

58:5-36.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2001 **CHAPTER:** 163
NJSA: 58:5-36.1 (North Jersey District Water Supply)
BILL NO: A2460 (Substituted for S1267)

SPONSOR(S): Corodemus and DeCroce

DATE INTRODUCED: May 22, 2000

COMMITTEE: **ASSEMBLY:** Environment

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 21, 2001

SENATE: June 28, 2001

DATE OF APPROVAL: July 17, 2001

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (2nd reprint enacted)

(Amendments during passage denoted by superscript numbers)

A2460

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

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

S1267

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

Bill and Sponsors Statement identical to A2460

COMMITTEE STATEMENT:

ASSEMBLY: No

SENATE: Yes

Identical to Assembly Statement for A2460

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. 2460

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MAY 22, 2000

Sponsored by:

Assemblyman STEVE CORODEMUS

District 11 (Monmouth)

Assemblyman ALEX DECROCE

District 26 (Essex, Morris and Passaic)

SYNOPSIS

Authorizes North Jersey district water supply commission to undertake flood control project; requires State to indemnify commission.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning flood control by the North Jersey district water
2 supply commission, and supplementing P.L.1962, c.167 (C.58:5-31
3 et seq.).

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

7
8 1. The North Jersey district water supply commission shall have the
9 authority to implement the Oakland Flood Protection project, which
10 shall include, but need not be limited to, the design, construction,
11 operation, and maintenance of flood gates sited at the Pompton Lake
12 Dam under the direction of the Department of Environmental
13 Protection and other governmental entities.

14
15 2. The State of New Jersey shall defend and indemnify the North
16 Jersey district water supply commission and any of its members,
17 officers, or employees for any act or omission with respect to any
18 claims or any cause of action arising out of the placement, design,
19 construction, operation, or maintenance of flood gates at the site of
20 the Pompton Lake Dam as part of the Oakland Flood Protection
21 project. Nothing in this subsection shall diminish or limit in any way
22 any procedural or substantive protection or defense available to the
23 North Jersey district water supply commission or to the State, or to
24 any officer, agent, or employee of the commission or the State
25 pursuant to the "New Jersey Tort Claims Act," P.L.1972, c.45
26 (C.59:1-1 et seq.), or any other law.

27
28 3. This act shall take effect immediately.

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STATEMENT

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This bill would authorize the North Jersey district water supply commission to design, construct, operate, and maintain flood gates at the Pompton Lake dam to control and minimize flooding under the direction of the Department of Environmental Protection and other governmental entities. The bill would also require the State of New Jersey to indemnify the North Jersey district water supply commission and any of its members, officers, or employees for any act or omission with respect to any claims or any cause of action arising out of the placement, design, construction, operation, or maintenance of flood gates at the site of the Pompton Lake Dam as part of the Oakland Flood Protection project.

ASSEMBLY ENVIRONMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2460

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 29, 2001

The Assembly Environment Committee reports favorably and with committee amendments Assembly Bill No. 2460.

This bill, as amended by the committee, would authorize the North Jersey district water supply commission to participate in flood protection projects, including the Oakland Flood Protection Project at the Pompton Lake Dam, under the direction and supervision of the Department of Environmental Protection and other governmental entities.

The bill, as amended by the committee, also would require the State of New Jersey to defend and indemnify the North Jersey district water supply commission and any of its members, officers, or employees for any act or omission with respect to any claims or any cause of action arising out of its participation in flood protection projects including the Oakland Flood Protection Project.

[First Reprint]

ASSEMBLY, No. 2460

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 22, 2000

Sponsored by:

Assemblyman STEVE CORODEMUS

District 11 (Monmouth)

Assemblyman ALEX DECROCE

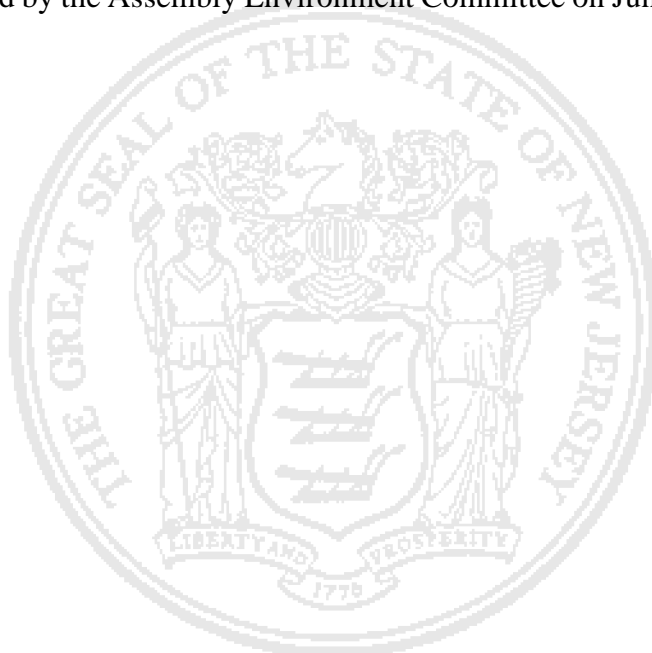
District 26 (Essex, Morris and Passaic)

SYNOPSIS

Authorizes North Jersey district water supply commission to participate in flood protection projects; requires State to indemnify commission.

CURRENT VERSION OF TEXT

As reported by the Assembly Environment Committee on June 4, 2001, with amendments.



1 AN ACT concerning ¹[flood control] participation in flood protection
2 projects, including the Oakland Flood Protection Project.¹ by the
3 North Jersey district water supply commission, and supplementing
4 P.L.1962, c.167 (C.58:5-31 et seq.).

5

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

8

9 1. The North Jersey district water supply commission shall have the
10 authority to ¹[implement the Oakland Flood Protection project, which
11 shall include, but need not be limited to, the design, construction,
12 operation, and maintenance of flood gates sited at the] participate in
13 flood protection projects, including the Oakland Flood Protection
14 Project at the¹ Pompton Lake Dam ¹,¹ under the direction ¹and
15 supervision¹ of the Department of Environmental Protection and other
16 governmental entities.

17

18 2. The State of New Jersey shall defend and indemnify the North
19 Jersey district water supply commission and any of its members,
20 officers, or employees for any act or omission with respect to any
21 claims or any cause of action arising out of ¹[the placement, design,
22 construction, operation, or maintenance of flood gates at the site of
23 the Pompton Lake Dam as part of] its participation in flood protection
24 projects including¹ the Oakland Flood Protection ¹[project] Project¹.
25 Nothing in this ¹[subsection] section¹ shall diminish or limit in any
26 way any procedural or substantive protection or defense available to
27 the North Jersey district water supply commission or to the State, or
28 to any officer, agent, or employee of the commission or the State
29 pursuant to the "New Jersey Tort Claims Act," ¹[P.L.1972, c.45
30 (C.59:1-1 et seq.)] N.J.S.59:1-1 et seq.¹, or any other law.

31

32 3. 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 Assembly AEN committee amendments adopted June 4, 2001.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2460

with Assembly Floor Amendments
(Proposed By Assemblyman CORODEMUS)

ADOPTED: JUNE 14, 2001

The amendment would limit the scope of the bill's provisions to the Oakland Flood Protection Project only. Thus, the amendment would remove the general authority granted in the bill for the North Jersey District Water Supply Commission to participate in flood protection projects and replace it with specific authority to participate in the Oakland Flood Protection Project only. The indemnification provision in the bill would be similarly narrowed.

This amendment would make the bill identical to Senate Bill No. 1267 (1R) of 2000.

SENATE, No. 1267

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 11, 2000

Sponsored by:

Senator HENRY P. MCNAMARA

District 40 (Bergen and Passaic)

SYNOPSIS

Authorizes North Jersey district water supply commission to undertake flood control project; requires State to indemnify commission.

CURRENT VERSION OF TEXT

As introduced.



S1267 MCNAMARA

2

1 AN ACT concerning flood control by the North Jersey district water
2 supply commission, and supplementing P.L.1962, c.167 (C.58:5-31
3 et seq.).

4

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

7

8 1. The North Jersey district water supply commission shall have the
9 authority to implement the Oakland Flood Protection project, which
10 shall include, but need not be limited to, the design, construction,
11 operation, and maintenance of flood gates sited at the Pompton Lake
12 Dam under the direction of the Department of Environmental
13 Protection and other governmental entities.

14

15 2. The State of New Jersey shall defend and indemnify the North
16 Jersey district water supply commission and any of its members,
17 officers, or employees for any act or omission with respect to any
18 claims or any cause of action arising out of the placement, design,
19 construction, operation, or maintenance of flood gates at the site of
20 the Pompton Lake Dam as part of the Oakland Flood Protection
21 project. Nothing in this subsection shall diminish or limit in any way
22 any procedural or substantive protection or defense available to the
23 North Jersey district water supply commission or to the State, or to
24 any officer, agent, or employee of the commission or the State
25 pursuant to the "New Jersey Tort Claims Act," P.L.1972, c.45
26 (C.59:1-1 et seq.), or any other law.

27

28 3. This act shall take effect immediately.

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STATEMENT

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33 This bill would authorize the North Jersey district water supply
34 commission to design, construct, operate, and maintain flood gates at
35 the Pompton Lake dam to control and minimize flooding under the
36 direction of the Department of Environmental Protection and other
37 governmental entities. The bill would also require the State of New
38 Jersey to indemnify the North Jersey district water supply commission
39 and any of its members, officers, or employees for any act or omission
40 with respect to any claims or any cause of action arising out of the
41 placement, design, construction, operation, or maintenance of flood
42 gates at the site of the Pompton Lake Dam as part of the Oakland
43 Flood Protection project.

[Second Reprint]

ASSEMBLY, No. 2460

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 22, 2000

Sponsored by:

Assemblyman STEVE CORODEMUS

District 11 (Monmouth)

Assemblyman ALEX DECROCE

District 26 (Essex, Morris and Passaic)

Co-Sponsored by:

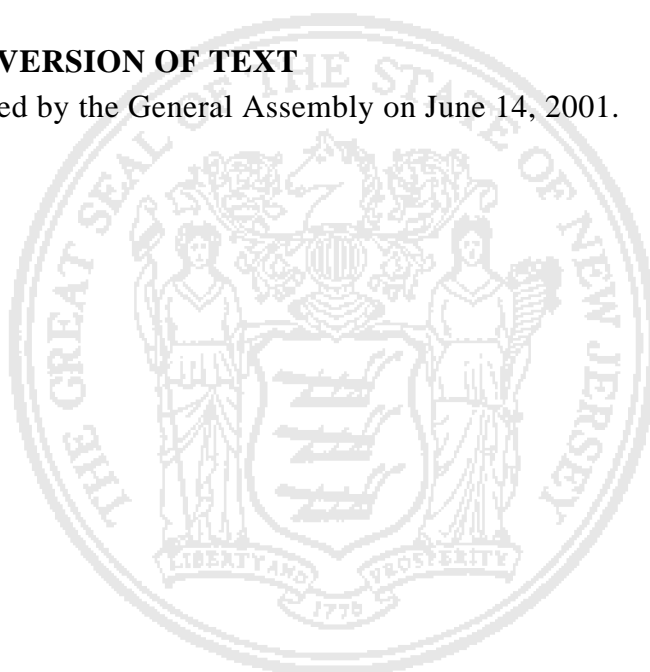
Assemblywoman Heck, Senators McNamara and O'Toole

SYNOPSIS

Authorizes North Jersey district water supply commission to participate in certain flood protection project; requires State to indemnify commission.

CURRENT VERSION OF TEXT

As amended by the General Assembly on June 14, 2001.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT concerning ¹[flood control] participation in ²[flood
 2 protection projects, including]² the Oakland Flood Protection
 3 Project ²[¹]² by the North Jersey district water supply
 4 commission, and supplementing P.L.1962, c.167 (C.58:5-31 et
 5 seq.).

6
 7 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 8 *of New Jersey:*
 9

10 1. The North Jersey district water supply commission shall have the
 11 authority to ¹[implement the Oakland Flood Protection project, which
 12 shall include, but need not be limited to, the design, construction,
 13 operation, and maintenance of flood gates sited at the] participate in
 14 ²[flood protection projects, including]² the Oakland Flood Protection
 15 Project at the¹ Pompton Lake Dam ¹,¹ under the direction ¹and
 16 supervision¹ of the Department of Environmental Protection and other
 17 governmental entities.

18
 19 2. The State of New Jersey shall defend and indemnify the North
 20 Jersey district water supply commission and any of its members,
 21 officers, or employees for any act or omission with respect to any
 22 claims or any cause of action arising out of ¹[the placement, design,
 23 construction, operation, or maintenance of flood gates at the site of
 24 the Pompton Lake Dam as part of] its participation in ²[flood
 25 protection projects including]¹² the Oakland Flood Protection
 26 ¹[project] Project¹. Nothing in this ¹[subsection] section¹ shall
 27 diminish or limit in any way any procedural or substantive protection
 28 or defense available to the North Jersey district water supply
 29 commission or to the State, or to any officer, agent, or employee of
 30 the commission or the State pursuant to the "New Jersey Tort Claims
 31 Act," ¹[P.L.1972, c.45 (C.59:1-1 et seq.)] N.J.S.59:1-1 et seq.¹ , or
 32 any other law.

33
 34 3. 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 Assembly AEN committee amendments adopted June 4, 2001.

² Assembly floor amendments adopted June 14, 2001.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 1267

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 11, 2001

The Senate Environment Committee reports favorably and with committee amendments Senate Bill No. 1267.

This bill, as amended, would authorize the North Jersey district water supply commission to participate in the Oakland Flood Protection Project at the Pompton Lake Dam, under the direction and supervision of the Department of Environmental Protection and other governmental entities.

The bill, as amended by the committee, also would require the State of New Jersey to defend and indemnify the North Jersey district water supply commission and any of its members, officers, or employees for any act or omission with respect to any claims or any cause of action arising out of its participation in the Oakland Flood Protection Project.

[First Reprint]

SENATE, No. 1267

STATE OF NEW JERSEY
209th LEGISLATURE

INTRODUCED MAY 11, 2000

Sponsored by:

Senator HENRY P. MCNAMARA

District 40 (Bergen and Passaic)

Co-Sponsored by:

Senator O'Toole

SYNOPSIS

Authorizes North Jersey district water supply commission to participate in certain flood protection project; requires State to indemnify commission.

CURRENT VERSION OF TEXT

As reported by the Senate Environment Committee on June 11, 2001, with amendments.



(Sponsorship Updated As Of: 6/29/2001)

1 AN ACT concerning ¹[flood control] participation in the Oakland
 2 Flood Protection Project,¹ by the North Jersey district water supply
 3 commission, and supplementing P.L.1962, c.167 (C.58:5-31 et
 4 seq.).

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

8
 9 1. The North Jersey district water supply commission shall have the
 10 authority to ¹[implement the Oakland Flood Protection project, which
 11 shall include, but need not be limited to, the design, construction,
 12 operation, and maintenance of flood gates sited at the] participate in
 13 the Oakland Flood Protection Project at the¹ Pompton Lake Dam ¹,¹
 14 under the direction ¹and supervision¹ of the Department of
 15 Environmental Protection and other governmental entities.

16
 17 2. The State of New Jersey shall defend and indemnify the North
 18 Jersey district water supply commission and any of its members,
 19 officers, or employees for any act or omission with respect to any
 20 claims or any cause of action arising out of ¹[the placement, design,
 21 construction, operation, or maintenance of flood gates at the site of
 22 the Pompton Lake Dam as part of] its participation in¹ the Oakland
 23 Flood Protection ¹[project] Project¹. Nothing in this ¹[subsection]
 24 section¹ shall diminish or limit in any way any procedural or
 25 substantive protection or defense available to the North Jersey district
 26 water supply commission or to the State, or to any officer, agent, or
 27 employee of the commission or the State pursuant to the "New Jersey
 28 Tort Claims Act," ¹[P.L.1972, c.45 (C.59:1-1 et seq.)] N.J.S.59:1-1
 29 et seq.¹, or any other law.

30
 31 3. 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:

¹ Senate SEN committee amendments adopted June 11, 2001.

P.L. 2001, CHAPTER 163, *approved July 17, 2001*
Assembly, No. 2460 (*Second Reprint*)

1 AN ACT concerning ¹[flood control] participation in ²[flood
2 protection projects, including]² the Oakland Flood Protection
3 Project ²[¹]² by the North Jersey district water supply
4 commission, and supplementing P.L.1962, c.167 (C.58:5-31 et
5 seq.).
6

7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:
9

10 1. The North Jersey district water supply commission shall have the
11 authority to ¹[implement the Oakland Flood Protection project, which
12 shall include, but need not be limited to, the design, construction,
13 operation, and maintenance of flood gates sited at the] participate in
14 ²[flood protection projects, including]² the Oakland Flood Protection
15 Project at the¹ Pompton Lake Dam ¹,¹ under the direction ¹and
16 supervision¹ of the Department of Environmental Protection and other
17 governmental entities.
18

19 2. The State of New Jersey shall defend and indemnify the North
20 Jersey district water supply commission and any of its members,
21 officers, or employees for any act or omission with respect to any
22 claims or any cause of action arising out of ¹[the placement, design,
23 construction, operation, or maintenance of flood gates at the site of
24 the Pompton Lake Dam as part of] its participation in ²[flood
25 protection projects including]¹² the Oakland Flood Protection
26 ¹[project] Project¹. Nothing in this ¹[subsection] section¹ shall
27 diminish or limit in any way any procedural or substantive protection
28 or defense available to the North Jersey district water supply
29 commission or to the State, or to any officer, agent, or employee of
30 the commission or the State pursuant to the "New Jersey Tort Claims
31 Act," ¹[P.L.1972, c.45 (C.59:1-1 et seq.)] N.J.S.59:1-1 et seq.¹, or
32 any other law.
33

34 3. 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 Assembly AEN committee amendments adopted June 4, 2001.

² Assembly floor amendments adopted June 14, 2001.

1

2

3 Authorizes North Jersey district water supply commission to
4 participate in certain flood protection project; requires State to
5 indemnify commission.

CHAPTER 163

AN ACT concerning participation in the Oakland Flood Protection Project by the North Jersey district water supply commission, and supplementing P.L.1962, c.167 (C.58:5-31 et seq.).

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

C.58:5-36.1 Participation in Oakland Flood Protection Project.

1. The North Jersey district water supply commission shall have the authority to participate in the Oakland Flood Protection Project at the Pompton Lake Dam, under the direction and supervision of the Department of Environmental Protection and other governmental entities.

C.58:5-36.2 Defense, indemnification of North Jersey district water supply commission.

2. The State of New Jersey shall defend and indemnify the North Jersey district water supply commission and any of its members, officers, or employees for any act or omission with respect to any claims or any cause of action arising out of its participation in the Oakland Flood Protection Project. Nothing in this section shall diminish or limit in any way any procedural or substantive protection or defense available to the North Jersey district water supply commission or to the State, or to any officer, agent, or employee of the commission or the State pursuant to the "New Jersey Tort Claims Act," N.J.S.59:1-1 et seq. or any other law.

3. This act shall take effect immediately.

Approved July 17, 2001.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Rae Hutton
609-777-2600

RELEASE: July 17 , 2001

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

A-190/SCS for S-1051, sponsored by Assemblyman Reed Gusciora (D-Mercer) and Assemblyman Leonard Lance (R-Warren/Hunterdon/Mercer) and Senator Peter Inverso (R-Mercer/Middlesex) and Senator Shirley Tuner (D-Mercer), permits a state employee's salary reduction program for qualified transportation benefits and increases the Travel Demand Management Program gross income tax exclusions for commuter transportation benefits.

A-2460/S-1267, sponsored by Assemblyman Steve Corodemus (R-Monmouth) and Assemblyman Alex DeCroce (R-Essex/Morris/Passaic) and Senator Henry McNamara (R-Bergen/Passaic), authorizes North Jersey district water supply commission to participate in certain flood protection projects; requires state to indemnify commission.

A-3235/S-2433, sponsored by Assemblyman Alex DeCroce (R-Essex/Morris/Passaic) and Assemblyman Joe Doria (D-Hudson) and Senator Andrew Ciesla (R-Monmouth/Ocean), establishes organ donor license plates.

S-1078/A-2249, sponsored by Senator Robert Singer (R-Burlington/Monmouth/Ocean) and Assemblyman Joseph Malone (R-Burlington/Monmouth/Ocean), requires the Department of Community Affairs to establish procedures for electronic tax lien sales by municipalities.

S-1867/A-2487, sponsored by Senator Martha Bark (D-Atlantic/Burlington/Camden) and Senator John Bennett (R-Monmouth) and Assemblyman Christopher Bateman (R-Morris/Somerset) and Assemblyman John Wisniewski (D-Middlesex), requires cell phone use to be noted in traffic accidents.