

LEGISLATIVE HISTORY OF R. S. 58:4-1 et seq.

Laws 1912, Chapter 243 - A-463 - Introduced February 28, 1912 by Mr. DeUnger
No statement on the bill. Amended by Assembly. Amendments proposed by Mr. DeUnger.

Laws 1913, Chapter 107 - S-126 - Introduced February 5, 1913 by Mr. White
No statement on the bill. Not amended during passage.

Laws 1919, Chapter 44 - A-25 - Introduced February 17, 1919 by Mr. David Young
Not amended during passage. This bill had statement:

The original act, passed in 1912, required the submission to the State Water Supply Commission of all plans for the construction or repair of dams more than five feet in height. In 1913 the law was amended exempting those less than eight feet in height where the pond above the dam is less than 100 acres. Experience has shown that this exemption is unwise in that in at least one instance such a dam constructed contrary to the advice of the engineer of the Board of Conservation and Development was washed out by the first flood after its erection, and, in consequence, the abutments of a public bridge were carried away, and damage to the extent of several thousand dollars done to public property.

The Board of Conservation and Development, as successor to the State Water Supply Commission, urges the passage of this bill, which goes back to the original act of 1912 in regard to the construction of any new dam.

Laws 1928, Chapter 39 - S-124 - Introduced February 6, 1928 by Mr. Abell
Not amended during passage. This bill had statement:

The object of this act is to extend the jurisdiction of the Board of Conservation and Development in regard to the safety of dams.

Under the existing law this board examines and approves plans for the construction of dams and inspects construction where the tributary drainage is one square mile or greater in extent.

Experience has shown that serious damage may result from the improper construction of dams without State supervision, on smaller drainage areas. This act extends the board's jurisdiction to dams having drainage areas one-half square mile or greater in extent.

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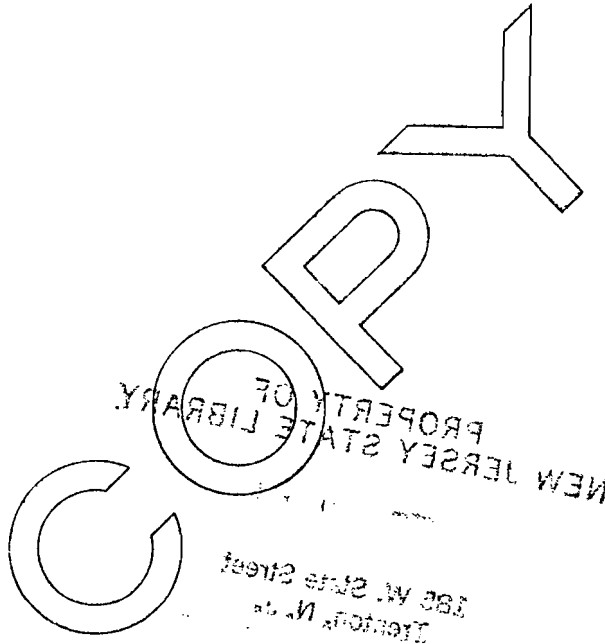
Laws 1953, Chapter 54 - S-50 - Introduced January 13, 1953 by Mr. Clapp

Not amended during passage. No statement. This act makes technical amendments to various sections of Title 58.

We have been unable to locate any committee or commission hearings or reports on any of these bills.

We searched the annual reports of the State Geologist for the years involved, and found mention of this legislation in the 1918/19 Report. (Photostat of p. 49 enclosed.)

RS/jmg



AMENDMENTS PROPOSED TO
ASSEMBLY, No. 463.

STATE OF NEW JERSEY.

By Mr. DE UNGER.

MARCH 5, 1912.

1 Amend section 2, by changing the second "the" on line 2 to "this".

2 Also amend by adding two additional sections, as follows:

3 8. When any dam or reservoir has been in existence twenty years, and the
4 owners of land along the shores above such a dam or on such a reservoir, have
5 made or shall have made permanent improvements on said land, or where said
6 shores have become a populated community, depending upon the permanency of
7 the condition created, the owner or owners of such dam or reservoir shall not have
8 the right, without the consent of the State Water-Supply Commission to tear down,
9 destroy or abandon such dams or reservoirs, or withdraw the water below the
10 usual low water-mark or maintain such a condition, except for the purpose of
11 necessary repairs, when a petition, signed by a majority of land owners along the
12 shores of any pond formed by any such dam or reservoir, protesting against the
13 removal of any such dam, water or reservoir, has been filed with the State Water-
14 Supply Commission.

15 In such a case the State Water-Supply Commission shall grant a hearing,
16 upon twenty days' notice to all the parties interested, and may then establish and
17 fix a permanent low water-mark, and should it appear that the maintenance of
18 such a dam would be an undue burden upon the owner or owners thereof, the
19 land owners interested above such dam or around such reservoir, may be ordered

20 to pay a part or all of the expenses of maintenance, according to the discretion
21 of the said commission.

22 9. Should any part or section of this act be declared unconstitutional, such decis-
23 ion shall not affect the force or validity of the remaining portion of this act.

24 Change section 8 to read section 10.