

40A:4-62.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 138
NJSA: 40A:4-62.1 (Permits snow removal fund)
BILL NO: A126 (Substituted for S1951)

SPONSOR(S): Merkt and Connors

DATE INTRODUCED Pre-filed

COMMITTEE: **ASSEMBLY:** Local Government

SENATE: Community and Urban Affairs

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** November 20, 2000

SENATE: May 14, 2001

DATE OF APPROVAL: July 2, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

A126

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S1951

SPONSORS STATEMENT: (Begins on page 2 of original bill) Yes

Bill and Sponsors Statement identical to A126

COMMITTEE STATEMENT:

ASSEMBLY: No

SENATE: Yes

Identical to Senate Statement for A126

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

ASSEMBLY, No. 126

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman RICK MERKT

District 25 (Morris)

Assemblyman CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

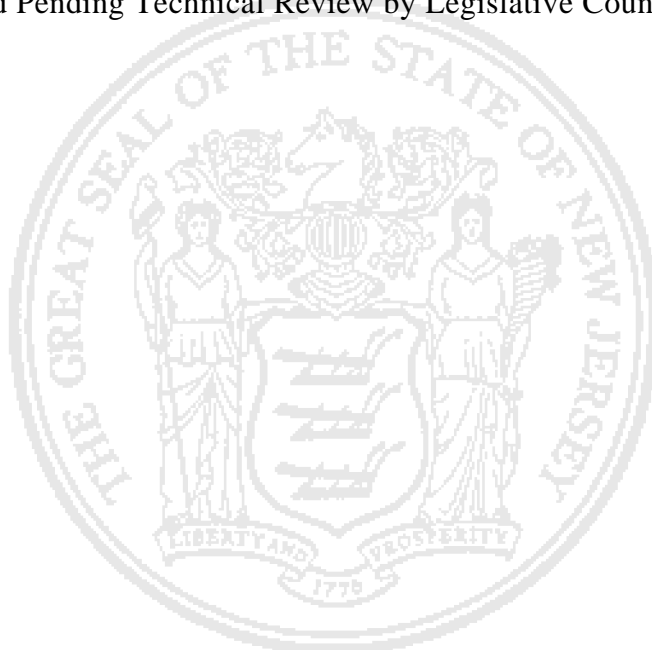
Assemblymen Carroll and Bateman

SYNOPSIS

Permits local units to establish snow removal funds.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT permitting local units to establish snow removal funds and
2 supplementing chapter 4 of Title 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 local unit may, by resolution, establish a permanent snow
8 removal fund. Unexpended balances budgeted annually for snow
9 removal may be transferred into the fund. Monies in the fund may be
10 used for any purpose related to snow and ice removal by the local unit
11 after current budget appropriations for that purpose have been
12 expended.

13

14 2. This act shall take effect immediately.

15

16

17

STATEMENT

18

19 This bill permits local units, by resolution, to establish permanent
20 snow removal funds, so that unused monies budgeted annually for
21 snow and ice removal may be "banked" by counties and municipalities
22 and used in budget years when weather conditions are more serious.
23 Unexpended balances budgeted annually for snow and ice removal may
24 be transferred into the fund. The bill permits the use of these monies
25 for any purpose related to snow and ice removal by a county or
26 municipality after current budget appropriations have been expended.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 126

STATE OF NEW JERSEY

DATED: OCTOBER 12, 2000

The Assembly Local Government Committee reports favorably Assembly Bill No. 126.

This bill permits counties and municipalities, by resolution, to establish permanent snow removal funds, so that unused monies budgeted annually for snow and ice removal during low-demand years may be "banked" by those local units for use in budget years when weather conditions are more serious. Unexpended balances budgeted annually for snow and ice removal would be transferred into the permanent snow removal fund permitted under this bill. The bill permits the use of these monies for any purpose related to snow and ice removal by a county or municipality after current budget appropriations have been expended.

This bill was prefiled for introduction in the 2000 session pending technical review. As reported, the bill includes changes required by technical review, which has been performed.

ASSEMBLY, No. 126

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman RICK MERKT

District 25 (Morris)

Assemblyman CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

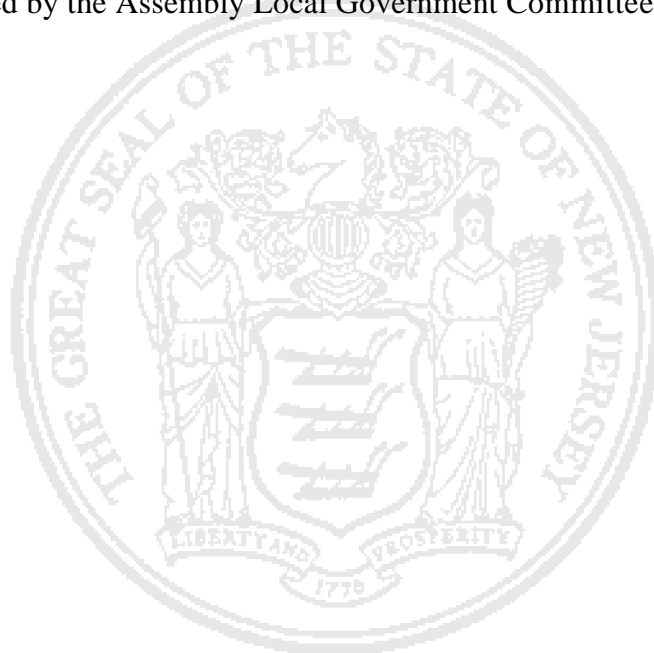
Assemblymen Carroll and Bateman

SYNOPSIS

Permits local units to establish snow removal funds.

CURRENT VERSION OF TEXT

As reported by the Assembly Local Government Committee with technical review.



A126 MERKT, CONNORS

2

1 **AN ACT** permitting local units to establish snow removal funds and
2 supplementing chapter 4 of Title 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 local unit may, by resolution, establish a permanent snow
8 removal fund. Unexpended balances budgeted annually for snow
9 removal may be transferred into the fund. Monies in the fund may be
10 used for any purpose related to snow and ice removal by the local unit
11 after current budget appropriations for that purpose have been
12 expended.

13

14 2. This act shall take effect immediately.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 126

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2000

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Assembly Bill No. 126.

This bill, as amended, permits counties and municipalities, by resolution, to establish snow removal reserves, so that unused monies budgeted annually for snow and ice removal during low-demand years may be "banked" by those local units for use in budget years when weather conditions are more serious. Unexpended balances budgeted annually for snow and ice removal would lapse into the snow removal reserve permitted under this bill, as amended. The bill permits the use of these monies for any purpose related to snow and ice removal by a county or municipality after current budget appropriations have been expended.

The committee made amendments to the bill, primarily of a technical nature, upon the recommendation of the Division of Local Government Services in the Department of Community Affairs. These amendments remove the word "permanent," designate the "fund" as a "reserve", and substitute the word "lapsed" for "transferred" concerning unexpended snow removal balances lapsing into the reserve at the end of the local budget year. The committee also amended the bill to give the Local Finance Board the authority to promulgate rules and regulations to effectuate the purposes of the bill.

As amended, Assembly Bill No. 126 is identical to Senate Bill No. 1951, as amended and reported by this committee on December 14, 2000.

[First Reprint]

ASSEMBLY, No. 126

STATE OF NEW JERSEY
209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblyman RICK MERKT

District 25 (Morris)

Assemblyman CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Co-Sponsored by:

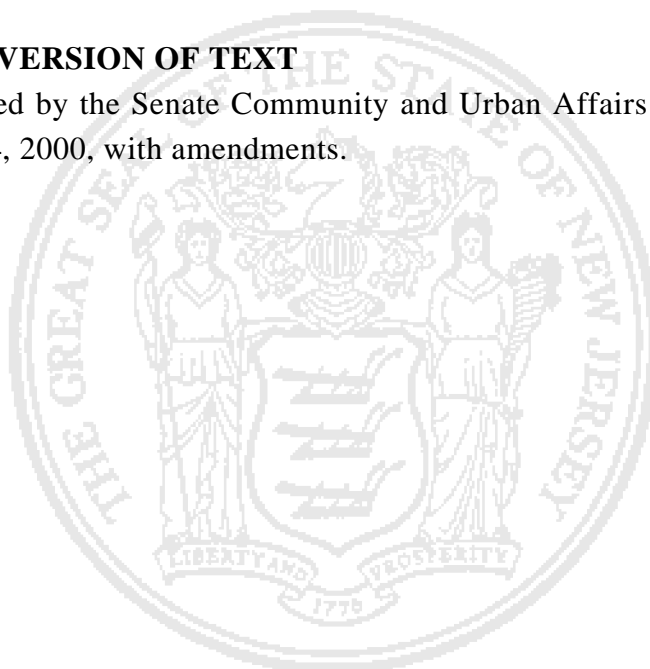
Assemblymen Carroll, Bateman and Senator Bucco

SYNOPSIS

Permits local units to establish snow removal funds.

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee on December 14, 2000, with amendments.



(Sponsorship Updated As Of: 5/15/2001)

A126 [1R] MERKT, CONNORS

2

1 AN ACT permitting local units to establish snow removal ¹[funds]
2 reserves¹ and supplementing chapter 4 of Title 40A of the New
3 Jersey Statutes.

4

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

7

8 1. ¹a.¹ A local unit may, by resolution, establish a ¹[permanent]¹
9 snow removal ¹[fund] reserve¹. Unexpended balances budgeted
10 annually for snow removal may be ¹[transferred] lapsed¹ into the
11 ¹[fund] reserve¹. ¹[Monies] Upon passage of a resolution of the
12 governing body, funds¹ in the ¹[fund] reserve¹ may be used for any
13 purpose related to snow and ice removal by the local unit after current
14 budget appropriations for that purpose have been expended.

15 ¹b. The Local Finance Board is authorized to adopt rules and
16 regulations, pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the
18 purposes of this section.¹

19

20 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCU committee amendments adopted December 14, 2000.

SENATE, No. 1951

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED DECEMBER 14, 2000

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Permits local units to establish snow removal funds.

CURRENT VERSION OF TEXT

As introduced.



S1951 BUCCO

2

1 **AN ACT** permitting local units to establish snow removal funds and
2 supplementing chapter 4 of Title 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 local unit may, by resolution, establish a permanent snow
8 removal fund. Unexpended balances budgeted annually for snow
9 removal may be transferred into the fund. Monies in the fund may be
10 used for any purpose related to snow and ice removal by the local unit
11 after current budget appropriations for that purpose have been
12 expended.

13

14 2. This act shall take effect immediately.

15

16

17

STATEMENT

18

19 This bill permits counties and municipalities, by resolution, to
20 establish permanent snow removal funds, so that unused monies
21 budgeted annually for snow and ice removal during low-demand years
22 may be "banked" by those local units for use in budget years when
23 weather conditions are more serious. Unexpended balances budgeted
24 annually for snow and ice removal would be transferred into the
25 permanent snow removal fund permitted under this bill. The bill
26 permits the use of these monies for any purpose related to snow and
27 ice removal by a county or municipality after current budget
28 appropriations have been expended.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1951

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2000

The Senate Community and Urban Affairs Committee reports favorably and with committee amendments Senate Bill No. 1951.

This bill, as amended, permits counties and municipalities, by resolution, to establish snow removal reserves, so that unused monies budgeted annually for snow and ice removal during low-demand years may be "banked" by those local units for use in budget years when weather conditions are more serious. Unexpended balances budgeted annually for snow and ice removal would lapse into the snow removal reserve permitted under this bill, as amended. The bill permits the use of these monies for any purpose related to snow and ice removal by a county or municipality after current budget appropriations have been expended.

The committee made amendments to the bill, primarily of a technical nature, upon the recommendation of the Division of Local Government Services in the Department of Community Affairs. These amendments remove the word "permanent," designate the "fund" as a "reserve", and substitute the word "lapsed" for "transferred" concerning unexpended snow removal balances lapsing into the reserve at the end of the local budget year. The committee also amended the bill to give the Local Finance Board the authority to promulgate rules and regulations to effectuate the purposes of the bill.

As amended, Senate Bill No. 1951 is identical to Assembly Bill No. 126, as amended and reported by this committee on December 14, 2000.

[First Reprint]

SENATE, No. 1951

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED DECEMBER 14, 2000

Sponsored by:

Senator ANTHONY R. BUCCO

District 25 (Morris)

SYNOPSIS

Permits local units to establish snow removal funds.

CURRENT VERSION OF TEXT

As reported by the Senate Community and Urban Affairs Committee on December 14, 2000, with amendments.



S1951 [1R] BUCCO

2

1 AN ACT permitting local units to establish snow removal ¹[funds]
2 reserves¹ and supplementing chapter 4 of Title 40A of the New
3 Jersey Statutes.

4

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

7

8 1. ¹a.¹ A local unit may, by resolution, establish a ¹[permanent]¹
9 snow removal ¹[fund] reserve¹. Unexpended balances budgeted
10 annually for snow removal may be ¹[transferred] lapsed¹ into the
11 ¹[fund] reserve¹. ¹[Monies] Upon passage of a resolution of the
12 governing body, funds¹ in the ¹[fund] reserve¹ may be used for any
13 purpose related to snow and ice removal by the local unit after current
14 budget appropriations for that purpose have been expended.

15 ¹b. The Local Finance Board is authorized to adopt rules and
16 regulations, pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the
18 purposes of this section.¹

19

20 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCU committee amendments adopted December 14, 2000.

P.L. 2001, CHAPTER 138, *approved July 2, 2001*
Assembly, No. 126 (*First Reprint*)

1 AN ACT permitting local units to establish snow removal ¹[funds]
2 reserves¹ and supplementing chapter 4 of Title 40A of the New
3 Jersey Statutes.

4

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

7

8 1. ¹a.¹ A local unit may, by resolution, establish a ¹[permanent]¹
9 snow removal ¹[fund] reserve¹. Unexpended balances budgeted
10 annually for snow removal may be ¹[transferred] lapsed¹ into the
11 ¹[fund] reserve¹. ¹[Monies] Upon passage of a resolution of the
12 governing body, funds¹ in the ¹[fund] reserve¹ may be used for any
13 purpose related to snow and ice removal by the local unit after current
14 budget appropriations for that purpose have been expended.

15 ¹b. The Local Finance Board is authorized to adopt rules and
16 regulations, pursuant to the "Administrative Procedure Act,"
17 P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the
18 purposes of this section.¹

19

20 2. This act shall take effect immediately.

21

22

23

24

25 Permits local units to establish snow removal funds.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCU committee amendments adopted December 14, 2000.

CHAPTER 138

AN ACT permitting local units to establish snow removal reserves and supplementing chapter 4 of Title 40A of the New Jersey Statutes.

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

C.40A:4-62.1 Snow removal reserves; permitted, rules, regulations.

1. a. A local unit may, by resolution, establish a snow removal reserve. Unexpended balances budgeted annually for snow removal may be lapsed into the reserve. Upon passage of a resolution of the governing body, funds in the reserve may be used for any purpose related to snow and ice removal by the local unit after current budget appropriations for that purpose have been expended.

b. The Local Finance Board is authorized to adopt rules and regulations, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), in order to effectuate the purposes of this section.

2. This act shall take effect immediately.

Approved July 2, 2001.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Rae Hutton
609-777-2600

RELEASE: July 2 , 2001

Acting Governor Donald T. DiFrancesco signed the following legislation today:

A-126, sponsored by Senator Anthony Bucco (R-Morris) and Assemblymen Richard Merkt (R-Morris) and Chris Connors (R-Atlantic/Burlington/Ocean), permits counties and municipalities, by resolution, to establish permanent snow removal funds so that unused monies budgeted annually for snow and ice removal during low-demand years may be "banked" by those local units for use in budget years when weather conditions are more serious.

A-2442, sponsored by Senators Joseph Kyrillos (R-Middlesex/Monmouth) and Louis Kosco (R-Bergen) and Assemblyman Samuel Thompson (R-Middlesex/ Monmouth), This bill would permit municipalities to distribute funds from one-time revenues, such as the sale of municipal property, as a credit against property taxes owed for that local budget year. A direct distribution to real property taxpayers, as permitted under this bill, would help to avoid potentially misleading changes to the real property tax rate caused by one-time revenues.

Landlords of multifamily dwellings would be required to "pass-through" to tenants any savings in property taxes realized under the bill's provisions as if the credit against taxes were a property tax reduction under the Tenants' Property Tax Rebate Act.

A-2146, sponsored by Senators Robert Singer (R-Burlington/Monmouth/ Ocean) and Gerald Cardinale (R-Bergen) and Assembly members Clare Farragher (R-Monmouth) and Kip Bateman (R-Morris/Somerset), provides that the transfer of structured settlement payment rights is not effective and the structured settlement obligor and annuity issuer are not obligated to pay a factoring company unless a court or responsible administrative authority approves the transfer.

S-2113, sponsored by Senators Peter Inverso (R-Mercer/Middlesex) and Wayne Bryant (D-Camden/Gloucester) and Assemblyman Leonard Lance (R-Warren/Hunterdon/ Mercer), transfers administrative control of the State Library to Thomas Edison State College. While all administrative control will be transferred to the college the library will remain in, not of, the State Department. The State Library building and the State Library for the Blind and Handicapped will remain the property of the State of New Jersey.