

40A: 2-22

LEGISLATIVE HISTORY CHECKLIST

(Fire districts--bonds--allow issuance for durable apparatus)

NJSA 40A:2-22

LAWS 1981

CHAPTER 273

Bill No. A2109

Sponsor(s) Kosco

Date Introduced Oct. 6, 1980

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Nov. 24, 1980

Senate June 15, 1981

Date of approval Aug. 24, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

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~~

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8-24-81

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ASSEMBLY, No. 2109

STATE OF NEW JERSEY

INTRODUCED OCTOBER 6, 1980

By Assemblymen KOSCO, FRANKS, SAXTON, CARDINALE,
VISOTCKY, ZANGARI, MARKERT, IMPERIALE, PAO-
LELLA, EDWARDS and PELLECCCHIA

Referred to Committee on Municipal Government

AN ACT concerning the issuance of bonds under the "Local Bond Law", N. J. S. 40A:2-1 et seq., for ***[programs of]*** major repair, reconditioning or overhaul of fire engines and apparatus under certain circumstances, and amending N. J. S. 40A:2-22.

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

1 1. N. J. S. 40A:2-22 is amended to read as follows:

2 40A:2-22. The governing body of the local unit shall determine
3 the period of usefulness of any purpose according to its reasonable
4 life computed from the date of the bonds, which period shall not
5 be greater than the following:

6 a. Buildings and structures.

7 1. Bridges, including retaining walls and approaches, or perma-
8 nent structures of brick, stone, concrete or metal, or similar durable
9 construction, 30 years.

10 2. Buildings, including the original furnishings and equipment
11 therefor:

12 Class A: A building, of which all walls, floors, partitions,
13 stairs and roof are wholly of incombustible material, except
14 the window frames, doors, top flooring and wooden handrails
15 on the stairs, 40 years;

16 Class B: A building, the outer walls of which are wholly of
17 incombustible material, except the window frames and doors,
18 30 years;

19 Class C: A building which does not meet the requirements
20 of Class A or Class B, 20 years.

21 3. Building or structures acquired substantially reconstructed or
22 additions thereto, one-half the period fixed in this subsection for
23 such buildings or structures.

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

- 24 4. Additional furnishings, 5 years.
- 25 b. Marine improvements.
- 26 1. Harbor improvements, docks or marine terminals, 40 years.
- 27-37 2. Dikes, bulkheads, jetties or similar devices of stone, concrete
38 or metal, 15 years; of wood or partly of wood, 10 years.
- 39 c. Additional equipment and machinery.
- 40 1. Additional or replacement equipment and machinery, 15 years.
- 41 2. Voting machines, 15 years.
- 42 d. Real property.
- 43 1. Acquisition for any public purpose of lands or riparian rights,
44 or both, and the original dredging, grading, draining or planting
45 thereof, 40 years.
- 46 2. Improvement of airport, cemetery, golf course, park, play-
47 ground, 15 years.
- 48 3. Stadia of concrete or other incombustible materials, 20 years.
- 49 e. Streets and thoroughfares.
- 50 1. Elimination of grade crossings, 35 years.
- 51 2. Streets or roads.
- 52 Class A: Rigid pavement. A pavement of not less than 8
53 inches of cement concrete or a 6-inch cement concrete base with
54 not less than 3-inch bituminous concrete surface course, or
55 equivalent wearing surface, 20 years.
- 56 Flexible pavement. A pavement not less than 10 inches in
57 depth consisting of 5-inch macadam base, 3-inch modified
58 penetration macadam and 3-inch of bituminous concrete surface
59 course or other pavements of equivalent strength, in accord-
60 ance with the findings of the American Association of State
61 Highway Officials (AASHO) Road Test, 20 years.
- 62 Class B: Mixed surface-treated road. An 8-inch surface of
63 gravel, stone or other selected material under partial control
64 mixed with cement or lime and fly ash, 6 inches in compacted
65 thickness with bituminous surface treatment and cover, 10
66 years
- 67 Bituminous penetration road. A 5-inch gravel or stone base
68 course and a 3-inch stone course bound with a bituminous or
69 equivalent binder, 10 years.
- 70 Class C: Mixed bituminous road. An 8-inch surface of gravel,
71 stone, or other selected material under partial control mixed
72 with bituminous material 1 inch or more in compacted thick-
73 ness, 5 years.
- 74 Penetration macadam road. A road of sand, gravel or water
75 bound macadam, or surfacing with penetration macadam, 5
76 years.

77 3. Sidewalks, curbs and gutters of stone, concrete or brick, 10
78 years.

79 The period of usefulness in this subsection shall apply to con-
80 struction and reconstruction of streets and thoroughfares.

81 f. Utilities and municipal systems.

82 1. Sewer system, whether sanitary or storm water, water supply
83 or distribution system, 40 years.

84 2. Electric light, power or gas systems, garbage, refuse or ashes
85 incinerator or disposal plant, 25 years.

86 3. Communication and signal systems, 10 years.

87 4. House connections to publicly-owned gas, water or sewer
88 systems from the service main in the street to the curb or property
89 lines where not part of original installation, 5 years.

90 g. Vehicles and apparatus.

91 1. Fire engines, apparatus and equipment, when purchased new,
92 but not fire equipment purchased separately, 10 years.

93 2. Automotive vehicles, including original apparatus and equip-
94 ment (other than passenger cars and stationwagons), when pur-
95 chased new, 5 years.

96 3. **[Any program of major]* *Major* repairs, reconditioning*
97 *or overhaul of fire engines and apparatus, which may reasonably be*
98 *expected to extend for at least 5 years the period of usefulness*
98A *thereof, 5 years.*

99 h. Any purpose, except vehicles, not included in the foregoing,
100 for which obligations may be issued, 15 years.

1 2. This act shall take effect immediately.

77 3. Sidewalks, curbs and gutters of stone, concrete or brick, 10
78 years.

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80 struction and reconstruction of streets and thoroughfares.

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94 ment (other than passenger cars and stationwagons), when pur-
95 chased new, 5 years.

96 3. *Any program of major repairs, reconditioning or overhaul of*
97 *fire engines and apparatus, which may reasonably be expected to*
98 *extend for at least 5 years the period of usefulness thereof, 5 years.*

99 h. Any purpose, except vehicles, not included in the foregoing,
100 for which obligations may be issued, 15 years.

1 2. This act shall take effect immediately.

STATEMENT

Fire apparatus, which is costly and complex equipment, is a major investment for any community. In general, however, such apparatus is built to high standards of durability; and if carefully maintained and periodically overhauled it can endure for many years. It is prudent, therefore, for municipalities to refurbish aging fire engines rather than replace them. But current fiscal problems discourage this prudent course: the law permits bonding of new-equipment purchases, but repairs and overhauls must come out of current expense and fit within the stringent limits permitted by the "CAP" law.

This bill would allow the refurbishing of old apparatus to be financed by bonds if it could be reasonably expected that the useful life of the apparatus would be extended at least 5 years. The condition harmonizes with the provision of the "Local Bond Law" that bonds not be issued for any purpose with a useful life of less than 5 years (N. J. S. 40A:2-21).

A2109 (1981)

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2109

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1980

This bill, as amended in committee, would permit the sale of bonds to finance major repairs, reconditioning or overhaul of fire engines and apparatus, if such reconditioning could be reasonably expected to extend the life of the equipment by at least 5 years. Concurrently the "Local Bond Law" permits bonding only for the purchase of new fire equipment.

In deleting the words "Any program of" . . . major repairs, the committee seeks to ensure that bond funds will be utilized only for major repairs per se, and not for the kind of repairs which ought to be financed as regular operating expenses.

The sponsor's statement to which the committee concurs reads as follows:

"Fire apparatus, which is costly and complex equipment, is a major investment for any community. In general, however, such apparatus is built to high standards of durability; and if carefully maintained and periodically overhauled it can endure for many years. It is prudent, therefore, for municipalities to refurbish aging fire engines rather than replace them. But current fiscal problems discourage this prudent course: the law permits bonding of new-equipment purchases, but repairs and overhauls must come out of current expense and fit within the stringent limits permitted by the "CAP" law.

This bill would allow the refurbishing of old apparatus to be financed by bonds if it could be reasonably expected that the useful life of the apparatus would be extended at least 5 years. The condition harmonizes with the provision of the "Local Bond Law" that bonds not be issued for any purpose with a useful life of less than 5 years (N. J. S. 40A:2-21)."