

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:54-29.3

(Joint libraries--
clarify status)

LAWS OF: 1988

CHAPTER: 38

Bill No: S2042

Sponsor(s): Brown and Feldman

Date Introduced: February 18, 1988

Committee: Assembly: -----

Senate: Education

Amended during passage: No

Date of Passage: Assembly: May 9, 1988

Senate: May 2, 1988

Date of Approval: June 21, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: No

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

1 AN ACT concerning joint free public libraries and amending P.L.
1959, c. 155 and P.L. 1985, c. 541.

3

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

1. Section 1 of P.L. 1959, c. 155 (C. 40:54-29.3) is amended to
7 read as follows:

1. Any two or more municipalities may unite in the support,
9 maintenance and control of a joint free public library for the use
and benefit of the residents of such municipalities.

11 Every library established under this chapter shall be considered
13 a free public library as defined under R. S. 40:54-1 et seq. and
shall have the same benefits, powers, duties and responsibilities
15 granted to free public libraries and their governing boards of
trustees.

(cf: P.L. 1959, c. 155, s. 1)

17 2. Section 2 of P.L. 1959, c. 155 (C. 40:54-29.4) is amended to
read as follows:

19 2. The governing bodies of such municipalities shall propose
such an undertaking by a joint library agreement, which shall
21 provide for the apportionment of annual and special
appropriations therefor among such municipalities, for the initial
23 annual appropriation for such library, for the abandonment or the
continuance of such agreement in the event that it is not
25 approved by all such municipalities as provided for in this act,
and for such other matters as they shall determine. Such
27 apportionment of appropriations may be based on the assessed
valuations of the respective municipalities, their populations, or
29 such factor or factors as the governing bodies shall agree.

31 Such an agreement shall provide that the combined minimum
appropriation for the joint library shall annually be not less than
one-third of a mill on every dollar of assessable property within
33 the participating municipalities based upon the equalized
valuation of such property within the combined municipalities as

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.

1 certified by the Director of the Division of Taxation in the
 2 Department of the Treasury.

3 (cf: P.L. 1959, c. 155, s. 2)

4 3. Section 6 of P.L. 1959, c. 155 (C. 40:54-29.8) is amended to
 5 read as follows:

6 6. These municipalities in which at said election the question
 7 is approved by a majority of the legal votes cast in each, both for
 8 and against such question, shall, as of January 1 next following
 9 said election, unite in the support, maintenance and control of a
 10 joint free public library in accordance with such joint library
 11 agreement. [Said municipalities shall not thereafter be required
 12 to participate in or support any county library system.]

13 (cf: P.L. 1958, c. 155, s. 6)

14 4. Section 11 of P.L. 1959, c. 155 (C. 40:54-29.13) is amended
 15 to read as follows:

16 11. The board of trustees shall be vested with authority to
 17 carry out the purposes of the joint library, in the manner provided
 18 for free public libraries governed pursuant to chapter 54 of Title
 19 40 of the Revised Statutes. The powers and duties of boards of
 20 trustees of free public libraries governed by said chapter[, not
 21 inconsistent herewith,] are hereby conferred and imposed upon
 22 the board of trustees of such joint library and its trustees and
 23 officers.

(cf: P.L. 1959, c. 155, s. 11)

24 5. Section 7 of P.L. 1985, c. 541 (C. 40:33-13b) is amended to
 25 read as follows"

26 7. Any municipality which is a member of a county library
 27 system pursuant to R.S. 40:33-1 on the effective date of this
 28 amendatory and supplementary act shall continue as a member of
 29 the county library system unless the governing body of the
 30 municipality determines by resolution to propose withdrawing
 31 from that system and establishing a free public library or a joint
 32 free public library.

33 Following the adoption of that resolution and after a public
 34 hearing held thereon the governing body shall cause the question
 35 of withdrawal from the county library system to be submitted to
 36 the legal voters of the municipality at an election to be held in
 37 the manner provided for the establishment of free public libraries
 38 pursuant to R.S. 40:54-1 et seq.

1 The question shall be submitted in one of the following [form]
forms:

3 a. "If in favor of the public question printed below mark a
cross (X), or plus (+) in the square at the left of the word YES,
5 and if opposed to the public question printed below mark a cross
(X) or plus (+) at the left of the word NO.

7

	YES	Shall (name of municipality) withdraw from the county library system pursuant to P.L. 1985, c. 541 (C. 40:33-13b) and establish a free public library pursuant to the provisions of chapter 54 of Title 40 of the Revised Statutes?"
	NO	

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17 b. "If in favor of the public question printed below mark a
cross (X), or plus (+) in the square at the left of the word YES,
19 and if opposed to the public question printed below mark a cross
(X) or plus (+) at the left of the word NO.

21

	YES	<u>Shall (name of municipality) withdraw from the county library system pursuant to P.L. 1985, c. 541 (C. 40:33-13b) and unite with (name of other municipality or municipalities) and establish a joint free public library pursuant to the provisions of chapter 54 of Title 40 of the Revised Statutes?"</u>
	NO	

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33 If a majority of the voters approve the withdrawal from the
county library system, the municipal governing body shall provide
35 the county governing body with notice of its intent to withdraw
from the county library system. Such notice shall not become
37 effective until January 1 of the year following the year in which
the notice was given and shall provide that the municipality
39 remain a member of the county library system for two years
after the effective date of the notice.

1 Any municipality which withdraws from the county library
system and which fails to comply with the provisions of this
3 section shall be required to provide the county library with
financial support in the manner provided in chapter 33 of Title 40
5 of the Revised Statutes for a period of two years from the year
of the municipality's withdrawal from the system.

7 Nothing in this section shall prevent a municipality from
establishing a municipal free public library pursuant to chapter 54
9 of Title 40 of the Revised Statutes.

(cf: P.L. 1985, c. 541, s. 7)

11 6. This act shall take effect immediately.

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STATEMENT

15

This bill amends various statutes relating to joint libraries
17 established by two or more municipalities.

It provides that joint libraries shall have the same status and be
19 governed by the same procedures as other free public libraries.
Further it requires that joint libraries be supported with an
21 annual appropriation equal to at least one-third of a mill on every
dollar of equalized valuation of the property in the combined
23 municipalities.

25

EDUCATION

27

Libraries

29 Clarifies status of joint libraries established by two or more
municipalities.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2042

STATE OF NEW JERSEY

DATED: FEBRUARY 29, 1988

The Senate Education Committee favorably reports this bill without committee amendments.

This bill provides that joint libraries shall have the same status and be governed by the same procedures as other free public libraries. It also permits a municipality to establish a joint public library in the event that the municipality withdraws from a county library. When the municipal library laws were amended in 1985 (P.L. 1985, c. 541) joint public libraries were inadvertently omitted. This bill would conform their status to that of other municipal libraries.

The bill also provides that the combined minimum appropriation for a joint public library shall be not less than 1/3 of a mill on each dollar of assessable property based upon the equalized valuation of that property.

There are six joint libraries in New Jersey: Chatham Township/Chatham Borough; Chester Township/Chester Borough; Morristown/Morris Township; Princeton Township/Princeton Borough; Bedminster Township/Far Hills Borough; and Matawan Borough/Aberdeen Township.