

58:21B-1 to 6

April 29, 1971

LEGISLATIVE HISTORY OF R.S.58:21B-1
to 58:21B-6

Copy 2

(Additional water supply site reservations)

L.1970 - Chap.147 - A-519

Feb.9, 1970 - Introduced by Garibaldi, Haelig, Kravarik,
and Macrae.

April 30 - amended in Assembly. (copy enclosed)

May 4 - Passed Senate.

July 17 - Approved.

No statement.

Governor made statement on signing (copy enclosed)

Clippings located (V.F.--N.J.--Water Supply- 1970):

State Senate Approves Reservoir Sites Funds	4/7/70	NEN
Senate Clears \$29 million for water projects	4/7/70	NSL
Early Departures stall water fund	4/24/70	APP
Senate Defers, Reservoirs OK'd	5/5/70	APP
Reservoirs Bill Signed by Cahill	7/18/70	APP
Cahill Signs Funding of 6 Reservoirs	7/19/70	Times AD
Reservoir Bill Signed	7/15/70	NEN
Senate Approves Water Bills; Manasquan Reservoirs Aided	4/7/70	APP

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RSL/EH
Enclosure

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ASSEMBLY, No. 519

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1970

By Assemblymen GARIBALDI, HAELIG, KRAVARIK
and MACRAE

Referred to Committee on Appropriations

AN ACT concerning water supply and making an appropriation for the costs of design, engineering, and acquisition of real property for the future construction of water supply facilities.

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

1 1. There is hereby appropriated from the Water Conservation
2 Fund to the Department of Conservation and Economic Develop-
3 ment the sum of \$29 million, or so much thereof as may be neces-
4 sary, for the development of future water supply facilities to the
5 following extent:

6 (a) A sum not to exceed \$2 million for the costs of design and
7 engineering for future construction of water supply facilities;

8 (b) A sum not to exceed \$27 million for the acquisition of real
9 property necessary for the future water supply facilities indicated
10 in the following areas:

11 (1) Such part of the area in and adjacent to the Manasquan
12 river, located in the townships of Wall and Howell in Mon-
13 mouth county, which in the judgment of the commissioner
14 is appropriate and useful for the future establishment of a
15 water supply system, including 2 reservoir sites, the lower
16 site being in Wall township and the upper site being in Howell
17 township, Monmouth county.

18 (2) Such lands in and adjacent to South river located
19 in the townships of East Brunswick and Madison and the
20 boroughs of Sayreville and South River in Middlesex county,
21 which in the judgment of the commissioner are appropriate
22 and necessary for construction of a tidal barrier dam and
23 ground water recharge pond on the South river to protect
24 the Old Bridge water-bearing sand formation from surface and
25 subsurface salt water intrusion and augment diversion of
26 ground-water which can be safely diverted therefrom.

27 (3) Such part of the area in and adjacent to the north and
 28 south branches of the Raritan river and the confluence of said
 29 branches, located in the townships of Branchburg, Bridgewater
 30 and Hillsborough in Somerset county, which in the judgment
 31 of the commissioner is useful and appropriate for the estab-
 32 lishment of a future water supply system.

33 (4) Such part of the area in and adjacent to the Millstone
 34 river, commonly known as Six-Mile Run, located in Franklin
 35 township in Somerset county and North Brunswick township
 36 in Middlesex county, which in the judgment of the commis-
 37 sioner is useful and appropriate for the establishment of a
 38 future water supply system.

39 (5) Such part of the area in and adjacent to the Passaic
 40 river and its tributaries, the Whippany, Rockaway and Pomp-
 41 ton rivers, commonly known as Two Bridges, located in Mont-
 42 ville township and Lincoln Park borough in Morris county and
 43 Fairfield township in Essex county, which in the judgment
 44 of the commissioner is useful and appropriate for the estab-
 45 lishment of a future water supply system.

46 (6) Such part of the area in and adjacent to the Musconet-
 47 cong river, located in Mount Olive township in Morris county,
 48 Allamuchy township in Warren county, and Byram township
 49 in Sussex county, which in the judgment of the commissioner
 50 is useful and appropriate for establishment of a future water
 51 supply system.

52 (7) Such part of the area commonly known as Schooleys
 53 Mountain, located in Morris county, which in the judgment
 54 of the commissioner is useful and appropriate for establish-
 55 ment of a future water supply system.

56 (8) A right-of-way beginning at Frenchtown borough in
 57 Hunterdon county and extending therefrom through Hunter-
 58 don, Somerset and Morris counties to the site commonly known
 59 as Two Bridges, the acquisition of which is authorized under
 60 subsection b (5) of this section, which in the judgment of the
 61 commissioner is useful and necessary for the construction of
 62 a diversion pipeline to effectively utilize the expected addi-
 63 tional water supply from the Delaware river as a result of the
 64 Tocks Island project.

1 2. As used in this act unless the context clearly indicates other-
 2 wise:

3 (a) "Real property" means lands, within or without the State,
 4 and improvements thereof or thereon, any and all rights-of-way,

5 water, riparian and other rights, any and all easements, and priv-
 6 ileges in real property, and any right or interest of any kind or
 7 description in, relating to or connected with real property;

8 (b) "Water supply facility" means and refers to the real prop-
 9 erty and the plants, structures, machinery and equipment and other
 10 property, real, personal and mixed, acquired, constructed or op-
 11 erated, or to be acquired, constructed or operated in whole or in
 12 part by or on behalf of the State, for the purpose of augmenting
 13 the natural water resources of the State and making available an
 14 increase supply of water for all uses, and any and all appurte-
 15 nances necessary, useful or convenient for the collecting, impound-
 16 ing, storing, improving or transmitting of water, and for the
 17 preserving and protecting of these resources and facilities and
 18 providing for the conservation and development of future water
 19 supply resources, and facilitating incidental recreational uses
 20 thereof;

21 (c) "Commissioner" means the Commissioner of Conservation
 22 and Economic Development.

1 3. Acquisition of real property for water supply facilities as
 2 authorized by this act may be made by purchase or by the exercise
 3 of the power of eminent domain, pursuant to the provisions of
 4 chapter 1 of Title 20 of the Revised Statutes.

1 4. Where in connection with the acquisition of such real prop-
 2 erty, it shall be necessary to acquire lands, portions of which are
 3 deemed by the Commissioner of Conservation and Economic De-
 4 velopment to be in excess of the State's needs, the commissioner,
 5 on behalf of the State, is authorized to enter into agreements of
 6 exchange and to convey, such excess portions of land, as part or
 7 all of the consideration for the purchase of other lands herein
 8 authorized and directed to be acquired. The commissioner may
 9 permit municipalities in which the acquisition of lands is author-
 10 ized by this act the first option to purchase for recreational pur-
 11 poses any lands in said municipalities acquired under section 1
 12 of this act which may be subsequently determined to be in excess
 13 for the anticipated water supply facility. In the event such excess
 14 portions of lands in the judgment of the commissioner cannot
 15 feasibly be so exchanged or sold as aforesaid, the commissioner,
 16 on behalf of the State, is authorized to enter into agreements of
 17 public sale and to convey such excess portions of lands after public
 18 advertisement to the highest bidder therefor, the proceeds of such
 19 sale to be applied to the purchase of other lands herein authorized

20 and the balance of proceeds, if any, to be returned to the Water
21 Conservation Fund.

1 5. Real property acquired as authorized pursuant to this act
2 shall be held primarily for use in connection with a water supply
3 system, but shall also be made available, as a State reservation,
4 for recreational and other State uses consistent with its primary
5 use, in accordance with rules and regulations to be promulgated
6 by the Commissioner of Conservation and Economic Development.

1 6. To the end that municipalities may not suffer loss of taxes
2 by reason of the acquisition and ownership by the State of New
3 Jersey of property therein, the State Treasurer upon certification
4 of the Commissioner of Conservation and Economic Development
5 shall pay annually on October 1 to each municipality in which
6 property is acquired as authorized pursuant to this act (a) a sum
7 equal to that last paid as taxes upon such land for the taxable year
8 immediately prior to the time of its acquisition and (b) in addition,
9 for a period of 13 years following such acquisition the following
10 amounts: in the first year a sum of money equal to that last paid
11 as taxes upon improvements upon such land for the taxable year
12 immediately prior to the time of its acquisition; and thereafter
13 the following percentages of the amount paid in the first year, to
14 wit, second year, 92%; third year, 84%; fourth year, 76%; fifth
15 year, 68%; sixth year, 60%; seventh year, 52%; eighth year, 44%;
16 ninth year, 36%; tenth year, 28%; eleventh year, 20%; twelfth
17 year, 12%; thirteenth year, 4%.

18 All sums of money received by the respective municipalities as
19 compensation for loss of tax revenue pursuant to this section shall
20 be applied to the same purposes as is the tax revenue from the
21 assessment and collection of taxes on real property of the said
22 municipalities, and to accomplish this end such sums shall be ap-
23 portioned in the same manner as the general tax rate of the munic-
24 ipality for the tax year preceding the year of receipt.

25 The State shall be reimbursed for payments required to be made
26 by this section out of the proceeds received for the sale of water
27 supplied by any water supply facility and from any other proceeds
28 derived from any water supply facility as may be established on
29 such property.

1 7. The State shall be reimbursed for all expenditures for design,
2 engineering and the acquisition of real property as authorized
3 pursuant to section 1 of this act out of the proceeds received from
4 the sale of water supplied by any water supply facility and from

5 any other proceeds derived from any water supply facility as may
6 hereafter be established on a site designed, engineered and ac-
7 quired pursuant to this act.

1 8. There is also appropriated from the proceeds of the sale of
2 the bonds hereinafter mentioned such sums as may be necessary
3 to meet any expense incurred by the issuing officials under the act
4 hereinafter mentioned for advertising, engraving, printing, cleri-
5 cal, legal or other services necessary to carry out the duties im-
6 posed upon them by the provisions of said act.

1 9. It is the declared purpose of this act that the funds from which
2 said appropriations shall be met shall be those funds which shall
3 be derived from the sale of the State Water Conservation Bonds,
4 the issuance of which is provided for in chapter 127 of the laws
5 of 1969, which act was submitted to and approved by the people
6 at the general election held on November 4, 1969.

1 10. The State Treasurer is hereby authorized, empowered and
2 directed to set up and maintain the aforementioned appropriation
3 in the State Water Conservation Fund, established pursuant to
4 chapter 127 of the laws of 1969. The funds herein appropriated
5 may be requisitioned by the Department of Conservation and Eco-
6 nomic Development for the uses and purposes specifically enumer-
7 ated herein, subject to the same restrictions and control as are
8 exercised over all other appropriated State funds.

1 11. This act shall take effect immediately.

→ COMM.
ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 519

STATE OF NEW JERSEY

ADOPTED APRIL 13, 1970

Amend page 1, section 1, lines 2 and 3, omit "Conservation and Economic Development", insert "Environmental Protection".

Amend page 1, section 1, line 17, after "Monmouth county", insert ", known and referred to as the Manasquan River Upper and Lower Reservoirs".

Amend page 1, section 1, line 26, after "therefrom", insert ", known and referred to as the South River Tidal Dam".

Amend page 2, section 1, line 32, after "system", insert ", known and referred to as the Raritan River Confluence Reservoir".

Amend page 2, section 1, line 38, after "system", insert ", known and referred to as the Six-Mile Run Reservoir".

Amend page 2, section 1, line 45, after "system", insert ", known and referred to as the Two Bridges Reservoir".

Amend page 2, section 1, line 51, after "system", insert ", known and referred to as the Hackettstown Reservoir".

Amend page 2, section 1, lines 52 to 64, omit.

Amend page 3, section 2, lines 21 and 22, omit "Conservation and Economic Development", insert "Environmental Protection".

Amend page 3, section 4, lines 3 and 4, omit "Conservation and Economic Development", insert "Environmental Protection".

Amend page 4, section 5, line 6, omit "Conservation and Economic Development", insert "Environmental Protection".

Amend page 4, section 6, line 4, omit "Conservation and Economic Development", insert "Environmental Protection".

Amend page 4, section 6, line 6, after "act", insert a colon and omit "(a) a sum".

Amend page 4, section 6, lines 7 to 17, omit and insert the following 3 subparagraphs:

"a. A sum equal to that last paid as taxes upon such land and improvements for the tax year immediately prior to its acquisition, which payments shall continue to be made annually until the year in which

actual construction of water supply facilities on the property is undertaken, and thereafter;

b. Beginning with the year in which actual construction of water supply facilities is undertaken on the property, and annually thereafter, a sum equal to the amount last paid as taxes upon such land alone, and in addition;

c. Beginning with the year in which such actual construction of water supply facilities is undertaken and continuing for a period of 12 years, a sum equal to the following percentages of the amount last paid as taxes upon improvements upon such land: 92% in the first year, 84% in the second year, 76% in the third year, 68% in the fourth year, 60% in the fifth year, 52% in the sixth year, 44% in the seventh year, 36% in the eighth year, 28% in the ninth year, 20% in the tenth year, 12% in the eleventh year, and 4% in the twelfth year.”.

Amend page 4, section 6, after line 29, insert the following paragraph:

“The State Treasurer shall also pay to any county or municipality the cost of relocating any municipal or county roads made necessary by reason of the acquisition or use of property pursuant to this act.”.

Amend pages 4 and 5, sections 7 to 10, omit sections 7 through 10 in their entirety.

Amend page 5, section 11, line 1, omit “11”, insert “7”.

[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 519

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1970

By Assemblymen GARIBALDI, HAELIG, KRAVARIK
and MACRAE

Referred to Committee on Appropriations

AN ACT concerning water supply and making an appropriation
for the costs of design, engineering, and acquisition of real prop-
erty for the future construction of water supply facilities.

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

1 1. There is hereby appropriated from the Water Conservation
2 Fund to the Department of ***[**Conservation and Economic Develop-
3 ment**]*** *Environmental Protection** the sum of \$29 million, or so
4 much thereof as may be necessary, for the development of future
5 water supply facilities to the following extent:

6 (a) A sum not to exceed \$2 million for the costs of design and
7 engineering for future construction of water supply facilities;

8 (b) A sum not to exceed \$27 million for the acquisition of real
9 property necessary for the future water supply facilities indicated
10 in the following areas:

11 (1) Such part of the area in and adjacent to the Manasquan
12 river, located in the townships of Wall and Howell in Mon-
13 mouth county, which in the judgment of the commissioner
14 is appropriate and useful for the future establishment of a
15 water supply system, including 2 reservoir sites, the lower
16 site being in Wall township and the upper site being in Howell
17 township, Monmouth county*, *known and referred to as the*
17A *Manasquan River Upper and Lower Reservoirs**.

18 (2) Such lands in and adjacent to South river located
19 in the townships of East Brunswick and Madison and the
20 boroughs of Sayreville and South River in Middlesex county,
21 which in the judgment of the commissioner are appropriate

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

22 and necessary for construction of a tidal barrier dam and
 23 ground water recharge pond on the South river to protect
 24 the Old Bridge water-bearing sand formation from surface and
 25 subsurface salt water intrusion and augment diversion of
 26 ground-water which can be safely diverted therefrom*, *known*
 26A *and referred to as the South River Tidal Dam*.*

27 (3) Such part of the area in and adjacent to the north and
 28 south branches of the Raritan river and the confluence of said
 29 branches, located in the townships of Branchburg, Bridgewater
 30 and Hillsborough in Somerset county, which in the judgment
 31 of the commissioner is useful and appropriate for the estab-
 32 lishment of a future water supply system*, *known and referred*
 32A *to as the Raritan River Confluence Reservoir*.*

33 (4) Such part of the area in and adjacent to the Millstone
 34 river, commonly known as Six-Mile Run, located in Franklin
 35 township in Somerset county and North Brunswick township
 36 in Middlesex county, which in the judgment of the commis-
 37 sioner is useful and appropriate for the establishment of a
 38 future water supply system*, *known and referred to as the Six-*
 38A *Mile Run Reservoir*.*

39 (5) Such part of the area in and adjacent to the Passaic
 40 river and its tributaries, the Whippany, Rockaway and Pomp-
 41 ton rivers, commonly known as Two Bridges, located in Mont-
 42 ville township and Lincoln Park borough in Morris county and
 43 Fairfield township in Essex county, which in the judgment
 44 of the commissioner is useful and appropriate for the estab-
 45 lishment of a future water supply system*, *known and referred*
 45A *to as the Two Bridges Reservoir*.*

46 (6) Such part of the area in and adjacent to the Musconet-
 47 cong river, located in Mount Olive township in Morris county,
 48 Allamuchy township in Warren county, and Byram township
 49 in Sussex county, which in the judgment of the commissioner
 50 is useful and appropriate for establishment of a future water
 51 supply system*, *known and referred to as the Hackettstown*
 51A *Reservoir*.*

52 *[(7) Such part of the area commonly known as Schooleys
 53 Mountain, located in Morris county, which in the judgment
 54 of the commissioner is useful and appropriate for establish-
 55 ment of a future water supply system.

56 (8) A right-of-way beginning at Frenchtown borough in
 57 Hunterdon county and extending therefrom through Hunter-
 58 don, Somerset and Morris counties to the site commonly known

59 as Two Bridges, the acquisition of which is authorized under
 60 subsection b (5) of this section, which in the judgment of the
 61 commissioner is useful and necessary for the construction of
 62 a diversion pipeline to effectively utilize the expected addi-
 63 tional water supply from the Delaware river as a result of the
 64 Tocks Island project.】*

1 2. As used in this act unless the context clearly indicates other-
 2 wise:

3 (a) "Real property" means lands, within or without the State,
 4 and improvements thereof or thereon, any and all rights-of-way,
 5 water, riparian and other rights, any and all easements, and priv-
 6 ileges in real property, and any right or interest of any kind or
 7 description in, relating to or connected with real property;

8 (b) "Water supply facility" means and refers to the real prop-
 9 erty and the plants, structures, machinery and equipment and other
 10 property, real, personal and mixed, acquired, constructed or op-
 11 erated, or to be acquired, constructed or operated in whole or in
 12 part by or on behalf of the State, for the purpose of augmenting
 13 the natural water resources of the State and making available an
 14 increase supply of water for all uses, and any and all appurte-
 15 nances necessary, useful or convenient for the collecting, impound-
 16 ing, storing, improving or transmitting of water, and for the
 17 preserving and protecting of these resources and facilities and
 18 providing for the conservation and development of future water
 19 supply resources, and facilitating incidental recreational uses
 20 thereof;

21 (c) "Commissioner" means the Commissioner of *【Conservation
 22 and Economic Development】* **Environmental Protection*.*

1 3. Acquisition of real property for water supply facilities as
 2 authorized by this act may be made by purchase or by the exercise
 3 of the power of eminent domain, pursuant to the provisions of
 4 chapter 1 of Title 20 of the Revised Statutes.

1 4. Where in connection with the acquisition of such real prop-
 2 erty, it shall be necessary to acquire lands, portions of which are
 3 deemed by the Commissioner of *【Conservation and Economic De-
 4 velopment】* **Environmental Protection** to be in excess of the
 5 State's needs, the commissioner, on behalf of the State, is autho-
 6 rized to enter into agreements of exchange and to convey, such ex-
 7 cess portions of land, as part or all of the consideration for the
 8 purchase of other lands herein authorized and directed to be ac-
 9 quired. The commissioner may permit municipalities in which the
 10 acquisition of lands is authorized by this act the first option to

11 purchase for recreational purposes any lands in said municipalities
 12 acquired under section 1 of this act which may be subsequently
 13 determined to be in excess for the anticipated water supply facility.
 14 In the event such excess portions of lands in the judgment of the
 15 commissioner cannot feasibly be so exchanged or sold as aforesaid,
 16 the commissioner, on behalf of the State, is authorized to enter into
 17 agreements of public sale and to convey such excess portions of
 18 lands after public advertisement to the highest bidder therefor, the
 19 proceeds of such sale to be applied to the purchase of other lands
 20 herein authorized and the balance of proceeds, if any, to be returned
 21 to the Water Conservation Fund.

1 5. Real property acquired as authorized pursuant to this act
 2 shall be held primarily for use in connection with a water supply
 3 system, but shall also be made available, as a State reservation,
 4 for recreational and other State uses consistent with its primary
 5 use, in accordance with rules and regulations to be promulgated
 6 by the Commissioner of ***Conservation and Economic Develop-**
 7 **ment*** *Environmental Protection*.*

1 6. To the end that municipalities may not suffer loss of taxes
 2 by reason of the acquisition and ownership by the State of New
 3 Jersey of property therein, the State Treasurer upon certification
 4 of the Commissioner of ***Conservation and Economic Develop-**
 5 **ment*** *Environmental Protection** shall pay annually on October
 6 1 to each municipality in which property is acquired as authorized
 7 pursuant to this act ***(a)** a sum equal to that last paid as taxes
 8 upon such land for the taxable year immediately prior to the time of
 9 its acquisition and **(b)** in addition, for a period of 13 years following
 10 such acquisition the following amounts: in the first year a sum of
 11 money equal to that last paid as taxes upon improvements upon such
 12 land for the taxable year immediately prior to the time of its
 13 acquisition; and thereafter the following percentages of the amount
 14 paid in the first year, to wit, second year, 92%; third year, 84%;
 15 fourth year, 76%; fifth year, 68%; sixth year, 60%; seventh year,
 16 52%; eighth year, 44%; ninth year, 36%; tenth year, 28%; eleventh
 17 year, 20%; twelfth year, 12%; thirteenth year, 4%.]* *:*

17A **a. A sum equal to that last paid as taxes upon such land and*
 17B *improvements for the tax year immediately prior to its acquisition,*
 17C *which payments shall continue to be made annually until the year*
 17D *in which actual construction of water supply facilities on the prop-*
 17E *erty is undertaken, and thereafter;*

17F *b. Beginning with the year in which actual construction of water*
 17G *supply facilities is undertaken on the property, and annually there-*

17H after, a sum equal to the amount last paid as taxes upon such land
17I alone, and in addition;

17J c. Beginning with the year in which such actual construction of
17K water supply facilities is undertaken and continuing for a period of
17L 12 years, a sum equal to the following percentages of the amount
17M last paid as taxes upon improvements upon such land: 92% in the
17N first year, 84% in the second year, 76% in the third year, 68% in
17O the fourth year, 60% in the fifth year, 52% in the sixth year, 44%
17P in the seventh year, 36% in the eighth year, 28% in the ninth year,
17Q 20% in the tenth year, 12% in the eleventh year, and 4% in the
17R twelfth year.*

18 All sums of money received by the respective municipalities as
19 compensation for loss of tax revenue pursuant to this section shall
20 be applied to the same purposes as is the tax revenue from the
21 assessment and collection of taxes on real property of the said
22 municipalities, and to accomplish this end such sums shall be ap-
23 portioned in the same manner as the general tax rate of the munici-
24 pality for the tax year preceding the year of receipt.

25 The State shall be reimbursed for payments required to be made
26 by this section out of the proceeds received for the sale of water
27 supplied by any water supply facility and from any other proceeds
28 derived from any water supply facility as may be established on
29 such property.

30 *The State Treasurer shall also pay to any county or municipality
31 the cost of relocating any municipal or county roads made neces-
32 sary by reason of the acquisition or use of property pursuant to
33 this act.*

1 *7. The State shall be reimbursed for all expenditures for de-
2 sign, engineering and the acquisition of real property as authorized
3 pursuant to section 1 of this act out of the proceeds received from
4 the sale of water supplied by any water supply facility and from
5 any other proceeds derived from any water supply facility as may
6 hereafter be established on a site designed, engineered and ac-
7 quired pursuant to this act.

1 8. There is also appropriated from the proceeds of the sale of
2 the bonds hereinafter mentioned such sums as may be necessary
3 to meet any expense incurred by the issuing officials under the act
4 hereinafter mentioned for advertising, engraving, printing, cleri-
5 cal, legal or other services necessary to carry out the duties im-
6 posed upon them by the provisions of said act.

1 9. It is the declared purpose of this act that the funds from which
2 said appropriations shall be met shall be those funds which shall

3 be derived from the sale of the State Water Conservation Bonds,
4 the issuance of which is provided for in chapter 127 of the laws
5 of 1969, which act was submitted to and approved by the people
6 at the general election held on November 4, 1969.

1 10. The State Treasurer is hereby authorized, empowered and
2 directed to set up and maintain the aforementioned appropriation
3 in the State Water Conservation Fund, established pursuant to
4 chapter 127 of the laws of 1969. The funds herein appropriated
5 may be requisitioned by the Department of Conservation and Eco-
6 nomic Development for the uses and purposes specifically enumer-
7 ated herein, subject to the same restrictions and control as are
8 exercised over all other appropriated State funds.]*

1 ***[11.]*** *7.* This act shall take effect immediately.

ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 519
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED APRIL 27, 1970

Amend page 1, section 1, lines 9 and 10, omit "indicated in", insert "at".

Amend page 1, section 1, line 10, omit "areas" insert "sites".

Amend pages 1 and 2, section 1, lines 11 to 51A, omit in their entirety and insert:

"South River Tidal Dam, Middlesex county; Raritan River Confluence Reservoir, Somerset county; Manasquan River Upper and Lower Reservoirs, Monmouth county; Six-Mile Run Reservoir, Somerset county; Two Bridges Reservoir, Essex and Morris counties; Hackettstown Reservoir, Morris, Sussex and Warren counties."

Amend page 5, section 6, line 27, omit "any water supply facility and from any other proceeds".

Amend page 5, section 6, line 28, omit in its entirety.

Amend page 5, section 6, line 29, omit "such property", insert "the facility or system of which it may be a part".

CHAPTER 147 LAWS OF N. J. 19⁷⁰
APPROVED 7/17/70
[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 519

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 9, 1970

By Assemblymen GARIBALDI, HAELIG, KRAVARIK
and MACRAE

Referred to Committee on Appropriations

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3 **ment]*** *Environmental Protection* the sum of \$29 million, or so
4 much thereof as may be necessary, for the development of future
5 water supply facilities to the following extent:

6 (a) A sum not to exceed \$2 million for the costs of design and
7 engineering for future construction of water supply facilities;

8 (b) A sum not to exceed \$27 million for the acquisition of real
9 property necessary for the future water supply facilities ****[indi-**
10 **cated in]** ****at** the following ****[areas]** ****sites****:

11 ****[(1)** Such part of the area in and adjacent to the Mana-
12 squan river, located in the townships of Wall and Howell in
13 Monmouth county, which in the judgment of the commissioner
14 is appropriate and useful for the future establishment of a
15 water supply system, including 2 reservoir sites, the lower
16 site being in Wall township and the upper site being in Howell
17 township, Monmouth county*, *known and referred to as the*
17A *Manasquan River Upper and Lower Reservoirs*.*

18 (2) Such lands in and adjacent to South river located
19 in the townships of East Brunswick and Madison and the
20 boroughs of Sayreville and South River in Middlesex county,
21 which in the judgment of the commissioner are appropriate

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

22 and necessary for construction of a tidal barrier dam and
 23 ground water recharge pond on the South river to protect
 24 the Old Bridge water-bearing sand formation from surface and
 25 subsurface salt water intrusion and augment diversion of
 26 ground-water which can be safely diverted therefrom*, *known*
 26A *and referred to as the South River Tidal Dam**.

27 (3) Such part of the area in and adjacent to the north and
 28 south branches of the Raritan river and the confluence of said
 29 branches, located in the townships of Branchburg, Bridgewater
 30 and Hillsborough in Somerset county, which in the judgment
 31 of the commissioner is useful and appropriate for the estab-
 32 lishment of a future water supply system*, *known and referred*
 32A *to as the Raritan River Confluence Reservoir**.

33 (4) Such part of the area in and adjacent to the Millstone
 34 river, commonly known as Six-Mile Run, located in Franklin
 35 township in Somerset county and North Brunswick township
 36 in Middlesex county, which in the judgment of the commis-
 37 sioner is useful and appropriate for the establishment of a
 38 future water supply system*, *known and referred to as the Six-*
 38A *Mile Run-Reservoir**.

39 (5) Such part of the area in and adjacent to the Passaic
 40 river and its tributaries, the Whippany, Rockaway and Pomp-
 41 ton rivers, commonly known as Two Bridges, located in Mont-
 42 ville township and Lincoln Park borough in Morris county and
 43 Fairfield township in Essex county, which in the judgment
 44 of the commissioner is useful and appropriate for the estab-
 45 lishment of a future water supply system*, *known and referred*
 45A *to as the Two Bridges Reservoir**.

46 (6) Such part of the area in and adjacent to the Musconet-
 47 cong river, located in Mount Olive township in Morris county,
 48 Allamuchy township in Warren county, and Byram township
 49 in Sussex county, which in the judgment of the commissioner
 50 is useful and appropriate for establishment of a future water
 51 supply system*, *known and referred to as the Hackettstown*
 51A *Reservoir*.****

51B ***South River Tidal Dam, Middlesex county; Raritan River*
 51C *Confluence Reservoir, Somerset county; Manasquan River*
 51D *Upper and Lower Reservoirs, Monmouth county; Six-Mile Run*
 51E *Reservoir, Somerset county; Two Bridges Reservoir, Essex*
 51F *and Morris counties; Hackettstown Reservoir, Morris, Sussex*
 51G *and Warren counties.***

52 *[(7) Such part of the area commonly known as Schooleys
53 Mountain, located in Morris county, which in the judgment
54 of the commissioner is useful and appropriate for establish-
55 ment of a future water supply system.

56 (8) A right-of-way beginning at Frenchtown borough in
57 Hunterdon county and extending therefrom through Hunter-
58 don, Somerset and Morris counties to the site commonly known
59 as Two Bridges, the acquisition of which is authorized under
60 subsection b (5) of this section, which in the judgment of the
61 commissioner is useful and necessary for the construction of
62 a diversion pipeline to effectively utilize the expected addi-
63 tional water supply from the Delaware river as a result of the
64 Tocks Island project.]*

1 2. As used in this act unless the context clearly indicates other-
2 wise:

3 (a) "Real property" means lands, within or without the State,
4 and improvements thereof or thereon, any and all rights-of-way,
5 water, riparian and other rights, any and all easements, and priv-
6 ileges in real property, and any right or interest of any kind or
7 description in, relating to or connected with real property;

8 (b) "Water supply facility" means and refers to the real prop-
9 erty and the plants, structures, machinery and equipment and other
10 property, real, personal and mixed, acquired, constructed or op-
11 erated, or to be acquired, constructed or operated in whole or in
12 part by or on behalf of the State, for the purpose of augmenting
13 the natural water resources of the State and making available an
14 increase supply of water for all uses, and any and all appurte-
15 nances necessary, useful or convenient for the collecting, impound-
16 ing, storing, improving or transmitting of water, and for the
17 preserving and protecting of these resources and facilities and
18 providing for the conservation and development of future water
19 supply resources, and facilitating incidental recreational uses
20 thereof;

21 (c) "Commissioner" means the Commissioner of *[(Conservation
22 and Economic Development]* **Environmental Protection*.*

1 3. Acquisition of real property for water supply facilities as
2 authorized by this act may be made by purchase or by the exercise
3 of the power of eminent domain, pursuant to the provisions of
4 chapter 1 of Title 20 of the Revised Statutes.

1 4. Where in connection with the acquisition of such real prop-
2 erty, it shall be necessary to acquire lands, portions of which are
3 deemed by the Commissioner of *[(Conservation and Economic De-

4 velopment] * *Environmental Protection* * to be in excess of the
5 State's needs, the commissioner, on behalf of the State, is autho-
6 rized to enter into agreements of exchange and to convey, such ex-
7 cess portions of land, as part or all of the consideration for the
8 purchase of other lands herein authorized and directed to be ac-
9 quired. The commissioner may permit municipalities in which the
10 acquisition of lands is authorized by this act the first option to
11 purchase for recreational purposes any lands in said municipalities
12 acquired under section 1 of this act which may be subsequently
13 determined to be in excess for the anticipated water supply facility.
14 In the event such excess portions of lands in the judgment of the
15 commissioner cannot feasibly be so exchanged or sold as aforesaid,
16 the commissioner, on behalf of the State, is authorized to enter into
17 agreements of public sale and to convey such excess portions of
18 lands after public advertisement to the highest bidder therefor, the
19 proceeds of such sale to be applied to the purchase of other lands
20 herein authorized and the balance of proceeds, if any, to be returned
21 to the Water Conservation Fund.

1 5. Real property acquired as authorized pursuant to this act
2 shall be held primarily for use in connection with a water supply
3 system, but shall also be made available, as a State reservation,
4 for recreational and other State uses consistent with its primary
5 use, in accordance with rules and regulations to be promulgated
6 by the Commissioner of * [Conservation and Economic Develop-
7 ment] * *Environmental Protection* *.

1 6. To the end that municipalities may not suffer loss of taxes
2 by reason of the acquisition and ownership by the State of New
3 Jersey of property therein, the State Treasurer upon certification
4 of the Commissioner of * [Conservation and Economic Develop-
5 ment] * *Environmental Protection* * shall pay annually on October
6 1 to each municipality in which property is acquired as authorized
7 pursuant to this act * [(a) a sum equal to that last paid as taxes
8 upon such land for the taxable year immediately prior to the time of
9 its acquisition and (b) in addition, for a period of 13 years following
10 such acquisition the following amounts: in the first year a sum of
11 money equal to that last paid as taxes upon improvements upon such
12 land for the taxable year immediately prior to the time of its
13 acquisition; and thereafter the following percentages of the amount
14 paid in the first year, to wit, second year, 92%; third year, 84%;
15 fourth year, 76%; fifth year, 68%; sixth year, 60%; seventh year,
16 52%; eighth year, 44%; ninth year, 36%; tenth year, 28%; eleventh
17 year, 20%; twelfth year, 12%; thirteenth year, 4%.] * * :*

17A *a. A sum equal to that last paid as taxes upon such land and
 17B improvements for the tax year immediately prior to its acquisition,
 17C which payments shall continue to be made annually until the year
 17D in which actual construction of water supply facilities on the prop-
 17E erty is undertaken, and thereafter;

17F b. Beginning with the year in which actual construction of water
 17G supply facilities is undertaken on the property, and annually there-
 17H after, a sum equal to the amount last paid as taxes upon such land
 17I alone, and in addition;

17J c. Beginning with the year in which such actual construction of
 17K water supply facilities is undertaken and continuing for a period of
 17L 12 years, a sum equal to the following percentages of the amount
 17M last paid as taxes upon improvements upon such land: 92% in the
 17N first year, 84% in the second year, 76% in the third year, 68% in
 17O the fourth year, 60% in the fifth year, 52% in the sixth year, 44%
 17P in the seventh year, 36% in the eighth year, 28% in the ninth year,
 17Q 20% in the tenth year, 12% in the eleventh year, and 4% in the
 17R twelfth year.*

18 All sums of money received by the respective municipalities as
 19 compensation for loss of tax revenue pursuant to this section shall
 20 be applied to the same purposes as is the tax revenue from the
 21 assessment and collection of taxes on real property of the said
 22 municipalities, and to accomplish this end such sums shall be ap-
 23 portioned in the same manner as the general tax rate of the munici-
 24 pality for the tax year preceding the year of receipt.

25 The State shall be reimbursed for payments required to be made
 26 by this section out of the proceeds received for the sale of water
 27 supplied by ****[**any water supply facility and from any other pro-
 28 ceeds derived from any water supply facility as may be established
 29 on such property]****** ***the facility or system of which it may be a*
 29A *part**.*

30 **The State Treasurer shall also pay to any county or municipality*
 31 *the cost of relocating any municipal or county roads made neces-*
 32 *sary by reason of the acquisition or use of property pursuant to*
 33 *this act.**

1 ***[7.** The State shall be reimbursed for all expenditures for de-
 2 sign, engineering and the acquisition of real property as authorized
 3 pursuant to section 1 of this act out of the proceeds received from
 4 the sale of water supplied by any water supply facility and from
 5 any other proceeds derived from any water supply facility as may
 6 hereafter be established on a site designed, engineered and ac-
 7 quired pursuant to this act.

1 8. There is also appropriated from the proceeds of the sale of
2 the bonds hereinafter mentioned such sums as may be necessary
3 to meet any expense incurred by the issuing officials under the act
4 hereinafter mentioned for advertising, engraving, printing, clerical,
5 cal, legal or other services necessary to carry out the duties imposed
6 upon them by the provisions of said act.

1 9. It is the declared purpose of this act that the funds from which
2 said appropriations shall be met shall be those funds which shall
3 be derived from the sale of the State Water Conservation Bonds,
4 the issuance of which is provided for in chapter 127 of the laws
5 of 1969, which act was submitted to and approved by the people
6 at the general election held on November 4, 1969.

1 10. The State Treasurer is hereby authorized, empowered and
2 directed to set up and maintain the aforementioned appropriation
3 in the State Water Conservation Fund, established pursuant to
4 chapter 127 of the laws of 1969. The funds herein appropriated
5 may be requisitioned by the Department of Conservation and Economic
6 Development for the uses and purposes specifically enumerated
7 herein, subject to the same restrictions and control as are
8 exercised over all other appropriated State funds.]*

1 ***[11.]*** *7.* This act shall take effect immediately.

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Governor William T. Cahill today signed into law a bill appropriating \$29 million for the design, engineering and acquisition of land for construction of reservoirs at six sites in the State.

The acquisition of land will account for about \$27 million of the total appropriation. The funds are available under the 1969 Water Conservation Bond Act.

Assemblyman Peter P. Garibaldi (R., Middlesex) was the principle sponsor of the legislation (A-519).

Cahill said that the sites and areas to benefit from the new reservoirs are:

South River Tidal Dam in Middlesex County; Raritan Confluence in Hunterdon County; Manasquan Reservoir in Monmouth County; Six Mile Run Reservoir in Somerset County; Hackettstown in Warren County; and Two Bridges in Passaic County.

In addition, the Governor noted that the new law provides a formula for in-lieu of tax payments.

Also signed into law were six other bills.

Under a bill (S-170) introduced by Sen. Francis X. McDermott (R., Union) township committees will be permitted to elect one of their members as vice-chairman.

A bill (S-280) introduced by Sen. Norman Tanzman (D., Middlesex) permits a municipality to appoint alternate planning board members to serve during the absence or disqualification of regular members.

Certain trustees of a public library will be permitted to appoint an alternate to act in their absence under measure (S-658) sponsored by Sen. John L. Miller (R., Camden).

Sen. William T. Hiering (R., Burlington) was the principal sponsor of legislation (S-670) to increase the salaries of county clerks, surrogates, registrars of deeds and mortgages and sheriffs which will become effective January 1, 1971.

A measure (S-762) introduced by Sen. Alfred D. Schiaffo (R., Bergen) permits any person who was qualified before June 30, 1969 to receive a tax assessor certificate without examination, but who failed to apply, to be issued such a certificate.

And, a bill (A-165) introduced by Assemblyman Barry T. Parker (R., Burlington) permits a municipal administrator to live in another community.

NOTATIONS

A 518 Foran, Littell
 Feb. 9—Repeals the excise tax upon the gross receipts of unincorporate businesses.
 Feb. 9—Taxation Com.

A 519 Garibaldi, Haelig, Kravarik, Macrae
 Feb. 9—Appropriates \$29,000,000 from the Water Conservation Fund for the development of future water supply facilities.
 Apr. 30—Passed in Assembly, amended.
 May 4—Passed in Senate.
 July 17—Approved, Chapter 147.

A 520 Foran, Littell
 Feb. 9—Designated the "Weights and Measures Act of 1970"; effective 180 days after enactment.
 Feb. 9—Commerce, Ind. & Professions Com.

A 521 Raymond
 Jan. 29—Provides that a wage execution for support and maintenance of a wife or children shall have preference over all other writs.
 Feb. 16—Withdrawn from the files.

A 522 Raymond
 Jan. 29—Provides the County Boards of Elections with information of deaths of residents of the county; effective January 1, 1971.
 Jan. 29—Air, Water Pollution & Public Health Com.
 Apr. 13—Reported, 2nd reading.
 Oct. 5—Air, Water Pollution & Public Health Com.

A 523 Raymond
 Jan. 29—Provides that the percentage limitations of a wage execution shall not apply to an execution for support of a wife or children.
 Jan. 29—Education Com.
 Mar. 19—Rev. & Amend. of Laws Com.

A 524 Raymond
 Jan. 29—Eliminates the prohibition of a junior fireman not to perform duties which would expose him to the same degree of hazard as a regular member of a volunteer fire department.
 Jan. 29—Law, Public Safety & Defense Com.

A 525 Raymond, Kravarik
 Jan. 29—Provides that any person who engages in the practice of medicine or surgery without having obtained a license, is guilty of a misdemeanor.
 Apr. 2—Passed in Assembly, amended.
 Apr. 30—Passed in Senate.
 Dec. 7—Returned by Governor with recommended amend.
 Dec. 7—Amended as recommended.
 Dec. 7—2nd reading.
 Dec. 10—Amended as recommended, re-enacted in Assemb.
 Dec. 10—Received in Senate.
 Dec. 10—No Ref., 2nd reading.

A 526 Raymond, Vreeland, Mabie, Enos
 Jan. 29—Provides that certain disruptive acts in and about public schools, colleges and universities are disorderly persons offenses.
 Jan. 29—Education Com.

A 527 Hollenbeck
 Jan. 29—Permits boards of education to require more than an affidavit of support from the person, not the parents, in whose home a child is living.
 Jan. 29—Education Com.

A 528 Vander Plaats
 Jan. 26—Imposes a \$25.00 license fee and a \$50.00 examination fee for convalescent and nursing home administrators.
 Jan. 29—Passed in Assembly.
 Apr. 23—Passed in Senate.
 July 31—Approved, Chapter 169.

A 529 Scancarella, White, Fontanella
 Jan. 29—Requires schools to give instruction in the dangers of false police or fire alarms.
 Jan. 29—Education Com.

A 530 Scancarella, White, Fontanella, Kiehn
 Jan. 29—Prescribes the penalties for giving a false police or fire alarm.
 Sep. 21—Passed in Assembly, amended.
 Sep. 28—Passed in Senate.

A 531 Raymond, Cobb
 Jan. 29—Permits any school or hospital to purchase milk or milk products from the lowest responsible bidder.
 Jan. 29—Air, Water Pollution & Public Health Com.

A 532 Raymond, Shusted
 Jan. 29—Prohibits a sender from collecting from a sendee for purchases made with an unsolicited credit cards; applicable to credit cards issued on or after January 1, 1971.
 Jan. 29—Commerce, Ind. & Professions Com.
 Mar. 19—Reported, 2nd reading.
 Apr. 6—Passed in Assembly.
 Apr. 6—Received in Senate.
 Apr. 6—Commerce, Ind. & Profession Com.

A 533 Raymond
 Jan. 29—Prescribes the reason for non-renewal of automobile liability physical damage or collision insurance policies; effective January 1, 1971.
 Jan. 29—Insurance Com.
 Apr. 9—Reported with com. amend.
 Apr. 9—2nd reading.
 Apr. 13—Passed in Assembly, amended.
 Apr. 20—Received in Senate.
 Apr. 20—Insurance Com.

A 534 Raymond, Goldfarb
 Jan. 29—Provides for a reduced fare for senior citizens on buses and railroads.
 Feb. 16—Withdrawn from the files.

A 535 Raymond
 Jan. 29—Provides that any person who knowingly and willfully states, delivers or transmits to any news media any false, defamation, libelous or untrue statements is guilty of a high misdemeanor.
 Jan. 29—Rev. & Amend. of Laws Com.

A 536 Raymond
 Jan. 29—Exempts from the minimum wage standards automobile partsmen and mechanics.
 Jan. 29—Labor Relations Com.

A 537 Raymond, Kaltenbacher, Cobb
 Jan. 29—Requires separate bids on contracts between \$4,000 and \$100,000 for the construction of public buildings.
 Jan. 29—State Gov't Com.

A 538 Parker, Heilmann, Kiehn, Irwin, Horn, Woodson
 Jan. 29—Requires leaves of absence with pay, from public and private employment for jury service; effective 45 days after enactment.
 Jan. 29—Labor Relations Com.

A 539 Margetts, Crane, Cobb, Vreeland, DeKorte, Thon
 Jan. 29—Permits regular board of education meetings to be held at 9:00 p.m. instead of 8:00 p.m.
 Jan. 29—Education Com.

A 540 Schluter, Weidel, Pfaltz, Cobb
 Jan. 29—Increases the sales tax from 3% to 5%, from March 1970 to June 30, 1971; creates a 30 member bipartisan Tax Reform Commission, 6 Senators, 6 Assemblymen, 18 citizens appointed by the Governor; requires a report prior to July 1970; appropriates \$150,000.
 Jan. 29—Taxation Com.

A 541 Goldfarb, Rinaldi, Fiore, Caputo, Dennis, Kaltenbacher, Cobb, Azzolina, Kean
 Jan. 29—Permits an increase from \$2,500 to \$4,000 the maximum salary of members of the governing body of a town having a population in excess of 20,000.
 Mar. 19—Passed in Assembly.
 Apr. 6—Passed in Senate.
 May 20—Approved, Chapter 69.

A 542 Garibaldi, Macrae, Jackman
 Jan. 29—Repeals the public utilities anti-strike law (P.L. 1969 c. 38).
 Jan. 29—Labor Relations Com.
 Apr. 7—Public hearing held.

A 543 Littell, Foran
 Feb. 9—Provides for the regulation of community antenna television systems. (FN-\$44,150)
 Feb. 9—Commerce, Ind. & Professions Com.
 May 14—Reported with com. amend.
 May 14—2nd reading.

A 544 Garibaldi, Macrae, Parker, Jackman
 Jan. 29—Provides that when the State takes over a private industry, the employees shall keep the right of collective bargaining.
 Jan. 29—Labor Relations Com.
 Apr. 7—Public hearing held.

A 545 Garibaldi, Macrae, Parker, Jackman
 Jan. 29—Requires the Division of Employment Security to assist claimants in establishing their claims.
 Jan. 29—Rev. & Amend. of Laws Com.

A 546 Garibaldi, Macrae, Jackman
 Jan. 29—Permits county election registration commission to furnish information as to eligibility of voters, and districts wherein registered, to any person making such inquiry in writing.
 Jan. 29—Judiciary Com.

A 547 McDonough
 Feb. 2—Permits any municipality to advance monies to officers and employees of the municipality toward their expenses for authorized official travel and expenses.
 Feb. 2—County & Mun. Gov't Com.
 Apr. 20—Reported, 2nd reading.
 Apr. 23—Passed in Assembly.
 Apr. 27—Received in Senate.
 Apr. 27—County & Mun. Gov't Com.

A 548 Schluter, Weidel, Florio
 Feb. 2—Prohibits unreasonable and arbitrary restriction upon the off-duty activities of municipal policemen and firemen.
 Feb. 2—County & Mun. Gov't Com.

A 549 Schluter, Weidel, Rinaldi, Caputo, Fiore, Hirkala
 Feb. 2—Requires the commission to study obscenity and depravity in public media to report its findings on or before May 19, 1970.
 Feb. 16—Passed Assembly under emergency resolution.
 Mar. 16—Passed in Senate.
 May 20—Approved, Chapter 70.

A 550 Brown, Mabie, Vreeland, Robertson, Dawes
 Feb. 2—Designated the "Motion Picture Review Board Act," establishes a Motion Picture Review Board in the Department of Education; appropriates \$50,000; effective 90 days after enactment.
 Feb. 2—Commerce, Ind. & Professions Com.

A 551 Kaltenbacher, Dennis, Wilson, Fiore, Pfaltz, Caputo, Goldfarb, Rinaldi, Parker, Volk
 Feb. 2—Permits life insurance companies to provide liability insurance to airlines.
 Mar. 16—Passed in Assembly, amended.
 Apr. 6—Passed in Senate.
 May 8—Approved, Chapter 47.

A 552 Vreeland, Mabie, Brown, DeKorte, Cobb, Dorgan
 Feb. 2—Permits a newspaper reporter to display a special motor vehicle reporter identification light.
 Feb. 2—Transportation & Pub. Util. Com.

A 553 Vander Plaats, Moraites, DeKorte, Horn, Esposito, Gavan, Higgins, Caputo, Fiore, Azzolina
 Feb. 2—Provides for State aid to all schools except those operating for a profit.
 Feb. 2—Education Com.

A 554 Gavan, Higgins, Jackman, Suminski, LeFante, Hirkala, Deverin, Fay
 Feb. 2—Requires any household appliance sold to have affixed by tag or label a statement as to the year in which the particular appliance was manufactured and a statement as to whether the appliance is new or rebuilt.
 Feb. 2—Commerce, Ind. & Professions Com.