

# 40:14A-3

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001      **CHAPTER:** 123  
**NJSA:** 40:14A-3      (Sewerage authority—change name)  
**BILL NO:** A2449

**SPONSOR(S):** Arnone and Azzolina

**DATE INTRODUCED:** May 22, 2000

**COMMITTEE:**      **ASSEMBLY:** Local Government

**SENATE:** Community and Urban Affairs

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**      **ASSEMBLY:** June 29, 2000

**SENATE:** May 14, 2001

**DATE OF APPROVAL:** June 26, 2001

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (Original version of bill enacted)

**SPONSORS STATEMENT:** (Begins on page 9 of original bill) Yes

**COMMITTEE STATEMENT:**      **ASSEMBLY:** Yes

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

### FOLLOWING WERE PRINTED:

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

# ASSEMBLY, No. 2449

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MAY 22, 2000

**Sponsored by:**

**Assemblyman MICHAEL J. ARNONE**

**District 12 (Monmouth)**

**Assemblyman JOSEPH AZZOLINA**

**District 13 (Middlesex and Monmouth)**

**SYNOPSIS**

Allows sewerage and utilities authorities to change names to water reclamation authorities.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the naming of certain county and municipal  
2 authorities and amending and supplementing P.L.1946, c.138  
3 (C.40:14A-1 et seq.) and P.L.1957, c.183 (C.40:14B - 1 et seq.).  
4

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

7  
8 1. Section 3 of P.L.1946, c.138 (C.40:14A-3) is amended to read  
9 as follows:

10 3. As used in this act, unless a different meaning clearly appears  
11 from the context:

12 (1) "Municipality" shall mean any city of any class, any borough,  
13 village, town, township, or any other municipality other than a county  
14 or a school district, and except when used in section 4 or 21 of this  
15 act, any agency thereof or any two or more thereof acting jointly or  
16 any joint meeting or other agency of any two or more thereof;

17 (2) "County" shall mean any county of any class;

18 (3) "Governing body" shall mean, in the case of a county, the  
19 board of chosen freeholders, or in the case of those counties organized  
20 pursuant to the provisions of the "Optional County Charter Law"  
21 [(P.L.1972, c. 154; C. 40:41A-1 et seq.)] P.L.1972, c.154 (C.40:41A-  
22 1 et seq.), the board of chosen freeholders and the county executive,  
23 the county supervisor or the county manager, as appropriate, and, in  
24 the case of a municipality, the commission, council, board or body, by  
25 whatever name it may be known, having charge of the finances of the  
26 municipality;

27 (4) "Person" shall mean any person, association, corporation,  
28 nation, State or any agency or subdivision thereof, other than a county  
29 or municipality of the State or a sewerage authority;

30 (5) "Sewerage or water reclamation authority" shall mean a public  
31 body created pursuant to section 4 of this act;

32 (6) Subject to the exceptions provided in section 4 of this act,  
33 "district" shall mean the area within the territorial boundaries of the  
34 county, or of the municipality or municipalities, which created or  
35 joined in the creation of a sewerage authority;

36 (7) "Local unit" shall mean the county, or any municipality, which  
37 created or joined in the creation of a sewerage authority;

38 (8) "Sewerage system" shall mean the plants, structures, on-site  
39 waste-water systems, and other real and personal property acquired,  
40 constructed, maintained or operated or to be acquired, constructed,  
41 maintained or operated by a sewerage authority for the purposes of the  
42 sewerage authority, including sewers, conduits, pipe lines, mains,  
43 pumping and ventilating stations, sewage treatment or disposal

**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 systems, plants and works, connections, and outfalls, compensating  
2 reservoirs, and other plants, structures, boats, conveyances, and other  
3 real and personal property, and rights therein, and appurtenances  
4 necessary or useful and convenient for the collection, treatment,  
5 purification or disposal in a sanitary manner of any sewage, liquid or  
6 solid wastes, night soil or industrial wastes;

7 (9) "Cost" shall mean, in addition to the usual connotations  
8 thereof, the cost of acquisition or construction of all or any part of a  
9 sewerage system and of all or any property, rights, easements,  
10 privileges, agreements and franchises deemed by the sewerage  
11 authority to be necessary or useful and convenient therefor or in  
12 connection therewith, including interest or discount on bonds, cost of  
13 issuance of bonds, engineering and inspection costs and legal  
14 expenses, costs of financial, professional and other estimates and  
15 advice, organization, administrative, operating and other expenses of  
16 the sewerage authority prior to and during such acquisition or  
17 construction, and all such other expenses as may be necessary or  
18 incident to the financing, acquisition, construction and completion of  
19 said sewerage system or part thereof and the placing of the same in  
20 operation, and also such provision or reserves for working capital,  
21 operating, maintenance or replacement expenses or for payment or  
22 security of principal of or interest on bonds during or after such  
23 acquisition or construction as the sewerage authority may determine,  
24 and also reimbursements to the sewerage authority or any county,  
25 municipality or other person of any moneys theretofore expended for  
26 the purposes of the sewerage authority or to any county or  
27 municipality of any moneys theretofore expended for in connection  
28 with sanitation facilities;

29 (10) "Real property" shall mean lands both within and without the  
30 State, and improvements thereof or thereon, or any rights or interests  
31 therein;

32 (11) "Construct" and "construction" shall connote and include  
33 acts of construction, reconstruction, replacement, extension,  
34 improvement and betterment of a sewerage system;

35 (12) "Industrial wastes" shall mean liquid or other wastes resulting  
36 from any processes of industry, manufacture, trade or business or  
37 from the development of any natural resource;

38 (13) "Sewage" shall mean the water-carried wastes created in and  
39 carried, or to be carried, away from, or to be processed by on-site  
40 wastewater systems, residences, hotels, apartments, schools,  
41 hospitals, industrial establishments, or any other public or private  
42 building, together with such surface or ground water and industrial  
43 wastes as may be present;

44 (14) "On-site wastewater system" means any of several works,  
45 facilities, septic tanks or other devices, used to collect, treat, reclaim,  
46 or dispose of wastewater or sewage on or adjacent to the property on

1 which the wastewater or sewage is produced, or to convey such  
2 wastewater or sewage from said property to such facilities as the  
3 authority may establish for its disposal;

4 (15) "Pollution" means the condition of water resulting from the  
5 introduction therein of substances of a kind and in quantities rendering  
6 it detrimental or immediately or potentially dangerous to the public  
7 health, or unfit for public or commercial use;

8 (16) "Ordinance" means a written act of the governing body of a  
9 municipality adopted and otherwise approved and published in the  
10 manner or mode of procedure prescribed for ordinances tending to  
11 obligate such municipality pecuniarily;

12 (17) "Resolution" means a written act of the governing body of a  
13 local unit adopted and otherwise approved in the manner or mode of  
14 procedure prescribed for resolutions tending to obligate such local unit  
15 pecuniarily;

16 (18) "Bonds" shall mean bonds or other obligations issued  
17 pursuant to this act; and

18 (19) "Compensating reservoir" shall mean the structures, facilities  
19 and appurtenances for the impounding, transportation and release of  
20 water for the replenishment in periods of drought or at other necessary  
21 times of all or a part of waters in or bordering the State diverted into  
22 a sewer, sewage treatment or sewage disposal system operated by the  
23 sewerage authority.

24 (cf: P.L.1980, c.77, s.1)

25

26 2. (New section) Notwithstanding the provisions of any law, rule  
27 or regulation to the contrary, an authority created pursuant to section  
28 4 of P.L.1946, c.138 (C.40:14A-4) by ordinance or resolution, as  
29 appropriate, may change its name to "the . . . . water reclamation  
30 authority," with all or any significant part of a municipality, county or  
31 some other identifying geographical phrase inserted, as appropriate,  
32 through adoption of a resolution at any meeting of the authority.

33

34 3. Section 3 of P.L.1957, c.183 (C.40:14B-3) is amended to read  
35 as follows:

36 3. As used in this act, unless a different meaning clearly appears  
37 from the context:

38 (1) "Municipality" shall mean any city of any class, any borough,  
39 village, town, township, or any other municipality other than a county  
40 or a school district, and except when used in section 4, 5, 6, 11, 12,  
41 13, 42 or 45 of this act, any agency thereof or any two or more  
42 thereof acting jointly or any joint meeting or other agency of any two  
43 or more thereof;

44 (2) "County" shall mean any county of any class;

45 (3) "Governing body" shall mean, in the case of a county, the  
46 board of chosen freeholders, or in the case of those counties organized

1 pursuant to the provisions of the "Optional County Charter Law"  
2 [(P.L.1972, c. 154; C. 40:41A-1 et seq.)] P.L.1972, c.154 (C.40:41A-  
3 1 et seq.), the board of chosen freeholders and the county executive,  
4 the county supervisor or the county manager, as appropriate, and, in  
5 the case of a municipality, the commission, council, board or body, by  
6 whatever name it may be known, having charge of the finances of the  
7 municipality;

8 (4) "Person" shall mean any person, association, corporation,  
9 nation, state or any agency or subdivision thereof, other than a county  
10 or municipality of the State or a municipal authority;

11 (5) "Municipal or water reclamation authority" shall mean a public  
12 body created or organized pursuant to section 4, 5 or 6 of this act and  
13 shall include a municipal utilities authority created by one or more  
14 municipalities and a county utilities authority created by a county;

15 (6) Subject to the exceptions provided in section 10, 11 or 12 of  
16 this act, "district" shall mean the area within the territorial  
17 boundaries of the county, or of the municipality or municipalities,  
18 which created or joined in or caused the creation or organization of  
19 a municipal authority;

20 (7) "Local unit" shall mean the county, or any municipality, which  
21 created or joined in or caused the creation or organization of a  
22 municipal authority;

23 (8) "Water system" shall mean the plants, structures and other real  
24 and personal property acquired, constructed or operated or to be  
25 acquired, constructed or operated by a municipal authority or by any  
26 person to whom a municipal authority has extended credit for this  
27 purpose for the purposes of the municipal authority, including  
28 reservoirs, basins, dams, canals, aqueducts, standpipes, conduits,  
29 pipelines, mains, pumping stations, water distribution systems,  
30 compensating reservoirs, waterworks or sources of water supply,  
31 wells, purification or filtration plants or other plants and works,  
32 connections, rights of flowage or division, and other plants,  
33 structures, boats, conveyances, and other real and personal property,  
34 and rights therein, and appurtenances necessary or useful and  
35 convenient for the accumulation, supply or distribution of water;

36 (9) "Sewerage system" shall mean the plants, structures, on-site  
37 wastewater systems and other real and personal property acquired,  
38 constructed or operated or to be acquired, constructed, maintained or  
39 operated by a municipal authority or by any person to whom a  
40 municipal authority has extended credit for this purpose for the  
41 purposes of the municipal authority, including sewers, conduits,  
42 pipelines, mains, pumping and ventilating stations, sewage treatment  
43 or disposal systems, plants and works, connections, outfalls,  
44 compensating reservoirs, and other plants, structures, boats,  
45 conveyances, and other real and personal property, and rights therein,  
46 and appurtenances necessary or useful and convenient for the

1 collection, treatment, purification or disposal in a sanitary manner of  
2 any sewage, liquid or solid wastes, night soil or industrial wastes;

3 (10) "Utility system" shall mean a water system, solid waste  
4 system, sewerage system, or a hydroelectric system or any  
5 combination of such systems, acquired, constructed or operated or to  
6 be acquired, constructed or operated by a municipal authority or by  
7 any person to whom a municipal authority has extended credit for this  
8 purpose;

9 (11) "Cost" shall mean, in addition to the usual connotations  
10 thereof, the cost of acquisition or construction of all or any part of a  
11 utility system and of all or any property, rights, easements, privileges,  
12 agreements and franchises deemed by the municipal authority to be  
13 necessary or useful and convenient therefor or in connection  
14 therewith, including interest or discount on bonds, cost of issuance of  
15 bonds, engineering and inspection costs and legal expenses, cost of  
16 financial, professional and other estimates and advice, organization,  
17 administrative, operating and other expenses of the municipal  
18 authority prior to and during such acquisition or construction, and all  
19 such other expenses as may be necessary or incident to the financing,  
20 acquisition, construction and completion of said utility system or part  
21 thereof and the placing of the same in operation, and also such  
22 provision or reserves for working capital, operating, maintenance or  
23 replacement expenses or for payment or security of principal or of  
24 interest on bonds during or after such acquisition or construction as  
25 the municipal authority may determine, and also reimbursements to the  
26 municipal authority or any county, municipality or other person of any  
27 moneys theretofore expended for the purposes of the municipal  
28 authority or to any county or municipality of any moneys theretofore  
29 expended for or in connection with water supply, solid waste, water  
30 distribution, sanitation or hydroelectric facilities;

31 (12) "Real property" shall mean lands both within or without the  
32 State, and improvements thereof or thereon, or any rights or interests  
33 therein;

34 (13) "Construct" and "construction" shall connote and include  
35 acts of construction, reconstruction, replacement, extension,  
36 improvement and betterment of a utility system;

37 (14) "Industrial wastes" shall mean liquid or other wastes resulting  
38 from any processes of industry, manufacture, trade or business or  
39 from the development of any natural resource, and shall include any  
40 chemical wastes or hazardous wastes;

41 (15) "Sewage" shall mean the water-carried wastes created in and  
42 carried, or to be carried, away from, or to be processed by on-site  
43 wastewater systems, residences, hotels, apartments, schools,  
44 hospitals, industrial establishments, or any other public or private  
45 building, together with such surface or ground water and industrial  
46 wastes and leachate as may be present;



1 (16) "On-site wastewater system" means any of several facilities,  
2 septic tanks or other devices, used to collect, treat, reclaim, or dispose  
3 of wastewater or sewage on or adjacent to the property on which the  
4 wastewater or sewage is produced, or to convey such wastewater or  
5 sewerage from said property to such facilities as the authority may  
6 establish for its disposal;

7 (17) "Pollution" means the condition of water resulting from the  
8 introduction therein of substances of a kind and in quantities rendering  
9 it detrimental or immediately or potentially dangerous to the public  
10 health, or unfit for public or commercial use;

11 (18) "Bonds" shall mean bonds or other obligations issued  
12 pursuant to this act;

13 (19) "Service charges" shall mean water service charges, solid  
14 waste service charges, sewer service charges, hydroelectric service  
15 charges or any combination of such charges, as said terms are defined  
16 in section 21 or 22 of this act or in section 7 of this amendatory and  
17 supplementary act;

18 (20) "Compensating reservoir" shall mean the structures, facilities  
19 and appurtenances for the impounding, transportation and release of  
20 water for the replenishment in periods of drought or at other necessary  
21 times of all or a part of waters in or bordering the State diverted into  
22 a utility system operated by a municipal authority;

23 (21) "[Sewage] Sewerage or water reclamation authority" shall  
24 mean a public body created pursuant to the Sewerage Authorities Law  
25 [(P.L.1946, c. 138)], P.L.1946, c.138 (C.40:14A-1 et seq.) or the acts  
26 amendatory thereof or supplemental thereto;

27 (22) "County sewer authority" shall mean a sanitary sewer district  
28 authority created pursuant to the act entitled "An act relating to the  
29 establishment of sewerage districts in first- and second-class counties,  
30 the creation of Sanitary Sewer District Authorities by the establishing  
31 of such districts, prescribing the powers and duties of any such  
32 authority and of other public bodies in connection with the  
33 construction of sewers and sewage disposal facilities in any such  
34 district, and providing the ways and means for paying the costs of  
35 construction and operation thereof," approved April 23, 1946  
36 (P.L.1946, c. 123), or the acts amendatory thereof or supplemental  
37 thereto;

38 (23) "Chemical waste" shall mean a material normally generated  
39 by or used in chemical, petrochemical, plastic, pharmaceutical,  
40 biochemical or microbiological manufacturing processes or petroleum  
41 refining processes, which has been selected for waste disposal and  
42 which is known to hydrolize, ionize or decompose, which is soluble,  
43 burns or oxidizes, or which may react with any of the waste materials  
44 which are introduced into the landfill, or which is buoyant on water,  
45 or which has a viscosity less than that of water or which produces a  
46 foul odor. Chemical waste may be either hazardous or nonhazardous;

1 (24) "Effluent" shall mean liquids which are treated in and  
2 discharged by sewage treatment plants;

3 (25) "Hazardous wastes" shall mean any waste or combination of  
4 waste which poses a present or potential threat to human health,  
5 living organisms or the environment. "Hazardous waste" shall  
6 include, but not be limited to, waste material that is toxic, corrosive,  
7 irritating, sensitizing, radioactive, biologically infectious, explosive or  
8 flammable;

9 (26) "Leachate" shall mean a liquid that has been in contact with  
10 solid waste and contains dissolved or suspended materials from that  
11 solid waste;

12 (27) "Recycling" shall mean the separation, collection, processing  
13 or recovery of metals, glass, paper, solid waste and other materials for  
14 reuse or for energy production and shall include resource recovery;

15 (28) "Sludge" shall mean any solid, semisolid, or liquid waste  
16 generated from a municipal, industrial or other sewage treatment plant,  
17 water supply treatment plant, or air pollution control facility, or any  
18 other such waste having similar characteristics and effects; "sludge"  
19 shall not include effluent;

20 (29) "Solid waste" shall mean garbage, refuse, and other discarded  
21 materials resulting from industrial, commercial and agricultural  
22 operations, and from domestic and community activities, and shall  
23 include all other waste materials including sludge, chemical waste,  
24 hazardous wastes and liquids, except for liquids which are treated in  
25 public sewage treatment plants and except for solid animal and  
26 vegetable wastes collected by swine producers licensed by the State  
27 Department of Agriculture to collect, prepare and feed such wastes to  
28 swine on their own farms;

29 (30) "Solid waste system" shall mean and include the plants,  
30 structures and other real and personal property acquired, constructed  
31 or operated or to be acquired, constructed or operated by an authority  
32 or by any person to whom a municipal authority has extended credit  
33 for this purpose pursuant to the provisions of this act, including  
34 transfer stations, incinerators, recycling facilities, including facilities  
35 for the generation, transmission and distribution of energy derived  
36 from the processing of solid waste, sanitary landfill facilities or other  
37 property or plants for the collection, recycling or disposal of solid  
38 waste and all vehicles, equipment and other real and personal property  
39 and rights thereon and appurtenances necessary or useful and  
40 convenient for the collection, recycling, or disposal of solid waste in  
41 a sanitary manner;

42 (31) "Hydroelectric system" shall mean the plants, structures and  
43 other real and personal property acquired, constructed or operated or  
44 to be acquired, constructed or operated by an authority pursuant to  
45 the provisions of this act, including all that which is necessary or  
46 useful and convenient for the generation, transmission and sale of

1 hydroelectric power at wholesale;

2 (32) "Hydroelectric power" shall mean the production of electric  
3 current by the energy of moving water;

4 (33) "Sale of hydroelectric power at wholesale" shall mean any  
5 sale of hydroelectric power to any person for purposes of resale of  
6 such power.

7 (cf: P.L.1984, c.178, s.1)

8

9 4. (New section) Notwithstanding the provisions of any law, rule  
10 or regulation to the contrary, a utilities authority created pursuant to  
11 sections 4, 5 or 6 of P.L.1957, c.183 (C.40:14B-4 et seq.) by  
12 ordinance or resolution, as appropriate, may change its name to "the  
13 . . . . . water reclamation authority," with all or any significant part of  
14 a municipality, county or some other identifying geographical phrase  
15 inserted, as appropriate, through adoption of a resolution at any  
16 meeting of the authority.

17

18 5. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 This bill would permit a sewerage authority created pursuant to the  
24 "sewerage authorities law," P.L.1946, c.138 (C.40:14A-1 et seq.) or  
25 a utilities authority created pursuant to the "municipal and county  
26 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to  
27 rename itself as a "water reclamation authority."

28 Under current law, the designations of a "sewerage authority" or  
29 "utilities authority" do not convey the full scope of responsibilities and  
30 activities of these authorities, and have led to misperceptions  
31 concerning the type of environmental service provided by them.

32 This bill would permit sewerage and utilities authorities to change  
33 their names to more accurately reflect their activities and purposes.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2449**

**STATE OF NEW JERSEY**

DATED: JUNE 1, 2000

The Assembly Local Government Committee reports favorably Assembly Bill No. 2449.

Assembly Bill No. 2449 would permit a sewerage authority created pursuant to the "sewerage authorities law," P.L.1946, c.138 (C.40:14A-1 et seq.) or a utilities authority created pursuant to the "municipal and county utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to rename itself as a "water reclamation authority."

Under current law, the designations of a "sewerage authority" or "utilities authority" do not convey the full scope of responsibilities and activities of these authorities, and have led to misperceptions concerning the type of environmental service provided by them.

This bill would permit sewerage and utilities authorities to change their names to more accurately reflect their activities and purposes.

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2449**

**STATE OF NEW JERSEY**

DATED: NOVEMBER 13, 2000

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 2449.

This bill would permit a sewerage authority created pursuant to the "sewerage authorities law," P.L.1946, c.138 (C.40:14A-1 et seq.) or a utilities authority created pursuant to the "municipal and county utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to rename itself as a "water reclamation authority."

P.L. 2001, CHAPTER 123, *approved June 26, 2001*  
Assembly Bill No. 2449

1 **AN ACT** concerning the naming of certain county and municipal  
2 authorities and amending and supplementing P.L.1946, c.138  
3 (C.40:14A-1 et seq.) and P.L.1957, c.183 (C.40:14B - 1 et seq.).  
4

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

8 1. Section 3 of P.L.1946, c.138 (C.40:14A-3) is amended to read  
9 as follows:

10 3. As used in this act, unless a different meaning clearly appears  
11 from the context:

12 (1) "Municipality" shall mean any city of any class, any borough,  
13 village, town, township, or any other municipality other than a county  
14 or a school district, and except when used in section 4 or 21 of this  
15 act, any agency thereof or any two or more thereof acting jointly or  
16 any joint meeting or other agency of any two or more thereof;

17 (2) "County" shall mean any county of any class;

18 (3) "Governing body" shall mean, in the case of a county, the  
19 board of chosen freeholders, or in the case of those counties organized  
20 pursuant to the provisions of the "Optional County Charter Law"  
21 **[(P.L.1972, c. 154; C. 40:41A-1 et seq.)]** P.L.1972, c.154 (C.40:41A-  
22 1 et seq.), the board of chosen freeholders and the county executive,  
23 the county supervisor or the county manager, as appropriate, and, in  
24 the case of a municipality, the commission, council, board or body, by  
25 whatever name it may be known, having charge of the finances of the  
26 municipality;

27 (4) "Person" shall mean any person, association, corporation,  
28 nation, State or any agency or subdivision thereof, other than a county  
29 or municipality of the State or a sewerage authority;

30 (5) "Sewerage or water reclamation authority" shall mean a public  
31 body created pursuant to section 4 of this act;

32 (6) Subject to the exceptions provided in section 4 of this act,  
33 "district" shall mean the area within the territorial boundaries of the  
34 county, or of the municipality or municipalities, which created or  
35 joined in the creation of a sewerage authority;

36 (7) "Local unit" shall mean the county, or any municipality, which  
37 created or joined in the creation of a sewerage authority;

38 (8) "Sewerage system" shall mean the plants, structures, on-site  
39 waste-water systems, and other real and personal property acquired,

**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 constructed, maintained or operated or to be acquired, constructed,  
2 maintained or operated by a sewerage authority for the purposes of the  
3 sewerage authority, including sewers, conduits, pipe lines, mains,  
4 pumping and ventilating stations, sewage treatment or disposal  
5 systems, plants and works, connections, and outfalls, compensating  
6 reservoirs, and other plants, structures, boats, conveyances, and other  
7 real and personal property, and rights therein, and appurtenances  
8 necessary or useful and convenient for the collection, treatment,  
9 purification or disposal in a sanitary manner of any sewage, liquid or  
10 solid wastes, night soil or industrial wastes;

11 (9) "Cost" shall mean, in addition to the usual connotations  
12 thereof, the cost of acquisition or construction of all or any part of a  
13 sewerage system and of all or any property, rights, easements,  
14 privileges, agreements and franchises deemed by the sewerage  
15 authority to be necessary or useful and convenient therefor or in  
16 connection therewith, including interest or discount on bonds, cost of  
17 issuance of bonds, engineering and inspection costs and legal  
18 expenses, costs of financial, professional and other estimates and  
19 advice, organization, administrative, operating and other expenses of  
20 the sewerage authority prior to and during such acquisition or  
21 construction, and all such other expenses as may be necessary or  
22 incident to the financing, acquisition, construction and completion of  
23 said sewerage system or part thereof and the placing of the same in  
24 operation, and also such provision or reserves for working capital,  
25 operating, maintenance or replacement expenses or for payment or  
26 security of principal of or interest on bonds during or after such  
27 acquisition or construction as the sewerage authority may determine,  
28 and also reimbursements to the sewerage authority or any county,  
29 municipality or other person of any moneys theretofore expended for  
30 the purposes of the sewerage authority or to any county or  
31 municipality of any moneys theretofore expended for in connection  
32 with sanitation facilities;

33 (10) "Real property" shall mean lands both within and without the  
34 State, and improvements thereof or thereon, or any rights or interests  
35 therein;

36 (11) "Construct" and "construction" shall connote and include  
37 acts of construction, reconstruction, replacement, extension,  
38 improvement and betterment of a sewerage system;

39 (12) "Industrial wastes" shall mean liquid or other wastes resulting  
40 from any processes of industry, manufacture, trade or business or  
41 from the development of any natural resource;

42 (13) "Sewage" shall mean the water-carried wastes created in and  
43 carried, or to be carried, away from, or to be processed by on-site  
44 wastewater systems, residences, hotels, apartments, schools,  
45 hospitals, industrial establishments, or any other public or private  
46 building, together with such surface or ground water and industrial

1 wastes as may be present;

2 (14) "On-site wastewater system" means any of several works,  
3 facilities, septic tanks or other devices, used to collect, treat, reclaim,  
4 or dispose of wastewater or sewage on or adjacent to the property on  
5 which the wastewater or sewage is produced, or to convey such  
6 wastewater or sewage from said property to such facilities as the  
7 authority may establish for its disposal;

8 (15) "Pollution" means the condition of water resulting from the  
9 introduction therein of substances of a kind and in quantities rendering  
10 it detrimental or immediately or potentially dangerous to the public  
11 health, or unfit for public or commercial use;

12 (16) "Ordinance" means a written act of the governing body of a  
13 municipality adopted and otherwise approved and published in the  
14 manner or mode of procedure prescribed for ordinances tending to  
15 obligate such municipality pecuniarily;

16 (17) "Resolution" means a written act of the governing body of a  
17 local unit adopted and otherwise approved in the manner or mode of  
18 procedure prescribed for resolutions tending to obligate such local unit  
19 pecuniarily;

20 (18) "Bonds" shall mean bonds or other obligations issued  
21 pursuant to this act; and

22 (19) "Compensating reservoir" shall mean the structures, facilities  
23 and appurtenances for the impounding, transportation and release of  
24 water for the replenishment in periods of drought or at other necessary  
25 times of all or a part of waters in or bordering the State diverted into  
26 a sewer, sewage treatment or sewage disposal system operated by the  
27 sewerage authority.

28 (cf: P.L.1980, c.77, s.1)

29

30 2. (New section) Notwithstanding the provisions of any law, rule  
31 or regulation to the contrary, an authority created pursuant to section  
32 4 of P.L.1946, c.138 (C.40:14A-4) by ordinance or resolution, as  
33 appropriate, may change its name to "the . . . . water reclamation  
34 authority," with all or any significant part of a municipality, county or  
35 some other identifying geographical phrase inserted, as appropriate,  
36 through adoption of a resolution at any meeting of the authority.

37

38 3. Section 3 of P.L.1957, c.183 (C.40:14B-3) is amended to read  
39 as follows:

40 3. As used in this act, unless a different meaning clearly appears  
41 from the context:

42 (1) "Municipality" shall mean any city of any class, any borough,  
43 village, town, township, or any other municipality other than a county  
44 or a school district, and except when used in section 4, 5, 6, 11, 12,  
45 13, 42 or 45 of this act, any agency thereof or any two or more  
46 thereof acting jointly or any joint meeting or other agency of any two



- 1 or more thereof;
- 2 (2) "County" shall mean any county of any class;
- 3 (3) "Governing body" shall mean, in the case of a county, the  
4 board of chosen freeholders, or in the case of those counties organized  
5 pursuant to the provisions of the "Optional County Charter Law"  
6 [(P.L.1972, c. 154; C. 40:41A-1 et seq.)] P.L.1972, c.154 (C.40:41A-  
7 1 et seq.), the board of chosen freeholders and the county executive,  
8 the county supervisor or the county manager, as appropriate, and, in  
9 the case of a municipality, the commission, council, board or body, by  
10 whatever name it may be known, having charge of the finances of the  
11 municipality;
- 12 (4) "Person" shall mean any person, association, corporation,  
13 nation, state or any agency or subdivision thereof, other than a county  
14 or municipality of the State or a municipal authority;
- 15 (5) "Municipal or water reclamation authority" shall mean a public  
16 body created or organized pursuant to section 4, 5 or 6 of this act and  
17 shall include a municipal utilities authority created by one or more  
18 municipalities and a county utilities authority created by a county;
- 19 (6) Subject to the exceptions provided in section 10, 11 or 12 of  
20 this act, "district" shall mean the area within the territorial  
21 boundaries of the county, or of the municipality or municipalities,  
22 which created or joined in or caused the creation or organization of  
23 a municipal authority;
- 24 (7) "Local unit" shall mean the county, or any municipality, which  
25 created or joined in or caused the creation or organization of a  
26 municipal authority;
- 27 (8) "Water system" shall mean the plants, structures and other real  
28 and personal property acquired, constructed or operated or to be  
29 acquired, constructed or operated by a municipal authority or by any  
30 person to whom a municipal authority has extended credit for this  
31 purpose for the purposes of the municipal authority, including  
32 reservoirs, basins, dams, canals, aqueducts, standpipes, conduits,  
33 pipelines, mains, pumping stations, water distribution systems,  
34 compensating reservoirs, waterworks or sources of water supply,  
35 wells, purification or filtration plants or other plants and works,  
36 connections, rights of flowage or division, and other plants,  
37 structures, boats, conveyances, and other real and personal property,  
38 and rights therein, and appurtenances necessary or useful and  
39 convenient for the accumulation, supply or distribution of water;
- 40 (9) "Sewerage system" shall mean the plants, structures, on-site  
41 wastewater systems and other real and personal property acquired,  
42 constructed or operated or to be acquired, constructed, maintained or  
43 operated by a municipal authority or by any person to whom a  
44 municipal authority has extended credit for this purpose for the  
45 purposes of the municipal authority, including sewers, conduits,  
46 pipelines, mains, pumping and ventilating stations, sewage treatment

1 or disposal systems, plants and works, connections, outfalls,  
2 compensating reservoirs, and other plants, structures, boats,  
3 conveyances, and other real and personal property, and rights therein,  
4 and appurtenances necessary or useful and convenient for the  
5 collection, treatment, purification or disposal in a sanitary manner of  
6 any sewage, liquid or solid wastes, night soil or industrial wastes;

7 (10) "Utility system" shall mean a water system, solid waste  
8 system, sewerage system, or a hydroelectric system or any  
9 combination of such systems, acquired, constructed or operated or to  
10 be acquired, constructed or operated by a municipal authority or by  
11 any person to whom a municipal authority has extended credit for this  
12 purpose;

13 (11) "Cost" shall mean, in addition to the usual connotations  
14 thereof, the cost of acquisition or construction of all or any part of a  
15 utility system and of all or any property, rights, easements, privileges,  
16 agreements and franchises deemed by the municipal authority to be  
17 necessary or useful and convenient therefor or in connection  
18 therewith, including interest or discount on bonds, cost of issuance of  
19 bonds, engineering and inspection costs and legal expenses, cost of  
20 financial, professional and other estimates and advice, organization,  
21 administrative, operating and other expenses of the municipal  
22 authority prior to and during such acquisition or construction, and all  
23 such other expenses as may be necessary or incident to the financing,  
24 acquisition, construction and completion of said utility system or part  
25 thereof and the placing of the same in operation, and also such  
26 provision or reserves for working capital, operating, maintenance or  
27 replacement expenses or for payment or security of principal of or  
28 interest on bonds during or after such acquisition or construction as  
29 the municipal authority may determine, and also reimbursements to the  
30 municipal authority or any county, municipality or other person of any  
31 moneys theretofore expended for the purposes of the municipal  
32 authority or to any county or municipality of any moneys theretofore  
33 expended for or in connection with water supply, solid waste, water  
34 distribution, sanitation or hydroelectric facilities;

35 (12) "Real property" shall mean lands both within or without the  
36 State, and improvements thereof or thereon, or any rights or interests  
37 therein;

38 (13) "Construct" and "construction" shall connote and include  
39 acts of construction, reconstruction, replacement, extension,  
40 improvement and betterment of a utility system;

41 (14) "Industrial wastes" shall mean liquid or other wastes resulting  
42 from any processes of industry, manufacture, trade or business or  
43 from the development of any natural resource, and shall include any  
44 chemical wastes or hazardous wastes;

45 (15) "Sewage" shall mean the water-carried wastes created in and  
46 carried, or to be carried, away from, or to be processed by on-site

1 wastewater systems, residences, hotels, apartments, schools,  
2 hospitals, industrial establishments, or any other public or private  
3 building, together with such surface or ground water and industrial  
4 wastes and leacheate as may be present;

5 (16) "On-site wastewater system" means any of several facilities,  
6 septic tanks or other devices, used to collect, treat, reclaim, or dispose  
7 of wastewater or sewage on or adjacent to the property on which the  
8 wastewater or sewage is produced, or to convey such wastewater or  
9 sewerage from said property to such facilities as the authority may  
10 establish for its disposal;

11 (17) "Pollution" means the condition of water resulting from the  
12 introduction therein of substances of a kind and in quantities rendering  
13 it detrimental or immediately or potentially dangerous to the public  
14 health, or unfit for public or commercial use;

15 (18) "Bonds" shall mean bonds or other obligations issued  
16 pursuant to this act;

17 (19) "Service charges" shall mean water service charges, solid  
18 waste service charges, sewer service charges, hydroelectric service  
19 charges or any combination of such charges, as said terms are defined  
20 in section 21 or 22 of this act or in section 7 of this amendatory and  
21 supplementary act;

22 (20) "Compensating reservoir" shall mean the structures, facilities  
23 and appurtenances for the impounding, transportation and release of  
24 water for the replenishment in periods of drought or at other necessary  
25 times of all or a part of waters in or bordering the State diverted into  
26 a utility system operated by a municipal authority;

27 (21) "[Sewage] Sewerage or water reclamation authority" shall  
28 mean a public body created pursuant to the Sewerage Authorities Law  
29 [(P.L.1946, c. 138)], P.L.1946, c.138 (C.40:14A-1 et seq.) or the acts  
30 amendatory thereof or supplemental thereto;

31 (22) "County sewer authority" shall mean a sanitary sewer district  
32 authority created pursuant to the act entitled "An act relating to the  
33 establishment of sewerage districts in first- and second-class counties,  
34 the creation of Sanitary Sewer District Authorities by the establishing  
35 of such districts, prescribing the powers and duties of any such  
36 authority and of other public bodies in connection with the  
37 construction of sewers and sewage disposal facilities in any such  
38 district, and providing the ways and means for paying the costs of  
39 construction and operation thereof," approved April 23, 1946  
40 (P.L.1946, c. 123), or the acts amendatory thereof or supplemental  
41 thereto;

42 (23) "Chemical waste" shall mean a material normally generated  
43 by or used in chemical, petrochemical, plastic, pharmaceutical,  
44 biochemical or microbiological manufacturing processes or petroleum  
45 refining processes, which has been selected for waste disposal and  
46 which is known to hydrolize, ionize or decompose, which is soluble,

1 burns or oxidizes, or which may react with any of the waste materials  
2 which are introduced into the landfill, or which is buoyant on water,  
3 or which has a viscosity less than that of water or which produces a  
4 foul odor. Chemical waste may be either hazardous or nonhazardous;

5 (24) "Effluent" shall mean liquids which are treated in and  
6 discharged by sewage treatment plants;

7 (25) "Hazardous wastes" shall mean any waste or combination of  
8 waste which poses a present or potential threat to human health,  
9 living organisms or the environment. "Hazardous waste" shall  
10 include, but not be limited to, waste material that is toxic, corrosive,  
11 irritating, sensitizing, radioactive, biologically infectious, explosive or  
12 flammable;

13 (26) "Leachate" shall mean a liquid that has been in contact with  
14 solid waste and contains dissolved or suspended materials from that  
15 solid waste;

16 (27) "Recycling" shall mean the separation, collection, processing  
17 or recovery of metals, glass, paper, solid waste and other materials for  
18 reuse or for energy production and shall include resource recovery;

19 (28) "Sludge" shall mean any solid, semisolid, or liquid waste  
20 generated from a municipal, industrial or other sewage treatment plant,  
21 water supply treatment plant, or air pollution control facility, or any  
22 other such waste having similar characteristics and effects; "sludge"  
23 shall not include effluent;

24 (29) "Solid waste" shall mean garbage, refuse, and other discarded  
25 materials resulting from industrial, commercial and agricultural  
26 operations, and from domestic and community activities, and shall  
27 include all other waste materials including sludge, chemical waste,  
28 hazardous wastes and liquids, except for liquids which are treated in  
29 public sewage treatment plants and except for solid animal and  
30 vegetable wastes collected by swine producers licensed by the State  
31 Department of Agriculture to collect, prepare and feed such wastes to  
32 swine on their own farms;

33 (30) "Solid waste system" shall mean and include the plants,  
34 structures and other real and personal property acquired, constructed  
35 or operated or to be acquired, constructed or operated by an authority  
36 or by any person to whom a municipal authority has extended credit  
37 for this purpose pursuant to the provisions of this act, including  
38 transfer stations, incinerators, recycling facilities, including facilities  
39 for the generation, transmission and distribution of energy derived  
40 from the processing of solid waste, sanitary landfill facilities or other  
41 property or plants for the collection, recycling or disposal of solid  
42 waste and all vehicles, equipment and other real and personal property  
43 and rights thereon and appurtenances necessary or useful and  
44 convenient for the collection, recycling, or disposal of solid waste in  
45 a sanitary manner;

46 (31) "Hydroelectric system" shall mean the plants, structures and

1 other real and personal property acquired, constructed or operated or  
2 to be acquired, constructed or operated by an authority pursuant to  
3 the provisions of this act, including all that which is necessary or  
4 useful and convenient for the generation, transmission and sale of  
5 hydroelectric power at wholesale;

6 (32) "Hydroelectric power" shall mean the production of electric  
7 current by the energy of moving water;

8 (33) "Sale of hydroelectric power at wholesale" shall mean any  
9 sale of hydroelectric power to any person for purposes of resale of  
10 such power.

11 (cf: P.L.1984, c.178, s.1)

12

13 4. (New section) Notwithstanding the provisions of any law, rule  
14 or regulation to the contrary, a utilities authority created pursuant to  
15 sections 4, 5 or 6 of P.L.1957, c.183 (C.40:14B-4 et seq.) by  
16 ordinance or resolution, as appropriate, may change its name to "the  
17 . . . . water reclamation authority," with all or any significant part of  
18 a municipality, county or some other identifying geographical phrase  
19 inserted, as appropriate, through adoption of a resolution at any  
20 meeting of the authority.

21

22 5. This act shall take effect immediately.

23

24

25 STATEMENT

26

27 This bill would permit a sewerage authority created pursuant to the  
28 "sewerage authorities law," P.L.1946, c.138 (C.40:14A-1 et seq.) or  
29 a utilities authority created pursuant to the "municipal and county  
30 utilities authorities law," P.L.1957, c.183 (C.40:14B-1 et seq.) to  
31 rename itself as a "water reclamation authority."

32 Under current law, the designations of a "sewerage authority" or  
33 "utilities authority" do not convey the full scope of responsibilities and  
34 activities of these authorities, and have led to misperceptions  
35 concerning the type of environmental service provided by them.

36 This bill would permit sewerage and utilities authorities to change  
37 their names to more accurately reflect their activities and purposes.

38

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42 \_\_\_\_\_  
43 Allows sewerage and utilities authorities to change names to water  
reclamation authorities.

## CHAPTER 123

AN ACT concerning the naming of certain county and municipal authorities and amending and supplementing P.L.1946, c.138 (C.40:14A-1 et seq.) and P.L.1957, c.183 (C.40:14B - 1 et seq.).

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

1. Section 3 of P.L.1946, c.138 (C.40:14A-3) is amended to read as follows:

### C.40:14A-3 Definitions.

3. As used in this act, unless a different meaning clearly appears from the context:

(1) "Municipality" shall mean any city of any class, any borough, village, town, township, or any other municipality other than a county or a school district, and except when used in section 4 or 21 of this act, any agency thereof or any two or more thereof acting jointly or any joint meeting or other agency of any two or more thereof;

(2) "County" shall mean any county of any class;

(3) "Governing body" shall mean, in the case of a county, the board of chosen freeholders, or in the case of those counties organized pursuant to the provisions of the "Optional County Charter Law" P.L.1972, c.154 (C.40:41A-1 et seq.), the board of chosen freeholders and the county executive, the county supervisor or the county manager, as appropriate, and, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(4) "Person" shall mean any person, association, corporation, nation, State or any agency or subdivision thereof, other than a county or municipality of the State or a sewerage authority;

(5) "Sewerage or water reclamation authority" shall mean a public body created pursuant to section 4 of this act;

(6) Subject to the exceptions provided in section 4 of this act, "district" shall mean the area within the territorial boundaries of the county, or of the municipality or municipalities, which created or joined in the creation of a sewerage authority;

(7) "Local unit" shall mean the county, or any municipality, which created or joined in the creation of a sewerage authority;

(8) "Sewerage system" shall mean the plants, structures, on-site waste-water systems, and other real and personal property acquired, constructed, maintained or operated or to be acquired, constructed, maintained or operated by a sewerage authority for the purposes of the sewerage authority, including sewers, conduits, pipe lines, mains, pumping and ventilating stations, sewage treatment or disposal systems, plants and works, connections, and outfalls, compensating reservoirs, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the collection, treatment, purification or disposal in a sanitary manner of any sewage, liquid or solid wastes, night soil or industrial wastes;

(9) "Cost" shall mean, in addition to the usual connotations thereof, the cost of acquisition or construction of all or any part of a sewerage system and of all or any property, rights, easements, privileges, agreements and franchises deemed by the sewerage authority to be necessary or useful and convenient therefor or in connection therewith, including interest or discount on bonds, cost of issuance of bonds, engineering and inspection costs and legal expenses, costs of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the sewerage authority prior to and during such acquisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion of said sewerage system or part thereof and the placing of the same in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal or interest on bonds during or after such acquisition or construction as the sewerage authority may determine, and also reimbursements to the sewerage authority or any county, municipality or other person of any moneys theretofore expended for the purposes of the sewerage authority or to any county or municipality of any moneys theretofore expended for in connection with sanitation facilities;

(10) "Real property" shall mean lands both within and without the State, and improvements thereof or thereon, or any rights or interests therein;

(11) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of a sewerage system;

(12) "Industrial wastes" shall mean liquid or other wastes resulting from any processes of industry, manufacture, trade or business or from the development of any natural resource;

(13) "Sewage" shall mean the water-carried wastes created in and carried, or to be carried, away from, or to be processed by on-site wastewater systems, residences, hotels, apartments, schools, hospitals, industrial establishments, or any other public or private building, together with such surface or ground water and industrial wastes as may be present;

(14) "On-site wastewater system" means any of several works, facilities, septic tanks or other devices, used to collect, treat, reclaim, or dispose of wastewater or sewage on or adjacent to the property on which the wastewater or sewage is produced, or to convey such wastewater or sewage from said property to such facilities as the authority may establish for its disposal;

(15) "Pollution" means the condition of water resulting from the introduction therein of substances of a kind and in quantities rendering it detrimental or immediately or potentially dangerous to the public health, or unfit for public or commercial use;

(16) "Ordinance" means a written act of the governing body of a municipality adopted and otherwise approved and published in the manner or mode of procedure prescribed for ordinances tending to obligate such municipality pecuniarily;

(17) "Resolution" means a written act of the governing body of a local unit adopted and otherwise approved in the manner or mode of procedure prescribed for resolutions tending to obligate such local unit pecuniarily;

(18) "Bonds" shall mean bonds or other obligations issued pursuant to this act; and

(19) "Compensating reservoir" shall mean the structures, facilities and appurtenances for the impounding, transportation and release of water for the replenishment in periods of drought or at other necessary times of all or a part of waters in or bordering the State diverted into a sewer, sewage treatment or sewage disposal system operated by the sewerage authority.

C.40:14A-4.1 Name change to water reclamation authority, permitted.

2. Notwithstanding the provisions of any law, rule or regulation to the contrary, an authority created pursuant to section 4 of P.L.1946, c.138 (C.40:14A-4) by ordinance or resolution, as appropriate, may change its name to "the . . . . water reclamation authority," with all or any significant part of a municipality, county or some other identifying geographical phrase inserted, as appropriate, through adoption of a resolution at any meeting of the authority.

3. Section 3 of P.L.1957, c.183 (C.40:14B-3) is amended to read as follows:

C.40:14B-3 Definitions.

3. As used in this act, unless a different meaning clearly appears from the context:

(1) "Municipality" shall mean any city of any class, any borough, village, town, township, or any other municipality other than a county or a school district, and except when used in section 4, 5, 6, 11, 12, 13, 42 or 45 of this act, any agency thereof or any two or more thereof acting jointly or any joint meeting or other agency of any two or more thereof;

(2) "County" shall mean any county of any class;

(3) "Governing body" shall mean, in the case of a county, the board of chosen freeholders, or in the case of those counties organized pursuant to the provisions of the "Optional County Charter Law" P.L.1972, c.154 (C.40:41A-1 et seq.), the board of chosen freeholders and the county executive, the county supervisor or the county manager, as appropriate, and, in the case of a municipality, the commission, council, board or body, by whatever name it may be known, having charge of the finances of the municipality;

(4) "Person" shall mean any person, association, corporation, nation, state or any agency or subdivision thereof, other than a county or municipality of the State or a municipal authority;

(5) "Municipal or water reclamation authority" shall mean a public body created or organized pursuant to section 4, 5 or 6 of this act and shall include a municipal utilities authority created by one or more municipalities and a county utilities authority created by a county;

(6) Subject to the exceptions provided in section 10, 11 or 12 of this act, "district" shall mean the area within the territorial boundaries of the county, or of the municipality or municipalities, which created or joined in or caused the creation or organization of a municipal authority;

(7) "Local unit" shall mean the county, or any municipality, which created or joined in or caused the creation or organization of a municipal authority;

(8) "Water system" shall mean the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by a municipal authority or by any person to whom a municipal authority has extended credit for this purpose for the purposes of the municipal authority, including reservoirs, basins, dams, canals, aqueducts, standpipes, conduits, pipelines, mains, pumping stations, water distribution systems, compensating reservoirs, waterworks or sources of water supply, wells, purification or filtration plants or other plants and works, connections, rights of flowage or division, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the accumulation, supply or distribution of water;

(9) "Sewerage system" shall mean the plants, structures, on-site wastewater systems and other real and personal property acquired, constructed or operated or to be acquired, constructed, maintained or operated by a municipal authority or by any person to whom a municipal authority has extended credit for this purpose for the purposes of the municipal authority, including sewers, conduits, pipelines, mains, pumping and ventilating stations, sewage treatment or disposal systems, plants and works, connections, outfalls, compensating reservoirs, and other plants, structures, boats, conveyances, and other real and personal property, and rights therein, and appurtenances necessary or useful and convenient for the collection, treatment, purification or disposal in a sanitary manner of any sewage, liquid or solid wastes, night soil or industrial wastes;

(10) "Utility system" shall mean a water system, solid waste system, sewerage system, or a hydroelectric system or any combination of such systems, acquired, constructed or operated or to be acquired, constructed or operated by a municipal authority or by any person to whom a municipal authority has extended credit for this purpose;

(11) "Cost" shall mean, in addition to the usual connotations thereof, the cost of acquisition or construction of all or any part of a utility system and of all or any property, rights, easements, privileges, agreements and franchises deemed by the municipal authority to be necessary or useful and convenient therefor or in connection therewith, including interest or discount on bonds, cost of issuance of bonds, engineering and inspection costs and legal expenses, cost of financial, professional and other estimates and advice, organization, administrative, operating and other expenses of the municipal authority prior to and during such acquisition or construction, and all such other expenses as may be necessary or incident to the financing, acquisition, construction and completion of said utility system or part thereof and the placing of the same in operation, and also such provision or reserves for working capital, operating, maintenance or replacement expenses or for payment or security of principal of or interest on bonds during or after such acquisition or construction as the municipal authority may determine, and also reimbursements to the municipal authority or any county, municipality or other person of any moneys theretofore expended for the purposes of the municipal authority or to any county or municipality of any moneys theretofore expended for or in connection with water supply, solid waste, water distribution, sanitation or hydroelectric facilities;

(12) "Real property" shall mean lands both within or without the State, and improvements thereof or thereon, or any rights or interests therein;

(13) "Construct" and "construction" shall connote and include acts of construction, reconstruction, replacement, extension, improvement and betterment of a utility system;

(14) "Industrial wastes" shall mean liquid or other wastes resulting from any processes of industry, manufacture, trade or business or from the development of any natural resource, and shall include any chemical wastes or hazardous wastes;

(15) "Sewage" shall mean the water-carried wastes created in and carried, or to be carried, away from, or to be processed by on-site wastewater systems, residences, hotels, apartments,



schools, hospitals, industrial establishments, or any other public or private building, together with such surface or ground water and industrial wastes and leachate as may be present;

(16) "On-site wastewater system" means any of several facilities, septic tanks or other devices, used to collect, treat, reclaim, or dispose of wastewater or sewage on or adjacent to the property on which the wastewater or sewage is produced, or to convey such wastewater or sewerage from said property to such facilities as the authority may establish for its disposal;

(17) "Pollution" means the condition of water resulting from the introduction therein of substances of a kind and in quantities rendering it detrimental or immediately or potentially dangerous to the public health, or unfit for public or commercial use;

(18) "Bonds" shall mean bonds or other obligations issued pursuant to this act;

(19) "Service charges" shall mean water service charges, solid waste service charges, sewer service charges, hydroelectric service charges or any combination of such charges, as said terms are defined in section 21 or 22 of this act or in section 7 of this amendatory and supplementary act;

(20) "Compensating reservoir" shall mean the structures, facilities and appurtenances for the impounding, transportation and release of water for the replenishment in periods of drought or at other necessary times of all or a part of waters in or bordering the State diverted into a utility system operated by a municipal authority;

(21) "Sewerage or water reclamation authority" shall mean a public body created pursuant to the Sewerage Authorities Law, P.L.1946, c.138 (C.40:14A-1 et seq.) or the acts amendatory thereof or supplemental thereto;

(22) "County sewer authority" shall mean a sanitary sewer district authority created pursuant to the act entitled "An act relating to the establishment of sewerage districts in first- and second-class counties, the creation of Sanitary Sewer District Authorities by the establishing of such districts, prescribing the powers and duties of any such authority and of other public bodies in connection with the construction of sewers and sewage disposal facilities in any such district, and providing the ways and means for paying the costs of construction and operation thereof," approved April 23, 1946 (P.L.1946, c. 123), or the acts amendatory thereof or supplemental thereto;

(23) "Chemical waste" shall mean a material normally generated by or used in chemical, petrochemical, plastic, pharmaceutical, biochemical or microbiological manufacturing processes or petroleum refining processes, which has been selected for waste disposal and which is known to hydrolyze, ionize or decompose, which is soluble, burns or oxidizes, or which may react with any of the waste materials which are introduced into the landfill, or which is buoyant on water, or which has a viscosity less than that of water or which produces a foul odor. Chemical waste may be either hazardous or nonhazardous;

(24) "Effluent" shall mean liquids which are treated in and discharged by sewage treatment plants;

(25) "Hazardous wastes" shall mean any waste or combination of waste which poses a present or potential threat to human health, living organisms or the environment. "Hazardous waste" shall include, but not be limited to, waste material that is toxic, corrosive, irritating, sensitizing, radioactive, biologically infectious, explosive or flammable;

(26) "Leachate" shall mean a liquid that has been in contact with solid waste and contains dissolved or suspended materials from that solid waste;

(27) "Recycling" shall mean the separation, collection, processing or recovery of metals, glass, paper, solid waste and other materials for reuse or for energy production and shall include resource recovery;

(28) "Sludge" shall mean any solid, semisolid, or liquid waste generated from a municipal, industrial or other sewage treatment plant, water supply treatment plant, or air pollution control facility, or any other such waste having similar characteristics and effects; "sludge" shall not include effluent;

(29) "Solid waste" shall mean garbage, refuse, and other discarded materials resulting from industrial, commercial and agricultural operations, and from domestic and community activities, and shall include all other waste materials including sludge, chemical waste, hazardous wastes and liquids, except for liquids which are treated in public sewage treatment plants and except for

solid animal and vegetable wastes collected by swine producers licensed by the State Department of Agriculture to collect, prepare and feed such wastes to swine on their own farms;

(30) "Solid waste system" shall mean and include the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by an authority or by any person to whom a municipal authority has extended credit for this purpose pursuant to the provisions of this act, including transfer stations, incinerators, recycling facilities, including facilities for the generation, transmission and distribution of energy derived from the processing of solid waste, sanitary landfill facilities or other property or plants for the collection, recycling or disposal of solid waste and all vehicles, equipment and other real and personal property and rights thereon and appurtenances necessary or useful and convenient for the collection, recycling, or disposal of solid waste in a sanitary manner;

(31) "Hydroelectric system" shall mean the plants, structures and other real and personal property acquired, constructed or operated or to be acquired, constructed or operated by an authority pursuant to the provisions of this act, including all that which is necessary or useful and convenient for the generation, transmission and sale of hydroelectric power at wholesale;

(32) "Hydroelectric power" shall mean the production of electric current by the energy of moving water;

(33) "Sale of hydroelectric power at wholesale" shall mean any sale of hydroelectric power to any person for purposes of resale of such power.

C.40:14B-4.1 Name change to water reclamation authority, permitted.

4. Notwithstanding the provisions of any law, rule or regulation to the contrary, a utilities authority created pursuant to sections 4, 5 or 6 of P.L.1957, c.183 (C.40:14B-4 et seq.) by ordinance or resolution, as appropriate, may change its name to "the . . . . water reclamation authority," with all or any significant part of a municipality, county or some other identifying geographical phrase inserted, as appropriate, through adoption of a resolution at any meeting of the authority.

5. This act shall take effect immediately.

Approved June 26, 2001.

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TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

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RELEASE: June 27 , 2001

Acting Governor Donald T. DiFrancesco has signed the following legislation:

**S-621**, sponsored by Senators John Matheussen (R-Camden/Gloucester), Norman Robertson (Essex/Passaic) and Anthony Bucco (R-Morris) and Assemblymembers John Kelly (R-Bergen/Essex/Passaic) and Arline Friscia (D-Middlesex), allows parents, children, spouses and siblings of illegal drug users, as well as employers of illegal drug users, medical facilities, insurers and persons injured by the drug users' actions to sue drug dealers for civil damages.

**S-647**, sponsored by Senator Joseph Kyriillos (R-Middlesex/Monmouth) and Assemblyman Joseph Azzolina (R-Middlesex/Monmouth) and Guy Gregg (R-Sussex/Hunterdon/Morris) permits the Director of the Division of Alcoholic Beverage Control to issue a special auction permit to a nonprofit organization operating solely for civic, religious, education, charitable, fraternal, social or recreational purposes.

The permit will cost \$100 and would entitle the nonprofit organization to sell at auction alcoholic beverages donated to it by a licensee.

**S-1382**, sponsored by Senator Robert Martin (R-Essex/Morris/Passaic) and Assemblymen Wilfredo Caraballo (D-Essex) and Kip Bateman (R-Morris/Somerset), revises rules concerning secured transactions by replacing Chapter 9 of the Uniform Commercial Code (UCC) with revised Chapter 9, as well as, conforming amendments to Chapters 1,2,2A,4,5,7 and 8 of the UCC.

**S-2123**, sponsored by Senator Raymond Lesniak (D-Union) and Assemblymen Neil Cohen(D-Union) and Joseph Impreveduto (D-Bergen/Hudson), increases the term of office of the mayor and the members of council from two years to four years in municipalities. Provides for a transitional three-year term of office for the mayor and members of council elected at the 2002 general election.

This bill also alters the term of office of mayor and member so council from three years to four years in towns.

**A-1325**, sponsored by Senator William Schluter (R-Warren/Hunterdon/Mercer) and Assemblymembers Richard Bagger (R-Middlesex/Morris/Somerset/Union) and the late Alan Augustine (R-Middlesex/Morris/Somerset/Union), allows a municipality or county to install pedestrian crossing right-of-way signs at a marked or unmarked crosswalk or at an intersection.

**A-1342**, sponsored by late Assemblyman Alan Augustine (R-Middlesex/Morris/Somerset/Union), provides that, as a fifth option, a Teachers' Pension and Annuity Fund (TPAF) or Public Employees' Retirement System (PERS) member may choose a retirement allowance actuarially reduced to provide to a beneficiary an allowance equivalent to the full amount, three-quarters, one-half or one-quarter of that reduced allowance, but if the beneficiary dies before the retiree, the retiree's allowance will increase to a maximum amount.

**A-2185**, sponsored by Senator Louis Bassano (R-Essex/Union) and John Singer (R-Burlington/Monmouth/Ocean) and Assemblymembers Leonard Lance (R-Warren/Hunterdon/Mercer) and Rose Maria Heck (R-Bergen), appropriates \$28,695,000 from the Developmental Disabilities' Waiting List Reduction and Human Services Facilities Construction Fund for the Department of Human Services. This money will be used for various projects within the divisions, including reducing the community services waiting list.

**A-2209**, sponsored by Senators Jack Sinagra (R-Middlesex) and Joseph Vitale (D-Middlesex) and Assemblymembers Carol Murphy (R-Essex/Morris/Passaic) and Samuel Thompson (R-Middlesex/Monmouth), provides that the period for which eligibility for Medicaid and KidCare benefits is determined shall be the maximum permitted under federal law, currently 12 months.

**A-2449**, sponsored by Assemblymen Michael Arnone (R-Monmouth) and Joseph Azzolina (R-Middlesex/Monmouth), permits sewerage authority or a utilities authority to rename itself as a "water reclamation authority" to more accurately reflect its activities and purposes.

**A-2523**, sponsored by Senators William Gormley (R-Atlantic) and Edward O'Connor (D-Hudson) and Assemblymen James Holzapfel (R-Monmouth/Ocean) and Peter Barnes (D-Middlesex), increases the penalty for persons who produce and sell false motor vehicle identification cards from a crime of the fourth degree to a crime of the third degree which is punishable by imprisonment for three to five years, a fine of up to \$15,000, or both.

**A-3622**, sponsored by Senators Walter Kavanaugh (R-Morris/Somerset) and Raymond Lesniak (D-Union) and Assemblymen John Wisniewski (D-Middlesex) and Samuel Thompson (R-Middlesex/Monmouth), provides that for the year 2001, 1) the day on which members of the State, county or municipal committee of a political party will take office, and the day on which the terms of members previously elected to each such committee will terminate, will be the day immediately following the day of the primary election for the general election and 2) the holding of the annual meeting of the State, county and municipal committees of a political party will occur no earlier than the day immediately following the day of the primary election and no later than the 21st day following such election.