

40:62-105.30 to 40:62-105.33

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:62-105.30 to 40:62-105.33 (Water district bonds--remove re-
restrictions on amount and interest
rate)

Laws of 1977 Chapter 170

Bill No. A3236

Sponsor(s) Littell

Date Introduced April 18, 1977

Committee: Assembly Municipal Government

Senate -----

Amended during passage Yes ~~No~~ Amendments during pass-
age denoted by asterisks

Date of passage: Assembly May 9

Senate May 23

Date of approval August 10, 1977

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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8/10/77

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ASSEMBLY, No. 3236

STATE OF NEW JERSEY

INTRODUCED APRIL 18, 1977

By Assemblyman LITTELL

Referred to Committee on Municipal Government

AN ACT to amend "An act to provide for the election of commissioners in water districts and defining their powers and duties," approved June 25, 1951 (P. L. 1951, c. 280).

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

1 1. Section 30 of P. L. 1951, c. 280 (C. 40:62-105.30) is amended
 2 to read as follows:

3 30. The water commissioners in any water district created by the
 4 township committee may **[**purchase pumps, pipes, chlorinators or
 5 other appliances and appurtenances for the supply of water and
 6 may purchase lands and erect buildings for the creation of a water
 7 pumping or distribution station at a cost not exceeding \$60,000.00,
 8 said money having been first raised and accumulated as provided
 9 in sections 31 to 34 of this act**]** *acquire***[.]*** *and* construct ***[and***
 10 *operate]* any reservoirs, basins, dams, canals, aqueducts, stand-*
 11 *pipes, conduits, pipelines, mains, pumping stations, water distribu-*
 12 *tion systems, compensating reservoirs, waterworks or sources of*
 13 *water supply, wells, purification or filtration plants or other plants*
 14 *and works, connections, rights of flowage or diversion, and other*
 15 *plants, structures, boats, conveyances, and other real and personal*
 16 *property, and rights therein, and appurtenances necessary or useful*
 17 *and convenient for the accumulation, supply or distribution of*
 18 *water; provided, however, that such water accumulation, supply,*
 19 *or distribution facilities are authorized and financed as provided*
 20 *in sections 31 to 34 of this act.*

1 2. Section 31 of P. L. 1951, c. 280 (C. 40:62-105.31) is amended
 2 to read as follows:

3 31. The water commissioners shall cause a resolution authorizing
 4 the issuance of bonds **[**in the amount and**]** for the purposes speci-
 5 fied in section 30 of this act to be submitted to the legal voters of

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

6 such water district. Such resolution shall be written or printed on
 7 notices together with a statement of the time and place where the
 8 meeting of such legal voters will be held and the purpose and object
 9 thereof. The time and place for the holding of such election shall
 10 be the same as the annual election of water commissioners and for
 11 the appropriation of moneys for water purposes in said district,
 12 or a special election may be called for the purpose. Not less than
 13 10 notices of such meeting shall be posted by the clerk of the water
 14 commissioners at least 10 days before the date thereof in such
 15 manner and in such public places as he shall deem best for the
 16 purpose of giving notice of said meeting, and the board of water
 17 commissioners and the clerk shall ***[at their option]*** also cause
 18 notices ***[or a notice]*** to be printed as an advertisement in a paper
 19 published in the district if there be one, and if not, in a paper
 20 published within the county where the district is located and
 21 circulating in said district. In case a special election is called, at
 22 least 10 notices of such election shall be posted at least 21 days
 23 before the date of such election, and in addition the clerk shall cause
 24 said notice to be published at least twice before said election is
 25 held, in a newspaper published in the district, if there be one, and
 26 if not, in a newspaper published in the township or county where
 27 the district is located and circulating in said district.

1 3. Section 33 of P. L. 1951, c. 280 (C. 40:62-105.33) is amended
 2 to read as follows:

3 33. The legal voters of any such water district may, at the
 4 election at which such proposition is submitted, by the vote of a
 5 majority of those voting, authorize the board of water commis-
 6 sioners to issue bonds for the purpose set forth in section 30
 7 of this act. Such bonds shall be serial bonds and shall be issued
 8 in the corporate name of such water district for such sums not
 9 exceeding **[an aggregate of \$60,000.00 and not exceeding]** the sum
 10 voted as aforesaid, and in such amounts and payable at such times
 11 as the legal voters so voting shall direct, with interest *at* a rate
 12 **[not exceeding 6% per annum]** *as such resolution or resolutions*
 13 *authorizing the issuance of such bonds shall provide*, payable half-
 14 yearly. Said bonds shall not be issued for a longer period than
 15 30 years. Such bonds shall be signed by the president of the board
 16 of water commissioners and attested by the secretary of the board
 17 who shall affix the seal of said commissioners. Said bonds shall
 18 have coupons attached for the payment of interest, which coupons
 19 shall be signed by the clerk of the board of water commissioners,
 20 and shall be numbered to correspond to the several bonds to which
 21 they shall be severally attached. Bonds so issued shall be numbered

22 and the proper registry thereof shall be kept by the clerk of said
23 board of water commissioners. Such bonds may be sold at public
24 or private sale for the best obtainable price, but not less than par
25 and accrued interest.

1 4. This act shall take effect immediately.

22 and the proper registry thereof shall be kept by the clerk of said
23 board of water commissioners. Such bonds may be sold at public
24 or private sale for the best obtainable price, but not less than par
25 and accrued interest.

1 1. This act shall take effect immediately.

STATEMENT

The law which this bill amends was enacted in 1951 and contains monetary limitations with respect to the issuance of bonds which because of inflation and other economic factors are very much outdated. The changes this bill proposes will not cause any undue hardship to the residents and taxpayers within any water district, since any bonds issued by a water commission must be approved by the legal voters residing within such district at any election for that purpose. If the residents of any water district feel that it will be in their best interest to levy a tax upon themselves to provide for an adequate supply of water, they should be permitted to do so just as the taxpayers of a Type II school district may do to provide educational facilities.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3236

STATE OF NEW JERSEY

DATED: MAY 2, 1977

Assembly Bill No. 3236 would remove the limitation of \$60,000.00 on the amount a township water district could spend to acquire certain equipment, and to construct certain plants and structures. The cost of such acquisition, construction and operation would be financed by a bond issue, and would have to be authorized by resolution and approved by the voters of the district at a special meeting for which public notice is required. The bill also removes the 6% interest limitation on such bonds. The resolution would specify the amount of the bond issue and the interest to be paid on the bonds.

Only two townships in the State have water districts. These are Sparta township in Sussex county and Voorhees township in Camden county.

The committee amendments, as approved by the sponsor, would remove the implication of the language of the original bill that operating expenses would be financed by bond issues. Operating expenses of water districts are currently financed through special assessments on the residents of the district, pursuant to section 25 of P. L. 1951, c. 280 (C. 40:62-105.25). The amendments assure that operating expenses would continue to be financed through special assessments, and would assure that bond revenues could not be raised for that purpose.

In addition, the committee amendments would require that notice of a special meeting of the voters of the water district to approve such a bond resolution be printed in a newspaper. This would bring the provisions of the statutes relating to water districts into line with the provisions of the "Local Bond Law" (N. J. S. 40A:2-1 et seq.). Currently, such newspaper notice is optional for these water districts.

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FROM THE OFFICE OF THE GOVERNOR

AUGUST 11, 1977

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

ANNE BURNS

Governor Brendan Byrne has signed the following bills into law:

S-3241 - sponsored by Senator William V. Musto, D-Hudson, which authorizes the Lottery Commission to allow licensed lottery agents to pay prizes not exceeding \$599 out of money received from the sale of lottery tickets or shares.

The bill is intended to place New Jersey on an equal competitive basis with neighboring states in allowing prize payments in the field. The bill also allows prizes to be provided more quickly and conveniently.

A-3236 - sponsored by Assemblyman Robert E. Littell, R-Sussex, which amends the law concerning the issuance of water district bonds.

The bill removes the limitation of \$60,000 on the amount a township water district can spend to acquire certain equipment, and to construct certain plants and structures. The cost of such acquisition and construction will be financed by bond issues. These bond issues must be authorized by resolution and approved by the voters of the district at a special meeting. The legislation requires that notice of the special meetings be printed in a newspaper.

The bill also removes the six per cent interest limitation on the bonds.

Sparta Township in Sussex County and Voorhees Township in Camden County are the only two townships in the state which have water districts.

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