

SENATE, No. 1978

STATE OF NEW JERSEY
217th LEGISLATURE

INTRODUCED MARCH 14, 2016

Sponsored by:

Senator CHRISTOPHER J. CONNORS
District 9 (Atlantic, Burlington and Ocean)
Senator ROBERT W. SINGER
District 30 (Monmouth and Ocean)

SYNOPSIS

Permits municipalities impacted by Superstorm Sandy to borrow for current expenses through December 31, 2017, and repay special emergency notes over a 10-year period.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/10/2016)

1 AN ACT concerning the fiscal affairs of municipalities impacted by
2 certain natural disasters and amending various parts of the
3 statutory law.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. N.J.S.40A:2-3 is amended to read as follows:

9 40A:2-3. Any local unit, by bond ordinance, may incur
10 indebtedness, borrow money, authorize and issue negotiable
11 obligations for financing:

12 a. any capital improvement or property which it may lawfully
13 make or acquire;

14 b. (1) any purpose for which it is authorized or required by law
15 to make an appropriation, except current expenses, as may be
16 defined by rule and regulation of the Local Finance Board unless
17 permitted under paragraph (2) of this subsection, and payment of
18 obligations (other than those for temporary financing).

19 (2) current expenses through December 31, 2017, if the
20 municipality's ratable base and revenue collections have been
21 negatively impacted by Superstorm Sandy; or

22 c. the amount of any contribution by a local unit that is a
23 sending municipality under a regional contribution agreement
24 pursuant to section 12 of P.L.1985, c.222 (C.52:27D-312).

25 d. No local unit shall borrow money or issue its obligations for
26 purposes authorized under this chapter except as provided in this
27 chapter.

28 (cf: P.L.2007, c.62, s.16)

29
30 2. N.J.S.40A:4-53 is amended to read as follows:

31 40A:4-53. A local unit may adopt an ordinance authorizing
32 special emergency appropriations for the carrying out of any of the
33 following purposes:

34 a. Preparation of an approved tax map.

35 b. Preparation and execution of a complete program of
36 revaluation of real property for the use of the local assessor, or of
37 any program to update and make current any previous revaluation
38 program when such is ordered by the county board of taxation.

39 c. Preparation of a revision and codification of its ordinances.

40 d. Engagement of special consultants for the preparation, and
41 the preparation of a master plan or plans, when required to conform
42 to the planning laws of the State.

43 e. Preparation of drainage maps for flood control purposes.

44 f. Preliminary engineering studies and planning necessary for
45 the installation and construction of a sanitary sewer system.

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 g. Authorized expenses of a consolidation commission
2 established pursuant to the "Municipal Consolidation Act,"
3 P.L.1977, c.435 (C.40:43-66.35 et seq.) or the "Uniform Shared
4 Services and Consolidation Act," sections 1 through 35 of P.L.2007,
5 c.63 (C.40A:65-1 through C.40A:65-35).

6 h. Contractually required severance liabilities resulting from
7 the layoff or retirement of employees. Such liabilities shall be paid
8 without interest and, at the sole discretion of the local unit, may be
9 paid in equal annual installments over a period not to exceed five
10 years.

11 i. Preparation of a sanitary or storm system map.

12 j. Liabilities incurred to the Department of Labor and Workforce
13 Development for the reimbursement of unemployment benefits paid to
14 former employees.

15 k. Payment of current expenses through December 31, 2017, in
16 the case of a municipality whose ratable base and revenue
17 collections have been negatively impacted by Superstorm Sandy.

18 A copy of all ordinances or resolutions as adopted relating to
19 special emergency appropriations shall be filed with the director.
20 (cf: P.L.2015, c.95, s.39)

21
22 3. N.J.S.40A:4-55 is amended to read as follows:

23 40A:4-55. After the adoption of an ordinance or resolution for
24 special emergency appropriations, the local unit shall by 2/3 vote of
25 the full governing body adopt a resolution setting forth:

26 a. The amount appropriated.

27 b. Provision for the borrowing of money and the issuance of
28 "Special Emergency Notes" which may be renewed from time to
29 time, but at least 1/5 of all such notes, and the renewals thereof,
30 shall mature and be paid in each year, so that all notes and renewals
31 shall have matured and have been paid not later than the last day of
32 the fifth year following the date of the emergency resolution. The
33 provisions of this chapter relating to tax anticipation notes shall
34 apply to special emergency notes.

35 c. A local unit may finance such appropriation from surplus
36 funds available or borrow money in the manner prescribed above.
37 Where any appropriation is financed from surplus funds available,
38 at least 1/5 of the amount thereof shall be included in each annual
39 budget until the appropriation has been fully provided for.

40 d. Notwithstanding the provisions of subsections b. and c. of
41 this section, with respect to an appropriation funded through special
42 emergency notes issued by a municipality whose ratable base and
43 revenue collections have been negatively impacted by Superstorm
44 Sandy, at least 1/10 of the amount thereof shall be included in each
45 annual budget until the appropriation has been fully provided for.

46 (cf: N.J.S.40A:4-55)

47
48 4. This act shall take effect immediately and shall be
49 retroactive to October 29, 2012.

