

40:48-9.13

LEGISLATIVE HISTORY CHECKLIST

(Nuclear emergency response plans--
authorize municipal appropriations)

HJSA 40:48-9.13

LAWS OF 1979

CHAPTER 231

Bill No. A1272

Sponsor(s) Stewart, Herman and Karcher

Date Introduced April 24, 1978

Committee: Assembly Agriculture and Environment

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly May 1, 1978

Senate May 7, 1979

Date of approval Oct. 22, 1979

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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ASSEMBLY, No. 1272

STATE OF NEW JERSEY

INTRODUCED APRIL 24, 1978

By Assemblymen STEWART, HERMAN and KARCHER

Referred to Committee on Agriculture and Environment

AN ACT authorizing certain municipal appropriations for nuclear emergency response plans and supplementing Title 40 of the Revised Statutes.

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

1 1. The governing body of any municipality wherein is located a
2 nuclear-powered electric generating facility is hereby authorized
3 to appropriate and grant to the governing body of the county
4 wherein such municipality is situate, and to the governing body of
5 any other county or municipality, which, in the judgment of the
6 granting municipality, would be affected by an emergency at such
7 facility, funds which shall be used for the preparation, testing and
8 implementation of nuclear emergency response plans designed to
9 prevent or minimize the loss of life or property resulting from an
10 accident, malfunction, act of sabotage, act of God, or any other
11 condition or circumstance occurring at such facility. Such funds
12 shall be taken from any amount received by such municipality pur-
13 suant to the provisions of Chapter 30A of Title 54 of the Revised
14 Statutes, and the total appropriations therefor by any one munici-
15 pality shall not exceed \$250,000.00 annually.

1 2. This act shall take effect immediately.

STATEMENT

At present, any municipality wherein a nuclear power plant is located receives a share of the franchise and gross receipts taxes imposed on that facility by the State. With that share, such municipality is able to mitigate the various impacts of such a facility, including the safety aspects. This bill would permit such a municipality to grant a portion of such share up to \$250,000.00 annually, to the affected counties and municipalities for the purpose of preparing, testing, and implementing nuclear emergency response plans.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1272

STATE OF NEW JERSEY

DATED: MAY 11, 1978

As the sponsor's statement indicates, the purpose of Assembly Bill No. 1272 is to provide statutory authority under which municipalities in which are located nuclear power plants may appropriate funds to counties and municipalities which might be affected by such a power plant for use in preparing, testing and implementing nuclear emergency response plans. Such funds would be taken from the amounts such municipalities receive from the franchise and gross receipts taxes, and the total amount appropriated to all such counties and municipalities could not exceed \$250,000.00 annually.

Two municipalities in New Jersey have nuclear power plants located therein: Lower Alloways creek in Salem county and Lacey township in Ocean county.

It is the committee's understanding that funds appropriated under the act would fall within the 5% budget cap imposed pursuant to P. L. 1976, c. 68. In the case of counties, funds received under the act would not be subject to the budget cap, when expended since the county limitation is based upon the county tax levy, and the expenditure of funds received under the act would not increase the county tax levy. In the case of municipalities receiving funds under the act, the funds would be subject to the budget cap when expended, since the municipal limitation is based upon final appropriations, and since the receipt and expenditure of such funds is not mandated by the act.