

40:37A-57

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:37A-57 (County Improvement Authorities--
facility charges-- broaden powers)

LAWS OF: 1988 **CHAPTER:** 140

BILL NO: S2154

SPONSOR(S): McManimon

Date Introduced: February 29, 1988

Committee: **Assembly:** County Government and Regional Authorities
Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: **Assembly:** September 29, 1988
Senate: June 30, 1988

Date of Approval: October 25, 1988

Following statements are attached if available:

Sponsor statement:		Yes
Committee statement:	Assembly	Yes
	Senate	Yes
Fiscal Note:		No
Veto Message:		No
Message on Signing:		No

Following were printed:

Reports:	No
Hearings:	No

See newspaper clippings-- attached:

"Law allows counties to ask 'tipping' fees," 10-26-88 Trenton Times.

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1 AN ACT concerning the establishment and collection of facility
charges by a county improvement authority and amending P.L.
3 1960, c. 183.

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

7 1. Section 14 of P.L. 1960, c. 183 (C. 40:37A-57) is amended to
read as follows:

9 14. Every authority is hereby authorized to charge and collect
tolls, rents, rates, fares, fees or other charges (in this act
11 sometimes referred to as "facility charges") in connection with,
or for the use or services of, ¹[or the provision of services by,]¹
13 or otherwise relating to, any public facility ¹[or any system of
which such public facility is a part,]¹ or ¹[any]¹ other property
15 owned, leased or controlled by the authority¹[, regardless of
whether or not those services are actually provided by the
17 specific public facility itself]¹. ¹If the public facility is a system
of solid waste disposal, including, but not limited to, a resource
19 recovery facility, recycling plant or transfer station owned,
leased or controlled by the authority, the authority may charge
21 and collect in connection with that system from any
governmental unit included within the jurisdiction of the
23 authority or which contracts for service with that authority or
from any owner or occupant of any real property situated in a
25 constituent municipality or in a municipality which contracts for
service with that authority.¹ Such facility charges may be
27 charged to and collected from any governmental unit or person
and such governmental unit or person shall be liable for and shall
29 pay such facility charges to the authority at the time when and
place where such facility charges are due and payable.

31 (cf: P.L. 1982, c. 113, s. 9)

2. This act shall take effect immediately.

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

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
Senate floor amendments adopted June 27, 1988.

[FIRST REPRINT]
SENATE, No. 2154

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 29, 1988

By Senator McMANIMON

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13 or otherwise relating to, any public facility ¹or any system of
which such public facility is a part,¹ or ¹any¹ other property
15 owned, leased or controlled by the authority¹, regardless of
whether or not those services are actually provided by the
17 specific public facility itself¹. ¹If the public facility is a system
of solid waste disposal, including, but not limited to, a resource
19 recovery facility, recycling plant or transfer station owned,
leased or controlled by the authority, the authority may charge
21 and collect in connection with that system from any
governmental unit included within the jurisdiction of the
23 authority or which contracts for service with that authority or
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25 constituent municipality or in a municipality which contracts for
service with that authority.¹ Such facility charges may be
27 charged to and collected from any governmental unit or person
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1

COUNTIES

Authorities and Regional Commissions

3

Broadens power of county improvement authorities to impose

5

facility charges.

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11 sometimes referred to as "facility charges") in connection with,
or for the use or services of, or the provision of services by, or
13 otherwise relating to, any public facility or any system of which
such public facility is a part, or any other property owned, leased
15 or controlled by the authority, regardless of whether or not those
services are actually provided by the specific public facility
17 itself. Such facility charges may be charged to and collected
from any governmental unit or person and such governmental unit
19 or person shall be liable for and shall pay such facility charges to
the authority at the time when and place where such facility
21 charges are due and payable.

(cf: P.L. 1982, c. 113, s. 9)

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STATEMENT

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29 This bill would allow any county improvement authority to
impose facility charges on the users or beneficiaries of the entire
system of which a particular public facility may be a part rather
31 than just the particular public facility itself.

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

Matter underlined thus is new matter.

1 Under current law, county improvement authorities may only
impose facility charges for the use of services directly provided
3 by any public facility.

In allowing any county improvement authority to charge
5 systemwide users in this manner, this bill makes the powers of
county improvement authorities consistent with the powers of
7 other public authorities such as county and municipal utilities
authorities in undertaking the financing and development of such
9 public facilities as solid waste treatment plants.

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COUNTIES

13

Authorities and Regional Commissions

15 Broadens power of county improvement authorities to impose
facility charges.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 2154

STATE OF NEW JERSEY

DATED: MARCH 21, 1988

The Senate County and Municipal Government Committee reports favorably Senate Bill 2154.

Senate Bill 2154 would allow any county improvement authority to impose facility charges on the users or beneficiaries of the entire system to which a particular public facility belongs.

Under current law, county improvement authorities may only impose facility charges on the users of services directly provided by a public facility.

In allowing a county improvement authority to charge systemwide users in this manner, this bill makes the powers of county improvement authorities consistent with the powers of other public authorities such as county and municipal utilities authorities in undertaking the financing and development of such public facilities as solid waste treatment plants.

ASSEMBLY COUNTY GOVERNMENT
AND
REGIONAL AUTHORITIES COMMITTEE

STATEMENT TO

[FIRST REPRINT]
SENATE, No. 2154

STATE OF NEW JERSEY

DATED: AUGUST 23, 1988

The Assembly County Government and Regional Authorities Committee favorably reports Senate Bill No. 2154 [1R].

This bill authorizes a county improvement authority to charge and collect rents, rates, fees and other charges in connection with its ownership or control of a solid waste disposal system, including a resource recovery facility, recycling plant or transfer station, from any governmental unit within the jurisdiction of the authority or which contracts for services with the authority, or from any owner or occupant of real property situated in a constituent municipality or in a municipality which contracts for services with the authority. Under current law, county improvement authorities may only impose facility charges for the use of services directly provided by any public facility.

This bill is identical to Assembly Bill 2706 as that bill was amended by the committee.