

consisting of some members of both these associations or groups who have joined together to conduct activities relating to the improvement of the quality of education. These activities may include, but are not limited to, meetings devoted to issues concerning administration or curriculum matters or volunteer efforts concerning any extracurricular activities or athletic events.

C. 2A:171-5.27 Sunday fundraising events.

2. Notwithstanding any other provisions of law to the contrary, in any county in which the provisions of P.L. 1959, c. 119 (C. 2A:171-5.8 et seq.) prohibiting Sunday sales apply, an educational organization may be authorized by the appropriate school board of a public school or the appropriate chief administrative officer of a private, nonprofit school, as the case may be, in that county to conduct, on the appropriate school premises, no more than 10 fundraising events on any 10 Sundays in a calendar year. Each such event shall be subject to separate approval by the board or chief administrative officer, as the case may be. The 10-day limitation provided for herein shall apply to all educational organizations for which a fundraising event would be subject to the approval of a single school district or chief administrative officer, as the case may be.

C. 2A:171-5.28 Municipal option.

3. The governing body of a municipality in any county referred to in section 2 of this act may, by ordinance or resolution, provide that the provisions of this act will not be applicable in that municipality or may regulate or otherwise limit the fundraising events permitted by this act.

4. This act shall take effect immediately.

Approved November 16, 1988.

CHAPTER 163

AN ACT concerning the conservation and protection of watershed properties, supplementing Title 13 and Title 48 of the Revised Statutes, amending R.S. 48:2-23 and making appropriations.

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

1. For a period of 18 months commencing on the effective date of this act, no municipality, municipal utilities authority, or public

utility shall convey any land utilized for the purpose of the protection of a public water supply on the effective date of this act. The provisions of this section shall not apply to land utilized for the purpose of the protection of a public water supply if the land is otherwise subject to regulation pursuant to P.L. 1979, c. 111 (C. 13:18A-1 et seq.) or P.L. 1973, c. 185 (C. 13:19-1 et seq.).

2. a. There is established in the Department of Environmental Protection a Watershed Property Review Board, which shall consist of the Commissioner of the Department of Environmental Protection, the Commissioner of the Department of Community Affairs, and the President of the Board of Public Utilities. The Watershed Property Review Board shall be authorized to exempt from the provisions of section 1 of this act the conveyance of watershed property if the person applying for the exemption demonstrates to the Watershed Property Review Board that there is a compelling public need for the conveyance of the property, that the denial of the exemption would result in extraordinary hardship, or that the sale or development of the watershed property is otherwise consistent with the purposes of this act. Any person applying for an exemption pursuant to the provisions of this section shall submit to the board appropriate documentation addressing the issue of buffer areas surrounding public water supplies, and shall also provide the board with proposals for the mitigation of any adverse environmental impact which would result from an exemption applied for pursuant to the provisions of this section.

b. A determination by the Watershed Property Review Board to grant or deny an exemption from the provisions of section 1 of this act shall constitute the final agency action on the matter, and shall be subject only to judicial review as provided in the Rules of Court.

c. Prior to making a final determination on an application for an exemption from the provisions of section 1 of this act, the Watershed Property Review Board may refer the application to the Office of Administrative Law, which shall conduct a hearing and issue recommendations based on findings of fact and conclusions of law for consideration by the Watershed Property Review Board in making its determination.

3. Within one year of the effective date of this act, the Department of Environmental Protection shall conduct a study to evaluate the effectiveness of establishing buffer zones around public water supply reservoirs for the purpose of protecting drinking water quality. The department, upon completion of the study conducted pursuant

to this section, shall transmit the study to the Governor, the Board of Public Utilities, and the Legislature.

C. 48:2-23.1 Assessment, review of conveyance.

4. a. The Board of Public Utilities, in reviewing a request by a public utility to convey land utilized for the purpose of the protection of a public water supply to a corporation or other entity which is not subject to the jurisdiction of the board, shall request the Department of Environmental Protection to review and make recommendations on an assessment, prepared and submitted by the utility, of the impact that the conveyance, and the prospective use or uses of the land conveyed, would have on the water quality of the affected public water supply, and shall require the department to assess the impact of the conveyance on the State's open space, conservation, and recreation requirements. The department, upon receipt of a request by the board for an assessment and a review pursuant to this subsection, shall prepare and submit to the board the assessment and review within 12 months of the request therefor.

b. Any public utility requesting the board to approve a conveyance of land utilized for the purpose of the protection of a public water supply to a corporation or other entity which is not subject to the jurisdiction of the board shall submit to the board a document setting forth a detailed explanation of the prospective use or uses of the land to be conveyed. The board, upon receipt of this document, may require the public utility to submit any additional information which the board deems appropriate.

5. R.S. 48:2-23 is amended to read as follows:

Safe, adequate service.

48:2-23. The board may, after public hearing, upon notice, by order in writing, require any public utility to furnish safe, adequate and proper service, including furnishing and performance of service in a manner that tends to conserve and preserve the quality of the environment and prevent the pollution of the waters, land and air of this State, and including furnishing and performance of service in a manner which preserves and protects the water quality of a public water supply, and to maintain its property and equipment in such condition as to enable it to do so.

The board may, pending any such proceeding, require any public utility to continue to furnish service and to maintain its property and equipment in such condition as to enable it to do so.

The board, in requiring any public water utility to furnish safe,

adequate and proper service, may require the public water utility to retain in its rate base any property which the board determines is necessary to protect the water quality of a public water supply.

6. Within one year of the effective date of this act, the Board of Public Utilities shall conduct and transmit to the Governor and the Legislature a study of the rate-impact on customers of public water supply systems of selling land currently utilized by a public utility for protecting a public water supply. This study shall also include an analysis of the feasibility of establishing a mechanism under which customers of a public utility would be allowed to purchase land currently held for the protection of a public water supply through increases in their water supply service fees or charges.

7. a. There is appropriated from the General Fund to the Department of Environmental Protection the sum of \$300,000 to implement the provisions of sections 3 and 4 of this act.

b. There is appropriated from the General Fund to the Board of Public Utilities the sum of \$150,000 to implement the provisions of section 6 of this act.

8. This act shall take effect immediately.

Approved November 16, 1988.

CHAPTER 164

AN ACT to validate certain proceedings for the issuance of bonds of school districts and any bonds or other obligations issued or to be issued pursuant to such proceedings.

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

1. All proceedings heretofore had or taken by any school district or at any school election for the authorization or issuance of bonds of the school district issued or to be issued in pursuance of any proposal adopted by the legal voters at such election, are hereby ratified, validated and confirmed, notwithstanding that the notices to persons desiring Military Service and Civilian Absentee Ballots were not published in accordance with the provisions of section 7 of the "Absentee Voting Law (1953)," P.L. 1953, c. 211 (C. 19:57-7) or as required by N.J.S. 18A:14-25; and notwithstanding that only one