees, or by contract with any person;

31 u. To procure insurance against any losses in connection with
32 its property, operations or assets in such amounts and from such
33 insurers as it deems desirable;

34 v. To do any and all things necessary or convenient to carry out
35 its purposes and exercise the powers given and granted in P.L.1974,
36 c.80 (C.34:1B-1 et seq.), section 6 of P.L.2001, c.401 (C.34:1B-
37 4.1), P.L.2000, c.72 (C.18A:7G-1 et al.), the "Municipal
38 Rehabilitation and Economic Recovery Act," P.L.2002, c.43
39 (C.52:27BBB-1 et al.), P.L.2007, c.137 (C.52:18A-235 et al.), and
40 sections 3 through 18 of P.L.2009, c.90 (C.52:27D-489c et al.);

41 w. To construct, reconstruct, rehabilitate, improve, alter, equip,
42 maintain or repair or provide for the construction, reconstruction,
43 improvement, alteration, equipping or maintenance or repair of any
44 development property and lot, award and enter into construction
45 contracts, purchase orders and other contracts with respect thereto,
46 upon such terms and conditions as the authority shall determine to
47 be reasonable, including, but not limited to, reimbursement for the

- 1 planning, designing, financing, construction, reconstruction,
2 improvement, equipping, furnishing, operation and maintenance of
3 any such development property and the settlement of any claims
4 arising therefrom and the establishment and maintenance of reserve
5 funds with respect to the financing of such development property;
- 6 x. When authorized by the governing body of a municipality
7 exercising jurisdiction over an urban growth zone, to construct,
8 cause to be constructed or to provide financial assistance to projects
9 in an urban growth zone which shall be exempt from the terms and
10 requirements of the land use ordinances and regulations, including,
11 but not limited to, the master plan and zoning ordinances, of such
12 municipality;
- 13 y. To enter into business employment incentive agreements as
14 provided in the "Business Employment Incentive Program Act,"
15 P.L.1996, c.26 (C.34:1B-124 et al.);
- 16 z. To enter into agreements or contracts, execute instruments,
17 and do and perform all acts or things necessary, convenient or
18 desirable for the purposes of the redevelopment utility to carry out
19 any power expressly provided pursuant to P.L.1974, c.80 (C.34:1B-
20 1 et seq.), P.L.2000, c.72 (C.18A:7G-1 et al.), and P.L.2007, c.137
21 (C.52:18A-235 et al.), including, but not limited to, entering into
22 contracts with the State Treasurer, the Commissioner of Education,
23 districts, the New Jersey Schools Development Authority, and any
24 other entity which may be required in order to carry out the
25 provisions of P.L.2000, c.72 (C.18A:7G-1 et al.), P.L.2007, c.137
26 (C.52:18A-235 et al.), and sections 3 through 18 of P.L.2009, c.90
27 (C.52:27D-489c et al.);
- 28 aa. (Deleted by amendment, P.L.2007, c.137);
- 29 bb. To make and contract to make loans to local units to finance
30 the cost of school facilities projects and to acquire and contract to
31 acquire bonds, notes or other obligations issued or to be issued by
32 local units to evidence the loans, all in accordance with the
33 provisions of P.L.2000, c.72 (C.18A:7G-1 et al.), and P.L.2007,
34 c.137 (C.52:18A-235 et al.);
- 35 cc. Subject to any agreement with holders of its bonds issued to
36 finance a project or school facilities project, obtain as security or to
37 provide liquidity for payment of all or any part of the principal of
38 and interest and premium on the bonds of the authority or for the
39 purchase upon tender or otherwise of the bonds, lines of credit,
40 letters of credit, reimbursement agreements, interest rate exchange
41 agreements, currency exchange agreements, interest rate floors or
42 caps, options, puts or calls to hedge payment, currency, rate, spread
43 or similar exposure or similar agreements, float agreements,
44 forward agreements, insurance contract, surety bond, commitment
45 to purchase or sell bonds, purchase or sale agreement, or
46 commitments or other contracts or agreements, and other security
47 agreements or instruments in any amounts and upon any terms as

1 the authority may determine and pay any fees and expenses required
2 in connection therewith;

3 dd. To charge to and collect from local units, the State and any
4 other person, any fees and charges in connection with the
5 authority's actions undertaken with respect to school facilities
6 projects, including, but not limited to, fees and charges for the
7 authority's administrative, organization, insurance, operating and
8 other expenses incident to the financing of school facilities projects;

9 ee. To make loans to refinance solid waste facility bonds
10 through the issuance of bonds or other obligations and the execution
11 of any agreements with counties or public authorities to effect the
12 refunding or rescheduling of solid waste facility bonds, or otherwise
13 provide for the payment of all or a portion of any series of solid
14 waste facility bonds. Any county or public authority refunding or
15 rescheduling its solid waste facility bonds pursuant to this
16 subsection shall provide for the payment of not less than fifty
17 percent of the aggregate debt service for the refunded or
18 rescheduled debt of the particular county or public authority for the
19 duration of the loan; except that, whenever the solid waste facility
20 bonds to be refinanced were issued by a public authority and the
21 county solid waste facility was utilized as a regional county solid
22 waste facility, as designated in the respective adopted district solid
23 waste management plans of the participating counties as approved
24 by the department prior to November 10, 1997, and the utilization
25 of the facility was established pursuant to tonnage obligations set
26 forth in their respective interdistrict agreements, the public
27 authority refunding or rescheduling its solid waste facility bonds
28 pursuant to this subsection shall provide for the payment of a
29 percentage of the aggregate debt service for the refunded or
30 rescheduled debt of the public authority not to exceed the
31 percentage of the specified tonnage obligation of the host county for
32 the duration of the loan. Whenever the solid waste facility bonds
33 are the obligation of a public authority, the relevant county shall
34 execute a deficiency agreement with the authority, which shall
35 provide that the county pledges to cover any shortfall and to pay
36 deficiencies in scheduled repayment obligations of the public
37 authority. All costs associated with the issuance of bonds pursuant
38 to this subsection may be paid by the authority from the proceeds of
39 these bonds. Any county or public authority is hereby authorized to
40 enter into any agreement with the authority necessary, desirable or
41 convenient to effectuate the provisions of this subsection.

42 The authority shall not issue bonds or other obligations to effect
43 the refunding or rescheduling of solid waste facility bonds after
44 December 31, 2002. The authority may refund its own bonds issued
45 for the purposes herein at any time;

46 ff. To pool loans for any local government units that are
47 refunding bonds and do and perform any and all acts or things

1 necessary, convenient or desirable for the purpose of the authority
 2 to achieve more favorable interest rates and terms for those local
 3 governmental units;

4 gg. To finance projects approved by the board, provide staff
 5 support to the board, oversee and monitor progress on the part of
 6 the board in carrying out the revitalization, economic development
 7 and restoration projects authorized pursuant to the "Municipal
 8 Rehabilitation and Economic Recovery Act," P.L.2002, c.43
 9 (C.52:27BBB-1 et al.) and otherwise fulfilling its responsibilities
 10 pursuant thereto;

11 hh. To offer financial assistance to qualified film production
 12 companies as provided in the "New Jersey Film Production
 13 Assistance Act," P.L.2003, c.182 (C.34:1B-178 et al.); **[and]**

14 ii. To finance or develop private or public parking facilities or
 15 structures, which may include the use of solar photovoltaic
 16 equipment, in municipalities qualified to receive State aid pursuant
 17 to the provisions of P.L.1978, c.14 (C.52:27D-178 et seq.) and
 18 municipalities that contain areas designated pursuant to P.L.1985,
 19 c.398 (C.52:18A-196 et al.) as Planning Area 1 (Metropolitan),
 20 Planning Area 2 (Suburban), or a town center, and to provide
 21 appropriate assistance, including but not limited to, extensions of
 22 credit, loans, and guarantees, to municipalities qualified to receive
 23 State aid pursuant to the provisions of P.L.1978, c.14 (C.52:27D-
 24 178 et seq.) and municipalities that contain areas designated
 25 pursuant to P.L.1985, c.398 (C.52:18A-196 et seq.) as Planning
 26 Area 1 (Metropolitan), Planning Area 2 (Suburban), or a town
 27 center, and their agencies and instrumentalities or to private entities
 28 whose projects are located in those municipalities, in order to
 29 facilitate the financing and development of parking facilities or
 30 structures in such municipalities. The authority may serve as the
 31 issuing agent of bonds to finance the undertaking of a project for
 32 the purposes of this subsection; and

33 jj. To offer low interest loans pursuant to section 2 of P.L. _____,
 34 c. (C. _____)(pending before the Legislature as this bill) to facilities,
 35 as defined in subsection a. of section 1 of P.L. _____, c. (C. _____)(pending
 36 before the Legislature as this bill), for the purchase and installation
 37 of a generator or to make the facility generator ready.
 38 (cf: P.L.2010, c.28, s.3)¹

39

40 ¹**[5.] 2.**¹ This act shall take effect on the first day of the sixth
 41 month following enactment.