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LAW/KR

P.L.2011, CHAPTER 153, *approved January 5, 2012*
Senate, No. 1141 (*First Reprint*)

1 AN ACT concerning fire district budgets and ¹[supplementing Title
2 40A of the New Jersey Statutes] amending P.L.1979, c.453¹.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹[1. A board of fire commissioners may, by vote of a majority of
8 the full membership of the fire commissioners, approve the
9 insertion of any special item of revenue in a fire district budget
10 when such item shall have been made available by any public or
11 private funding source and the amount thereof shall not have been
12 determined at the time of the adoption of the budget, and may
13 approve the insertion of an appropriation item of an amount equal to
14 any such special item of revenue making such item of revenue
15 available for expenditure.]¹

16
17 ¹1. Section 9 of P.L.1979, c.453 (C.40A:14-78.5) is amended to
18 read as follows:

19 9. a. If at the annual election held pursuant to N.J.S. 40A:14-72
20 the question of finally adopting the budget is voted affirmatively
21 upon by a majority of the legal voters voting in the election, the
22 budget shall be considered finally adopted, and the board of fire
23 commissioners shall certify the amount to be raised by taxation to
24 support the district budget to the assessor of the municipality,
25 pursuant to N.J.S. 40A:14-79.

26 b. If at the annual election the question of finally adopting the
27 budget is voted negatively upon by a majority of the legal voters
28 voting in the election, the governing body of the municipality in
29 which the fire district is located shall, by resolution of a majority of
30 its full membership, within 30 days after the annual election and
31 after a public hearing for which the legal voters of the fire district
32 shall be given 5 days' advertised notice, and at which any interested
33 person shall be heard, fix an annual budget for the fire district. The
34 amount of each appropriation section of the budget so fixed shall
35 not exceed the amount for each as previously voted upon at the
36 annual election, except the appropriation for debt service which
37 shall be included in the amount that is required to be paid. The
38 governing body shall certify the amount to be raised by taxation to
39 support the district budget as set forth in the final budget, to the
40 assessor of the municipality, pursuant to N.J.S. 40A:14-79.

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:

¹Senate SCU committee amendments adopted March 4, 2010.

S1141 [1R]

2

1 c. Following the approval of a budget by the voters, the
2 Director of the Divisions of Local Government Services in the
3 Department of Community Affairs may approve a budget
4 amendment to provide for the anticipation of revenue from a public
5 or private funding source which was not known at the time the
6 budget was approved, and the appropriation thereof, provided the
7 amount of the appropriation does not exceed the amount of the
8 revenue received.¹

9 (cf: P.L.1982, c.174, s.1)

10

11 2. This act shall take effect immediately.

12

13

14

15

16 Permits board of fire commissioners to amend fire district budget
17 after adoption to insert special items of revenue.

SENATE, No. 1141

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 4, 2010

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Permits board of fire commissioners to amend fire district budget after adoption to insert special items of revenue.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning fire district budgets and supplementing Title
2 40A of the New Jersey Statutes.

3

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

6

7 1. A board of fire commissioners may, by vote of a majority of
8 the full membership of the fire commissioners, approve the
9 insertion of any special item of revenue in a fire district budget
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12 determined at the time of the adoption of the budget, and may
13 approve the insertion of an appropriation item of an amount equal to
14 any such special item of revenue making such item of revenue
15 available for expenditure.

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17 2. This act shall take effect immediately.

18

19

20

STATEMENT

21

22 This bill provides that a board of fire commissioners may, by
23 vote of a majority of the full membership of the fire commissioners,
24 approve the insertion of any special item of revenue in a fire district
25 budget when such item shall have been made available by any
26 public or private funding source and the amount thereof shall not
27 have been determined at the time of the adoption of the budget, and
28 may approve the insertion of an appropriation item of an amount
29 equal to any such special item of revenue making such item of
30 revenue available for expenditure.

31

32 This bill would make the protocol for special items of revenue in
33 fire district budgets parallel to the protocol for budgets of local
governing bodies.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1141

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 4, 2010

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Senate Bill No. 1141.

As amended by the committee, this bill provides that a board of fire commissioners may, with the approval of the Director of the Division of Local Government Services in the Department of Community Affairs, approve the insertion of an additional appropriation into a fire district budget. The amended bill permits the new appropriation to have been made available by any public or private funding source and requires that the amount of the item was not included in adopted budget. The amended bill makes the protocol for the insertion of a new appropriation in fire district budgets parallel to the protocol for budgets of local governing bodies.

The committee amended the bill to require the Director of the Division of Local Government Services in the Department of Community Affairs approve any special item of revenue authorized by the board of fire commissioners. Additionally, the committee amended the bill to amend P.L.1979, c.453, which concerns the operations of fire districts, rather than supplement Title 40A with an entirely new section of law.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 1141

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Assembly Housing and Local Government Committee reports favorably Senate Bill No. 1141 (1R).

As amended by the committee, this bill provides that a board of fire commissioners may, with the approval of the Director of the Division of Local Government Services in the Department of Community Affairs, approve the insertion of an additional appropriation into a fire district budget. The amended bill permits the new appropriation to have been made available by any public or private funding source and requires that the amount of the item was not included in adopted budget. The amended bill makes the protocol for the insertion of a new appropriation in fire district budgets parallel to the protocol for budgets of local governing bodies.

The committee amended the bill to require the Director of the Division of Local Government Services in the Department of Community Affairs approve any special item of revenue authorized by the board of fire commissioners. Additionally, the committee amended the bill to amend P.L.1979, c.453, which concerns the operations of fire districts, rather than supplement Title 40A with an entirely new section of law.

This bill is identical to Assembly Bill No. 898 (1R) (Dancer/Albano/Milam) as reported on this date.

ASSEMBLY, No. 898

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Assemblyman RONALD S. DANCER

District 30 (Burlington, Mercer, Monmouth and Ocean)

Assemblyman NELSON T. ALBANO

District 1 (Cape May, Atlantic and Cumberland)

Assemblyman MATTHEW W. MILAM

District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Permits board of fire commissioners to amend fire district budget after adoption to insert special items of revenue.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 5/20/2011)

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2 40A of the New Jersey Statutes.

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32 fire district budgets parallel to the protocol for budgets of local
33 governing bodies.

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 898

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Assembly Housing and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 898.

As amended by the committee, this bill provides that a board of fire commissioners may, with the approval of the Director of the Division of Local Government Services in the Department of Community Affairs, approve the insertion of an additional appropriation into a fire district budget. The amended bill permits the new appropriation to have been made available by any public or private funding source and requires that the amount of the item was not included in the adopted budget. The amended bill makes the protocol for the insertion of a new appropriation in fire district budgets parallel to the protocol for budgets of local governing bodies.

This bill was prefiled for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

This bill is identical to Senate Bill No. 1141 (1R) (Van Drew), which the committee also reported on this date.

COMMITTEE AMENDMENTS

The committee amendment to the bill requires the Director of the Division of Local Government Services in the Department of Community Affairs to approve any special item of revenue approved by the board of fire commissioners. The bill modifies P.L.1979, c.453, which concerns the operations of fire districts, rather than supplement Title 40A (Counties and Municipalities) with an entirely new section of law.