

40:90-5 to 40:90-8

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:90-5 to 40:90-8 (Garbage districts--permit boroughs to operate)

LAWS 1981 CHAPTER 255

Bill No. S1628

Sponsor(s) Hagedorn and others

Date Introduced Dec. 11, 1980

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly June 29, 1981

Senate May 14, 1981

Date of approval Aug. 12, 1981

Following statements are attached if available:

Sponsor statement Yes No (Below)

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

Sponsors' statement:

This bill permits boroughs to operate garbage districts in a manner that is made presently available to townships under R.S. 40:152-1 et seq. This would allow a borough to contract for garbage collection services competitively bid and to raise moneys therefor and enforce the payment thereof in the same manner as the raising and payment of taxes in the borough.

6/22/81

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SENATE, No. 1628

STATE OF NEW JERSEY

INTRODUCED DECEMBER 11, 1980

By Senators HAGEDORN, VREELAND, EWING
and WALLWORK

Referred to Committee on County and Municipal Government

AN ACT concerning garbage districts in boroughs and supplementing chapter 90 of Title 40 of the Revised Statutes.

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

1 1. In addition to the provisions of R. S. 40:90-1 and the pro-
2 visions of R. S. 40:90-2, R. S. 40:90-3 and R. S. 40:90-4 to the
3 contrary notwithstanding, the governing body of any borough may
4 provide by contract or otherwise for the collection and removal of
5 garbage within a garbage district, but no contract therefor shall
6 be made for more than 5 years.

1 2. The governing body of the borough may order and cause to
2 be raised within the district sufficient money to provide for the pay-
3 ment of the cost of removing the garbage from the district. The
4 sum ordered to be raised shall be levied and collected at the same
5 time and in the same manner as other borough taxes. The collector
6 shall pay the same to the borough treasurer, to be applied only to
7 the purposes for which it is raised.

1 3. All moneys so assessed and levied shall be a lien upon the land
2 against which they are assessed in the same manner that taxes are
3 made a lien against land in boroughs, and the payment thereof
4 shall be enforced within the same time and in the same manner and
5 by the same proceedings as the payment of taxes is enforced in
6 boroughs.

1 4. The governing body of a borough which has garbage districts
2 operating under the provisions of R. S. 40:90-2, R. S. 40:90-3 and
3 R. S. 40:90-4 and which elects to operate those districts under the
4 provisions of this act shall provide by ordinance for the dissolution
5 of the boards of garbage commissioners of the districts and other
6 acts necessary to effect that election.

1 5. This act shall take effect immediately.

STATEMENT

This bill permits boroughs to operate garbage districts in a manner that is made presently available to townships under R. S. 40:152-1 et seq. This would allow a borough to contract for garbage collection services competitively bid and to raise moneys therefor and enforce the payment thereof in the same manner as the raising and payment of taxes in the borough.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1628

STATE OF NEW JERSEY

DATED: JUNE 15, 1981

Senate Bill No. 1628 supplements chapter 90 of Title 40 of the Revised Statutes to allow the governing body of a borough to contract for garbage collection services. Contracts entered into pursuant to this act would have a maximum term of 5 years. The bill further provides that a borough which enters into a contract for garbage collection may raise money for that purpose and enforce the payment of such sums in the same manner used by the borough to raise and collect taxes. A borough electing to contract for garbage collection which has established a board of garbage collectors shall, by ordinance, dissolve the board. The procedures provided in this bill for the collection of garbage in boroughs are the same as authorized by R. S. 40:152-1 et seq. for the collection of garbage in townships.

The current law (C. 40:90-1 et seq.) governing garbage collections in boroughs authorizes the governing body to create garbage districts to be governed by commissioners who shall be responsible for the collection of garbage.

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LEGISLATIVE FISCAL ESTIMATE TO
SENATE, No. 1628

STATE OF NEW JERSEY

DATED: APRIL 1, 1981

Senate Bill No. 1628 of 1980 permits boroughs to operate garbage districts.

“This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.”

The Office of Legislative Services states that enactment of this legislation will not affect State revenues or expenditures.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1980, c. 67.

S-1628, sponsored by Senator Garrett W. Hagedorn (D-Bergen), enabling municipal borough garbage districts to function in the same way township garbage districts do.

Presently, borough garbage districts are run by an elected board of commissioners and assessments in support of the garbage district must be approved by the voters. Townships run their districts through their governing body and raise funds for their operation without voter approval. A change of this type in borough garbage operations would spread costs proportionately among the districts, lowering overall operating costs.

A-1060, sponsored by Assemblyman Richard J. Codey (D-Essex), requiring every police station and hospital to display information regarding the State's compensation program for the victims of violent crime. Police departments would also be required to furnish this information to any victim reporting a violent crime.

A-1524, sponsored by Assemblyman Thomas F. Cowan (D-Hudson), eliminating the requirement that a person vote as a member of same political party for three years prior to becoming eligible for service as a district election board member.

Under the bill, designed to address the difficulty many county boards have experienced in securing qualified election officers, a person would be eligible for election service if he has been a member of the same political party for two years and has not espoused the cause of another political party during that time.

A-2062, sponsored by Assemblyman John A. Girgenti (D-Passaic), permitting the Violent Crimes Compensation Board to make emergency awards of \$500 or less when the Board finds that any delay would cause suffering to the victim, and where the Board would be likely to grant compensation under the normal grant procedures.

Under the bill, up to three \$500 awards could be made to any applicant. The emergency awards are considered necessary because of lengthy processing procedures which sometimes result in victims waiting years to receive compensation. Any awards made on an emergency basis would be deducted from the final compensation award total.