

App A:6-5 to App A:6-7

LEGISLATIVE HISTORY CHECKLIST

NJSA App. A:6-5 to App. A:6-7 (Drought Surcharge fund--establishes)

LAWS 1981 CHAPTER 540

Bill No. A3199

Sponsor(s) Hollenbeck

Date Introduced Feb. 23, 1981

Committee: Assembly Energy and Natural Resources

Senate Revenue, Finances and Appropriations

Amended during passage Yes ~~No~~ Assembly Committee Substitute

(OCR) enacted. Amendments during passage denoted by asterisks.

Date of Passage: Assembly May 14, 1981

Senate June 4, 1981

Date of approval Jan. 12, 1982

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto Message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

6/22/81

[OFFICIAL COPY REPRINT]
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3199

STATE OF NEW JERSEY

ADOPTED APRIL 27, 1981

AN ACT creating a "Drought Surcharge Fund" and providing for expenditures therefrom.

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

1 1. All such sums as have been or ***[will]*** **may** be collected as
2 excess water charges by the various water purveyors of the State,
3 pursuant to Executive Order No. 104, shall be deposited in a fund
4 to be known as the "Drought Surcharge Fund" to be kept separate
5 and apart from all other State receipts and appropriated only as
6 provided for in this act.

1 2. All moneys in the "Drought Surcharge Fund" are hereby
2 appropriated to the Drought Coordinator in the Department of
3 Environmental Protection for disposition as directed by the
4 Drought Coordinator, for the following purposes:

5 a. Water conservation promotion and the purchase of water
6 conservation devices for distribution to water users affected by
7 Executive Order No. 104;

8 b. Reimbursement, in whole or part, to water purveyors for
9 reasonable expenses incurred in the administration and enforce-
10 ment of the water surcharge program established pursuant to
11 Executive Order No. 104, provided that the program is approved
12 by the Drought Coordinator; ***[and,]***

13 **c. Reimbursement to customers and water users, in whole or in*
14 *part, on proper claim therefor in such form and manner as the*
15 *Drought Coordinator shall prescribe, of such sums collected from*
16 *customers and water users, upon determination by the Drought*
17 *Coordinator that the sums were either improperly levied, or that*
18 *the sums have caused an undue hardship, or serve no useful purpose*
19 *in the furtherance of the purposes of Executive Order Number 104,*
20 *or such other justifiable circumstances as determined by the*
21 *Drought Coordinator. Notice of the right to file for the reimburse-*
22 *ment shall be included in customers' water bills and customers shall*

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

23 *have 1 year from the date of receipt of the notice to file a claim;*
24 *and,**

25 ***[c.]*** **d.** Reasonable administrative costs directly attributable
26 to the present drought emergency incurred by the Drought Coordi-
27 nator in the discharge of his duties and responsibilities under
28 Executive Order No. 104.

1 3. The Drought Coordinator shall, within 30 days of the effective
2 date of this act and every 30 days thereafter, transmit a report to
3 the President of the Senate and to the Speaker of the General
4 Assembly, which report shall detail the status of the "Drought
5 Surcharge Fund" and the amounts expended therefrom.

1 4. This act shall take effect immediately.

ASSEMBLY, No. 3199

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1981

By Assemblyman HOLLENBECK

Referred to Committee on Energy and Natural Resources

AN ACT creating a "Drought Surcharge Fund" and providing for expenditures therefrom.

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

1 1. All such sums as have been or will be collected as excess water
2 charges by the various water purveyors of the State, pursuant to
3 Executive Order No. 104, shall be deposited in a fund to be known
4 as the "Drought Surcharge Fund" to be kept separate and apart
5 from all other State receipts and appropriated only as provided
6 for in this act.

1 2. All moneys in the "Drought Surcharge Fund" are hereby
2 appropriated to the Drought Coordinator in the Department of
3 Environmental Protection for disposition as directed by the
4 Drought Coordinator, in the discharge of his duties and responsi-
5 bilities under Executive Order No. 104.

1 3. This act shall take effect immediately.

STATEMENT

This bill establishes a fund to be financed from surcharges levied and collected, from excess water users, pursuant to Executive Order No. 104. Furthermore, the bill generally appropriates all the moneys in the fund to the Drought Coordinator to be disposed of as necessary in an effort to alleviate the drastic water shortage in the State.

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ASSEMBLY COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 3199

STATE OF NEW JERSEY

DATED: APRIL 27, 1981

This bill establishes a "Drought Surcharge Fund" to be financed from surcharges levied and collected, from excess water users, pursuant to Executive Order No. 104. Furthermore, the bill generally appropriates all the moneys in the fund to the Drought Coordinator to be disposed of for water conservation promotion and devices, and reimbursement of reasonable water surcharge implementation costs incurred by water purveyors under the Water Rationing Plan established by Executive Order No. 104.

The bill also directs the Drought Coordinator to report to the Legislature on a monthly basis on the status of the "Drought Surcharge Fund" and the amounts expended therefrom.

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SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 3199

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 17, 1981

This bill establishes a "Drought Surcharge Fund" financed from surcharges levied and collected, from excess water users, pursuant to Executive Order No. 104. The bill appropriates the moneys in the fund to the Drought Coordinator to be used for water conservation promotion and devices, and reimbursement of reasonable water surcharge implementation costs incurred by water purveyors under the Water Rationing Plan established by Executive Order No. 104.

The bill also directs the Drought Coordinator to report to the Legislature on a monthly basis on the status of the fund and the amounts expended therefrom.

The committee amended the bill to provide an opportunity for customers to file for reimbursement of sums paid to the Drought Surcharge Fund.

A-3603, sponsored by Assemblyman Christopher Jackman (D-Hudson), amends the "Local Public Contracts Law" to permit a municipality to enter into a contract wherein energy conservation work and services would be performed for the municipality and would be paid for with a percentage of the savings in energy costs. The contract could run for a maximum of ten years.

A-3055, sponsored by Assemblyman Raymond Lesniak (D-Union), empowers the Department of Environmental Protection to designate dangerous pesticides and establish a fee schedule for the enforcement of the Pesticide Control Act.

A-3547, sponsored by Assemblyman Daniel Dalton (D-Camden), would shield real estate from levies or judgements for the payment of wage taxes and penalties. The intent of the bill is to block the City of Philadelphia from attaching or disposing of the property of New Jersey residents to satisfy judgements for unpaid Philadelphia city wage taxes. However, the legislation does not deny recognition of the wage tax judgements, simply one method of enforcement.

A-3378, sponsored by Assemblyman Martin Herman (D-Gloucester), appropriates \$350,000 from the Clean Waters Fund for a loan to Logan Township. The loan would be utilized for provision of potable water supplies to home where private wells have been contaminated by the discharge of hazardous substances.

A-3199, sponsored by Assemblyman Robert Hollenbeck (D-Bergen), establishes a "Drought Surcharge Fund", pursuant to Executive Order 104, financed from levies collected from excess water users and appropriates monies to the Drought Coordinator in the D.E.P. for water conservation educational and promotion programs, administrative costs to the D.E.P. and water purveyors. The bill also provides that customers and users who paid fines for excess water usage may apply for reimbursement in cases of hardship or improper levies.

A-3490, sponsored by Assemblyman Daniel Dalton (D-Camden), extends State sales tax exemptions available to the metals and glass recycling industry to the paper recycling industry.

NOTE: This list is not complete. Descriptions of signed legislation will be issued as soon as possible.