

ASSEMBLY, No. 1429

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 5, 1996

By Assemblyman CORODEMUS

1 AN ACT concerning budget transfers by certain municipalities for  
2 lifeguard purposes and amending N.J.S.40A:4-58.

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

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7 1. N.J.S.40A:4-58 is amended to read as follows:

8 40A:4-58. a. (1) Should it become necessary, during the last 2  
9 months of the fiscal year, to expend for any of the purposes specified  
10 in the budget an amount in excess of the respective sums appropriated  
11 therefor and there shall be an excess in any appropriations over and  
12 above the amount deemed to be necessary to fulfill the purpose of such  
13 appropriation, the governing body may, by resolution setting forth the  
14 facts, adopted by not less than 2/3 vote of the full membership thereof,  
15 transfer the amount of such excess to those appropriations deemed to  
16 be insufficient; no transfers may be made to appropriations for  
17 contingent expenses or deferred charges.

18 (2) Should it become necessary during the period of time extending  
19 from Memorial Day through Labor Day, for a municipality bordering  
20 on the Atlantic Ocean to expend amounts in excess of the amount  
21 appropriated in the budget for lifeguard purposes and for lifesaving  
22 and safety equipment, in order to ensure public safety on the beach and  
23 in the ocean, the governing body may, by resolution setting forth the  
24 facts, adopted by not less than 2/3 vote of the full membership thereof,  
25 transfer the amount of such excess to those appropriations deemed to  
26 be insufficient. These transferred funds may also be used to inform  
27 and educate the public regarding the hazards of dangerous surf  
28 conditions.

29 b. No transfers may be made under this section from appropriations  
30 for

- 31 1. contingent expenses,  
32 2. deferred charges,  
33 3. cash deficit of preceding year,  
34 4. reserve for uncollected taxes,

**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     5. down payments,
- 2     6. capital improvement fund,
- 3     7. interest and redemption charges.
- 4 (cf: N.J.S.40A:4-58)

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6     2. This act shall take effect immediately.

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STATEMENT

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11     The purpose of this bill is to permit municipalities bordering on the  
12 Atlantic Ocean to transfer funds from various accounts, at any time  
13 from Memorial Day through Labor Day, to accounts out of which  
14 expenditures related to the hiring of lifeguards and the purchase of  
15 lifesaving and safety equipment are made, for the purpose of increasing  
16 lifeguard protection on municipal beaches by the hiring of additional  
17 lifeguards and by extending the hours of lifeguard protection on those  
18 beaches. The sponsor is concerned that many of the drownings during  
19 the 1995 beach season occurred during daylight hours after 5:00 PM,  
20 as a result of unusual surf conditions caused by hurricanes and tropical  
21 storms, and intends that the provisions of this bill will assist  
22 municipalities in providing increased lifeguard protection after 5:00  
23 PM, when lifeguards are generally off-duty. The transferred funds  
24 may also be used by a municipality to inform and educate the public  
25 regarding the hazards of dangerous surf conditions.

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30     Permits budget transfers for lifeguard purposes during beach season.