

R.S. 40:23 - 19.1 et seq.

LEGISLATIVE FACT SHEET

ON

N.J.R.S. 40:23 - 19.1 et seq. (Co. Serv. Financing Law)  
(1966 Amendment)

LAWS OF 1966

CHAPTER 205

~~SENATE~~

ASSEMBLY 694

INTRODUCED April 27, 1966

BY Azzolina [and 6 others]

STATEMENT

YES

NO

AMENDED DURING PASSAGE

YES

NO

HEARING

VETO

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ASSEMBLY, No. 694

STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1966

By Assemblymen AZZOLINA, BEADLESTON, COLEMAN, DAVIS,  
PERSKIE, CURRY and DICKEY

Referred to Committee on County and Municipal Government

AN ACT concerning the construction or acquisition of sewerage disposal facilities and sanitary sewerage facilities by counties separately or jointly with municipalities located therein and supplementing chapter 23 of Title 40 of the Revised Statutes.

1 WHEREAS, It has been found and determined that many counties in the State  
2 of New Jersey contain areas and municipalities which do not have ade-  
3 quate regional or comprehensive sanitary sewage disposal facilities or  
4 sanitary sewer facilities or which have such limited or local facilities  
5 which are presently inadequate and insufficient to meet the needs of such  
6 counties and areas and municipalities therein; and

7 WHEREAS, It is the objective of both the Federal Government and the State  
8 Department of Health of New Jersey to initiate and encourage regional  
9 sewerage facilities for the purpose of collection, treatment and disposal  
10 of domestic and industrial wastes; and

11 WHEREAS, It is essential for the health, safety and welfare of the inhabitants  
12 of such counties and the areas and municipalities therein that improved\*,  
13 *enlarged\** or new sewerage disposal facilities and sanitary sewer facilities  
14 be constructed or acquired in such areas or municipalities not now being  
15 served by such facilities or that existing facilities which may be inade-  
16 quate be improved and extended where required; 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.

17 WHEREAS, Stream flow regulation may be required to assist and provide for  
 18 proper sewerage disposal facilities by providing necessary retention ba-  
 19 sins, impoundment facilities and other recognized means of stream flow  
 20 regulation; and

20A \*WHEREAS, Natural stream flows must be preserved, from the standpoint  
 20B of both quality and quantity, by providing ultra methods of waste treat-  
 20C ment, waste water re-use through ground-water recharge, retention in  
 20D basins, impoundments and reservoirs, and other means of total water  
 20E management; and\*

21 WHEREAS, The cost of such construction of sewage disposal facilities and sani-  
 22 tary sewer facilities or the construction of additions, extensions or im-  
 23 provements to existing facilities in many of such areas or municipalities  
 24 would, if financed by such areas, regions or municipalities on an indi-  
 25 vidual basis, be prohibitive and exorbitant; and

26 WHEREAS, There is a pressing need for counties to aid the inhabitants of  
 27 such areas, regions and municipalities therein by constructing or acquir-  
 28 ing new or improved sewage disposal facilities and sanitary sewerage  
 29 facilities, or parts thereof, where required, or by constructing or acquir-  
 30 ing additions, extensions and improvements to existing sewerage disposal  
 31 facilities and sanitary sewerage facilities, or parts thereof, where re-  
 32 quired, and to finance the cost of any such construction or acquisition  
 33 either alone or jointly with any municipality or municipalities, joint  
 34 meetings or sewerage authorities therein by the issuance of bonds of such  
 35 counties; now, therefore,

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

1 1. This act shall be known and may be cited as the "County Sewerage  
 2 Financing Law."

1 2. As used in this act the following words and terms shall have the fol-  
 2 lowing meanings unless some other meaning is plainly indicated:

3 (1) The word "county" shall mean any of the several counties of the

4 State operating under the authority granted by this act.

5 (2) The term "board of chosen freeholders" or the word "board" shall  
6 mean the board of chosen freeholders of any county operating under the  
7 powers granted by this act.

8 (3) The term "sewerage disposal facilities" shall mean and shall in-  
9 clude any plant, system, facility or property used or useful or having the  
10 present capacity for future use in connection with the collection, treatment,  
11 purification or disposal of sewage, and, without limiting the generality of  
12 the foregoing definition, shall embrace treatment plants, pumping stations,  
13 intercepting sewers, pressure lines, trunk or force mains, and all necessary  
14 appurtenances and equipment and shall include all property, rights, ease-  
15 ments and franchises relating to any such sewerage disposal facilities and  
16 deemed necessary or convenient for the operation thereof\*, *and shall in-*  
16A *clude stream flow regulation, waste water re-use, and all other phases of total*  
16B *water management, including ground-water recharge, impoundments in*  
16C *basins and reservoirs, and ultra methods of treatment for re-use for indus-*  
16D *try, domestic and irrigation purposes\*.*

17 (4) The term "sanitary sewerage facilities" shall include all sanitary  
18 sewer facilities, other than treatment or disposal facilities, but including such  
19 collection or lateral mains, trunks, force or intercepting mains or pumping  
20 stations as may be necessary for the collection of sewage from premises, in-  
21 cluding industrial premises, and for carrying such sewage to sewage disposal  
22 or treatment facilities, and all necessary appurtenances and equipment and  
23 shall include all property, rights, easements, franchises relating to any such  
24 sanitary sewer facilities necessary or convenient for operation thereof.

25 (5) The word "facilities" when used alone, shall mean both such sew-  
26 erage disposal facilities and sanitary sewer facilities, or either of them as  
27 the context shall require and shall include such stream flow regulation or  
28 impoundment reservoirs for stream flow control\*, *waste water re-use and total*  
28A *water management written on watershed\*.*

29 (6) The word "cost" as applied to sewerage disposal facilities or ex-

30 tensions or additions thereto or to sanitary sewer facilities, or to stream flow  
31 regulation facilities or impoundment, reservoirs, shall include the cost of  
32 construction, reconstruction or improvement, the cost of all labor, materials,  
33 machinery and equipment, the cost of all lands, property, rights, easements  
34 and franchises acquired, financing charges, interest on bonds issued to fi-  
35 nance such facilities prior to and during construction and for 1 year after  
36 completion of construction, cost of plans and specifications, surveys of esti-  
37 mates of costs and of revenues, cost of engineering and legal services, and  
38 all other expenses necessary or incident to determining the feasibility or  
39 practicability of such construction, reconstruction or improvement, adminis-  
40 trative expense and such other expense as may be necessary or incident to  
41 the construction or acquisition of such facilities, and the financing herein  
42 authorized. Any obligation or expense incurred by the county in connection  
43 with any of the foregoing items of cost prior to the issuance of bonds or  
44 notes as authorized herein may be regarded as part of such cost and reim-  
45 bursed to the county out of the proceeds of bonds issued under the provi-  
46 sions of this act.

47 (7) The term "general obligation bonds" shall mean general obligations  
48 of the county which are payable from unlimited ad valorem taxes or from  
49 such taxes and additionally secured by a pledge of sewer service charges  
50 as may be established.

51 (8) The word "sewage" shall include any substance that contains any  
52 of the waste products, excrement or other discharge from the bodies of  
53 human beings or animals as well as such other liquid wastes as normally  
54 emanate from dwelling houses, and shall also include liquid industrial  
55 wastes.

1 3. Any county in the State which may hereafter come under the pro-  
2 visions of this act as hereinafter provided is hereby authorized and em-  
3 powered:

4 (1) To purchase, construct, improve, extend, enlarge or reconstruct  
5 sewerage disposal facilities or sanitary sewer facilities within such county

6 either alone or jointly with any municipality, joint meeting or sewerage  
7 authority located within such county, and to operate, manage and control  
8 all or part of such sewerage disposal facilities and sanitary sewer facilities  
9 so purchased or constructed and all properties pertaining thereto, and to  
10 furnish and supply the services of its sewerage disposal facilities to any  
11 municipalities within such county; provided, however, that none of the facili-  
12 ties provided by this act may be constructed, owned, operated or maintained  
13 by the county on property located within the corporate limits of any munici-  
14 pality without the consent of the council or governing body having general  
15 legislative authority in the government of such municipality unless such fa-  
16 cilities were owned by the county on such property prior to the time such  
17 property was included within the corporate limits of such municipality. No  
18 county shall furnish any of the facilities provided by this article to any  
19 property already being furnished like facilities by any municipality, joint  
20 meeting or sewerage authority, without the express consent of the council  
21 or governing body, joint meeting or sewerage authority, having general  
22 legislative authority in the government of such municipality;

23 (2) To issue general obligation bonds of the county to pay all or part  
24 of the cost of such purchase, construction, improvement, extension, enlarge-  
25 ment or reconstruction of such facilities;

26 (3) To fix and collect rates, fees\*, *rents\** and other charges for the serv-  
27 ices and facilities furnished by any such *\*county\** sewerage disposal  
27A facilities.

28 (4) To receive and accept from the Federal Government or any agency  
29 thereof grants for or in aid of the planning, purchase, construction, exten-  
30 sion, enlargement or reconstruction, or financing of any of such facilities and  
31 to receive and accept contributions from any source of either money, prop-  
32 erty, labor, or other things of value to be held, used and applied only for  
33 the purposes for which such grants and contributions may be made.

34 (5) To acquire in the name of the county by gift, purchase as herein-  
35 after provided, or by the exercise of the right of eminent domain, such

36 lands and rights and interests therein, including lands under water and  
37 riparian rights, and to acquire such personal property, as it may deem nec-  
38 essary for the purchase, construction, improvement, extension, enlargement  
39 or reconstruction, or for the efficient operation of any facilities purchased or  
40 constructed under the provisions of this act and to hold and dispose of all  
41 real and personal property under its control.

42 (6) To make and enter into all contracts and agreements necessary or  
43 incidental to the performance of its duties and the execution of its powers  
44 under this act and to employ such consulting and other engineers, superin-  
45 tendents, managers, attorneys, financial or other consultants or experts and  
46 such other employees and agents as it may deem necessary in its judgment  
47 and to fix their compensation;

48 (7) Subject to the provisions and restrictions as may be set forth in  
49 the ordinance hereinafter mentioned authorizing or securing any bonds  
50 issued under the provisions of this act, to enter into contracts with the gov-  
51 ernment of the United States or any agency or instrumentality thereof or  
52 with any other county or with any municipality, private corporation, co-  
53 partnership, association, or individual providing for or relating to the collec-  
54 tion, treatment and disposal of sewage, including industrial wastes, which  
55 contracts may provide for the furnishing of sewer services either by or to  
56 the county, or the joint construction or operation of sewerage facilities.

57 (8) To acquire by gift or purchase at a price to be mutually agreed upon,  
58 any of the facilities or portions thereof, provided for by this act, which  
59 shall, prior to such acquisition, have been owned by any private person,  
60 group, firm, partnership, association or corporation; provided, however, if  
61 the price for same cannot be agreed upon, the price shall be determined by  
62 an arbitration board consisting of 3 persons, one of whom shall be selected  
63 by the board of chosen freeholders, one shall be appointed by the private  
64 company or corporation, and the 2 persons so selected shall select a third  
65 member of said board; and provided, further, that in the event said board  
66 cannot agree as to the price to be paid by the said board of chosen free-

67 holders, then the board of chosen freeholders shall exercise the right of emi-  
68 nent domain in the manner provided by law;

69 (9) To enter into agreements and contracts with building contractors  
70 erecting improvements within any duly platted subdivision within the county,  
71 the terms of which said agreements or contracts may provide that such  
72 building contractors shall install within such subdivision sewer mains and  
73 lines, to be approved by the county, said mains and lines to run to a point  
74 or location to be agreed upon, at which said point or location said mains and  
75 lines shall be connected to the sewerage disposal facilities of the county. In  
76 the event such agreements or contracts are entered into they shall provide  
77 that upon the connection of the mains or lines within the subdivision to the  
78 sewer facilities of the county said mains, lines and equipment running to the  
79 various privately owned parcels of land within such subdivision shall be-  
80 come the property of the county and shall become a part of the county sew-  
81 erage disposal facilities.

1 4. Whenever the board of chosen freeholders of any of the several coun-  
2 ties of the State by resolution chooses to exercise the powers granted by this  
3 act it shall make or cause to be made such surveys, investigations, studies,  
4 borings, maps, plans, drawings and estimates of costs and of revenues as it  
5 may deem necessary relating to the type of disposal and treatment and esti-  
6 mate of cost of such sewerage disposal facilities, the purchase or construction  
7 of which shall be deemed by the board to be desirable and also relating to the  
8 sanitary sewerage facilities, if any, *\*or part thereof\** it deems necessary to  
9 purchase or construct, to protect the health of the inhabitants of the county.

10 The obtaining of such surveys, investigations, studies, borings, maps,  
11 plans, drawings and estimates is hereby declared to be a county purpose and  
12 the costs thereof may be paid out of the general funds of the county, but  
13 which shall be reimbursed to the county from the proceeds of any bonds  
14 issued pursuant to this act.

15 All public or private property damaged or destroyed in carrying out the  
16 powers granted by this act shall be restored or repaired and placed in its

17 original condition as nearly as practicable or adequate compensation made  
18 therefor out of the funds provided by this act.

19     \*\***[**The State hereby consents to the use of all State lands lying under  
20 water which are necessary for the accomplishments or purposes of this act\*,  
21 *and for the discharge of adequately treated wastes into coastal waters*\*.**]**\*\*

1     5. The board of chosen freeholders is hereby authorized to provide by  
2 ordinance at one time or from time to time for the issuance of general  
3 obligation bonds of the county for the purpose of paying all or any part of  
4 the cost of any sewerage disposal facilities constructed, acquired, improved,  
5 extended, enlarged or reconstructed pursuant to this act. The bonds of each  
6 issue shall be issued pursuant to the provisions of the Local Bond Law, con-  
7 stituting chapter 2 of Title 40A of the New Jersey Statutes\***[**; provided, how-  
8 ever, that the issuance of any such bonds shall not be subject to the debt  
9 limitations contained in said Local Bond Law, or any other law when ap-  
10 proved by the Department of Local Government**]**\*.

11     The proceeds of such bonds shall be used solely for the payment of costs  
12 of the sewerage disposal facilities for the purchase, construction, recon-  
13 struction, enlargement or improvement of which such bonds shall have been  
14 authorized.

15     The board of chosen freeholders may also pledge to the payment of any  
16 or all of such bonds so issued all or any part of the revenues derived by  
17 the county from the operation *\*or rental\** of its sewerage disposal facilities.

1     6. A county may negotiate and enter into contracts, with municipalities  
2 within or adjoining its boundaries, joint meetings, sewerage authorities and  
3 with private sewer companies operating therein *\*and adjoining the county\**  
4 and may negotiate and enter into like contracts with any other municipality  
5 or any private sewer company which may be discharging sewage directly or  
6 indirectly into any river or its tributaries and which might advantageously  
7 use the sewerage disposal facilities of the county, and may negotiate and  
8 enter into like contracts with persons or corporations engaged in public or  
9 private industry (herein called "industry" or "industries") within its

10 boundaries who or which shall be discharging into any river or its tributaries  
11 any sewage, waste which cannot conveniently be disposed of through the  
12 sewerage system of any municipality or private sewer company.

1 7. After the commencement of operation of sewerage disposal facilities,  
2 the county may prescribe and change from time to time rates *\*or rentals\** to  
3 be charged for the use of the services of such facilities. Such rates *\*or*  
4 *rentals\** being in the nature of use or *\*[services]\* \*service\* charges \*or an-*  
5 *nual rental charges\**, shall be uniform *\*and equitable\** for the same type and  
6 class of use or service of such facilities. Such rates *\*or rentals\** and types  
7 and classes of use and service may be based on such factors which the board  
8 of chosen freeholders of the county shall deem proper and equitable within  
9 each regional facility.

1 8. If a county, pursuant to agreement with a municipality or municipali-  
2 ties therein, joint meetings or sewerage authorities, shall construct or  
3 acquire sewerage disposal facilities which will benefit such municipality or  
4 municipalities, joint meetings or sewerage authorities, such county may  
5 either (1) bear the entire cost of the construction or acquisition of such  
6 facilities by itself, or (2) share the cost of the construction or acquisition of  
7 such improvements with the municipality or municipalities, joint meetings or  
8 sewerage authorities. The county may issue its bonds for all *\*or part\** of the  
9 cost of the construction or acquisition of such facilities. If the cost thereof is  
10 to be shared by such municipality or municipalities, joint meetings or sewer-  
11 age authorities, the county may issue its bonds for its share of such cost and  
12 such municipality or municipalities, joint meetings or sewerage authorities,  
13 may issue their bonds for their share of such cost, or the county may issue its  
14 bonds for all of the cost of such facilities, and the share of such cost to be  
15 borne by such municipality or municipalities, joint meetings or sewerage  
16 authorities shall be repaid to the county by such municipality or municipi-  
17 palities, joint meeting or sewerage authority in annual installments over a  
18 period not exceeding 40 years as shall be agreed upon between the county  
19 and such municipality or municipalities, joint meeting or sewerage author-

20 ity. The amount of said annual installments shall include interest at such  
21 rate or rates as the county and such municipality or municipalities, joint  
22 meeting or sewerage authority shall agree upon, and the county and such  
23 municipality or municipalities, joint meeting or sewerage authority are  
24 hereby authorized to enter into agreements relating to such facilities which  
25 agreements shall have such terms and conditions as shall be deemed necessary  
26 and proper by such county and such participating municipality or municipi-  
27 palities, joint meeting or sewerage authority. Such agreements shall be  
28 authorized by a resolution duly adopted by the board of chosen freeholders  
29 of the county and by an ordinance duly adopted by the governing body of  
30 such municipality, municipalities, joint meeting or sewerage authority. Such  
31 annual payments received by a county from such municipality, municipal-  
32 ities, joint meeting or sewerage authority may also include an additional  
33 annual amount as shall be agreed upon for the payment of the agreed share of  
34 the cost of operation and maintenance and improvement or enlargement of  
35 such facilities. Notwithstanding any provisions of any other law or laws  
36 now existing or hereafter enacted, none of such annual payments to be made  
37 by such municipality, municipalities, joint meeting or sewerage authority to  
38 such county shall be included in any computation of gross or net indebtedness  
39 required under any such other law or laws.

40 Notwithstanding any provisions of any other law or laws now existing or  
41 hereafter enacted, the amount of any bonds issued by a county to finance the  
42 share of any municipality, municipalities, joint meeting or sewerage author-  
43 ity of the cost of the construction of acquisition of such facilities shall not  
44 be included in any computation of gross or net indebtedness under any such  
45 other law or laws as long as such county and such municipality, municipal-  
46 ities, joint meeting or sewerage authority have entered into an agreement pur-  
47 suant to this section under which the share of such municipality, municipal-  
48 ities, joint meeting or sewerage authority shall be repaid to such county as  
49 provided in this section.

1       9. Any municipality, joint meeting or sewerage authority with which a  
2 county is authorized to contract under the terms and provisions of this act  
3 shall have power, by ordinance duly adopted by its governing body to  
4 authorize its proper officials to enter into and execute for it a contract, for  
5 such periods of time and under such terms as are deemed proper and neces-  
6 sary, with a county, for the collection, treatment and disposal of all or any  
7 specified part of the sewage arising or collected in or by such municipality,  
8 joint meeting or sewerage authority, by the sewerage disposal facilities of  
9 such county and such contract shall be valid and binding upon the munici-  
10 pality, joint meeting or sewerage authority notwithstanding that no appro-  
11 priation was made or provided to cover the estimated cost of such contract,  
12 and the governing body of the municipality, joint meeting or sewerage au-  
13 thority shall have full power and authority to do and perform all acts and  
14 things on the part of the municipality, joint meeting or sewerage authority  
15 to be done and performed under the terms and provisions of such contract.  
16 Any private sewer company or industry shall likewise have power to enter  
17 into a contract with a county for the collection, treatment and disposal of  
18 the sewage or the waste collected or discharged by it by the sewerage dis-  
19 posal facilities of a county.

1       10. Notwithstanding any restriction contained in any other law, the State  
2 and all public officers, municipalities, counties, political subdivisions and  
3 public bodies, and agencies thereof, all banks, bankers, trust companies, sav-  
4 ings banks and institutions, building and loan associations, savings and bank-  
5 ing business, all insurance companies, insurance associations and other per-  
6 sons carrying on an insurance business, and all executors, administrators,  
7 guardians, trustees and other fiduciaries, may legally invest any sinking fund  
8 moneys or other funds belonging to them or within their control in any bonds  
9 of a county authorized pursuant to this act, and such bonds are hereby made  
10 and shall be authorized security for any and all public deposits. Any such  
11 bonds and the interest thereon shall be exempt from taxation except for  
12 transfer and inheritance taxes.

1 11. The chief fiscal officer of each municipality, joint meeting or sewerage  
2 authority which shall have entered into a contract pursuant to this act, shall  
3 cause to be paid to the county, at such times to be agreed upon, the amount  
4 of money certified to the municipality, joint meeting or sewerage authority by  
5 the county pursuant to this act. The power and obligation of such municipi-  
6 pality, joint meeting or sewerage authority to provide for and make all such  
7 payments shall be unlimited and the sums necessary for such payment shall  
8 be included in each annual budget of such municipality, joint meeting or  
9 sewerage authority and such municipality, joint meeting or sewerage au-  
10 thority shall be irrevocably and unconditionally obligated to levy ad valorem  
11 taxes on all taxable property therein *\*or service charges for users,*  
12 *as the case may be,\** without limit as to rate or amount to the  
12A full extent necessary to make all such payments in full as the same be-  
13 come due. If any part of the amount certified to a municipality, joint meet-  
14 ing or sewerage authority by a county, pursuant to this act, shall remain  
15 unpaid for 30 days following the date fixed for payment by the contract,  
16 the municipality, joint meeting or sewerage authority thus in default shall  
17 be charged with and liable for, and the chief fiscal officer thereof shall  
18 pay to such county interest upon the amount unpaid at the rate of 8% per  
19 annum.

1 12. Each private sewer company or industry which shall have entered  
2 into a contract with a county pursuant to this act, shall pay at such times as  
3 shall be provided in such contract to the contracting county, the sum of money  
4 certified to it by such county pursuant to this act, on or before the date  
5 provided for such payment in such contract\***[**, and the amount unpaid on said  
6 date shall bear interest thereafter until paid at the rate of 8% per annum**]**\*.  
7 Any such sum of money so certified by a county shall be a lien in favor of such  
8 county on and against the property of such private sewer company or indus-  
9 try. If such sum of money or any part thereof is not paid to the contracting  
10 county on or before such contract payment date\***[** *the unpaid amount shall*  
11 *bear interest at the rate of 8% therefrom until payment is complete and\**,

12 such county shall make and record, in the same manner as conveyances of  
13 interest in real property are recorded, a certificate setting forth the facts  
14 and giving notice of the existence and amount of such lien remaining unsatis-  
15 fied. So far as permitted by law, such lien shall have priority over all other  
16 liens theretofore or thereafter attaching except those of Federal, State and  
17 local taxes.

1     13. The object and design of this act being the protection and preserva-  
2 tion of public health, safety and welfare, this act shall be liberally construed  
3 and the powers granted and the duties imposed by this act shall be construed  
4 to be independent and severable. If any one or more sections, clauses, sen-  
5 tences or parts of this act shall for any reason be questioned in any court, and  
6 shall be adjudged unconstitutional or invalid, such judgment shall not affect,  
7 impair or invalidate the remaining provisions thereof, but shall be confined  
8 in its operation to the specific provisions so held unconstitutional or invalid.

1     14. In the event a county sewerage or municipal utilities authority has  
2 been established in a county pursuant to the provisions of chapter 123 of the  
3 laws of 1946 (c. 40:36A-1 et seq.) *\*\*or chapter 138 of the laws of 1946, the*  
4 *“sewerage authorities law,” (c. 40:14A-1 et seq.)\*\**, no county shall establish  
5 any competitive sewerage disposal system within such county under the  
5A provisions of this act without the consent of such existing authority.

6     Except for the foregoing, insofar as the provisions of this act are in-  
7 consistent with the provisions of any other act, general or special, the pro-  
8 visions of this act shall be controlling.

1     15. This act shall take effect immediately.

ASSEMBLY, No. 694

STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1966

By Assemblymen AZZOLINA, BEADLESTON, COLEMAN, DAVIS,  
PERSKIE, CURRY and DICKEY

Referred to Committee on County and Municipal Government

AN ACT concerning the construction or acquisition of sewerage disposal facilities and sanitary sewerage facilities by counties separately or jointly with municipalities located therein and supplementing chapter 23 of Title 40 of the Revised Statutes.

1 WHEREAS, It has been found and determined that many counties in the State  
2 of New Jersey contain areas and municipalities which do not have ade-  
3 quate regional or comprehensive sanitary sewage disposal facilities or  
4 sanitary sewer facilities or which have such limited or local facilities  
5 which are presently inadequate and insufficient to meet the needs of such  
6 counties and areas and municipalities therein; and

7 WHEREAS, It is the objective of both the Federal Government and the State  
8 Department of Health of New Jersey to initiate and encourage regional  
9 sewerage facilities for the purpose of collection, treatment and disposal  
10 of domestic and industrial wastes; and

11 WHEREAS, It is essential for the health, safety and welfare of the inhabitants  
12 of such counties and the areas and municipalities therein that improved  
13 or new sewage disposal facilities and sanitary sewer facilities be con-  
14 structed or acquired in such areas or municipalities not now being served  
15 by such facilities or that existing facilities which may be inadequate be  
16 improved and extended where required; and

17 WHEREAS, Stream flow regulation may be required to assist and provide for  
18 proper sewerage disposal facilities by providing necessary retention ba-  
19 sins, impoundment facilities and other recognized means of stream flow  
20 regulation; and

21 WHEREAS, The cost of such construction of sewage disposal facilities and sani-  
22 tary sewer facilities or the construction of additions, extensions or im-  
23 provements to existing facilities in many of such areas or municipalities  
24 would, if financed by such areas, regions or municipalities on an indi-  
25 vidual basis, be prohibitive and exorbitant; and

26 WHEREAS, There is a pressing need for counties to aid the inhabitants of  
27 such areas, regions and municipalities therein by constructing or acquir-  
28 ing new or improved sewage disposal facilities and sanitary sewerage  
29 facilities, or parts thereof, where required, or by constructing or acquir-  
30 ing additions, extensions and improvements to existing sewerage disposal  
31 facilities and sanitary sewerage facilities, or parts thereof, where re-  
32 quired, and to finance the cost of any such construction or acquisition  
33 either alone or jointly with any municipality or municipalities, joint  
34 meetings or sewerage authorities therein by the issuance of bonds of such  
35 counties; now, therefore,

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

1 1. This act shall be known and may be cited as the "County Sewerage  
2 Financing Law."

1 2. As used in this act the following words and terms shall have the fol-  
2 lowing meanings unless some other meaning is plainly indicated:

3 (1) The word "county" shall mean any of the several counties of the  
4 State operating under the authority granted by this act.

5 (2) The term "board of chosen freeholders" or the word "board" shall  
6 mean the board of chosen freeholders of any county operating under the  
7 powers granted by this act.

8 (3) The term "sewerage disposal facilities" shall mean and shall in-  
9 clude any plant, system, facility or property used or useful or having the  
10 present capacity for future use in connection with the collection, treatment,  
11 purification or disposal of sewage, and, without limiting the generality of  
12 the foregoing definition, shall embrace treatment plants, pumping stations,  
13 intercepting sewers, pressure lines, trunk or force mains, and all necessary  
14 appurtenances and equipment and shall include all property, rights, ease-  
15 ments and franchises relating to any such sewerage disposal facilities and  
16 deemed necessary or convenient for the operation thereof.

17 (4) The term "sanitary sewerage facilities" shall include all sanitary  
18 sewer facilities, other than treatment or disposal facilities, but including such  
19 collection or lateral mains, trunks, force or intercepting mains or pumping  
20 stations as may be necessary for the collection of sewage from premises, in-  
21 cluding industrial premises, and for carrying such sewage to sewage disposal  
22 or treatment facilities, and all necessary appurtenances and equipment and  
23 shall include all property, rights, easements, franchises relating to any such  
24 sanitary sewer facilities necessary or convenient for operation thereof.

25 (5) The word "facilities" when used alone, shall mean both such sew-  
26 erage disposal facilities and sanitary sewer facilities, or either of them as  
27 the context shall require and shall include such stream flow regulation or  
28 impoundment reservoirs for stream flow control.

29 (6) The word "cost" as applied to sewerage disposal facilities or ex-  
30 tensions or additions thereto or to sanitary sewer facilities, or to stream flow  
31 regulation facilities or impoundment, reservoirs, shall include the cost of  
32 construction, reconstruction or improvement, the cost of all labor, materials,  
33 machinery and equipment, the cost of all lands, property, rights, easements  
34 and franchises acquired, financing charges, interest on bonds issued to fi-  
35 nance such facilities prior to and during construction and for 1 year after  
36 completion of construction, cost of plans and specifications, surveys of esti-  
37 mates of costs and of revenues, cost of engineering and legal services, and  
38 all other expenses necessary or incident to determining the feasibility or

39 practicability of such construction, reconstruction or improvement, adminis-  
40 trative expense and such other expense as may be necessary or incident to  
41 the construction or acquisition of such facilities, and the financing herein  
42 authorized. Any obligation or expense incurred by the county in connection  
43 with any of the foregoing items of cost prior to the issuance of bonds or  
44 notes as authorized herein may be regarded as part of such cost and reim-  
45 bursed to the county out of the proceeds of bonds issued under the provi-  
46 sions of this act.

47 (7) The term "general obligation bonds" shall mean general obligations  
48 of the county which are payable from unlimited ad valorem taxes or from  
49 such taxes and additionally secured by a pledge of sewer service charges  
50 as may be established.

51 (8) The word "sewage" shall include any substance that contains any  
52 of the waste products, excrement or other discharge from the bodies of  
53 human beings or animals as well as such other liquid wastes as normally  
54 emanate from dwelling houses, and shall also include liquid industrial  
55 wastes.

1 3. Any county in the State which may hereafter come under the pro-  
2 visions of this act as hereinafter provided is hereby authorized and em-  
3 powered:

4 (1) To purchase, construct, improve, extend, enlarge or reconstruct  
5 sewerage disposal facilities or sanitary sewer facilities within such county  
6 either alone or jointly with any municipality, joint meeting or sewerage  
7 authority located within such county, and to operate, manage and control  
8 all or part of such sewerage disposal facilities and sanitary sewer facilities  
9 so purchased or constructed and all properties pertaining thereto, and to  
10 furnish and supply the services of its sewerage disposal facilities to any  
11 municipalities within such county; provided, however, that none of the facili-  
12 ties provided by this act may be constructed, owned, operated or maintained  
13 by the county on property located within the corporate limits of any munici-  
14 pality without the consent of the council or governing body having general

15 legislative authority in the government of such municipality unless such fa-  
16 cilities were owned by the county on such property prior to the time such  
17 property was included within the corporate limits of such municipality. No  
18 county shall furnish any of the facilities provided by this article to any  
19 property already being furnished like facilities by any municipality, joint  
20 meeting or sewerage authority, without the express consent of the council  
21 or governing body, joint meeting or sewerage authority, having general  
22 legislative authority in the government of such municipality;

23 (2) To issue general obligation bonds of the county to pay all or part  
24 of the cost of such purchase, construction, improvement, extension, enlarge-  
25 ment or reconstruction of such facilities;

26 (3) To fix and collect rates, fees and other charges for the services and  
27 facilities furnished by any such sewerage disposal facilities.

28 (4) To receive and accept from the Federal Government or any agency  
29 thereof grants for or in aid of the planning, purchase, construction, exten-  
30 sion, enlargement or reconstruction, or financing of any of such facilities and  
31 to receive and accept contributions from any source of either money, prop-  
32 erty, labor, or other things of value to be held, used and applied only for  
33 the purposes for which such grants and contributions may be made.

34 (5) To acquire in the name of the county by gift, purchase as herein-  
35 after provided, or by the exercise of the right of eminent domain, such  
36 lands and rights and interests therein, including lands under water and  
37 riparian rights, and to acquire such personal property, as it may deem nec-  
38 essary for the purchase, construction, improvement, extension, enlargement  
39 or reconstruction, or for the efficient operation of any facilities purchased or  
40 constructed under the provisions of this act and to hold and dispose of all  
41 real and personal property under its control.

42 (6) To make and enter into all contracts and agreements necessary or  
43 incidental to the performance of its duties and the execution of its powers  
44 under this act and to employ such consulting and other engineers, superin-  
45 tendents, managers, attorneys, financial or other consultants or experts and

46 such other employees and agents as it may deem necessary in its judgment  
47 and to fix their compensation;

48 (7) Subject to the provisions and restrictions as may be set forth in  
49 the ordinance hereinafter mentioned authorizing or securing any bonds  
50 issued under the provisions of this act, to enter into contracts with the gov-  
51 ernment of the United States or any agency or instrumentality thereof or  
52 with any other county or with any municipality, private corporation, co-  
53 partnership, association, or individual providing for or relating to the collec-  
54 tion, treatment and disposal of sewage, including industrial wastes, which  
55 contracts may provide for the furnishing of sewer services either by or to  
56 the county, or the joint construction or operation of sewerage facilities.

57 (8) To acquire by gift or purchase at a price to be mutually agreed upon,  
58 any of the facilities or portions thereof, provided for by this act, which  
59 shall, prior to such acquisition, have been owned by any private person,  
60 group, firm, partnership, association or corporation; provided, however, if  
61 the price for same cannot be agreed upon, the price shall be determined by  
62 an arbitration board consisting of 3 persons, one of whom shall be selected  
63 by the board of chosen freeholders, one shall be appointed by the private  
64 company or corporation, and the 2 persons so selected shall select a third  
65 member of said board; and provided, further, that in the event said board  
66 cannot agree as to the price to be paid by the said board of chosen free-  
67 holders, then the board of chosen freeholders shall exercise the right of emi-  
68 nent domain in the manner provided by law;

69 (9) To enter into agreements and contracts with building contractors  
70 erecting improvements within any duly platted subdivision within the county,  
71 the terms of which said agreements or contracts may provide that such  
72 building contractors shall install within such subdivision sewer mains and  
73 lines, to be approved by the county, said mains and lines to run to a point  
74 or location to be agreed upon, at which said point or location said mains and  
75 lines shall be connected to the sewerage disposal facilities of the county. In  
76 the event such agreements or contracts are entered into they shall provide

77 that upon the connection of the mains or lines within the subdivision to the  
78 sewer facilities of the county said mains, lines and equipment running to the  
79 various privately owned parcels of land within such subdivision shall be-  
80 come the property of the county and shall become a part of the county sew-  
81 erage disposal facilities.

1     4. Whenever the board of chosen freeholders of any of the several coun-  
2 ties of the State by resolution chooses to exercise the powers granted by this  
3 act it shall make or cause to be made such surveys, investigations, studies,  
4 borings, maps, plans, drawings and estimates of costs and of revenues as it  
5 may deem necessary relating to the type of disposal and treatment and esti-  
6 mate of cost of such sewerage disposal facilities, the purchase or construction  
7 of which shall be deemed by the board to be desirable and also relating to the  
8 sanitary sewerage facilities, if any, it deems necessary to purchase or con-  
9 struct, to protect the health of the inhabitants of the county.

10     The obtaining of such surveys, investigations, studies, borings, maps,  
11 plans, drawings and estimates is hereby declared to be a county purpose and  
12 the costs thereof may be paid out of the general funds of the county, but  
13 which shall be reimbursed to the county from the proceeds of any bonds  
14 issued pursuant to this act.

15     All public or private property damaged or destroyed in carrying out the  
16 powers granted by this act shall be restored or repaired and placed in its  
17 original condition as nearly as practicable or adequate compensation made  
18 therefor out of the funds provided by this act.

19     The State hereby consents to the use of all State lands lying under  
20 water which are necessary for the accomplishments or purposes of this act.

1     5. The board of chosen freeholders is hereby authorized to provide by  
2 ordinance at one time or from time to time for the issuance of general  
3 obligation bonds of the county for the purpose of paying all or any part of  
4 the cost of any sewerage disposal facilities constructed, acquired, improved,  
5 extended, enlarged or reconstructed pursuant to this act. The bonds of each  
6 issue shall be issued pursuant to the provisions of the Local Bond Law, con-

7 stituting chapter 2 of Title 40A of the New Jersey Statutes; provided, how-  
8 ever, that the issuance of any such bonds shall not be subject to the debt  
9 limitations contained in said Local Bond Law, or any other law when ap-  
10 proved by the Department of Local Government.

11 The proceeds of such bonds shall be used solely for the payment of costs  
12 of the sewerage disposal facilities for the purchase, construction, recon-  
13 struction, enlargement or improvement of which such bonds shall have been  
14 authorized.

15 The board of chosen freeholders may also pledge to the payment of any  
16 or all of such bonds so issued all or any part of the revenues derived by  
17 the county from the operation of its sewerage disposal facilities.

1 6. A county may negotiate and enter into contracts, with municipalities  
2 within or adjoining its boundaries, joint meetings, sewerage authorities and  
3 with private sewer companies operating therein and may negotiate and enter  
4 into like contracts with any other municipality or any private sewer com-  
5 pany which may be discharging sewage directly or indirectly into any river  
6 or its tributaries and which might advantageously use the sewerage disposal  
7 facilities of the county, and may negotiate and enter into like contracts with  
8 persons or corporations engaged in public or private industry (herein called  
9 "industry" or "industries") within its boundaries who or which shall be  
10 discharging into any river or its tributaries any sewage, waste which cannot  
11 conveniently be disposed of through the sewerage system of any munici-  
12 pality or private sewer company.

1 7. After the commencement of operation of sewerage disposal facilities,  
2 the county may prescribe and change from time to time rates to be charged  
3 for the use of the services of such facilities. Such rates being in the nature  
4 of use or services charges, shall be uniform for the same type and class of use  
5 or service of such facilities. Such rates and types and classes of use and  
6 service may be based on such factors which the board of chosen freeholders  
7 of the county shall deem proper and equitable within each regional facility.

1 8. If a county, pursuant to agreement with a municipality or municipali-  
2 ties therein, joint meetings or sewerage authorities, shall construct or  
3 acquire sewerage disposal facilities which will benefit such municipality or  
4 municipalities, joint meetings or sewerage authorities, such county may  
5 either (1) bear the entire cost of the construction or acquisition of such  
6 facilities by itself, or (2) share the cost of the construction or acquisition of  
7 such improvements with the municipality or municipalities, joint meetings or  
8 sewerage authorities. The county may issue its bonds for all of the cost of  
9 the construction or acquisition of such facilities. If the cost thereof is to be  
10 shared by such municipality or municipalities, joint meetings or sewerage  
11 authorities, the county may issue its bonds for its share of such cost and such  
12 municipality or municipalities, joint meetings or sewerage authorities, may  
13 issue their bonds for their share of such cost, or the county may issue its  
14 bonds for all of the cost of such facilities, and the share of such cost to be  
15 borne by such municipality or municipalities, joint meetings or sewerage  
16 authorities shall be repaid to the county by such municipality or municipi-  
17 palities, joint meeting or sewerage authority in annual installments over a  
18 period not exceeding 40 years as shall be agreed upon between the county  
19 and such municipality or municipalities, joint meeting or sewerage author-  
20 ity. The amount of said annual installments shall include interest at such  
21 rate or rates as the county and such municipality or municipalities, joint  
22 meeting or sewerage authority shall agree upon, and the county and such  
23 municipality or municipalities, joint meeting or sewerage authority are  
24 hereby authorized to enter into agreements relating to such facilities which  
25 agreements shall have such terms and conditions as shall be deemed necessary  
26 and proper by such county and such participating municipality or municipi-  
27 palities, joint meeting or sewerage authority. Such agreements shall be  
28 authorized by a resolution duly adopted by the board of chosen freeholders  
29 of the county and by an ordinance duly adopted by the governing body of  
30 such municipality, municipalities, joint meeting or sewerage authority. Such  
31 annual payments received by a county from such municipality, municipal-

32 ities, joint meeting or sewerage authority may also include an additional  
33 annual amount as shall be agreed upon for the payment of the agreed share of  
34 the cost of operation and maintenance and improvement or enlargement of  
35 such facilities. Notwithstanding any provisions of any other law or laws  
36 now existing or hereafter enacted, none of such annual payments to be made  
37 by such municipality, municipalities, joint meeting or sewerage authority to  
38 such county shall be included in any computation of gross or net indebtedness  
39 required under any such other law or laws.

40 Notwithstanding any provisions of any other law or laws now existing or  
41 hereafter enacted, the amount of any bonds issued by a county to finance the  
42 share of any municipality, municipalities, joint meeting or sewerage author-  
43 ity of the cost of the construction of acquisition of such facilities shall not  
44 be included in any computation of gross or net indebtedness under any such  
45 other law or laws as long as such county and such municipality, municipal-  
46 ities, joint meeting or sewerage authority have entered into an agreement pur-  
47 suant to this section under which the share of such municipality, municipal-  
48 ities, joint meeting or sewerage authority shall be repaid to such county as  
49 provided in this section.

1 9. Any municipality, joint meeting or sewerage authority with which a  
2 county is authorized to contract under the terms and provisions of this act  
3 shall have power, by ordinance duly adopted by its governing body to  
4 authorize its proper officials to enter into and execute for it a contract, for  
5 such periods of time and under such terms as are deemed proper and neces-  
6 sary, with a county, for the collection, treatment and disposal of all or any  
7 specified part of the sewage arising or collected in or by such municipality,  
8 joint meeting or sewerage authority, by the sewerage disposal facilities of  
9 such county and such contract shall be valid and binding upon the munici-  
10 pality, joint meeting or sewerage authority notwithstanding that no appro-  
11 priation was made or provided to cover the estimated cost of such contract,  
12 and the governing body of the municipality, joint meeting or sewerage au-  
13 thority shall have full power and authority to do and perform all acts and

14 things on the part of the municipality, joint meeting or sewerage authority  
15 to be done and performed under the terms and provisions of such contract.  
16 Any private sewer company or industry shall likewise have power to enter  
17 into a contract with a county for the collection, treatment and disposal of  
18 the sewage or the waste collected or discharged by it by the sewerage dis-  
19 posal facilities of a county.

1       10. Notwithstanding any restriction contained in any other law, the State  
2 and all public officers, municipalities, counties, political subdivisions and  
3 public bodies, and agencies thereof, all banks, bankers, trust companies, sav-  
4 ings banks and institutions, building and loan associations, savings and bank-  
5 ing business, all insurance companies, insurance associations and other per-  
6 sons carrying on an insurance business, and all executors, administrators,  
7 guardians, trustees and other fiduciaries, may legally invest any sinking fund  
8 moneys or other funds belonging to them or within their control in any bonds  
9 of a county authorized pursuant to this act, and such bonds are hereby made  
10 and shall be authorized security for any and all public deposits. Any such  
11 bonds and the interest thereon shall be exempt from taxation except for  
12 transfer and inheritance taxes.

1       11. The chief fiscal officer of each municipality, joint meeting or sewerage  
2 authority which shall have entered into a contract pursuant to this act, shall  
3 cause to be paid to the county, at such times to be agreed upon, the amount  
4 of money certified to the municipality, joint meeting or sewerage authority by  
5 the county pursuant to this act. The power and obligation of such munici-  
6 pality, joint meeting or sewerage authority to provide for and make all such  
7 payments shall be unlimited and the sums necessary for such payment shall  
8 be included in each annual budget of such municipality, joint meeting or  
9 sewerage authority and such municipality, joint meeting or sewerage au-  
10 thority shall be irrevocably and unconditionally obligated to levy ad valorem  
11 taxes on all taxable property therein without limit as to rate or amount to  
12 the full extent necessary to make all such payments in full as the same be-  
13 come due. If any part of the amount certified to a municipality, joint meet-

14 ing or sewerage authority by a county, pursuant to this act, shall remain  
15 unpaid for 30 days following the date fixed for payment by the contract,  
16 the municipality, joint meeting or sewerage authority thus in default shall  
17 be charged with and liable for, and the chief fiscal officer thereof shall  
18 pay to such county interest upon the amount unpaid at the rate of 8% per  
19 annum.

1     12. Each private sewer company or industry which shall have entered  
2 into a contract with a county pursuant to this act, shall pay at such times as  
3 shall be provided in such contract to the contracting county, the sum of money  
4 certified to it by such county pursuant to this act, on or before the date  
5 provided for such payment in such contract, and the amount unpaid on said  
6 date shall bear interest thereafter until paid at the rate of 8% per annum.  
7 Any such sum of money so certified by a county shall be a lien in favor of such  
8 county on and against the property of such private sewer company or indus-  
9 try. If such sum of money or any part thereof is not paid to the contracting  
10 county on or before such contract payment date, such county shall make and  
11 record, in the same manner as conveyances of interest in real property are  
12 recorded, a certificate setting forth the facts and giving notice of the existence  
13 and amount of such lien remaining unsatisfied. So far as permitted by law,  
14 such lien shall have priority over all other liens theretofore or thereafter  
15 attaching except those of Federal, State and local taxes.

1     13. The object and design of this act being the protection and preserva-  
2 tion of public health, safety and welfare, this act shall be liberally construed  
3 and the powers granted and the duties imposed by this act shall be construed  
4 to be independent and severable. If any one or more sections, clauses, sen-  
5 tences or parts of this act shall for any reason be questioned in any court, and  
6 shall be adjudged unconstitutional or invalid, such judgment shall not affect,  
7 impair or invalidate the remaining provisions thereof, but shall be confined  
8 in its operation to the specific provisions so held unconstitutional or invalid.

1     14. In the event a county sewerage or municipal utilities authority has  
2 been established in a county pursuant to the provisions of chapter 123 of the

3 laws of 1946 (c. 40:36A-1 et seq.), no county shall establish any competitive  
4 sewerage disposal system within such county under the provisions of this act  
5 without the consent of such existing authority.

6 Except for the foregoing, insofar as the provisions of this act are in-  
7 consistent with the provisions of any other act, general or special, the pro-  
8 visions of this act shall be controlling.

1 15. This act shall take effect immediately.

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#### STATEMENT

WHEREAS, It has been recognized and determined that water pollution control can best be regulated by regional action; and

WHEREAS, Both the Federal Government and State agencies responsible for water pollution control have encouraged the regional development or collection, treatment and disposal of domestic and industrial wastes; and

WHEREAS, It is recognized that these facilities also require the initiation of total water management through stream flow regulation by the construction of impoundment reservoirs as an integral part of the overall required facilities; and

WHEREAS, It has been found that individual municipalities alone cannot properly plan, construct and operate such facilities which generally extend beyond the limits of municipal boundaries; and

WHEREAS, Experience throughout the State of New Jersey and the entire country has dictated that regional facilities are governed by watersheds extending beyond individual municipal boundaries which require as a minimum county action and participation in the development and planning, construction and operation of such facilities; now, therefore,

It is proposed that legislation be considered which will enable the board of chosen freeholders of counties in the State of New Jersey to participate in the planning, development, construction and financing of regional facilities through enactment of legislation which will make funds available to permit the development on a regional basis of comprehensive regional facilities serving groups of

municipalities within natural watersheds or drainage basins and to assist in the planning, construction and operation of such facilities to the extent determined to be practicable and economically feasible and to provide facilities and long-range planning which cannot be undertaken independently by municipalities, joint meetings or sewerage authorities or by private sewerage systems or industries and that such legislation be predicated upon the establishment of such facilities by both State and Federal requirements for elimination of stream pollution and to effect the most economical means of solving a most critical health problem.

The plan of regional sewers in Monmouth county has been discussed and reviewed with Doctor Roscoe P. Kandle, Commissioner of the Health Department of the State of New Jersey, and has received his indorsement.

ASSEMBLY COMMITTEE AMENDMENTS TO

ASSEMBLY, No. 694

STATE OF NEW JERSEY

ADOPTED MAY 16, 1966

Amend page 1, preamble, line 12, after "improved", insert ", enlarged".

Amend page 2, preamble, after line 20, insert a new paragraph as follows:

"WHEREAS, Natural stream flows must be preserved, from the standpoint of both quality and quantity, by providing ultra methods of waste treatment, waste water re-use through ground-water recharge, retention in basins, impoundments and reservoirs, and other means of total water management; and".

Amend page 3, section 2, line 16, after "thereof", insert ", and shall include stream flow regulation, waste water re-use, and all other phases of total water management, including ground-water recharge, impoundments in basins and reservoirs, and ultra methods of treatment for re-use for industry, domestic and irrigation purposes".

Amend page 3, section 2, line 28, after "control", insert ", waste water re-use, and total water management within a watershed".

Amend page 5, section 3, line 26, after "fees", insert ", rents".

Amend page 5, section 3, line 27, after "such", insert "county".

Amend page 7, section 4, line 8, after "if any,", insert "or part thereof".

Amend page 7, section 4, line 20, after "act", insert ", and for the discharge of adequately treated wastes into coastal waters".

Amend page 8, section 5, lines 7 through 10, omit "; provided, however, that the issuance of any such bonds shall not be subject to the debt limitations

contained in said Local Bond Law, or any other law when approved by the Department of Local Government”.

Amend page 8, section 5, line 17, after “operation”, insert “or rental”.

Amend page 8, section 6, line 3, after “therein”, insert “and adjoining the county”.

Amend page 8, section 7, line 2, after “rates”, insert “or rentals”.

Amend page 8, section 7, line 3, after “rates”, insert “or rentals”.

Amend page 8, section 7, line 4, omit “services”, insert “service”; after “charges”, insert “or annual rental charges”; after “uniform”, insert “and equitable”.

Amend page 8, section 7, line 5, after “rates”, insert “or rentals”.

Amend page 9, section 8, line 8, after “bonds for all”, insert “or part”.

Amend page 11, section 11, line 11, after “therein”, insert “or service charges for users, as the case may be,”.

Amend page 12, section 12, lines 5 and 6, omit “, and the amount unpaid on said date shall bear interest thereafter until paid at the rate of 8% per annum”.

Amend page 12, section 12, line 10, after “date,” insert “the unpaid amount shall bear interest at the rate of 8% therefrom until payment is complete and”.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 694

STATE OF NEW JERSEY

INTRODUCED APRIL 27, 1966

By Assemblymen AZZOLINA, BEADLESTON, COLEMAN, DAVIS,  
PERSKIE, CURRY and DICKEY

Referred to Committee on County and Municipal Government

AN ACT concerning the construction or acquisition of sewerage disposal facilities and sanitary sewerage facilities by counties separately or jointly with municipalities located therein and supplementing chapter 23 of Title 40 of the Revised Statutes.

1 WHEREAS, It has been found and determined that many counties in the State  
2 of New Jersey contain areas and municipalities which do not have ade-  
3 quate regional or comprehensive sanitary sewage disposal facilities or  
4 sanitary sewer facilities or which have such limited or local facilities  
5 which are presently inadequate and insufficient to meet the needs of such  
6 counties and areas and municipalities therein; and

7 WHEREAS, It is the objective of both the Federal Government and the State  
8 Department of Health of New Jersey to initiate and encourage regional  
9 sewerage facilities for the purpose of collection, treatment and disposal  
10 of domestic and industrial wastes; and

11 WHEREAS, It is essential for the health, safety and welfare of the inhabitants  
12 of such counties and the areas and municipalities therein that improved\*,  
13 *enlarged\** or new sewage disposal facilities and sanitary sewer facilities  
14 be constructed or acquired in such areas or municipalities not now being  
15 served by such facilities or that existing facilities which may be inade-  
16 quate be improved and extended where required; 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.

17 WHEREAS, Stream flow regulation may be required to assist and provide for  
 18 proper sewerage disposal facilities by providing necessary retention ba-  
 19 sins, impoundment facilities and other recognized means of stream flow  
 20 regulation; and

20A \*WHEREAS, *Natural stream flows must be preserved, from the standpoint*  
 20B *of both quality and quantity, by providing ultra methods of waste treat-*  
 20C *ment, waste water re-use through ground-water recharge, retention in*  
 20D *basins, impoundments and reservoirs, and other means of total water*  
 20E *management; and\**

21 WHEREAS, The cost of such construction of sewage disposal facilities and sani-  
 22 tary sewer facilities or the construction of additions, extensions or im-  
 23 provements to existing facilities in many of such areas or municipalities  
 24 would, if financed by such areas, regions or municipalities on an indi-  
 25 vidual basis, be prohibitive and exorbitant; and

26 WHEREAS, There is a pressing need for counties to aid the inhabitants of  
 27 such areas, regions and municipalities therein by constructing or acquir-  
 28 ing new or improved sewage disposal facilities and sanitary sewerage  
 29 facilities, or parts thereof, where required, or by constructing or acquir-  
 30 ing additions, extensions and improvements to existing sewerage disposal  
 31 facilities and sanitary sewerage facilities, or parts thereof, where re-  
 32 quired, and to finance the cost of any such construction or acquisition  
 33 either alone or jointly with any municipality or municipalities, joint  
 34 meetings or sewerage authorities therein by the issuance of bonds of such  
 35 counties; now, therefore,

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

1 1. This act shall be known and may be cited as the "County Sewerage  
 2 Financing Law."

1 2. As used in this act the following words and terms shall have the fol-  
 2 lowing meanings unless some other meaning is plainly indicated:

3 (1) The word "county" shall mean any of the several counties of the

4 State operating under the authority granted by this act.

5 (2) The term "board of chosen freeholders" or the word "board" shall  
6 mean the board of chosen freeholders of any county operating under the  
7 powers granted by this act.

8 (3) The term "sewerage disposal facilities" shall mean and shall in-  
9 clude any plant, system, facility or property used or useful or having the  
10 present capacity for future use in connection with the collection, treatment,  
11 purification or disposal of sewage, and, without limiting the generality of  
12 the foregoing definition, shall embrace treatment plants, pumping stations,  
13 intercepting sewers, pressure lines, trunk or force mains, and all necessary  
14 appurtenances and equipment and shall include all property, rights, ease-  
15 ments and franchises relating to any such sewerage disposal facilities and  
16 deemed necessary or convenient for the operation thereof\*, *and shall in-*  
16A *clude stream flow regulation, waste water re-use, and all other phases of total*  
16B *water management, including ground-water recharge, impoundments in*  
16C *basins and reservoirs, and ultra methods of treatment for re-use for indus-*  
16D *try, domestic and irrigation purposes\*.*

17 (4) The term "sanitary sewerage facilities" shall include all sanitary  
18 sewer facilities, other than treatment or disposal facilities, but including such  
19 collection or lateral mains, trunks, force or intercepting mains or pumping  
20 stations as may be necessary for the collection of sewage from premises, in-  
21 cluding industrial premises, and for carrying such sewage to sewage disposal  
22 or treatment facilities, and all necessary appurtenances and equipment and  
23 shall include all property, rights, easements, franchises relating to any such  
24 sanitary sewer facilities necessary or convenient for operation thereof.

25 (5) The word "facilities" when used alone, shall mean both such sew-  
26 erage disposal facilities and sanitary sewer facilities, or either of them as  
27 the context shall require and shall include such stream flow regulation or  
28 impoundment reservoirs for stream flow control\*, *waste water re-use and total*  
28A *water management written on watershed\*.*

29 (6) The word "cost" as applied to sewerage disposal facilities or ex-

30 tensions or additions thereto or to sanitary sewer facilities, or to stream flow  
31 regulation facilities or impoundment, reservoirs, shall include the cost of  
32 construction, reconstruction or improvement, the cost of all labor, materials,  
33 machinery and equipment, the cost of all lands, property, rights, easements  
34 and franchises acquired, financing charges, interest on bonds issued to fi-  
35 nance such facilities prior to and during construction and for 1 year after  
36 completion of construction, cost of plans and specifications, surveys of esti-  
37 mates of costs and of revenues, cost of engineering and legal services, and  
38 all other expenses necessary or incident to determining the feasibility or  
39 practicability of such construction, reconstruction or improvement, adminis-  
40 trative expense and such other expense as may be necessary or incident to  
41 the construction or acquisition of such facilities, and the financing herein  
42 authorized. Any obligation or expense incurred by the county in connection  
43 with any of the foregoing items of cost prior to the issuance of bonds or  
44 notes as authorized herein may be regarded as part of such cost and reim-  
45 bursed to the county out of the proceeds of bonds issued under the provi-  
46 sions of this act.

47 (7) The term "general obligation bonds" shall mean general obligations  
48 of the county which are payable from unlimited ad valorem taxes or from  
49 such taxes and additionally secured by a pledge of sewer service charges  
50 as may be established.

51 (8) The word "sewage" shall include any substance that contains any  
52 of the waste products, excrement or other discharge from the bodies of  
53 human beings or animals as well as such other liquid wastes as normally  
54 emanate from dwelling houses, and shall also include liquid industrial  
55 wastes.

1 3. Any county in the State which may hereafter come under the pro-  
2 visions of this act as hereinafter provided is hereby authorized and em-  
3 powered:

4 (1) To purchase, construct, improve, extend, enlarge or reconstruct  
5 sewerage disposal facilities or sanitary sewer facilities within such county

6 either alone or jointly with any municipality, joint meeting or sewerage  
7 authority located within such county, and to operate, manage and control  
8 all or part of such sewerage disposal facilities and sanitary sewer facilities  
9 so purchased or constructed and all properties pertaining thereto, and to  
10 furnish and supply the services of its sewerage disposal facilities to any  
11 municipalities within such county; provided, however, that none of the facili-  
12 ties provided by this act may be constructed, owned, operated or maintained  
13 by the county on property located within the corporate limits of any munici-  
14 pality without the consent of the council or governing body having general  
15 legislative authority in the government of such municipality unless such fa-  
16 cilities were owned by the county on such property prior to the time such  
17 property was included within the corporate limits of such municipality. No  
18 county shall furnish any of the facilities provided by this article to any  
19 property already being furnished like facilities by any municipality, joint  
20 meeting or sewerage authority, without the express consent of the council  
21 or governing body, joint meeting or sewerage authority, having general  
22 legislative authority in the government of such municipality;

23       (2) To issue general obligation bonds of the county to pay all or part  
24 of the cost of such purchase, construction, improvement, extension, enlarge-  
25 ment or reconstruction of such facilities;

26       (3) To fix and collect rates, fees\*, *rents\** and other charges for the serv-  
27 ices and facilities furnished by any such *\*county\** sewerage disposal  
27A facilities.

28       (4) To receive and accept from the Federal Government or any agency  
29 thereof grants for or in aid of the planning, purchase, construction, exten-  
30 sion, enlargement or reconstruction, or financing of any of such facilities and  
31 to receive and accept contributions from any source of either money, prop-  
32 erty, labor, or other things of value to be held, used and applied only for  
33 the purposes for which such grants and contributions may be made.

34       (5) To acquire in the name of the county by gift, purchase as herein-  
35 after provided, or by the exercise of the right of eminent domain, such

36 lands and rights and interests therein, including lands under water and  
37 riparian rights, and to acquire such personal property, as it may deem nec-  
38 essary for the purchase, construction, improvement, extension, enlargement  
39 or reconstruction, or for the efficient operation of any facilities purchased or  
40 constructed under the provisions of this act and to hold and dispose of all  
41 real and personal property under its control.

42 (6) To make and enter into all contracts and agreements necessary or  
43 incidental to the performance of its duties and the execution of its powers  
44 under this act and to employ such consulting and other engineers, superin-  
45 tendents, managers, attorneys, financial or other consultants or experts and  
46 such other employees and agents as it may deem necessary in its judgment  
47 and to fix their compensation;

48 (7) Subject to the provisions and restrictions as may be set forth in  
49 the ordinance hereinafter mentioned authorizing or securing any bonds  
50 issued under the provisions of this act, to enter into contracts with the gov-  
51 ernment of the United States or any agency or instrumentality thereof or  
52 with any other county or with any municipality, private corporation, co-  
53 partnership, association, or individual providing for or relating to the collec-  
54 tion, treatment and disposal of sewage, including industrial wastes, which  
55 contracts may provide for the furnishing of sewer services either by or to  
56 the county, or the joint construction or operation of sewerage facilities.

57 (8) To acquire by gift or purchase at a price to be mutually agreed upon,  
58 any of the facilities or portions thereof, provided for by this act, which  
59 shall, prior to such acquisition, have been owned by any private person,  
60 group, firm, partnership, association or corporation; provided, however, if  
61 the price for same cannot be agreed upon, the price shall be determined by  
62 an arbitration board consisting of 3 persons, one of whom shall be selected  
63 by the board of chosen freeholders, one shall be appointed by the private  
64 company or corporation, and the 2 persons so selected shall select a third  
65 member of said board; and provided, further, that in the event said board  
66 cannot agree as to the price to be paid by the said board of chosen free-

67 holders, then the board of chosen freeholders shall exercise the right of emi-  
68 nent domain in the manner provided by law;

69 (9) To enter into agreements and contracts with building contractors  
70 erecting improvements within any duly platted subdivision within the county,  
71 the terms of which said agreements or contracts may provide that such  
72 building contractors shall install within such subdivision sewer mains and  
73 lines, to be approved by the county, said mains and lines to run to a point  
74 or location to be agreed upon, at which said point or location said mains and  
75 lines shall be connected to the sewerage disposal facilities of the county. In  
76 the event such agreements or contracts are entered into they shall provide  
77 that upon the connection of the mains or lines within the subdivision to the  
78 sewer facilities of the county said mains, lines and equipment running to the  
79 various privately owned parcels of land within such subdivision shall be-  
80 come the property of the county and shall become a part of the county sew-  
81 erage disposal facilities.

1 4. Whenever the board of chosen freeholders of any of the several coun-  
2 ties of the State by resolution chooses to exercise the powers granted by this  
3 act it shall make or cause to be made such surveys, investigations, studies,  
4 borings, maps, plans, drawings and estimates of costs and of revenues as it  
5 may deem necessary relating to the type of disposal and treatment and esti-  
6 mate of cost of such sewerage disposal facilities, the purchase or construction  
7 of which shall be deemed by the board to be desirable and also relating to the  
8 sanitary sewerage facilities, if any, *\*or part thereof\** it deems necessary to  
9 purchase or construct, to protect the health of the inhabitants of the county.

10 The obtaining of such surveys, investigations, studies, borings, maps,  
11 plans, drawings and estimates is hereby declared to be a county purpose and  
12 the costs thereof may be paid out of the general funds of the county, but  
13 which shall be reimbursed to the county from the proceeds of any bonds  
14 issued pursuant to this act.

15 All public or private property damaged or destroyed in carrying out the  
16 powers granted by this act shall be restored or repaired and placed in its

17 original condition as nearly as practicable or adequate compensation made  
18 therefor out of the funds provided by this act.

19 The State hereby consents to the use of all State lands lying under  
20 water which are necessary for the accomplishments or purposes of this act\*,  
21 *and for the discharge of adequately treated wastes into coastal waters\**.

1 5. The board of chosen freeholders is hereby authorized to provide by  
2 ordinance at one time or from time to time for the issuance of general  
3 obligation bonds of the county for the purpose of paying all or any part of  
4 the cost of any sewerage disposal facilities constructed, acquired, improved,  
5 extended, enlarged or reconstructed pursuant to this act. The bonds of each  
6 issue shall be issued pursuant to the provisions of the Local Bond Law, con-  
7 stituting chapter 2 of Title 40A of the New Jersey Statutes\***];** provided, how-  
8 ever, that the issuance of any such bonds shall not be subject to the debt  
9 limitations contained in said Local Bond Law, or any other law when ap-  
10 proved by the Department of Local Government**]**\*

11 The proceeds of such bonds shall be used solely for the payment of costs  
12 of the sewerage disposal facilities for the purchase, construction, recon-  
13 struction, enlargement or improvement of which such bonds shall have been  
14 authorized.

15 The board of chosen freeholders may also pledge to the payment of any  
16 or all of such bonds so issued all or any part of the revenues derived by  
17 the county from the operation *\*or rental\** of its sewerage disposal facilities.

1 6. A county may negotiate and enter into contracts, with municipalities  
2 within or adjoining its boundaries, joint meetings, sewerage authorities and  
3 with private sewer companies operating therein *\*and adjoining the county\**  
4 and may negotiate and enter into like contracts with any other municipality  
5 or any private sewer company which may be discharging sewage directly or  
6 indirectly into any river or its tributaries and which might advantageously  
7 use the sewerage disposal facilities of the county, and may negotiate and  
8 enter into like contracts with persons or corporations engaged in public or  
9 private industry (herein called "industry" or "industries") within its

10 boundaries who or which shall be discharging into any river or its tributaries  
11 any sewage, waste which cannot conveniently be disposed of through the  
12 sewerage system of any municipality or private sewer company.

1       7. After the commencement of operation of sewerage disposal facilities,  
2 the county may prescribe and change from time to time rates *\*or rentals\** to  
3 be charged for the use of the services of such facilities. Such rates *\*or*  
4 *rentals\** being in the nature of use or **\*[services]\*** *\*service\** charges *\*or an-*  
5 *nual rental charges\**, shall be uniform *\*and equitable\** for the same type and  
6 class of use or service of such facilities. Such rates *\*or rentals\** and types  
7 and classes of use and service may be based on such factors which the board  
8 of chosen freeholders of the county shall deem proper and equitable within  
9 each regional facility.

1       8. If a county, pursuant to agreement with a municipality or municipali-  
2 ties therein, joint meetings or sewerage authorities, shall construct or  
3 acquire sewerage disposal facilities which will benefit such municipality or  
4 municipalities, joint meetings or sewerage authorities, such county may  
5 either (1) bear the entire cost of the construction or acquisition of such  
6 facilities by itself, or (2) share the cost of the construction or acquisition of  
7 such improvements with the municipality or municipalities, joint meetings or  
8 sewerage authorities. The county may issue its bonds for all *\*or part\** of the  
9 cost of the construction or acquisition of such facilities. If the cost thereof is  
10 to be shared by such municipality or municipalities, joint meetings or sewer-  
11 age authorities, the county may issue its bonds for its share of such cost and  
12 such municipality or municipalities, joint meetings or sewerage authorities,  
13 may issue their bonds for their share of such cost, or the county may issue its  
14 bonds for all of the cost of such facilities, and the share of such cost to be  
15 borne by such municipality or municipalities, joint meetings or sewerage  
16 authorities shall be repaid to the county by such municipality or municipi-  
17 palities, joint meeting or sewerage authority in annual installments over a  
18 period not exceeding 40 years as shall be agreed upon between the county  
19 and such municipality or municipalities, joint meeting or sewerage author-

20 ity. The amount of said annual installments shall include interest at such  
21 rate or rates as the county and such municipality or municipalities, joint  
22 meeting or sewerage authority shall agree upon, and the county and such  
23 municipality or municipalities, joint meeting or sewerage authority are  
24 hereby authorized to enter into agreements relating to such facilities which  
25 agreements shall have such terms and conditions as shall be deemed necessary  
26 and proper by such county and such participating municipality or municipi-  
27 palities, joint meeting or sewerage authority. Such agreements shall be  
28 authorized by a resolution duly adopted by the board of chosen freeholders  
29 of the county and by an ordinance duly adopted by the governing body of  
30 such municipality, municipalities, joint meeting or sewerage authority. Such  
31 annual payments received by a county from such municipality, municipal-  
32 ities, joint meeting or sewerage authority may also include an additional  
33 annual amount as shall be agreed upon for the payment of the agreed share of  
34 the cost of operation and maintenance and improvement or enlargement of  
35 such facilities. Notwithstanding any provisions of any other law or laws  
36 now existing or hereafter enacted, none of such annual payments to be made  
37 by such municipality, municipalities, joint meeting or sewerage authority to  
38 such county shall be included in any computation of gross or net indebtedness  
39 required under any such other law or laws.

40 Notwithstanding any provisions of any other law or laws now existing or  
41 hereafter enacted, the amount of any bonds issued by a county to finance the  
42 share of any municipality, municipalities, joint meeting or sewerage author-  
43 ity of the cost of the construction of acquisition of such facilities shall not  
44 be included in any computation of gross or net indebtedness under any such  
45 other law or laws as long as such county and such municipality, municipal-  
46 ities, joint meeting or sewerage authority have entered into an agreement pur-  
47 suant to this section under which the share of such municipality, municipal-  
48 ities, joint meeting or sewerage authority shall be repaid to such county as  
49 provided in this section.

1       9. Any municipality, joint meeting or sewerage authority with which a  
2 county is authorized to contract under the terms and provisions of this act  
3 shall have power, by ordinance duly adopted by its governing body to  
4 authorize its proper officials to enter into and execute for it a contract, for  
5 such periods of time and under such terms as are deemed proper and neces-  
6 sary, with a county, for the collection, treatment and disposal of all or any  
7 specified part of the sewage arising or collected in or by such municipality,  
8 joint meeting or sewerage authority, by the sewerage disposal facilities of  
9 such county and such contract shall be valid and binding upon the munici-  
10 pality, joint meeting or sewerage authority notwithstanding that no appro-  
11 priation was made or provided to cover the estimated cost of such contract,  
12 and the governing body of the municipality, joint meeting or sewerage au-  
13 thority shall have full power and authority to do and perform all acts and  
14 things on the part of the municipality, joint meeting or sewerage authority  
15 to be done and performed under the terms and provisions of such contract.  
16 Any private sewer company or industry shall likewise have power to enter  
17 into a contract with a county for the collection, treatment and disposal of  
18 the sewage or the waste collected or discharged by it by the sewerage dis-  
19 posal facilities of a county.

1       10. Notwithstanding any restriction contained in any other law, the State  
2 and all public officers, municipalities, counties, political subdivisions and  
3 public bodies, and agencies thereof, all banks, bankers, trust companies, sav-  
4 ings banks and institutions, building and loan associations, savings and bank-  
5 ing business, all insurance companies, insurance associations and other per-  
6 sons carrying on an insurance business, and all executors, administrators,  
7 guardians, trustees and other fiduciaries, may legally invest any sinking fund  
8 moneys or other funds belonging to them or within their control in any bonds  
9 of a county authorized pursuant to this act, and such bonds are hereby made  
10 and shall be authorized security for any and all public deposits. Any such  
11 bonds and the interest thereon shall be exempt from taxation except for  
12 transfer and inheritance taxes.

1 11. The chief fiscal officer of each municipality, joint meeting or sewerage  
2 authority which shall have entered into a contract pursuant to this act, shall  
3 cause to be paid to the county, at such times to be agreed upon, the amount  
4 of money certified to the municipality, joint meeting or sewerage authority by  
5 the county pursuant to this act. The power and obligation of such munici-  
6 pality, joint meeting or sewerage authority to provide for and make all such  
7 payments shall be unlimited and the sums necessary for such payment shall  
8 be included in each annual budget of such municipality, joint meeting or  
9 sewerage authority and such municipality, joint meeting or sewerage au-  
10 thority shall be irrevocably and unconditionally obligated to levy ad valorem  
11 taxes on all taxable property therein *\*or service charges for users,*  
12 *as the case may be,\** without limit as to rate or amount to the  
12A full extent necessary to make all such payments in full as the same be-  
13 come due. If any part of the amount certified to a municipality, joint meet-  
14 ing or sewerage authority by a county, pursuant to this act, shall remain  
15 unpaid for 30 days following the date fixed for payment by the contract,  
16 the municipality, joint meeting or sewerage authority thus in default shall  
17 be charged with and liable for, and the chief fiscal officer thereof shall  
18 pay to such county interest upon the amount unpaid at the rate of 8% per  
19 annum.

1 12. Each private sewer company or industry which shall have entered  
2 into a contract with a county pursuant to this act, shall pay at such times as  
3 shall be provided in such contract to the contracting county, the sum of money  
4 certified to it by such county pursuant to this act, on or before the date  
5 provided for such payment in such contract\*, and the amount unpaid on said  
6 date shall bear interest thereafter until paid at the rate of 8% per annum\*.  
7 Any such sum of money so certified by a county shall be a lien in favor of such  
8 county on and against the property of such private sewer company or indus-  
9 try. If such sum of money or any part thereof is not paid to the contracting  
10 county on or before such contract payment date\* *the unpaid amount shall*  
11 *bear interest at the rate of 8% therefrom until payment is complete and\*,*

12 such county shall make and record, in the same manner as conveyances of  
13 interest in real property are recorded, a certificate setting forth the facts  
14 and giving notice of the existence and amount of such lien remaining unsatis-  
15 fied. So far as permitted by law, such lien shall have priority over all other  
16 liens theretofore or thereafter attaching except those of Federal, State and  
17 local taxes.

1     13. The object and design of this act being the protection and preserva-  
2 tion of public health, safety and welfare, this act shall be liberally construed  
3 and the powers granted and the duties imposed by this act shall be construed  
4 to be independent and severable. If any one or more sections, clauses, sen-  
5 tences or parts of this act shall for any reason be questioned in any court, and  
6 shall be adjudged unconstitutional or invalid, such judgment shall not affect,  
7 impair or invalidate the remaining provisions thereof, but shall be confined  
8 in its operation to the specific provisions so held unconstitutional or invalid.

1     14. In the event a county sewerage or municipal utilities authority has  
2 been established in a county pursuant to the provisions of chapter 123 of the  
3 laws of 1946 (c. 40:36A-1 et seq.), no county shall establish any competitive  
4 sewerage disposal system within such county under the provisions of this act  
5 without the consent of such existing authority.

6     Except for the foregoing, insofar as the provisions of this act are in-  
7 consistent with the provisions of any other act, general or special, the pro-  
8 visions of this act shall be controlling.

1     15. This act shall take effect immediately.

ASSEMBLY AMENDMENTS TO  
**ASSEMBLY, No. 694**  
[OFFICIAL COPY REPRINT]

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**STATE OF NEW JERSEY**

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ADOPTED MAY 23, 1966

Amend page 8, section 4, lines 19 through 21, omit in their entirety.

Amend page 13, section 14, line 3, after "et seq.)", insert "or chapter 138 of the laws of 1946, the 'sewerage authorities law,' (c. 40:14A-1 et seq.)".