

40:23-6.50

LEGISLATIVE HISTORY CHECKLIST

NJSA 40:23-6.50

Laws of 1977 Chapter 71 (Drainage Improvement Pro-
jects on Railroad Property)

Bill No. S658

Sponsor(s) Pro-filed

Date Introduced Dwyer

Committee: Assembly Transportation and Communications

Senate Transportation and Communications

Amended during passage Yes ~~No~~ Amendments during passage
denoted by asterisks

Date of passage: Assembly January 31, 1977

Senate April 12, 1976

Date of approval April 21, 1977

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

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SENATE, No. 658

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator DWYER

AN ACT permitting counties to construct and maintain works to control surplus and surface water on railroad property.

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

1 1. Whenever a railroad company shall not properly construct
2 and maintain on its property in any county any structures, ditches,
3 watercourses, dykes, dams, and such other works and such filling
4 and excavating necessary to control the flow of surplus and surface
5 waters for the protection of the public health, safety and welfare,
6 the governing body of such county may, after notice to the company
7 **and approval of the construction plans **and specifications** by*
8 *the company* **within 90 days of their submission***, enter upon
9 such property and construct and maintain such works, fillings and
10 excavations.

11 The county shall not be required to make compensation to such
12 railroad for entering upon such property and constructing and
13 maintaining such works, fillings and excavations.

1 2. This act shall take effect immediately.

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11 maintaining such works, fillings and excavations.

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STATEMENT

Serious drainage problems have occurred in certain instances due to the reluctance of bankrupt railroads to adequately maintain drainage structures located on their property.

In order to protect the public health, safety and welfare, this bill would permit county governments to undertake drainage improvement projects on property owned by a railroad without compensating the railroad for entering its property for such purpose.

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS COMMITTEE
STATE OF NEW JERSEY
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ASSEMBLY TRANSPORTATION AND
COMMUNICATIONS COMMITTEE

STATEMENT TO

SENATE, No. 658

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STATE OF NEW JERSEY

DATED: MAY 24, 1976

Serious drainage problems have occurred in certain instances due to the reluctance of railroads to adequately maintain drainage structures located on their property.

This bill would permit county governments to undertake drainage improvement projects on property owned by a railroad without compensating the railroad for entering its property. The bill further provides that such projects could not be done without the approval of the construction plans by the railroad company and has been amended by the committee to also require that the specifications of such plans are also to be approved by the aforesaid railroad company within 90 days of their submission. The committee amended the bill so as to insure the safety of operations while such construction projects are in progress.

SENATE TRANSPORTATION AND COMMUNICATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 658
with Senate committee amendments

STATE OF NEW JERSEY

DATED: MARCH 29, 1976

This bill would permit county governments to undertake drainage improvement projects on property owned by a railroad without compensating the railroad for entering its property. The bill was amended to provide that such projects could not be done without the approval of the construction plans by the railroad company.