

40:35A-1

LEGISLATIVE HISTORY CHECKLIST

H.R.S.A. 40:35A-1 (All counties permitted to operate public transportation systems)
LAWS OF 1978 CHAPTER 86

Bill No. S864

Sponsor(s) Dumont

Date Introduced Feb. 16, 1978

Committee: Assembly Transportation & Communications
Senate Transportation & Communications

Amended during passage Yes No

Date of Passage: Assembly June 12, 1978

Senate April 20, 1978

Date of approval July 27, 1978

Following statements are attached if available:

Sponsor statement	Yes	XX
Committee Statement: Assembly	Yes	XX
Senate	Yes	XX
Fiscal Note	Yes	No
Veto message	Yes	No
Message on signing	Yes	XX

Following were printed:

Reports	Yes	XX
Hearings	Yes	No

Sponsor's statement:

This bill amends PL 1975, C.83 (C.40:35A-1 et seq.) in order to authorize all counties to provide for and operate public transportation services directly through resolution or ordinance of their governing bodies.

5/7/78

(over)

JUN

1978

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Legislation recommended in:

974.90 NJ Department of Transportation.
T764 Final recommendations: organization
1976f and finance of public transportation
in NJ October, 1976.

SENATE, No. 864

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 16, 1978

By Senator DUMONT

Referred to Committee on Transportation and Communications

AN ACT to amend the title of "An act authorizing certain counties to provide for public transportation services and the operation thereof, and supplementing subtitle 2 of Title 40 of the Revised Statutes," approved May 5, 1975 (P. L. 1975, c. 83), so that the same shall read "An act authorizing counties to provide for public transportation services and the operation thereof, and supplementing subtitle 2 of Title 40 of the Revised Statutes," and to amend the body of said act.

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

1 1. The title of P. L. 1975, c. 83 is amended to read as follows:
2 An act authorizing **[certain]** counties to provide for public trans-
3 portation services and the operation thereof, and supplementing
4 subtitle 2 of Title 40 of the Revised Statutes.

1 2. Section 1 of P. L. 1975, c. 83 (C. 40:35A-1) is amended to read
2 as follows:

3 1. The **[board of chosen freeholders]** *governing body* of any
4 county **[of the fifth class]** may by resolution *or ordinance, as the*
5 *case may be*, provide for the establishment of a public transporta-
6 tion service and the operation of a public transportation system
7 within the county and to the extent that it is agreeable and deemed
8 advisable, between the county and municipalities within adjoining
9 counties. The **[board]** *governing body* may acquire, erect or lease
10 such vehicles, equipment and facilities, including land and build-
11 ings, and do any and all things necessary for the establishment and
12 operation of the public transportation service and system.

1 3. This act shall take effect immediately.

STATEMENT

This bill amends P. L. 1975, c. 83 (C. 40:35A-1 et seq.) in order to authorize all counties to provide for and operate public transportation services directly through resolution or ordinance of their governing bodies.

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

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 864

STATE OF NEW JERSEY

DATED: JUNE 5, 1978

P. L. 1975, c. 83 (C. 40:35A-1 et seq) permits any county of the fifth class to provide for the establishment and operation of a public transportation system. This bill amends P. L. 1975, c. 83 to permit any county to establish and operate such a public transportation system.

The Department of Transportation supports this legislation.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 864

STATE OF NEW JERSEY

DATED: MARCH 2, 1978

This legislation enables any county, not only counties of the fifth class, to provide for the establishment and operation of a public transportation system.

The Department of Transportation supports this legislation.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JULY 27, 1978

ANNE BURNS

Governor Brendan Byrne today signed the following bills into law:

S-864, sponsored by Senator Wayne Dumont, Jr. (R-Warren), which authorizes the direct operation of public transportation services by all counties.

Under the terms of the bill, Sussex County will be able to receive \$117,000 from the Federal Highway Administration for a Rural Highway Transportation Demonstration Project.

A-1447, sponsored by Assemblywoman Jane Burgio (R-Essex), which amends Title 18A to permit a Board of Education to lease a tract of school property, which is not currently necessary for school purposes but which the board does not want to sell because it may be required for school purposes in the future, for a term extending beyond the official life of the Board.

Although Boards of Education have the statutory authority to sell and lease real estate and property not needed or no longer suitable for school purposes, judicial and administrative decisions have held that a Board cannot bind subsequent boards by entering into a lease of more than one-year's duration.

Many school districts throughout the State are finding it necessary to discontinue the use of schools because of declining pupil population and are finding it difficult to lease the unused schools because of the one-year limitation.

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