

40:14B-22

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1992 CHAPTER: 215

NJSA: 40:14B-22 (Reduced rates—municipal & county authority)

BILL NO: A909

SPONSOR(S): Solomon

DATE INTRODUCED: February 13, 1992

COMMITTEE: ASSEMBLY: Senior Citizens

 SENATE: Senior Citizens

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: ASSEMBLY: May 28, 1992

 SENATE: October 19, 1992

DATE OF APPROVAL: January 7, 1993

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL:

(Amendments during passage denoted by superscript numbers) 2nd reprint enacted

SPONSORS STATEMENT: (Begins on 2 of original bill)

COMMITTEE STATEMENT:	ASSEMBLY:	Yes
	SENATE:	Yes

FLOOR AMENDMENT STATEMENTS:	Yes
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LEGISLATIVE FISCAL ESTIMATE:	Yes No
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VETO MESSAGE:	No
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GOVERNOR'S PRESS RELEASE ON SIGNING:	No
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FOLLOWING WERE PRINTED:

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REPORTS:	No
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HEARINGS:	No
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NEWSPAPER ARTICLES:	No
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40:14B-22
 1992
 Solomon
 1/7/93
 10/19/92
 5/28/92

P.L.1992, CHAPTER 215, approved January 7, 1993
1992 Assembly No. 909 (Second Reprint)

1 AN ACT concerning reduced rates by municipal and
2 utilities authorities for senior citizens and the perma
3 disabled ¹[and],¹ supplementing ¹and amending¹ P.L.
4 c.183 ¹[(C.40:14B-1 et seq.)] and amending P.L.1977, c.38

5
6 BE IT ENACTED by the Senate and General Assembly of
7 State of New Jersey:

8 1. ¹[a.] (New section)¹ Any municipal or county authority
9 establish within its district rates or schedules which provide
10 reduction or total abatement of the rents, rates, fees, or
11 charges which are charged to or collected from any person
12 residing in the district of the age of 65 or more years, or
13 than 65 years of age and permanently and totally disabled
14 according to the provisions of the federal Social Security Act,
15 U.S.C.§401 et seq., or disabled under any federal program
16 administered by the United States Department of Veterans
17 Affairs where the disability is rated as 60% or higher, and
18 ²[an] a total² income not in excess of \$10,000 per
19 ²[exclusive of benefits under any one of the following:

20 (1) The federal Social Security Act, 42 U.S.C.§401 et seq.,
21 all amendments and supplements thereto;

22 (2) Any other program of the federal government or pursuant
23 to any other federal law which provides benefits in whole or
24 part in lieu of benefits referred to in, or for persons excluded
25 from coverage under paragraph (1) of this subsection including
26 but not limited to, the federal "Railroad Retirement Act of
27 1974," 45 U.S.C.§231 et seq., and federal pension, disability
28 retirement programs; or

29 (3) Pension, disability or retirement programs of any state or
30 its political subdivisions, or agencies thereof, for persons
31 covered under paragraph (1) of this subsection except that the
32 total amount of benefits to be allowed exclusion by any person
33 under paragraphs (2) or (3) of this subsection shall not be in
34 excess of the maximum amount of benefits payable to or for
35 allowable for exclusion by, an owner in similar circumstances
36 under paragraph (1) of this subsection².

37 ¹[b. If any rents, rates, fees, or other charges of a municipal
38 authority are charged to or collected from any municipality
39 included in the property taxes assessed thereby, the municipality
40 by ordinance, may provide for a reduction in the tax assessed
41 against any real property owned by and used as a residence of
42 any person of the age of 65 or more years, or less than 65
43 of age and permanently and totally disabled according to

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted September 14, 1992.

² Senate floor amendments adopted October 15, 1992.

1 provisions of the federal Social Security Act, 42 U.S.C. §401 et
2 seq., or disabled under any federal law administered by the
3 United States Department of Veterans Affairs where the
4 disability is rated as 60% or higher, and this reduction shall be
5 restricted to owners having an income not in excess of \$10,000
6 per year exclusive of benefits under any one of the following:

7 (1) The federal Social Security Act, 42 U.S.C. §401 et seq., and
8 all amendments and supplements thereto;

9 (2) Any other program of the federal government or pursuant to
10 any other federal law which provides benefits in whole or in part
11 in lieu of benefits referred to in, or for persons excluded from
12 coverage under paragraph (1) of this subsection including, but not
13 limited to, the federal "Railroad Retirement Act of 1974," 45
14 U.S.C. §231 et seq., and federal pension, disability and retirement
15 programs; or

16 (3) Pension, disability or retirement programs of any state or
17 its political subdivisions, or agencies thereof, for persons not
18 covered under paragraph (1) of this subsection except that, the
19 total amount of benefits to be allowed exclusion by any owner
20 under paragraphs (2) or (3) of this subsection shall not be in
21 excess of the maximum amount of benefits payable to, and
22 allowable for exclusion by, an owner in similar circumstances
23 under paragraph (1) of this subsection. Nothing in this subsection
24 shall be construed to increase the amount of allowable annual
25 deduction for any person pursuant to Article VIII, section I,
26 paragraph 4 of the New Jersey State Constitution.¹

27 12. Section 22 of P.L. 1957, c. 183 (C. 40:14B-22) is amended to
28 read as follows:

29 22. Every municipal authority is hereby authorized to charge
30 and collect rents, rates, fees or other charges (in this act
31 sometimes referred to as "sewerage service charges") for direct
32 or indirect connection with, or the use or services of, the
33 sewerage system. Such sewerage service charges may be charged
34 to and collected from any person contracting for such connection
35 or use or services or from the owner or occupant, or both of
36 them, of any real property which directly or indirectly is or has
37 been connected with the sewerage system or from or on which
38 originates or has originated sewage or other wastes which
39 directly or indirectly have entered or may enter the sewerage
40 system, and the owner of any such real property shall be liable
41 for and shall pay such sewerage service charges to the municipal
42 authority at the time when and sewerage
43 service charges are due and payable. Such rents, rates, fees and
44 charges, being in the nature of use or service charges, shall as
45 nearly as the municipal authority shall deem practicable and
46 equitable be uniform throughout the district for the same type,
47 class and amount of use or service of the sewerage system,
48 except as permitted by section 1 of P.L. , c. (C.)
49 (pending before the Legislature as this bill), and may be based or
50 computed either on the consumption of water on or in connection
51 with the real property, making due allowance for commercial use
52 of water, or on the number and kind of water outlets on or in
53 connection with the real property, or on the number and kind of
54 plumbing or sewerage fixtures or facilities on or in connection

1 with the real property, or on the number of persons residing or
2 working on or otherwise connected or identified with the real
3 property, or on the capacity of the improvements on or connected
4 with the real property, or on any other factors determining the
5 type, class and amount of use or service of the sewerage system,
6 or on any combination of any such factors, and may give weight
7 to the characteristics of the sewage and other wastes and any
8 other special matter affecting the cost of treatment and disposal
9 of the same, including chlorine demand, biochemical oxygen
10 demand, concentration of solids and chemical composition, and,
11 as to service outside the district, the cost of installation of
12 necessary physical properties.

13 In addition to any such sewerage service charges, a separate
14 charge in the nature of a connection fee or tapping fee, in
15 respect of each connection of any property with the sewerage
16 system, may be imposed upon the owner or occupant of the
17 property so connected. Such connection charges shall be uniform
18 within each class of users, and the amount thereof shall not
19 exceed the actual cost of the physical connection, if made by the
20 authority, plus an amount computed in the following manner to
21 represent a fair payment towards the cost of the system:

22 a. The amount representing all debt service, including but not
23 limited to sinking funds, reserve funds, the principal and interest
24 on bonds, and the amount of any loans and the interest thereon,
25 paid by the municipal authority to defray the capital cost of
26 developing the system as of the end of the immediately preceding
27 fiscal year of the authority shall be added to all capital
28 expenditures made by a municipal authority not funded by a bond
29 ordinance or debt for the development of the system as of the
30 end of the immediately preceding fiscal year of the authority.

31 b. Any gifts, contributions or subsidies to the authority
32 received from, and not reimbursed or reimbursable to, any
33 federal, State, county or municipal government or agency or any
34 private person, and that portion of amounts paid to the authority
35 by a public entity under a service agreement or service contract
36 which is not repaid to the public entity by the authority, shall
37 then be subtracted.

38 c. The remainder shall be divided by the total number of
39 service units served by the authority at the end of the
40 immediately preceding fiscal year of the authority, and the
41 results shall then be apportioned to each new connector according
42 to the number of service units attributed to that connector. In
43 attributing service units to each connector, the
44 average daily flow of sewage for the connector shall be divided
45 by the average daily flow of sewage from the average single
46 family residence in the authority's district, to produce the
47 number of service units to be attributed.

48 The connection fee shall be recomputed at the end of each
49 fiscal year of the authority, after a public hearing is held in the
50 manner prescribed in section 23 of P.L.1957, c.183
51 (C.40:14B-23). The revised connection fee may be imposed upon
52 those who subsequently connect in that fiscal year to the system.

53 The combination of such connection fee or tapping fee and the
54 aforesaid sewerage service charges shall meet the requirements

1 of section 23.¹

2 (cf: P.L.1985, c.536, s.3)

3 13. Section 15 of P.L.1977, c.384 (C.40:14B-22.1) is amended
4 to read as follows:

5 15. Every municipal authority is hereby authorized to charge
6 and collect rents, rates, fees or other charges (in this act
7 sometimes referred to as "solid waste service charges") for the
8 use or services of the solid waste system. Such solid waste
9 service charges may be charged to and collected from any
10 municipality or any person contracting for such use or services or
11 from the owner or occupant, or both of them, of any real
12 property from or on which originates or has originated any solid
13 waste to be treated by the solid waste system of the authority,
14 and the owner of any such real property shall be liable for and
15 shall pay such solid waste service charges to the municipal
16 authority at the time when and place where such solid waste
17 service charges are due and payable. Such rents, rates, fees and
18 charges, being in the nature of use or service charges, shall as
19 nearly as the authority shall deem practicable and equitable be
20 uniform throughout the county for the same type, class and
21 amount of use or service of the solid waste system, except as
22 permitted by section 1 of P.L. , c. (C.) (pending
23 before the Legislature as this bill), and may be based or computed
24 on any factors determining the type, class and amount of use or
25 service of the solid waste system, and may give weight to the
26 characteristics of the solid waste and any other special matter
27 affecting the cost of treatment and disposal of the same.¹

28 (cf: P.L.1977, c.384, s.15)

29 ¹[2.] ⁴ This act shall take effect immediately.

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34 Permits municipal and county utilities to reduce rents, rates, fees
35 or other charges for senior citizens and permanently disabled
36 within their districts.

1 seq., or disabled under any federal law administered by the
2 United States Department of Veterans Affairs where the
3 disability is rated as 60% or higher, and this reduction shall be
4 restricted to owners having an income not in excess of \$10,000
5 per year exclusive of benefits under any one of the following:

6 (1) The federal Social Security Act, 42 U.S.C. §401 et seq., and
7 all amendments and supplements thereto;

8 (2) Any other program of the federal government or pursuant to
9 any other federal law which provides benefits in whole or in part
10 in lieu of benefits referred to in, or for persons excluded from
11 coverage under paragraph (1) of this subsection including, but not
12 limited to, the federal "Railroad Retirement Act of 1974," 45
13 U.S.C. §231 et seq., and federal pension, disability and retirement
14 programs; or

15 (3) Pension, disability or retirement programs of any state or
16 its political subdivisions, or agencies thereof, for persons not
17 covered under paragraph (1) of this subsection except that, the
18 total amount of benefits to be allowed exclusion by any owner
19 under paragraphs (2) or (3) of this subsection shall not be in
20 excess of the maximum amount of benefits payable to, and
21 allowable for exclusion by, an owner in similar circumstances
22 under paragraph (1) of this subsection. Nothing in this subsection
23 shall be construed to increase the amount of allowable annual
24 deduction for any person pursuant to Article VIII, section I,
25 paragraph 4 of the New Jersey State Constitution.

26 2. This act shall take effect immediately.
27
28

29 STATEMENT
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31 This bill gives municipal and county utilities authorities the
32 discretion to allow a reduction or abatement of the rents, rates,
33 fees or other charges for senior citizens and permanently disabled
34 individuals residing within these districts. A person eligible for
35 this reduction could have an income of up to \$10,000 per year,
36 exclusive of certain benefits, such as Social Security, pension,
37 disability or retirement programs.
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41
42 Permits municipal and county utilities to reduce rents, rates, fees
43 or other charges for senior citizens and permanently disabled
44 within their districts.

**ASSEMBLY SENIOR CITIZENS AND
SOCIAL SERVICES COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 909

STATE OF NEW JERSEY

DATED: MAY 14, 1992

The Assembly Senior Citizens and Social Services Committee favorably reports Assembly Bill No. 909.

This bill gives municipal and county utilities authorities the discretion to allow a reduction or abatement of the rents, rates, fees or other charges for senior citizens and permanently disabled individuals residing within these districts. A person eligible for this reduction could have an income of up to \$10,000 per year, exclusive of certain benefits, such as Social Security, pension, disability or retirement programs.

**SENATE SENIOR CITIZENS, VETERANS AFFAIRS
AND AGRICULTURE COMMITTEE**

STATEMENT TO

ASSEMBLY, No. 909

STATE OF NEW JERSEY

DATED: JULY 20, 1992

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee favorably reports Assembly Bill No. 909.

This bill gives municipal and county utilities authorities the discretion to allow a reduction or abatement of the rents, rates, fees or other charges for senior citizens and permanently disabled individuals residing within these districts. A person eligible for this reduction could have an income of up to \$10,000 per year, exclusive of certain benefits, such as Social Security, pension, disability or retirement programs.

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HS 0065
SR 0068
TR 0108

ADOC
OCT 15 1992

Senate Amendments
(Proposed by Senator Dorsey)

to

ASSEMBLY, No. 909 (1R)

(Sponsored by Assemblymen Solomon and Rocco)

REPLACE SECTION 1 TO READ:

1. ¹[a.] (New section)¹ Any municipal or county authority may establish within its district rates or schedules which provide for a reduction or total abatement of the rents, rates, fees, or other charges which are charged to or collected from any person residing in the district of the age of 65 or more years, or less than 65 years of age and permanently and totally disabled according to the provisions of the federal Social Security Act, 42 U.S.C.§401 et seq., or disabled under any federal law administered by the United States Department of Veterans Affairs where the disability is rated as 60% or higher, having ²[an] a total² income not in excess of \$10,000 per year ²[exclusive of benefits under any one of the following:

(1) The federal Social Security Act, 42 U.S.C.§401 et seq. and all amendments and supplements thereto;

(2) Any other program of the federal government or pursuant to any other federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under paragraph (1) of this subsection including, but not limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C.§231 et seq., and federal pension, disability and retirement programs; or

(3) Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph (1) of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraphs (2) or (3) of this subsection shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under paragraph (1) of this subsection]².

¹[b. If any rents, rates, fees, or other charges of a municipal authority are charged to or collected from any municipality and included in the property taxes assessed thereby, the municipality, by ordinance, may provide for a reduction in the tax assessed against any real property owned by and used as a residence for any person of the age of 65 or more years, or less than 65 years of age and permanently and totally disabled according to the provisions of the federal Social Security Act, 42 U.S.C.§401 et seq., or disabled under any federal law administered by the United States Department of Veterans Affairs where the disability is rated as 60% or higher, and this reduction shall be restricted to owners having an income not in excess of \$10,000 per year exclusive of benefits under any one of the following:

(1) The federal Social Security Act, 42 U.S.C. §401 et seq., and all amendments and supplements thereto;

(2) Any other program of the federal government or pursuant to any other federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under paragraph (1) of this subsection including, but not limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C. §231 et seq., and federal pension, disability and retirement programs; or

(3) Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph (1) of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraphs (2) or (3) of this subsection shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under paragraph (1) of this subsection. Nothing in this subsection shall be construed to increase the amount of allowable annual deduction for any person pursuant to Article VIII, section I, paragraph 4 of the New Jersey State Constitution.¹

STATEMENT

These Senate floor amendments permit municipal and county utilities to reduce rents, rates, fees or other charges for senior citizens and permanently disabled persons within their districts who have total annual incomes of up to \$10,000. This income is inclusive of items such as Social Security benefits and federal or state pension, disability or retirement benefits.

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LG 0111
SR ~~XXXX~~ 081
TR ~~XXXX~~ 011A

ADOPTED
SEP 14 1992

SENATE Amendments
(Proposed by Senator Matheussen)

to

ASSEMBLY, No. 909 (CC)

(Sponsored by Assemblymen SOLOMON and ROCCO)

REPLACE TITLE TO READ:

AN ACT concerning reduced rates by municipal and county utilities authorities for senior citizens and the permanently disabled ¹[and]¹ supplementing ¹and amending¹ P.L.1957, c.183 ¹[(C.40:14B-1 et seq.)] and amending P.L.1977, c.384¹.

REPLACE SECTION 1 TO READ:

1. ¹[a.] (New section)¹ Any municipal or county authority may establish within its district rates or schedules which provide for a reduction or total abatement of the rents, rates, fees, or other charges which are charged to or collected from any person residing in the district of the age of 65 or more years, or less than 65 years of age and permanently and totally disabled according to the provisions of the federal Social Security Act, 42 U.S.C.§401 et seq., or disabled under any federal law administered by the United States Department of Veterans Affairs where the disability is rated as 60% or higher, having an income not in excess of \$10,000 per year exclusive of benefits under any one of the following:

(1) The federal Social Security Act, 42 U.S.C.§401 et seq. and all amendments and supplements thereto;

(2) Any other program of the federal government or pursuant to any other federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under paragraph (1) of this subsection including, but not limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C.§231 et seq., and federal pension, disability and retirement programs; or

(3) Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph (1) of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraphs (2) or (3) of this subsection shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under paragraph (1) of this subsection.

¹[b. If any rents, rates, fees, or other charges of a municipal authority are charged to or collected from any municipality and included in the property taxes assessed thereby, the municipality, by ordinance, may provide for a reduction in the tax assessed against any real property owned by and used as a residence for any person of the age of 65 or more years, or less than 65 years of age and permanently and totally disabled according to the provisions of the federal Social Security Act, 42 U.S.C.§401 et

seq., or disabled under any federal law administered by the United States Department of Veterans Affairs where the disability is rated as 60% or higher, and this reduction shall be restricted to owners having an income not in excess of \$10,000 per year exclusive of benefits under any one of the following:

(1) The federal Social Security Act, 42 U.S.C. §401 et seq., and all amendments and supplements thereto;

(2) Any other program of the federal government or pursuant to any other federal law which provides benefits in whole or in part in lieu of benefits referred to in, or for persons excluded from coverage under paragraph (1) of this subsection including, but not limited to, the federal "Railroad Retirement Act of 1974," 45 U.S.C. §231 et seq., and federal pension, disability and retirement programs; or

(3) Pension, disability or retirement programs of any state or its political subdivisions, or agencies thereof, for persons not covered under paragraph (1) of this subsection except that, the total amount of benefits to be allowed exclusion by any owner under paragraphs (2) or (3) of this subsection shall not be in excess of the maximum amount of benefits payable to, and allowable for exclusion by, an owner in similar circumstances under paragraph (1) of this subsection. Nothing in this subsection shall be construed to increase the amount of allowable annual deduction for any person pursuant to Article VIII, section I, paragraph 4 of the New Jersey State Constitution.]¹

INSERT NEW SECTIONS 2 AND 3 TO READ:

Return → 12. Section 22 of P.L. 1957, c. 183 (C. 40:14B-22) is amended to read as follows:

22. Every municipal authority is hereby authorized to charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "sewerage service charges") for direct or indirect connection with, or the use or services of, the sewerage system. Such sewerage service charges may be charged to and collected from any person contracting for such connection or use or services or from the owner or occupant, or both of them, of any real property which directly or indirectly is or has been connected with the sewerage system or from or on which originates or has originated sewage or other wastes which directly or indirectly have entered or may enter the sewerage system, and the owner of any such real property shall be liable for and shall pay such sewerage service charges to the municipal authority at the time when and place where such sewerage service charges are due and payable. Such rents, rates, fees and charges, being in the nature of use or service charges, shall as nearly as the municipal authority shall deem practicable and equitable be uniform throughout the district for the same type, class and amount of use or service of the sewerage system, except as permitted by section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), and may be based or computed either on the consumption of water on or in connection with the real property, making due allowance for commercial use

of water, or on the number and kind of water outlets on or in connection with the real property, or on the number and kind of plumbing or sewerage fixtures or facilities on or in connection with the real property, or on the number of persons residing or working on or otherwise connected or identified with the real property, or on the capacity of the improvements on or connected with the real property, or on any other factors determining the type, class and amount of use or service of the sewerage system, or on any combination of any such factors, and may give weight to the characteristics of the sewage and other wastes and any other special matter affecting the cost of treatment and disposal of the same, including chlorine demand, biochemical oxygen demand, concentration of solids and chemical composition, and, as to service outside the district, the cost of installation of necessary physical properties.

In addition to any such sewerage service charges, a separate charge in the nature of a connection fee or tapping fee, in respect of each connection of any property with the sewerage system, may be imposed upon the owner or occupant of the property so connected. Such connection charges shall be uniform within each class of users, and the amount thereof shall not exceed the actual cost of the physical connection, if made by the authority, plus an amount computed in the following manner to represent a fair payment towards the cost of the system:

a. The amount representing all debt service, including but not limited to sinking funds, reserve funds, the principal and interest on bonds, and the amount of any loans and the interest thereon, paid by the municipal authority to defray the capital cost of developing the system as of the end of the immediately preceding fiscal year of the authority shall be added to all capital expenditures made by a municipal authority not funded by a bond ordinance or debt for the development of the system as of the end of the immediately preceding fiscal year of the authority.

b. Any gifts, contributions or subsidies to the authority received from, and not reimbursed or reimbursable to, any federal, State, county or municipal government or agency or any private person, and that portion of amounts paid to the authority by a public entity under a service agreement or service contract which is not repaid to the public entity by the authority, shall then be subtracted.

c. The remainder shall be divided by the total number of service units served by the authority at the end of the immediately preceding fiscal year of the authority, and the results shall then be apportioned to each new connector according to the number of service units attributed to that connector. In attributing service units to each connector, the average daily flow of sewage for the connector shall be divided by the average daily flow of sewage from the average single family residence in the authority's district, to produce the number of service units to be attributed.

The connection fee shall be recomputed at the end of each fiscal year of the authority, after a public hearing is held in the manner prescribed in section 23 of P.L.1957, c.183 (C.40:14B-23). The revised connection fee may be imposed upon those who subsequently connect in that fiscal year to the system.

The combination of such connection fee or tapping fee and the aforesaid sewerage service charges shall meet the requirements of section 23.

(cf: P.L.1985, c.526, s.3)

3. Section 15 of P.L.1977, c.384 (C.40:14B-22.1) is amended to read as follows:

15. Every municipal authority is hereby authorized to charge and collect rents, rates, fees or other charges (in this act sometimes referred to as "solid waste service charges") for the use or services of the solid waste system. Such solid waste service charges may be charged to and collected from any municipality or any person contracting for such use or services or from the owner or occupant, or both of them, of any real property from or on which originates or has originated any solid waste to be treated by the solid waste system of the authority, and the owner of any such real property shall be liable for and shall pay such solid waste service charges to the municipal authority at the time when and place where such solid waste service charges are due and payable. Such rents, rates, fees and charges, being in the nature of use or service charges, shall as nearly as the authority shall deem practicable and equitable be uniform throughout the county for the same type, class and amount of use or service of the solid waste system, except as permitted by section 1 of P.L. , c. (C.) (pending before the Legislature as this bill), and may be based or computed on any factors determining the type, class and amount of use or service of the solid waste system, and may give weight to the characteristics of the solid waste and any other special matter affecting the cost of treatment and disposal of the same.¹

(cf: P.L.1977, c.384, s.15)

RENUMBER SECTION 2 AS SECTION 4

STATEMENT

The purpose of this amendment is to eliminate a subsection in the original bill which would have permitted a municipality that incorporates utility charges into its general tax rate to give property tax rebates to certain senior and permanently disabled individuals residing within the taxing district. The removal of this provision will make moot questions as to whether the provision is violative of the uniformity clause, Article VIII, Section I, paragraph 1 of the New Jersey Constitution. This amendment also amends the current municipal authority law requirement of uniformity of rates, to allow for differential rates for certain senior citizens and disabled persons.