

58:25-9

LEGISLATIVE HISTORY CHECKLIST

NJSA: 58:25-9 (Municipal sewerage collection system—reimbursement of certain costs by State)

LAWS OF: 1981

CHAPTER: 468

Bill No.: A866

Sponsor(s): Edwards

Date Introduced: Feb. 4, 1980

Committee: Assembly: Municipal Government

Senate: Agriculture and Environment

Amended during passage Yes // Amendments during passage denoted by asterisks.

Date of Passage: Assembly: Sept. 29, 1980

Senate: Dec. 7, 1980

Date of Approval: Jan. 11, 1981

Following statements are attached if available:

Sponsor statement: Yes // Also attached: Senate amendments, adopted 12-7-81 & Assembly amendments, adopted 9-29-80 (with statements)

Committee statement: Assembly Yes //
Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

List of additional municipalities - attached.

LEGISLATIVE HISTORY FROM LIBRARY COPY

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ASSEMBLY, No. 866

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1980

By Assemblymen EDWARDS, KERN and CARDINALE

Referred to Committee on Revenue, Finance and Appropriations

AN ACT ***[**to amend "An act revising penalties for the violation of the statutes concerning condemned shellfish and shellfish beds, transferring certain water pollution control statutes from Titles 13, 24 and 26 to Title 58, supplementing Title 58 of the Revised Statutes and repealing parts of the statutory law," approved January 18, 1980 (P. L. 1979, c. 321)]* **concerning the installation of sanitary sewerage collector systems and amending P. L. 1979, c. 321 ***[and P. L. 1972, c. 145*]***.*

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

1 1. Section 19 of P. L. 1979, c. 321 (C. 58:25-9) is amended to
2 read as follows:

3 19. Whenever any local governmental unit, pursuant to an order
4 *or **in the case of a municipality in a county of the first class, pur-*
5 *suant to an order or** written approval of the Department of*
6 Environmental Protection and in compliance therewith, has com-
7 pleted installation of a sanitary sewerage collector system and
8 issued bonds or bond anticipation notes to finance such system, and
9 such system is inoperable because the sewerage authority charged
10 with the duty of providing an interceptor system has not yet so
11 provided and therefore no interceptor system is ready to receive
12 the effluent from such municipal collector system through no fault
13 of the local governmental unit, the State shall reimburse such
14 governmental unit for annual interest and debt service costs for
15 the collector system. Such payments shall be made for such period
16 that the collector system remains inoperative and should the sys-
17 tem become operable for any portion of a year, payment shall be
18 made for the entire year.

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

1 ***[2. Section 1 of P. L. 1972, c. 145 (C. 26:2E-8.1) is amended
2 to read as follows:

3 1. Whenever any local governmental unit, pursuant to an order
4 or ***in the case of a municipality in a county of the first class, pur-*
5 *suant to an order or*** written approval of the Department of
6 Environmental Protection and in compliance therewith, has com-
7 pleted installation of a sanitary sewerage collector system and
8 issued bonds or bond anticipation notes to finance such system, and
9 such system is inoperable because the sewerage authority charged
10 with the duty of providing an interceptor system has not yet so
11 provided and therefore no interceptor system is ready to receive
12 the effluent from such municipal collector system through no fault
13 of the local governmental unit, the State shall reimburse such
14 governmental unit for annual interest and debt service costs for
15 the collector system. Such payments shall be made for such period
16 that the collector system remains inoperative and should the sys-
17 tem become operable for any portion of a year, payment shall be
18 made for the entire year.***]

1 * [2.] * *** [3.*] *** **2.*** This act shall take effect immedi-
2 ately but shall be retroactive to January ***1*** ***18***,
3 ** [1979] ** **1980**.

ASSEMBLY, No. 866

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1980

By Assemblymen EDWARDS, KERN and CARDINALE

Referred to Committee on Revenue, Finance and Appropriations

AN ACT to amend "An act revising penalties for the violation of the statutes concerning condemned shellfish and shellfish beds, transferring certain water pollution control statutes from Titles 13, 24 and 26 to Title 58, supplementing Title 58 of the Revised Statutes and repealing parts of the statutory law," approved January 18, 1980 (P. L. 1979, c. 321).

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

1 1. Section 19 of P. L. 1979, c. 321 (C. 58:25-9) is amended to
2 read as follows:

3 19. Whenever any local governmental unit, pursuant to an order
4 *or written approval* of the Department of Environmental Protec-
5 tion and in compliance therewith, has completed installation of a
6 sanitary sewerage collector system and issued bonds or bond
7 anticipation notes to finance such system, and such system is
8 inoperable because the sewerage authority charged with the duty
9 of providing an interceptor system has not yet so provided and
10 therefore no interceptor system is ready to receive the effluent
11 from such municipal collector system through no fault of the local
12 governmental unit, the State shall reimburse such governmental
13 unit for annual interest and debt service costs for the collector
14 system. Such payments shall be made for such period that the
15 collector system remains inoperative and should the system become
16 operable for any portion of a year, payment shall be made for the
17 entire year.

1 2. This act shall take effect immediately but shall be retroactive
2 to January 1, 1979.

STATEMENT

Existing legislation provides State reimbursement aid for actual debt service costs incurred during the interval between completion of the installation of municipal collector system until completion of the regional sewer authority interceptor trunk lines only to those municipalities who have had to have been ordered by the State Department of Environmental Protection to install the municipal collector system but excludes without assistance a municipality that without delinquency meets the health and environmental problem by applying for State Department of Environmental Protection approval of a municipal collector system, obtains such approval and installs such system pursuant to such approval.

This amendment would provide equality of treatment for an otherwise eligible municipality that has installed a municipal collector system pursuant to written approval of the Department of Environmental Protection without having to have been ordered to do so.

STATEMENT

Existing legislation provides State reimbursement aid for actual debt service costs incurred during the interval between completion of the installation of municipal collector system until completion of the regional sewer authority interceptor trunk lines only to those municipalities who have had to have been ordered by the State Department of Environmental Protection to install the municipal collector system but excludes without assistance a municipality that without delinquency meets the health and environmental problem by applying for State Department of Environmental Protection approval of a municipal collector system, obtains such approval and installs such system pursuant to such approval.

This amendment would provide equality of treatment for an otherwise eligible municipality that has installed a municipal collector system pursuant to written approval of the Department of Environmental Protection without having to have been ordered to do so.

A866 (1981)

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ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 866
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED SEPTEMBER 29, 1980

Amend page 1, section 1, line 4, after "or", insert "in the case of a municipality in a county of the first class, pursuant to an order or".

Amend page 2, section 2, line 4, after "or", insert "in the case of a municipality in a county of the first class pursuant to an order or".

Amend page 2, section 3, line 2, omit "1979", insert "1980".

STATEMENT

These amendments clarify that Assembly Bill No. 866 (Official Copy Reprint) applies only to the borough of Ramsey and the township of Mahwah in Bergen county.

ASSEMBLY, No. 866

STATE OF NEW JERSEY

ADOPTED JUNE 23, 1980

Amend page 1, title, lines 1-6, after "Act", omit these lines in their entirety, insert "concerning the installation of sanitary sewerage collector systems and amending P. L. 1979, c. 321 and P. L. 1972, c. 145".

Amend page 1, section 1, after line 17, insert new section as follows:

"2. Section 1 of P. L. 1972, c. 145 (C. 26:2E-8.1) is amended to read as follows:

1. Whenever any local governmental unit, pursuant to an order *or written approval* of the Department of Environmental Protection and in compliance therewith, has completed installation of a sanitary sewerage collector system and issued bonds or bond anticipation notes to finance such system, and such system is inoperable because the sewerage authority charged with the duty of providing an interceptor system has not yet so provided and therefore no interceptor system is ready to receive the effluent from such municipal collector system through no fault of the local governmental unit, the State shall reimburse such governmental unit for annual interest and debt service costs for the collector system. Such payments shall be made for such period that the collector system remains inoperative and should the system become operable for any portion of a year, payment shall be made for the entire year."

Amend page 1, section 2, line 1, omit "2.", insert "3."

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SENATE AMENDMENTS TO
ASSEMBLY, No. 866
[SECOND OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED DECEMBER 7, 1981

Amend page 1, title, line 8, omit "and P. L. 1972, c. 145".

Amend page 2, section 2, lines 1-18, omit entirely.

Amend page 2, section 3, line 1, omit "3.", insert "2.".

Amend page 2, section 3, line 2, omit "1", insert "18".

STATEMENT

These amendments delete section 2 of Assembly Bill No. 866 because the section of law which would be amended thereby was repealed and reenacted as section 19 of P. L. 1979, c. 321, which is amended by section 1 of Assembly Bill No. 866. These amendments also conform the retroactive effective date of Assembly Bill No. 866 to the effective date of P. L. 1979, c. 321 (January 18, 1980).

With these amendments, Assembly Bill No. 866 would be identical to Senate Bill No. 964 OCR, now pending in the Senate.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 866

STATE OF NEW JERSEY

DATED: JUNE 23, 1980

Currently when the Department of Environmental Protection orders a municipality to install a sewerage collector system and the municipality does so before the regional sewerage authority lines are in readiness, the State will reimburse the municipality for interest and debt service costs on the system until it becomes operative. This bill would require the State to make similar reimbursement to municipalities which have received written *approval but not orders* from DEP to install a system which awaits hookup to the regional lines.

This bill applies to the borough of Ramsey and Mahwah township; a list of other possible beneficiaries and the amounts which would be owed them under this bill has not yet been made available.

The committee amendments are technical and merely amend an additional section of law and abbreviate and clarify the title of the bill.

44. Hazardous and Toxic Pollution Control—State Aid

4910-150-233010-50 The unexpended balances as of June 30, 1982 in
4910-150-233020-50 the Major Hazardous Waste Facilities Siting
Act—Grants to municipalities and the Major
Hazardous Waste Facilities Siting Act-Train-
ing programs accounts are appropriated.

45. Recreational Resource Management—State Aid

4895. Bureau of Coastal Engineering

21. Navigational Aids

State Aid:

4895-150-213020-60 Dredging of inland waterways
—State aid to counties
and municipalities, 100%
grants for maintenance
dredging projects (\$1,200,000)

Total Appropriation, Recreational
Resource Management \$1,200,000

The unexpended balance, not to exceed
\$1,000,000, as of June 30, 1982 is ap-
propriated.

46. Environmental Planning and Administration—State Aid

4800. Administrative Operations

99. Management and Administrative Services

State Aid:

4800-150-993030-60 Payment in lieu of taxes on
real property acquired
for future water supply
facilities, recreation and
conservation purposes (\$1,040,184)

4800-150-993050-60 Reimbursement and loans to
the Boroughs of
Pennington and Hopewell
for interest and debt
service cost
(NJSA 58:25-9) (203,006)

Account No.

ENVIRONMENTAL PROTECTION

46. Environmental Planning and Administration—State Aid

4800. Administrative Operations

99. Management and Administrative Services

State Aid:

4800-150-993030-60	Payment in lieu of taxes on real property acquired for future water supply facilities, recreation and conservation purposes (\$1,118,727)
4800-150-993050-60	Reimbursement the Boroughs of Pennington and Hopewell for interest and debt service cost (NJSA 58:25-9)	(109,557)
4800-150-993060-60	Reimbursement to the Borough of Ramsey for interest and debt service cost (NJSA 58:25-9)	(1,150,674)
4800-150-993070-60	Reimbursement to the Township of Mahwah for interest and debt service cost (NJSA 58:25-9)	(1,574,095)
4800-150-993100-60	Administration, planning and development activities of the Pinelands Commission ... (1,150,000)
4800-150-993020-62	Mosquito control, research, administration, and operations	(400,000)
Total Appropriation, Environmental Planning and Administration		<u>\$5,503,053</u>

Of the amount appropriated for payment in lieu of taxes not more than \$100,000 will be paid to certain municipalities in the Pinelands Management Area based on differences between current in lieu of tax payments and payments calculated using effective municipal and school tax rates.

NJ Appropriations Handbook 1984