

58:14-3

LEGISLATIVE HISTORY CHECKLIST  
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NJSA: 58:14-3

(Passaic Valley  
Sewerage--increase  
membership)

LAW S OF: 1991

CHAPTER: 145

Bill No: A2530

Sponsor(s): Zangari

Date Introduced: Pre-filed

Committee: Assembly: Independent Authorities

Senate: State Government

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

Date of Passage: Assembly: November 19, 1990

Senate: January 14, 1991

Date of Approval: May 24, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

[THIRD REPRINT]  
ASSEMBLY, No. 2530

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PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblymen ZANGARI, Baer and Mazur

1 AN ACT increasing the membership of the Passaic Valley  
2 sewerage commissioners, and providing certain requirements  
3 for the selection of commissioners, amending R.S.58:14-3 and  
4 supplementing chapter 14 of Title 58 of the Revised Statutes.

5

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

8 1. R.S.58:14-3 is amended to read as follows:

9 58:14-3. The board shall consist of ~~[seven]~~ <sup>1</sup>[eight] nine<sup>1</sup>  
10 members who ~~[are residents of the district, not more than four of~~  
11 ~~whom shall be of the same political party]~~ shall be appointed by  
12 the Governor in the following manner. Each county in the  
13 district shall be represented on the board by two members, of  
14 different political parties, both of whom shall reside in the  
15 district and in the county they represent. <sup>1</sup>At least one of the  
16 two members from each county must reside in a contracting  
17 municipality as defined in R.S.58:14-34.11 <sup>3</sup>[<sup>2</sup>or in a leasing  
18 municipality<sup>2</sup>]<sup>3</sup> .<sup>1</sup> Not more than ~~[four]~~ <sup>1</sup>five<sup>1</sup> of the ~~[eight]~~  
19 nine<sup>1</sup> members of the board shall be from the same political  
20 party. <sup>1</sup>The ninth member shall be an at-large member appointed  
21 by the Governor, with the advice and consent of the Senate, and  
22 shall serve during the term of office of the Governor. As used in  
23 this section, "at-large member" means a resident of the Passaic  
24 Valley Sewerage District as defined in R.S.58:14-1.<sup>1</sup> Upon the  
25 expiration of the term of office of a commissioner, his successor  
26 shall be appointed by the Governor, by and with the advice and  
27 consent of the Senate, for a term of 5 years <sup>1</sup>, except that the  
28 term of the at-large member shall be concurrent with the term  
29 of office of the Governor<sup>1</sup>. The Governor may remove any  
30 commissioner from office for cause.

31 Each commissioner shall hold his office until his successor has  
32 been appointed, and any vacancy in the membership of the  
33 commission because of death, resignation or removal, shall be  
34 filled for the unexpired term in the manner provided for on  
35 original appointment. In making any appointment hereunder,  
36 either for a full term or to fill a vacancy, regard shall be had to  
37 ability and fitness, and also locality, so that each section of the  
38 district may be represented as far as practicable [with at least

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the  
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:

<sup>1</sup> Assembly AIA committee amendments adopted February 8, 1990.

<sup>2</sup> Senate floor amendments adopted December 6, 1990.

<sup>3</sup> Assembly floor amendments adopted January 29, 1991.

1 one member from each county within the district, but not more  
2 than two members from the same county].

3 (cf: P.L.1975, c.151, s.1)

4 2. (New section) The members who are appointed and serving  
5 as commissioners on the effective date of this amendatory and  
6 supplementary act may continue to serve until their appointments  
7 expire, and, thereafter, may be reappointed, if reappointment  
8 would not conflict with the representation requirements of  
9 R.S.58:14-3. In making an appointment for a full term on or  
10 after the effective date of this amendatory and supplementary  
11 act, or in filling a vacancy existing on or occurring after the  
12 effective date of this amendatory and supplementary act, the  
13 Governor shall comply with R.S.58:14-3.

14 3. This act shall take effect immediately.

15

16

17

#### AUTHORITIES AND REGIONAL AGENCIES

18

19

Increases membership of Passaic Valley sewerage commissioners.

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1990 SESSION

By Assemblyman ZANGARI

1 AN ACT increasing the membership of the Passaic Valley  
2 sewerage commissioners, and providing certain requirements  
3 for the selection of commissioners, amending R.S.58:14-3 and  
4 supplementing chapter 14 of Title 58 of the Revised Statutes.

5

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

8 1. R.S.58:14-3 is amended to read as follows:

9 58:14-3. The board shall consist of [seven] eight members who  
10 [are residents of the district, not more than four of whom shall be  
11 of the same political party] shall be appointed by the Governor in  
12 the following manner. Each county in the district shall be  
13 represented on the board by two members, of different political  
14 parties, both of whom shall reside in the district and in the  
15 county they represent. Not more than four of the eight members  
16 of the board shall be from the same political party. Upon the  
17 expiration of the term of office of a commissioner, his successor  
18 shall be appointed by the Governor, by and with the advice and  
19 consent of the Senate, for a term of 5 years. The Governor may  
20 remove any commissioner from office for cause.

21 Each commissioner shall hold his office until his successor has  
22 been appointed, and any vacancy in the membership of the  
23 commission because of death, resignation or removal, shall be  
24 filled for the unexpired term in the manner provided for on  
25 original appointment. In making any appointment hereunder,  
26 either for a full term or to fill a vacancy, regard shall be had to  
27 ability and fitness, and also locality, so that each section of the  
28 district may be represented as far as practicable [with at least  
29 one member from each county within the district, but not more  
30 than two members from the same county].

31 (cf: P.L.1975, c.151, s.1)

32 2. (New section) The members who are appointed and serving  
33 as commissioners on the effective date of this amendatory and  
34 supplementary act may continue to serve until their appointments  
35 expire, and, thereafter, may be reappointed, if reappointment  
36 would not conflict with the representation requirements of  
37 R.S.58:14-3. In making an appointment for a full term on or  
38 after the effective date of this amendatory and supplementary

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

Matter underlined thus is new matter.

1 act, or in filling a vacancy existing on or occurring after the  
2 effective date of this amendatory and supplementary act, the  
3 Governor shall comply with R.S.58:14-3.

4 3. This act shall take effect immediately.  
5  
6

7 STATEMENT  
8

9 This bill would increase the membership of the Passaic Valley  
10 sewerage commissioners from seven to eight. In addition, it  
11 would provide that each of the four counties comprising the  
12 sewerage district, Bergen, Essex, Hudson and Passaic, would have  
13 two members on the board. The two members from each county  
14 would be of different political parties, and would be residents of  
15 the district and of the county they represent. Not more than four  
16 of the eight commissioners would be of the same political party.  
17 Section 2 of the bill would enable the current commissioners to  
18 continue in their positions until these positions expire; however,  
19 any reappointments, and any filling of full or unexpired terms  
20 would be done in accordance with R.S.58:14-3, as amended in this  
21 bill.  
22

23 AUTHORITIES AND REGIONAL AGENCIES  
24

25  
26 Increases membership of Passaic Valley sewerage commissioners.

ASSEMBLY INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2530

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 8, 1990

The Assembly Independent Authorities Committee reports favorably Assembly Bill No. 2530 with committee amendments.

As amended, this bill increases the membership of the Passaic Valley sewerage commissioners from seven to nine. In addition, it would provide that each of the four counties comprising the sewerage district, Bergen, Essex, Hudson and Passaic, would have two members on the board. The two members from each county would be of different political parties, and would be residents of the district and of the county they represent. The bill also provides that at least one of the two members representing each county within the district come from a contracting municipality. The ninth member would be an at-large member appointed by the Governor for a term concurrent with that of the Governor. The at-large member must be a resident of the Passaic Valley Sewerage District. Not more than five of the nine commissioners would be of the same political party. Section 2 of the bill would enable the current commissioners to continue in their positions until these positions expire; however, any reappointments, and any filling of full or unexpired terms would be done in accordance with R.S.58:14-3, as amended in this bill.

The committee amendments incorporate recommendations of the Passaic Valley Sewerage district commissioners. These amendments mandate the addition of a ninth commissioner and require that at least one of the two members from each county within the district reside in a contracting municipality. The addition of a ninth commissioner was intended to provide an additional voting member in the event of a tie vote.

The residency requirement is intended to insure that contracting municipalities, i.e., those that originally built the collection system and treatment plant, will always have representation on the commission.

This bill was pre-filed for introduction the 1990 session pending technical review. As reported the bill includes the changes required by technical review which has been performed.

SENATE STATE GOVERNMENT AND FEDERAL  
AND INTERSTATE RELATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

**ASSEMBLY, No. 2530**

**STATE OF NEW JERSEY**

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DATED: DECEMBER 3, 1990

The Senate State Government and Federal and Interstate Relations Committee reports favorably Assembly Bill No. 2530 [1R].

This bill increases the membership of the Passaic Valley Sewerage Commissioners from seven to nine members. It provides that each of the four counties comprising the sewerage district (Bergen, Essex, Hudson and Passaic) shall have two members on the board. The two members from each county shall be of different political parties and shall be residents of the district and the county they represent. The bill provides that at least one of the two members from each county shall reside in a contracting municipality. The ninth member shall be an at-large member appointed by the Governor, with the advice and consent of the Senate, who shall serve during the term of office of the Governor. The at-large member must be a resident of the Passaic Valley Sewerage District. Not more than five of the nine commissioners shall be from the same political party. The bill allows current commissioners to continue in their positions until their appointments expire.