

[Third Reprint]

SENATE, No. 2412

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED SEPTEMBER 18, 2014

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Senator JOSEPH M. KYRILLOS, JR.

District 13 (Monmouth)

SYNOPSIS

“Water Infrastructure Protection Act.”

CURRENT VERSION OF TEXT

As amended by the Senate on December 15, 2014.



(Sponsorship Updated As Of: 9/19/2014)

1 AN ACT concerning certain public water and wastewater assets,
2 supplementing Title 58 of the Revised Statutes, and amending
3 R.S.40:62-3.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) Sections 1 through 9 of this act shall be
9 known and may be cited as the “Water Infrastructure Protection
10 Act.”

11
12 2. (New section) The Legislature finds and declares that:

13 a. The maintenance ²and operation² of water and wastewater
14 treatment and conveyance systems is vital to ensuring the protection
15 of ²water quality and² clean drinking water in New Jersey;

16 b. There are public water and wastewater systems in the State
17 that present serious risks to the integrity of drinking water and the
18 environment because of issues such as aging ²[combined sanitary
19 and storm sewer overflow] infrastructure² systems, ²[the threat of
20 sodium intrusion,]² the deterioration of the physical assets of the
21 systems, or damage to infrastructure so severe that it is beyond
22 governmental capacity to restore;

23 c. ²[The] Under the appropriate circumstances, the² transfer of
24 these threatened water and wastewater assets to a ²capable² private
25 ²or public² entity with the financial resources and expertise to
26 improve management, operation, and continued maintenance of the
27 assets ²[would protect] could help ensure the protection of²
28 drinking water; and

29 d. It is in the public interest that public entities have the option
30 to transfer, lease, or sell water or wastewater assets if there exists
31 emergent conditions that threaten drinking water or the
32 environment.

33
34 3. (New section) As used in this act,
35 “Board” means the Board of Public Utilities.

36 ²“Capable private or public entity” means any private or public
37 water system owner who, at the time of submitting a proposal to
38 long-term lease or purchase public water or wastewater assets,
39 currently (1) owns a system serving no less that the number of
40 residential and commercial accounts as the system which the entity
41 is proposing to lease or purchase, and (2) is not a significant
42 noncomplier, as defined pursuant to section 3 of P.L.1977,
43 c.7 (C.58:10A-3), is not currently the subject of a formal

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 SBA committee amendments adopted October 9, 2014.

²Senate floor amendments adopted December 1, 2014.

³Senate floor amendments adopted December 15, 2014.

1 enforcement action initiated by the New Jersey Department of
2 Environmental Protection to address a material violation by the
3 entity which has not been corrected over a reasonable period of time
4 given the specific situation, or is not substantially out of compliance
5 with an administrative consent order, settlement agreement,
6 stipulation of settlement ³【.】³ or judicial consent order entered into
7 with the department.

8 "Department" means the Department of Environmental
9 Protection.²

10 "Director" means the Director of the Division of Local
11 Government Services in the Department of Community Affairs.

12 "Governing body" means a "governing body" as defined in
13 section 3 of the "New Jersey Wastewater Treatment Public-Private
14 Contracting Act," P.L.1995, c.216 (C.58:27-19 through C.58:27-
15 27).

16 "Licensed engineer" means a professional engineer licensed
17 pursuant to P.L.1938, c.342 (C.45:8-27 et seq.).

18 ²Long-term lease" means a lease of longer than 30 years under
19 which the municipal owner seeks to transfer ownership of the
20 system at the end of the lease term.²

21 ²【"Municipal or county utilities authority" means a "municipal
22 authority" as defined in section 3 of the "municipal and county
23 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.).】²

24 "Owner" means any municipality ²【or municipal, county, or
25 regional utilities authority】 , except a municipality ³that is a city³ ³of
26 the first class with a population of 270,000 or more according to the
27 latest federal decennial census,² that owns water or wastewater
28 assets. ²Municipalities constituting a joint meeting, and the joint
29 meeting itself ³【.】³ shall not be considered an owner for the
30 purposes of this definition.²

31 ²【"Regional utilities authorities" means any "regional authority"
32 as defined in subsection a. of section 9 of P.L.2011,
33 c.167 (C.40:56A-4.1).】²

34 "Registered apprenticeship program" means an apprenticeship
35 program registered with and approved by the United States
36 Department of Labor and which provides to each trainee combined
37 classroom and on-the-job training under the direct and close
38 supervision of a highly skilled worker in an occupation recognized
39 as an apprenticeable trade, and which meets the program
40 performance standards of enrollment and graduation under 29
41 C.F.R. s.29.6.

42 "System" means the plants, structures, and other real and
43 personal property of an owner that is, or is to be, acquired,
44 constructed, or operated for the purpose of processing water or
45 wastewater, including sewage, for distribution or treatment.

46 "Water or wastewater assets" means any system along with any
47 other related buildings, equipment, or other infrastructure.

1 4. (New section) If an owner determines that emergent
 2 conditions exist, the owner may ²long-term² lease or sell its water
 3 or wastewater assets to a ²capable² private ²or public² entity
 4 pursuant to the provisions of sections 5 through 9 of P.L. ,
 5 c. (C.) (pending before the Legislature as this bill). An
 6 owner may so ²long-term² lease or sell its water or wastewater
 7 assets without any referendum except as may be required pursuant
 8 to subsection ²[f.] ²g.² of section 5 of P.L. , c. (C.)
 9 (pending before the Legislature as this bill).

10

11 5. (New section) a. ²[If the owner is a municipality, the] ²The²
 12 determination that emergent conditions exist shall be made by
 13 certification of the mayor, ³[or]³ ²[other chief executive officer]
 14 the mayor's designee ³[.]³ ² of the municipality, and a licensed
 15 engineer. ²[If the owner is a municipal, county, or regional utilities
 16 authority, the determination that emergent conditions exist shall be
 17 made by certification of the chair and chief operating officer of the
 18 authority, and a licensed engineer.]²

19 b. Emergent conditions shall exist if at least one of the
 20 following conditions is met:

21 (1) ²[The system has a combined sanitary and storm sewer
 22 overflow system;

23 (2)]² The system is located in an area designated by the
 24 Department of Environmental Protection as ²[within] an Area of
 25 Critical² Water Supply ²[Critical Area] Concern² I or II ², or any
 26 future designation or newly added area of critical water supply
 27 concern²;

28 ²[(3) The ground water has the potential for sodium intrusion
 29 that may impact the water supply system according to the New
 30 Jersey Statewide Water Supply Plan adopted pursuant to section 13
 31 of P.L.1981, c.262 (C.58:1A-13) or the potential for any other
 32 intrusion that may negatively impact the system;

33 (4)] (2)² The ²owner of the² system ²[has received an
 34 environmental violation, has an existing unfulfilled] is a significant
 35 noncomplier, as defined pursuant to section 3 of P.L.1977,
 36 c.7 (C.58:10A-3), has been the subject of a formal enforcement
 37 action initiated by the department, or is substantially out of
 38 compliance with an² administrative consent order ², settlement
 39 agreement, stipulation of settlement, or judicial consent order
 40 entered into² with the ²[Department of Environmental Protection ,
 41 or has previously entered into an administrative consent order with
 42 the Department of Environmental Protection with respect to the
 43 operation of the system] department²; ²or²

44 ²[(5)] (3)² There is a present deficiency ²or violation of
 45 maximum contaminant levels established pursuant to the "Safe
 46 Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.)²

1 concerning the availability or potability of water, or concerning the
2 provision of water at adequate volume or pressure, ² [and the owner
3 lacks the financial or structural capability to immediately and
4 adequately repair or otherwise alleviate the deficiency] or
5 distribution or treatment of wastewater²; ² [or

6 (6) ² (4)² There is ² a demonstrated lack of historical
7 investment, repair, or sustainable maintenance as determined by the
8 department, or² material damage to the infrastructure of the system
9 ² [and the owner lacks the financial or structural capability to
10 immediately and adequately repair or otherwise alleviate the
11 damage] ² ; ² or²

12 (5) The system owner lacks the financial, technical, or
13 managerial capacity to adequately address any of the foregoing on a
14 sustainable basis or own and operate the system in a way that
15 supports economic activity in the municipality on a sustainable
16 basis².

17 c. ² Should the owner determine that one or more emergent
18 conditions contained in subsection b. of this section exists and that
19 it is necessary to take steps to effectuate the sale or long-term lease
20 of its water or wastewater assets to a capable private or public
21 entity pursuant to this act to address these emergent conditions and
22 to operate and maintain the system, the owner shall through the
23 utilization of applicable public procurement laws of the State of
24 New Jersey retain the services of a independent financial advisor to
25 review, analyze and report on the value of the system and the short
26 and long term impacts to rate-payers of the cash-flow structure of
27 the proposed transaction and to provide an estimate as to the
28 financial requirements necessary to address the emergent conditions
29 and to operate and maintain the system. Upon completion of the
30 analysis and review, the independent financial advisor shall
31 transmit its report to the owner. Within 10 days of the approval of
32 the report by the owner, the owner shall transmit copies to the
33 board, the director and the department and shall make the report
34 available for public review.

35 d.² After ² [an emergent conditions certification is made] the
36 independent financial advisor has completed its analysis of the
37 financial aspects of the proposed transaction and has presented its
38 report to the owner², a public hearing on the ² proposed emergent
39 condition² certification shall be held. The owner shall provide
40 notice of the public hearing no less than ² [10] 30² days prior to the
41 date of the hearing. The notice shall prominently state ² the findings
42 upon which the certification of emergent conditions is based, a
43 summary of the findings by the independent financial advisor and²
44 that the certification is in anticipation of a ² proposed long-term²
45 lease or sale of water or wastewater assets to a ² capable² private ² or
46 public² entity. ² [If the owner is a municipality or municipal utilities

1 authority, notice] Notice² of the public hearing shall be published
2 on the official Internet website of the municipality and at least once
3 in one or more newspapers circulating in the municipality. ²[If the
4 owner is a county utilities authority, notice of the public hearing
5 shall be published on the official Internet website of the county and
6 at least once in one or more newspapers circulating in the county.
7 If the owner is a regional utilities authority, notice of the public
8 hearing shall be published on the official Internet website of the
9 authority and at least once in one or more newspapers circulating in
10 the region.]² If an applicable official website does not exist, notice
11 of the public hearing shall be published on the official Internet
12 website of the Department of Community Affairs.

13 ²[d.] e.² After the public hearing ²and after giving due
14 consideration to the findings of the independent financial advisor²,
15 the governing body of the owner shall, by resolution ²adopted by at
16 least two-thirds of its authorized membership², ²[cause the
17 emergent conditions certification to be submitted to the Department
18 of Environmental Protection for approval. The Department of
19 Environmental Protection shall approve or reject a certification
20 within 30 days of receipt thereof. If no disposition is made within
21 30 days, the certification shall be deemed approved] certify that one
22 or more emergent conditions exist and that the owner intends to sell
23 or long-term lease its water or wastewater assets to a capable
24 private or public entity to address these emergent conditions and to
25 operate and maintain the system. Within five days of the adoption
26 of the resolution, the governing body of the owner shall transmit a
27 true copy of the resolution to the department, the board, and the
28 director. Within 30 days of receipt of the resolution by the
29 department, the department shall approve or reject the owner's
30 emergent conditions certification as contained in the resolution².

31 ²[e.] f.² Upon receipt of the approval of the emergent
32 conditions certification by the Department of Environmental
33 Protection, the owner ²[shall] ³[may]² shall³ publish notice of the
34 approval ³if the owner chooses to proceed with the sale or long-
35 term lease of its water or wastewater assets to a capable private or
36 public entity³. The notice shall prominently state that the
37 certification is in anticipation of a ²long-term² lease or sale of water
38 or wastewater assets to a ³capable³ private ³or public³ entity. ²[If
39 the owner is a municipality or municipal utilities authority, notice]
40 Notice² of the approval shall be published on the official Internet
41 website of the municipality and at least once in one or more
42 newspapers circulating in the municipality, and shall prominently
43 state that a petition may be filed within ²[20] 45² days after the
44 publication of such notice to require a referendum before a
45 resolution authorizing the ²long-term² lease or sale of water or
46 wastewater assets may take effect. ²[If the owner is a county

1 utilities authority, notice of the approval shall be published on the
2 official Internet website of the county and at least once in one or
3 more newspapers circulating in the county. If the owner is a
4 regional utilities authority, notice of the approval shall be published
5 on the official Internet website of the authority and at least once in
6 one or more newspapers circulating in the region.】² If an
7 applicable official website does not exist, notice of the approval
8 shall be published on the official Internet website of the Department
9 of Community Affairs.

10 ²【f. If the owner is a municipality or municipal utilities
11 authority, a】 g. A² petition may be filed with the municipal clerk,
12 no later than ²【20】 45² days after the notice of the approval of the
13 emergent conditions certification is published, protesting the lease
14 or sale of water or wastewater assets without a public referendum.
15 If the petition is signed by a number of legal voters of the
16 municipality equal to at least 15% of the total votes cast in the
17 municipality at the last election at which members of the General
18 Assembly were elected, a resolution to lease or sell water or
19 wastewater assets shall not take effect unless the lease or sale of
20 such assets is approved pursuant to R.S.40:62-4 and R.S.40:62-5. If
21 a petition is not filed pursuant to this subsection, a resolution to
22 lease or sell water or wastewater assets shall not be subject to a
23 public referendum.

24
25 6. (New section) a. A request for qualifications ²from a
26 capable private or public entity wishing to be considered for the
27 long-term lease or sale of the owner's system² shall be advertised
28 ²【pending approval of】 after² the emergent conditions certification
29 pursuant to subsection ²【d.】 e.² of section 5 of P.L. ,
30 c. (C.) (pending before the Legislature as this bill), but no
31 less than 30 days prior to the date on which responses to the request
32 are due. ²【If the owner is a municipality or municipal utilities
33 authority, the】 The² advertisement of the request for qualifications
34 shall be published on the official Internet website of the
35 municipality and at least once in one or more newspapers
36 circulating in the municipality. ²【If the owner is a county utilities
37 authority, the advertisement of the request for qualifications shall
38 be published on the official Internet website of the county and at
39 least once in one or more newspapers circulating in the county. If
40 the owner is a regional utilities authority, the advertisement of the
41 request for qualifications shall be published on the official Internet
42 website of the authority and at least once in one or more
43 newspapers circulating in the region.】² An owner shall also publish
44 the advertisement of the request for qualifications at least once in
45 one or more newspapers with Statewide circulation. If an
46 applicable official website does not exist, the advertisement of the

1 request for qualifications shall be published on the official Internet
2 website of the Department of Community Affairs.

3 b. After an emergent conditions certification is ²[approved]
4 made² pursuant to subsection ²[d.] e.² of section 5 of P.L. ,
5 c. (C.) (pending before the Legislature as this bill), the
6 owner shall determine the qualified respondents. The owner shall
7 issue a request for proposals to each qualified respondent no less
8 than 14 days prior to the date established for submission of the
9 proposals. The request for proposals shall include relevant
10 technical submissions, documents, and criteria including but not
11 limited to a description of the facilities and the debt related thereto
12 and the evaluation criteria to be used in the selection of the
13 designated respondent. ²The proposals shall include and shall be
14 evaluated by, at a minimum, the following:

15 (1) the documented deficiencies of the owner's system upon
16 which the emergent conditions certification is based and a
17 description of the corrective measures to be undertaken by the
18 respondent to address and correct the identified emergent
19 conditions;

20 (2) a description of the financial, managerial, and technical
21 capabilities of the respondent to operate and maintain the system in
22 compliance with all applicable State and federal laws and
23 regulations, as well as a description of all the respondent's
24 outstanding and pending violations of the "Pollution Prevention
25 Act," P.L.1991, c.235 (C.13:1D-35 et seq.); P.L.1942,
26 c.308 (C.58:11-9.1 et seq.); "The Realty Improvement Sewerage
27 and Facilities Act (1954)," P.L.1954, c.199 ³[, s.1]³ (C.58:11-23 et
28 seq.); and the "Safe Drinking Water Act," P.L.1977, c. 224 ³[, s.1]³
29 (C.58:12A-1 et seq.);

30 (3) an analysis of the relevant expenditures associated with such
31 activities and the projected impact on customer rates;

32 (4) an analysis of any Internal Revenue Code or other tax code
33 issues that may arise from the long-term lease or sale of a publicly
34 funded water or wastewater asset, as well as any potential short-
35 term or long-term costs arising there from;

36 (5) a long-term capital improvement or asset management plan;
37 and

38 (6) any other pertinent information required of or deemed
39 appropriate by the owner.²

40 c. Upon a review of the proposals submitted by qualified
41 respondents, the governing body of an owner shall, by resolution
42 ²adopted by at least two-thirds of its authorized membership²,
43 designate one qualified respondent, whose proposal the governing
44 body finds to be the most advantageous to the public, taking into
45 consideration the evaluation criteria set forth in the request for
46 proposals ²and as specified under subsection b. of this section².
47 The resolution shall include ²a detailed summary of² the governing

1 body's findings that the proposal of the designated respondent is
2 most advantageous to the public. ²The summary shall be published
3 in accordance with the notification requirements of section 5 of
4 P.L. , c. (C.) (pending before the Legislature as this bill).²
5

6 7. (New section) a. After the designated respondent is
7 selected, negotiations for a contract for the lease or sale of the water
8 or wastewater assets may commence between the owner and the
9 designated respondent.

10 b. ²(1) Every proposed contract shall include a clause stating
11 that ³to the extent it does not violate any existing collective
12 bargaining agreements between the capable private or public entity
13 and its employees, ³ the ³【designated respondent】 capable private or
14 public entity³ shall give first consideration in hiring to any public
15 employees displaced by the long-term lease or sale of the water or
16 wastewater assets ³【for any positions added by the capable private
17 or public entity to serve the new acquired system】³ .

18 (2)² After an agreement on a proposed contract is reached
19 between the owner and the designated respondent, the governing
20 body of the owner shall, by resolution ²adopted by at least two-
21 thirds of its authorized membership², cause the proposed contract to
22 be submitted to the board for approval and cause the proposed use
23 of proceeds of the ²long-term² lease or sale to be submitted to the
24 director for approval.

25 c. (1) The proposed contract submitted to the board shall
26 include the rent or sale price, any appraisals supporting the rent or
27 sale price, documentation regarding the defeasance of debt, and any
28 other information requested by the board. The board shall approve
29 or reject the proposed contract within ²【30】 90² days of receipt
30 thereof. If no disposition is made within ²【30】 90² days, the
31 proposed contract shall be deemed approved.

32 (2) For the purposes of rate making and recovery, the board
33 shall accept the negotiated sale price between the owner and the
34 designated respondent as the new rate base effective as of the date
35 of the approval of the ²long-term² lease or sale, as may be the case,
36 provided the price is deemed reasonable.

37 The rent or sale price shall be deemed reasonable if it meets the
38 following conditions:

39 (a) The rent or sale price is sufficient to defease the debt of the
40 owner; and either

41 (b) (i) The rent or sale price is within the range of any
42 appraisals obtained with respect to the ²long-term² lease or sale of
43 the water or wastewater assets; or

44 (ii) If there is little or no established rate base for the water or
45 wastewater assets, the rent or sale price is reasonably comparable to

1 a proxy rate base equivalent to the rate base of the designated
2 respondent.

3 (3) In valuing the water or wastewater assets, appraisers shall
4 comply with the Uniform Standards of Professional Appraisal
5 Practice promulgated by the Appraisal Standards Board of the
6 Appraisal Foundation.

7 (4) In valuing the water or wastewater assets and for the
8 purposes of rate making, the original source of funding for any part
9 of the water or wastewater assets shall not be relevant.

10 (5) Reasonable and prudent transaction, closing, and transition
11 costs incurred by the designated respondent shall be recoverable in
12 rates.

13 (6) The proposed use of proceeds submitted to the director shall
14 include the rent or sale price, the total ²amount required to defease²
15 debt ²[payment amount] , any costs associated with compliance
16 with the Internal Revenue Code or other tax code that may arise
17 from the long-term lease or sale of a publicly funded water or
18 wastewater asset², the remaining proceeds after the ²defeasance of²
19 debt ²[payment, the amount dedicated to] and Internal Revenue
20 Service compliance costs, the amount dedicated to the following, in
21 order of priority: compliance with the provisions of the "Pollution
22 Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.); P.L.1942,
23 c.308 (C.58:11-9.1 et seq.); "The Realty Improvement Sewerage
24 and Facilities Act (1954)," P.L.1954, c.199 ³[, s.1]³ (C.58:11-23 et
25 seq.); and the "Safe Drinking Water Act," P.L.1977, c. 224 ³[, s.1]³
26 (C.58:12A-1 et seq.), any outstanding fees or fines owed by the
27 entity to any federal, State, county ³[,]³ or local governmental
28 units, capital improvements,² community ²[and capital]²
29 improvements, and ²[the amount dedicated for]² general purposes
30 of the owner. The amount dedicated to ¹[community and]¹ capital
31 improvements ²shall comply with a previously adopted long-term
32 capital improvement plan or asset management plan, and² must
33 represent at least 50 percent of the remaining proceeds once the
34 debt is defeased. The director shall approve or reject the proposed
35 use of proceeds within 30 days of receipt thereof. If no disposition
36 is made within 30 days, the proposed use of proceeds shall be
37 deemed approved.

38
39 8. (New section) After the proposed contract and proposed use
40 of proceeds have been approved pursuant to subsection c. of section
41 7 of P.L. , c. (C.) (pending before the Legislature as this
42 bill), the governing body of the owner may, by resolution ²adopted
43 by at least two-thirds of its authorized membership², enter into a
44 contract for the ²long-term² lease or sale of the water or wastewater
45 assets with the designated respondent.

1 9. (New section) Any contractor or subcontractor hired by the
2 designated respondent, in the performance of a contract entered into
3 pursuant to section 8 of P.L. , c. (C.) (pending before the
4 Legislature as this bill), shall¹;

5 a. be paid, or pay any worker employed by the contractor or
6 subcontractor, not less than the wage rate for their craft or trade as
7 determined by the Commissioner of Labor and Workforce
8 Development pursuant to the provisions of the “New Jersey
9 Prevailing Wage Act,” P.L.1963, c.150 (C.34:11-56.25 et seq.) and
10 ³shall comply with the requirements of section 2 of P.L.2007,
11 c.343 (C.34:13B-2.1)³;

12 b.¹ only employ a worker from an apprenticeable trade who is
13 either an apprentice participating in a registered apprenticeship
14 program or who has completed a registered apprenticeship program,
15 unless the contractor or subcontractor certifies that each such
16 worker shall be paid no less than the journeyman rate established
17 for the apprenticeable trade performed pursuant to P.L.1963,
18 c.150 (C.34:11-56.25 et seq.)¹ and;

19 c. all contractors and subcontractors shall comply with the
20 provisions of “The Public Works Contractor Registration Act,”
21 P.L.1999, c.238 (C.34:11-56.48 et seq.)¹.
22

23 10. R.S.40:62-3 is amended to read as follows:

24 40:62-3. Any municipality owning a sewer plant, water plant,
25 heat, light or power plant, system of transportation, or other public
26 utility plant or system, may ²long-term² lease or sell such plant or
27 system. Such a ²long-term² lease or sale to another municipality, a
28 sanitary sewerage authority, a sewerage authority or any other
29 authority, commission or public body shall be authorized by
30 ordinance and may be made upon such terms as said ordinance shall
31 provide and the provisions of R.S.40:62-4 and R.S.40:62-5 shall not
32 apply thereto. Such a ²long-term² lease or sale to any person except
33 another municipality, a sanitary sewerage authority, a sewerage
34 authority or any other authority, commission or public body shall,
35 except as otherwise provided by law, be made only upon
36 compliance with the provisions of R.S.40:62-4 and R.S.40:62-5 and
37 after the same is authorized by the legal voters of the municipality
38 in accordance with said sections , or upon compliance with the
39 provisions of section 2 of P.L.1981, c.16 (C.40:62-3.1) or the
40 “Water Infrastructure Protection Act,” sections 1 through 9 of
41 P.L. , c. (C.) (pending before the Legislature as this bill).
42 (cf: P.L.1981, c.16, s.1)

43
44 11. This act shall take effect immediately.